

POSOL RESIDENTS MANAGEMENT COMPANY LTD

MINUTES OF THE BOARD MEETING HELD AT PORTCHESTER BUSINESS CENTRE, PORTCHESTER – 21ST OCTOBER 2016

- Present: Julian Shaw (JS) Chairman
Ian Currie (IC) Secretary
John Palmer (JP)
Melvin Farndell (MF)
Reg Sillence (RS)
Mark Abrams (MA)
- Attendance: Samantha Simpson (SS) SDL Bigwood PRS and Estate Management
Damian Purcell (DP) SDL Bigwood PRS and Estate Management
- Apologies: Paul Le Maistre (PLM)

MINUTES OF THE LAST BOARD MEETING 23RD SEPTEMBER 2016

- 21/10/001 The minutes of the September meeting had been previously circulated. Subject to minor amendments being made to minutes 23/09/007, 23/09/031 and 23/09/034, it was agreed that they represented an accurate record of the meeting.
- IC proposed and JS seconded.

MANAGING AGENT'S AND WORKING GROUPS' REPORT

Finance:

- 21/10/002 Finance reports for expenditure up to 30th September 2016 had been prepared by Robbie Emmett (RE) Countrywide prior to the management handover. Expenditure as at that date was £265,253.64 against a budget figure of £286.442.
- 21/10/003 A Director commented that the Board had not yet received a copy of the Tree Survey report carried out by Hayden's Arboricultural Consultants. The Board instructed SDL Bigwood therefore to withhold payment of any invoices relating to the report until it has been circulated.
- 21/10/004 A Director advised SDL Bigwood that the gardening contractor Escapes Landscaping Ltd would need to be paid, in addition to Premier Marinas invoice for the Port Solent Charge) as these invoices were overdue from the handover period.
- 21/10/005 A Director suggested that for the following month's financial report some expenditure relating to tax advice would need to be reallocated to the category professional fees.
- 21/10/006 See confidential minutes.

- 21/10/007 SDL Bigwood reported that a few Shareholders had contacted them to advise that their service charge payments, which had been made to Countrywide shortly before the handover of management, had been returned to them. It was noted that this was contrary to what Countrywide had advised, in that any Shareholders payments made during the handover period would automatically be transferred to SDL Bigwood. SS advised that it was likely that Countrywide had closed POSOL's account in order to transfer over all service charge monies. As such, SDL Bigwood had advised those shareholders concerned to wait until they received communication from POSOL before attempting to make any further payment.
- 21/10/008 See confidential minutes.
- 21/10/009 The Board reviewed the Aged Debtors' Report prepared by Countrywide up to 30th September 2016. Action taken by Countrywide in the final month of their management had recovered £4,227.54 of outstanding arrears but the overall balance as at 18th October 2016 still stood at £8,827.76. The Board deemed this to be unacceptable and it was agreed that legal action would now be taken against any shareholder who had not paid their 1st Instalment of the 2016-2017 service charge. SS advised that she had made contact with Locking Solicitors and would be forwarding case files to them shortly.
- 21/10/010 SS presented to the Board the proposed documentation to be issued to Shareholders in relation to the October service charge invoices. Several amendments to the proposed format of the invoice template were suggested by the Board. SS advised that, where possible, these would be taken into consideration however the template was standardised and that it may be necessary to wait until a new accounting programme was introduced later in the year before a POSOL specific template could be created. A Director mentioned they were very short of time for SDL Bigwood to complete the above due to the Service Charge invoices going out as soon as possible.
- 21/10/011 A Director suggested informing the Shareholders of the interest payable on arrears, which was 4% per annum over the NatWest Base Rate. SDL Bigwood advised that a summary of POSOL's arrears policy was to be included in the documentation and that a proposed draft could be found in the October Board meeting pack. The Board discussed the document and subject to a few minor amendments being made, agreed it could be circulated.

COVENANTS

- 21/10/012 [] Newlyn Way – The Board discussed the proposed works to the property and agreed that it would be mindful to issue conditional approval subject to a formal application being made.
- 21/10/013 [] Cadgwith Place – Having reviewed the application, the Covenants Working Group recommended that conditional approval be granted. The Board agreed.

