

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

MINUTES OF THE BOARD MEETING HELD AT QUAYSIDE, PORT SOLENT – 15TH MARCH 2013

Present: Tony Charles (Chairman)
Barry White
Mark Abrams
Ian Currie

In Attendance: Peter Williams
Nikki Avis
Sergeant James Noble (Item 13/03/043)

1. APOLOGIES

13/03/001 Apologies were received from Nick Hewitson and Mike Sandall.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH JANUARY 2013.

13/03/002 Following the amendments made to the minutes prior to meeting, Barry White proposed, Ian Currie seconded and the Board approved them.

3. MATTERS ARISING

13/03/003 **Satellite Dish Complaint** – The Board asked Countrywide for an update on the action it had taken in response to a complaint received about a satellite dish which is causing a nuisance. Countrywide informed the meeting that it had written two letters to the owner of the property requesting its immediate removal.

The Board discussed what possible further action it could take should they still fail to remove the dish and it subsequently agreed that Countrywide would write to the owner and the letting agent to advise that potentially POSOL will take legal action in this matter. A Director also recommended that having two satellite dishes on the property was in contravention of planning regulations and therefore asked that Countrywide also inform Portsmouth City Council.

4. MANAGING AGENTS & WORKING GROUP REPORT

Finance – Budget – Expenditure

13/03/004 **Budgets for Year Ended 31st March 2014** – A Director had circulated the draft budget for the year ending 31st March 2014 and the Board discussed the proposed budgetary figures and items of expenditure such as the Port Solent Charge and the water rates which was significantly higher than previous years.

A Director advised that this was as a result of a severe water leak. A Director commented that would it not be better to have all watering points enclosed in cupboards to prevent unauthorised usage. Countrywide advised that this would not be practical due to the location of the watering points.

A Director proposed to the Board that due to security issues across the estate that CCTV cameras are installed in several areas across the estate and fund the works from the sinking fund. In response, a Director commented that even though he felt it was not an inappropriate use of sinking funds, it would be best to seek the approval of the Shareholders.

The Board discussed this matter at length and the various options for surveying the opinion of all 423 Shareholders and it agreed that the item will be put forward as an agenda item at the Annual General Meeting but in the meantime an article will be placed in the upcoming Spring newsletter.

The Meeting also discussed the landscaping retender to be incorporated into the budget for the 2014-2015 financial year. Countrywide advised the Board that it has been in discussion with a landscape consultancy firm with a view to produce a new gardening specification for garden maintenance companies to submit a tender appropriate to Port Solent.

The meeting wished to formally express its thanks to Ian Currie and recognise the hard work he has put into compiling the service charge budget for POSOL. The board approved the budgets as presented.

13/03/005 **Expenditure Report** - The Board discussed the expenditure report circulated prior to the meeting and Countrywide advised that expenditure to 28th February 2013 amounts to £353,970.15.

The meeting discussed items of pending expenditure prior to the end of the financial year such as pergola repairs and the three remaining security locks to the remote mooring gates. A Director commented that it seems that there is no expenditure included for Directors and Officers Insurance and requested that Countrywide investigate this as a matter of urgency.

Arrears

13/03/006 Countrywide advised the Board that the total arrears amount to £19,353.55 and of this £9,804.51 relates to aged debtors. This was noted as a significant improvement on one year ago.

13/03/007 [] **Carne Place** – Countrywide advised the Board that the owner of [] Carne Place contacted the office and became abusive when discussing his arrears. He advised that he is not able to pay his service charge in full nor does he have the financial means to pay in instalments.

Part payment of the arrears has been received since discussion with the owner.

13/03/008 [] **Sennen Place** – Countrywide advised the meeting that it had spoken to the owner of [] Sennen Place who has confirmed that they will send a cheque for the outstanding arrears.

13/03/009 [] **Sennen Place** – Countrywide advised the Board that it is receiving regular payments from the owner and that he is making a considerable effort to clear his arrears.

