

POSOL RESIDENTS MANAGEMENT COMPANY LTD

MINUTES OF THE BOARD MEETING HELD AT PORTCHESTER BUSINESS CENTRE, PORTCHESTER – 16th DECEMBER 2016

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

MINUTES OF THE LAST BOARD MEETING 18th NOVEMBER 2016

- 16/12/001 The minutes of the November meeting had been previously circulated and it was agreed that they represented an accurate record of the meeting.

MA Proposed and RS Seconded.

MINUTES OF THE ANNUAL GENERAL MEETING 25th NOVEMBER 2016

- 16/12/002 The minutes of the Annual General meeting had been previously circulated. Subject to minor amendments to the section in relation to the Election of Directors and Re-Appointment of Auditors, it was agreed that they represented an accurate record of the meeting.

MA Proposed and PLM Seconded.

MATTERS ARISING

- 16/12/003 IC referred to the point raised at the AGM by Mr England who maintained that the Company did not legally require an audit and therefore the Directors were acting inappropriately by proposing a resolution to re-appoint the auditors.

IC advised that he had sought advice on this matter from the technical department of the Institute of Chartered Accountants in England and Wales and was told that even though the Companies Act permitted an exemption for POSOL from having an audit, the Directors had acted entirely within the law and it was up to the shareholders whether or not to appoint auditors. In POSOL's case, 56 shareholders had voted in favour and only 1 against and the Directors had no option but to obey the wishes of the shareholders in this situation.

- 16/12/004 [] Newlyn Way – In accordance with minute 18/11/006 from the November 2016 Board meeting, the Covenants Working group advised that it had carried out a visit to the property. The white surrounds in the window are in fact blinds not a contravention of building materials required as part of the POSOL Consent for alterations process, and therefore no further POSOL action is required.
- 16/12/005 [] Bryher Island – In accordance with minute 18/11/007 from the November 2016 Board meeting, the Board was advised that the Covenants Working Group had viewed the property to inspect alterations recently carried out to the balcony. The works had been the subject of a formal complaint from the owner of [] Bryher Island who advised that they had caused damage to his property and was insisting that the balcony be immediately reinstated to its former position. The Covenants Working Group advised that they could see no evidence of this and in fact recommended that POSOL issue a final Consent Certificate for the works.
- 16/12/006 It was noted that there is a property in Sennen Place where solar panels have been installed. The panels are raised sufficiently high enough off the roof to allow room for birds to nest underneath. Complaints have been made directly to the POSOL Chairman about this as the birds are fouling other properties and belongings. The Board discussed the matter and it was noted that while nothing could be done about the current situation, it was suggested that an advisory note be included in all future approvals for such works. This should make reference to netting or pigeon spikes being fitted to the solar panels to prevent this problem occurring elsewhere on the estate.
- 16/12/007 The Board extended its' thanks to the POSOL Chairman for conducting the AGM on 25th November 2016.
- 16/12/008 SS suggested that POSOL provide a further update on the website in relation to the Oyster Quay gate issue for those shareholders who had been unable to attend the AGM and had not seen a copy of the POSOL timeline document. The Board agreed to do this.
- 16/12/009 A Director raised an issue with the delay in the payment of a specific contractor invoice. SS advised that the invoice had been approved. She apologised for the delay and informed the Board that she would follow the matter up with SDL Bigwood's account team as to why payment had not yet been made.
- She advised that it was critical that any contractors being appointed by POSOL needed to be set up as approved contractors and that their invoices should be submitted in a timely manner. She advised that SDL Bigwood make weekly payment runs but could not continue to make urgent ad hoc payments on a repeated basis.

MANAGING AGENT'S AND WORKING GROUPS' REPORT

Finance:

16/12/010 Finance reports for expenditure to 30th November 2016 were circulated. Expenditure as at that date was £396,714.12 against a budget figure of £405,001.00

16/12/011 The Board reviewed the list of aged debtors on a case by case basis. The total amount of aged debt stood at £8,298.40, a reduction of £451.75 on the previous month.

SS advised SDL Bigwood had recently changed to a new Property Management and Accounting Software package. She advised that there had been some minor delays while accounts records had been transferred over but that SDL Bigwood was now in a position to commence chasing all account arrears irrespective of the period owed.

Covenants

16/12/012 [] Newlyn Way – The Covenants Working Group advised that it was still awaiting dimensional drawings from the owner of the property and until such a time as these were received, the application could not be considered any further. SS commented that she had already written to the owner and would be sending a further chaser letter in due course.

16/12/013 [] Bryher Island – The Covenants Working Group, having been made aware of an email from the owner of [] Bryher Island, has discussed the proposed works in further detail. The group notes the comments made about actions taken by POSOL in previous years, however is still of the firm belief that the proposed works are unsuitable for the estate.

SDL Bigwood has been requested to make contact with the owner of [] Bryher Island to take the matter forward and also raise the issue of the deteriorating appearance of the property which is now the subject of several formal complaints.

16/12/014 [] Carbis Close – It was noted that the works to the property were now complete. It was agreed that they did not confirm to the Planning Application and as such SDL Bigwood was arranging a meeting with Portsmouth City Council's Planning Enforcement Officer to discuss what enforcement action, if any, could be taken.

16/12/015 [] Carne Place – The owner of the property has been advised that the Covenants Working Group is looking to recommend Conditional Approval be granted, however that it cannot do so until it has received confirmation that the owners of [] Carne Place have been duly notified and are satisfied with the proposed alterations.

16/12/016 [] Cadgwith Place – SDL Bigwood has written to the owner requesting dimensional drawings and confirmation that they accept POSOL's terms with regard to Conditional Approval being granted. Currently awaiting a response from the owner.