- 21/10/014 [] Carbis Close – The Covenants Working Group advised that it was mindful to issue conditional approval for the some of the proposed works : 4 velux windows, sail window on rear elevation, Juliette balcony and small window on the front elevation.. However, the proposed dormer is not deemed appropriate and the owner has been requested to review this part of the application.
- The owner had also informally advised the Covenants Working Group that he would like to install solar panels at the property. The group advised that such an alteration would be acceptable and recommended that a letter of conditional approval be issued.
- 21/10/015 [] Newlyn Way – It was noted that the works are now virtually complete however no formal application for POSOL consent has been made. The contractor carrying out the works has alleged that plans were sent to Countrywide and that they failed to process the application. The Covenants Working Group is mindful to give consent for the works that have been undertaken to date but only when a formal application is made.
- 21/10/016 [] Bryher Island – The Covenants Working Group advised that it was mindful to agree the proposed alterations and recommended that a letter of Conditional Approval be issued. The Board agreed.
- 21/10/017 [] Bryher Island - The Covenants Working Group rejected the Shareholder’s plans for a flat dormer roof. It was alleged however that POSOL had given permission for such an alteration to the property in 2010. The Board considered the proposals and agreed that plans and alterations have been standardised since that time and a flat roof dormer is no longer acceptable. A considerable period of time has passed, no works have not been undertaken and the previous consent is now out of date. The Covenants Working Group suggested that the in order to be in keeping with other loft conversions on the estate, the dormer must have a pitched roof. The Board agreed with this concept and asked SDL Bigwood to advise the owner that in view of the time that has passed a new application for POSOL consent will be required.
- 21/10/018 [] Carbis Close – The Board discussed the ongoing works to the property. It was noted that the works do not form part of a formal application to POSOL and no Consent has or will be granted. The owner continues to ignore correspondence issued by POSOL’s solicitor on the subject and as such it was agreed that the matter would be referred to Portsmouth City Council’s Planning Enforcement Officer with immediate effect.
- 21/10/019 [] Bryher Island – It is alleged that the owner of the property plans to build a 2 storey extension on the side of the property, however no formal application or plans have yet been submitted. The Board would be prepared to consider such an application but is concerned that such a proposal would be a direct contravention of the 7 metre rule which prohibits any construction with 7metres of the marina containment wall. Any proposals to that effect would need to be bought to the immediate attention of Premier Marinas for their consideration also.

21/10/020 [] Carbis Close – SS advised that she had informed the contractor representing the owners that POSOL Consent would not be granted to install a conservatory on a waterside property. The contractor was unaware that the owners had already been informed by POSOL and that the matter had been referred to solicitors. She had suggested that the owners may like to meet with the Covenants Working Group at the property to discuss any further proposals they had, and reiterated that a formal application must be made and POSOL Consent obtained prior to any works being undertaken at the property.

21/10/021 Three Directors had met with John Dickson and Thorns Young Architects who had previously acted and who continue to act on behalf of many POSOL Shareholders carrying out alterations to their properties. The Board emphasised the need for mutual cooperation so that POSOL's requirements could be met while all the time allowing shareholders to improve their properties and thereby enhancing the overall aesthetic of the estate.

ESTATE REPAIRS

21/10/022 SDL Bigwood informed the Board that CC Repairs & Maintenance had been instructed to repair the Coverack Way fence panels.

21/10/023 SDL Bigwood told the Board Barrie Goulding that Barrie Goulding would be instructed to repair the Newlyn Way block paving.

GARDENING

21/10/024 The Board stressed the urgency in finalising the contract with Escapes Landscaping Ltd. It is believed to still be in the possession of a Director (PLM) and SDL Bigwood was asked to take up the matter to get it resolved as soon as possible.

21/10/025 The Board was asked if 4 trees in various front gardens in Coverack Way were the responsibility of POSOL. A Director advised that as they were located within the Shareholders' demised premises they were the responsibility of the individual homeowner(s) not POSOL. As such it was agreed that the planned rejuvenation of Coverack Way would proceed with the trees only being pruned not completely removed. Should the owners wish to remove them then they would need to do so at their own cost, although it was pointed out that trees are a fundamental part of the street scene on the estate and their removal would have a detrimental effect on the overall aesthetic of the area.