13/03/010 [] **Carne Place** – Countrywide informed the meeting that further to the standard reminders it had written to the owner on the 1st March and a follow up letter was sent on the 11th March but to date had yet to receive a response.

13/03/011 [] **Carne Place** – Countrywide informed the Board that it had spoken to the owner who advised that they will issue payment of the arrears and that they would like to make future payments by Direct Debit.

Countrywide commented that to date it had yet to receive payment.

- 13/03/012 [] **Newlyn Way** – Countrywide informed the meeting that the County Court Bailiffs had failed to serve the Oral Examination papers even though it had provided the full employment details of the owner to the court.
- The meeting discussed the possibility of transferring the matter to a High Court as it is believed that their bailiff operatives are more vigorous and thorough. Countrywide had been advised that the cost to transfer the case is £60.00 and they will pursue the debtor for all further costs. However should they not be able to recoup the money, POSOL will be responsible for all costs incurred.
- The Board discussed the matter at length and it agreed that the best course of action would be to commence bankruptcy proceedings against the Shareholders.
- The Meeting agreed that the decision to proceed with bankruptcy proceedings be delegated to Tony Charles and Ian Currie and it asked Countrywide to liaise directly with both Directors.
- 13/03/013 [] **Newlyn Way** – Following its discussion on the matter, the Board agreed to transfer this case to the High Court and asked Countrywide to make the necessary arrangements.
- 13/03/014 [] **Newlyn Way** – Countrywide advised the Board that the Solicitors who acted in the sale of this property may have located duplicate copies of the required documents. To date, it had yet to receive any further information from the Solicitors.
- 13/03/015 [] **Newlyn Way** – Countrywide informed the meeting that further to the standard reminders it had written to the owner on the 1st March and a follow up letter was sent on the 11th March but to date had yet to receive a response.
- 13/03/016 [] **Newlyn Way** – Countrywide advised the Board that the owner has missed one of his regular payment and it had therefore written to him and requested payment be made as per the agreed payment plan. To date, it had yet to receive a response
- 13/03/017 [] **Carbis Close** – Countrywide informed the meeting that further to the standard reminders it had written to the owner on the 1st March and a follow up letter was sent on the 11th March but to date had yet to receive a response.
- 13/03/018 [] **Carbis Close** – Countrywide advised the Board that it is receiving regular payments from the owner and that they are making an effort to clear their arrears.
- 13/03/019 [] **Carbis Close** – Countrywide informed the meeting that further to the standard reminders it had written to the owner on the 1st March and a follow up letter was sent on the 11th March but to date had yet to receive a response.
- 13/03/020 [] **Cadgwith Place** – Countrywide advised the Board that it is receiving regular payments from the owners and that they are making an effort to clear their arrears.
- 13/03/021 [] **Coverack Way** – Following its discussion on the matter, the Board agreed to transfer this case to the High Court and asked Countrywide to make the necessary arrangements.
- 13/03/022 [] **Coverack Way** – Countrywide advised the Board that it is receiving regular payments from the owner and that they are making an effort to clear their arrears.
- 13/03/023 [] **Coverack Way** – Countrywide advise the Board that further to the standard reminders it has written to the owner to chase the outstanding balance. The meeting discussed the matter and it agreed for the file to be forwarded to Solicitors.