16/12/017 [] Carbis Close - The Covenants Working Group advised that it had been notified by the owner of the property of alterations he was currently undertaking. A member of the group had visited the property and reminded him of his obligation to obtain POSOL Consent for the alterations prior to works being undertaken. In principle the Covenants Working Group could see no reason why Conditional Approval for the alterations should not be given subject to the owner following the correct POSOL Alteration process.

16/12/018 [] Carbis Close – The Covenants Working group advised that it had received plans from the owners’ representative to carry out various alterations at the property. It advised that this was an informal application and not in accordance with POSOL’s Consent for Alterations Process which clearly states that all applications for consent must be made to POSOL’s Managing Agent.

The Board expressed its concern that a growing number of owners appeared to be trying to bypass the procedure altogether by either not obtaining consent prior to undertaking the works or submitting applications for POSOL to consider via inappropriate channels. SDL Bigwood was requested to write to the owners reminding them of the correct procedure to follow and asking them to submit their formal application in accordance with it.

16/12/019 [] Tintagel Way – The Covenants Working group advised that it had visited the property several months ago and was satisfied that the works had been carried out in accordance with the approved plans. However, it would appear that the previous Managing Agent did not issue the appropriate Consent Certificate and SDL Bigwood was asked to deal with the matter accordingly.

16/12/020 It was noted that a contractor carrying out a number of alterations around the estate appeared to be attempting to disregard the POSOL Consent for Alterations Process. The Board expressed their concerns given that the company concerned is operated by a POSOL Shareholder who is fully aware of POSOL’s requirements in this regard.

SDL Bigwood advised that it would issue the standard contractor notification letter to the contractor concerned in relation to proposed works at 2 separate properties. SS advised that she would also notify the owners of the properties also as they may not be familiar with the process and are merely following the advice of the building contractor. It was suggested that an article be put into the January newsletter to bring the matter to the attention of all POSOL shareholders.

16/12/021 [] Bryher Island – see confidential minutes.

16/12/022 [] Bryher Island – see confidential minutes.

GARDENING

16/12/023 The Gardening Working Group provided a general update on the performance of Escapes Landscaping and the work they were currently undertaking around the estate.

It was noted that Escapes Landscaping is receiving a lot of requests from residents for additional works to be carried out. The Gardening Working Group advised that Escapes has a feedback form that could be used and it was agreed that they would obtain a copy from the contractor for the Board to review.

16/12/024 Coverack Way Rejuvenation – The Gardening Working group advised that the majority of the hard landscaping works had been completed. However, it was noted that the replanting would not take place until the New Year as the weather conditions were unsuitable and there was a lack of suitable plant stock at the nursery.

The Board felt that it was important to ensure that there was feature planting in both areas, and that the residents assist with watering the new plants to encourage them to grow. It was agreed that the Gardening Working Group would prepare a short newsletter for SDL Bigwood to issue to all residents in the area in January.

16/12/025 The Gardening Working group advised that it was reviewing the Visual Tree Assessment Report prepared by Haydens Arboricultural. It requested additional funding within the 2016-2017 financial year to be able to carry out all urgent works. The Board considered the request and agreed a £5,000 allowance subject to the necessary quotations being obtained and approved by the Board prior to any works being undertaken.

16/12/026 The Board was advised that a member of the Gardening Working Group had raised the issue of a section of missing pavement at the end of Lock View. The Board advised that the land in question was not POSOL's. It commented that it had already previously raised the issue with Portsmouth City Council to no avail. The Council has no plans to pave the area, nor does it have the budget to do so. POSOL has considered the possibility of financing the works itself but does not have sufficient funds in the 2016 -2017 financial year budget to do so. It was agreed that the Director on the group would report back to the shareholder concerned to advise.

BERTHING

16/12/027 SS advised that POSOL's letter to all B shareholders in respect of the berth database had been issued and a significant number of completed returns had been received. Upon receipt these were being sent directly to the Berth Working Group so that the records could be updated accordingly.

16/12/028 A Director advised that he believed that Walcon Marine had identified a small number of pontoons requiring replacement in the near future as part of their programme of

works carried out earlier in the year. SDL Bigwood was requested to contact Walcon Marine to clarify the situation and obtain further information if necessary.

16/12/029 The Board approved a revision to the POSOL policy regarding the size of boats to be moored on berths. It was agreed that this would be uploaded to the POSOL website.

SECURITY

16/12/030 Nothing to report at this current time.

COMMUNICATIONS

16/12/031 The Board discussed the role of its management databases and how these were operated and maintained by its Managing Agent. It was felt that any further development should form part of the ongoing update of the POSOL website project and that the Communications Working Group should discuss the matter further with SDL Bigwood's IT team in the new year.

16/12/032 It was agreed that due to the recent changes in membership of the Gardening and Covenants Working Group that all members would be required to sign new confidentiality agreements. A new version of the agreement was being prepared by the Company Secretary and SDL Bigwood and would be sent out to all members shortly for signature and return.

ANY OTHER BUSINESS

16/12/033 [] Newlyn Way – see confidential minutes.

16/12/034 [] Coverack Way – The Board was advised of a complaint made by a shareholder about nuisance being caused by the occupants of the property and the possibility of an HMO being in existence. SS advised that the complainant is in direct contact with the property's owner and their letting agent. Both have apologised for the inconvenience being caused to other residents and have taken the necessary steps to rectify the breaches as soon as possible.

16/12/035 SS advised that she had received 2 formal complaints from the owner of [] Tintagel Way. She advised that both were being treated in accordance with POSOL's Complaints Handling Procedure but that since they both related to matters POSOL had previously been dealing with directly, then she would require POSOL to investigate further. SS advised that she would provide an update to the complainant about the handling of his complaints in due course.