21/10/026 The Board generally felt that greater communication was required from the Gardening Working group. Clarity was also required as to which Shareholders were members of the group and/or any rejuvenation sub-committee. SS commented that she had previously had a very strong working relationship with the Gardening Working group and it was essential that this was re-established as landscaping is an area of great concern to shareholders and it is vital she is up to date with all proposals and works being undertaken. She advised that she would be contacting the Gardening Working Group and contractor very shortly to request an on-site meeting.

BERTHING

- 21/10/027 A Director advised that he had now completed the update of the POSOL Berth database which was unfortunately required as it had been noted that Countrywide had failed to keep accurate records for some time. The Board expressed its gratitude for the work he had done with the database. It was pointed out that some assistance was required from the Shareholders and that SDL Bigwood would shortly be sending a letter to all B shareholders asking for their clarification of POSOL's records.
- 21/10/028 The issue of oversize boats was discussed and papers prepared by Directors (JS) and (JP) were reviewed. It was agreed that the content was too detailed and should be condensed. It was agreed that they would be reviewed and circulated to the Board at a later date for further discussion.
- 21/10/029 A Director mentioned many Shareholders register boats directly with Premier Marinas and there are several instances of oversized boats around the marina. A Director advised that POSOL would shortly be meeting with Premier Marinas to discuss a number of marina issues and that he would report back at the next meeting.
- 21/10/030 A Director suggested that the Boat and Licensing Registration process could be automated on the website making it easier for POSOL shareholders to comply rather than relying on the issue and return of numerous forms. JP agreed this was a good idea.
- 21/10/031 A Director suggested measuring each of the berths and producing a database of acceptable boat sizes for each berth. This would ensure that the width of the pontoon and allowances for fenders and riding room were taken into consideration. It was agreed that this would greatly assist POSOL and its Managing Agent in determining which boats were of an appropriate size for each berth. It was noted that some Shareholders were attempting to register vessels that were clearly too large for their berths and that potential purchasers were not being made aware of any anomalies in berth size by the vendor and/or estate agent.
- 21/10/032 The Board considered the 'Permission to Trespass License' prepared by a Director. The Board decided that there may be legal conflicts with the sub-under lease and decided not to issue it until after further discussion. The Board discussed the issue of trespass and while it was felt this was principally an issue between the POSOL shareholders, it was agreed that it did have an impact on the boat registration process as POSOL was unable to register an oversize vessel without the express permission of either Premier Marinas or the POSOL Shareholder suffering the trespass into their water space. A Director suggested ensuring that Shareholders were aware that it was their responsibility to seek legal advice before embarking on any trespass licenses and that POSOL could not assist in any matters whereby a trespass agreement was revoked and vacant possession was not forthcoming.

SECURITY

- 21/10/033 SDL Bigwood advised that it would be replacing the lock to the TV Head End building as it appeared that Countrywide had misplaced the keys during their management of the estate.
- 21/10/034 The Board approved the revised "Welcome to Port Solent" leaflet and it was agreed that once printed, they would be issued to all purchasers, lettings and estate agents. A copy will also be published on the POSOL website for reference.

OYSTER QUAY GATES

- 21/10/035 A Director (advised the Board that there had been a recent meeting between POSOL, Oyster Quay, Portsmouth City Council and their respective Counsel. It is believed that an agreement in principle has been reached but the details of which are at present subject to ratification by Oyster Quay shareholders at their Annual General Meeting on 4th November 2016. Further details will be announced in due course.

AGM

- 21/10/036 SS advised that she was in the process of preparing all of the relevant paperwork for the POSOL Annual General Meeting to be held at Portchester Parish Hall at 8pm on Friday 25th November 2016. A Director suggested the need for voting slips to be prepared in advance in case any Shareholder should demand a poll.
- It was agreed that the running format of the AGM would be discussed at the November meeting.
- 21/10/037 Shareholder request for information at AGM – see confidential minutes.
- 21/10/038 There being no further business the meeting closed at 1.00pm