- 13/03/024 [] **Coverack Way** – Countrywide advised the Board that it has received settlement in full of the arrears on the account.
- 13/03/025 [] **Coverack Way** – Countrywide advised the Board that it is receiving regular payments from the owners and that they are making an effort to clear their arrears.
- 13/03/026 [] **Coverack Way** – Countrywide informed the meeting that the owner has failed to respond to any correspondence from the Solicitors so they have instigated County Court Summons proceedings.
- 13/03/027 [] **Coverack Way** – Countrywide advised the Board that it is receiving regular payments from the owner and it has written to request that they increase their monthly payments as there is a small remaining balance on the account.
- 13/03/028 [] **Mullion Close** – Countrywide informed the meeting that further to the standard reminders it had written to the owner on the 1st March and a follow up letter was sent on the 11th March. [] contacted the office to explain her financial situation and has made an initial payment towards the settlement of her arrears.
- 13/03/029 [] **Mullion Close** – Countrywide informed the meeting that Portsmouth County Court has rejected the owners offer of £5.00 per calendar month and ordered that she pay the balance in full. To date, Countrywide are yet to receive any monies in settlement of her arrears.

Therefore subject to a post meeting decision in respect of bankruptcy proceedings, the Board agreed that due to the level of arrears it is likely to instigate proceedings against []

- 13/03/030 [] **Bryher Island** – Countrywide informed the meeting that further to the standard reminders it had written to the owner on the 1st March and a follow up letter was sent on the 11th March but to date had yet to receive a response.
- 13/03/031 [] **Tintagel Way** – Countrywide informed the meeting that the County Court Bailiffs had failed to serve the Oral Examination papers on the owner despite full details having been provided.

Therefore subject to a post meeting decision in respect of bankruptcy proceedings, the Board agreed that due to the level of arrears it is likely to instigate proceedings against []

- 13/03/032 [] **Tintagel Way** – Countrywide informed the meeting that further to the standard reminders it had written to the owner on the 1st March and a follow up letter was sent on the 11th March but to date had yet to receive a response.
- 13/03/033 A Director commented that the current debtor stands at £19,353.55 whereas this time last year the arrears were in excess of £31k and majority of the monies outstanding are long term debtors.

Property Alterations

- 13/03/034 A Director informed the meeting that he would like to streamline responses to Shareholders in respect of Covenants, Berthing and Gardening issues and will be working closely with Countrywide to implement the necessary procedural changes.
- 13/03/035 [] **Sennen Place** – The Covenants Working Group advised that the car port infill and under balcony works at the property has been completed. The Group advised the works have been signed off and the final letter of POSOL consent is due to be issued shortly.

13/03/036 [] **Sennen Place** – The Covenants Working Group advised that it has attended the property to view the roller shutter door recently installed at the property. The Group commented that the roller shutter door is a completely alien feature and is not in keeping with the rest of the estate. Therefore, it is the recommendation of the Covenants Working Group that the application is refused.

Upon consideration of the matter, the Board agreed with the recommendation of the Group and duly asked Countrywide to inform the owner of the decision and request its immediate removal or consequently the property will be flagged with breach status.

A Director queried whether Shareholders understand what it means if their property is flagged with a breached status. Countrywide replied that it is clearly defined within the letter.

13/03/037 [] & [] **Sennen Place** – The Covenants Working Group advised the meeting that due to an error it seems that Countrywide had not provided the owners with the Board's decision that the loft conversion works were approved except the triangular window on the front elevation of the property along with the drawing with a possible alternative.

Countrywide advised that it was in discussions with the owners to attempt to reach a suitable compromise and will report back to the Board.

13/03/038 [] **Newlyn Way** – Countrywide advised the Board that it spoken to the owner in regards to the proposed car port alterations and he has duly confirmed that it is his intention to reuse the existing front door and the vision panel windows will be high level vertical windows.

Having considered the application, the Covenants Working Group advised the Board that it could not see any reason not to grant the necessary conditional approval subject to the works being completed as indicated in the submitted plans and the proposed vision panel being horizontal and set to high level so not to be visible from the road.

The Board endorsed this recommendation and asked Countrywide to issue the letter of conditional approval.

13/03/039 [] **Bryher Island** – See confidential minutes

Gardening

13/03/040 A Director informed the Board that he had been made aware that there is a local company in operation that provides lawn treatment to help prevent weeds and moss. He asked for the Board's consideration for the lawns across the estate to be treated on the recommended basis as it will ensure the longevity of the grassed areas across the estate.

Upon consideration of the matter, the Board agreed that it would enquire about the cost of such treatment and whether it is works that could be included in the upcoming garden maintenance retender process.

Communications

13/03/041 Nothing to report

Berthing

13/03/042 **Berth Licensing in Tintagel** – A Shareholder had approached Countrywide to establish if he is able to moor a second vessel on his next door neighbour's berth by way of a formal license agreement.

The Board discussed the matter at length and whilst it had every sympathy with the application the sub-underlease for the Q and R Berths strictly prohibits the use of the berths by anyone other than the owner of the mooring or a bona fide tenant of the associated property.

Estate Security

13/03/043 The Security Working Group informed the Board that due to a spate of incidents such as theft of personal items from Shareholder vehicles parked on the estate and the recent proposal for CCTV to be installed at Port Solent, it felt it would be beneficial to discuss the matter with the local Police force. The meeting proceeded to welcome Sergeant James Noble.

Sergeant Noble provided the Board with a brief breakdown of the Police's duties for those patrolling the local area and commented that the majority of the crimes recorded across the Port Solent estate are committed by opportunistic criminals. The installation of CCTV will not only act as a deterrent for those coming onto the estate with the sole purpose of committing an unlawful act but it will also aid in the detection and provide evidence for their prosecution.

The Board discussed the various regulations relating to the installation of CCTV cameras including the possible invasion of privacy of residents on the estate. Sergeant Noble advised that as long as the cameras are directed to the roadways and foot paths and not people's houses, then there should be no invasion of privacy incurred.

With a wide variety of cameras available on the market, the meeting discussed POSOL's requirements for the type of cameras it needs and the monitoring system that would be best suited. Sergeant Noble mentioned that as the crime rate in Port Solent is relatively low he discouraged the use of 24/7 monitoring and noted that the Police have an excellent Crime Prevention Specialist, should POSOL wish to liaise with them.

Countrywide queried whether the lighting across the estate is adequate and a Director responded that the lighting is the responsibility of the Portsmouth City Council and it may be beneficial to contact them to make the necessary enquiries.

The Board agreed that as the matter of CCTV was to be a topic of discussion at the Annual General Meeting then it may be beneficial to invite the local police officer to attend the meeting to assist with questions asked about the crime rate for the area.

13/03/044 Countrywide queried the authority of the Police in respect of abandoned and untaxed vehicles. Sergeant Noble informed the meeting that if the land is adopted then it is the local council's responsibility but if the land is private then the land owner has to deal with it.

The Board thanked Sergeant Noble for his time.

13/03/045 **Gate between POSOL and Oyster Quay** – Countrywide advised the Board that code for the gate will be changing as of the 8th April 2013, and it will duly notify all owners.

General

13/03/046 Nothing to report

5. ANY OTHER BUSINESS

- 13/03/047 **Directorship** – The meeting discussed the need to recruit a new member to the Board to fill its current vacancy. A Director commented that the new Shareholder of [] Bryher Island has expressed an interest.
- 13/03/048 A Director reminded all Board members to submit their articles for the Spring Newsletter to the Communications Working Group as soon as possible to ensure that Countrywide can raise the April Service Charge invoices.
- 13/03/049 A Director commented that he feel it would be beneficial to have an informal interactive ‘express your views’ area on the POSOL website for the Shareholders to use.
- 13/03/050 A director asked for the Board’s consideration of amending the start time of the Board meeting from 9am to 9.30am. Following a discussion on the matter, the Board agreed for the start time to remain 9am.
- 13/03/051 Countrywide advised the meeting that it had received a request from a Shareholder to allow their contractors access to the rear of their property by using the capping as a footpath. The Board discussed the request but is unable to grant consent as the legal documentation is clear that the capping is not a foot path and is not to be used in such as manner.

6. DATE OF NEXT MEETING – Friday 19th April 2013