

**POSOL RESIDENTS MANAGEMENT COMPANY LIMITED**

**MINUTES OF THE BOARD MEETING  
HELD AT  
QUAYSIDE, PORT SOLENT – 16<sup>TH</sup> MAY 2014**

Present: Nick Hewitson (Acting Chairman)  
Ian Currie (Company Secretary)  
Melvyn Farndell  
Geoff Saunders  
Mike Sandall

In Attendance: Samantha Simpson  
Nikki Avis

**1. APOLOGIES**

14/05/001 Apologies were received from Mark Abrams

**2. MINUTES OF THE PREVIOUS MEETING HELD ON 25<sup>TH</sup> APRIL 2014**

14/05/002 The minutes were tabled. Geoff Saunders proposed, Ian Currie seconded and the Board approved them.

**3. MATTERS ARISING**

14/05/003 **Parking in Newlyn Way** – A Director queried whether the Shareholders did it fact own the pathway on which they are currently parking.

Countrywide advised the Board that it was still reviewing the legal documentation for the properties and it would report back to the Board in due course.

14/05/004 **Berth [ ]** – Countrywide advised the Board that it had yet to liaise with the owner of the berth as he is currently away but advised that it would make contact with the Shareholder upon his return to discuss the estate security issue and report back to the Board.

A Director advised the Board that the owner of the property adjacent to the gate had removed some fencing in his garden which had also had an impact on the overall security of the area.

14/05/005 **[ ] Newlyn Way** – A Director queried the how much distance remaining from the edge of the car port to the proposed wall. Countrywide confirmed that according to the plans submitted by the owner there will be a distance of 1m.

A Director commented that to his understanding the policy stated that the owners must retain 2m.

Countrywide confirmed that the policy in respect of car port conversions states that the owner must retain a distance of 7.8m the edge of the drive to the car port wall irrespective of the distance is retained from the edge of the car port.

14/05/006 [ ] **Newlyn Way** – A Director asked Countrywide whether the owner of [ ] Newlyn Way had made further contact with POSOL since his application to remove the square planter was refused.

Countrywide confirmed that it had yet to receive a response.

#### 4. MANAGING AGENTS & WORKING GROUPS REPORTS

##### Finance – Budget – Expenditure

14/05/07 **Expenditure Report** – The Board discussed the expenditure report circulated prior to the meeting and Countrywide advised that expenditure to 30<sup>th</sup> April 2014 amounted to £151,823.76 against a budgeted amount of £159,554.

##### Arrears

14/05/008 Countrywide advised the Board that the total sum of aged debtor amounted to £6,630.26 with £1,445.38 having been collected since the last Board Meeting.

14/05/009 [ ] **Bryher Island** – Countrywide advised the Board that it had recently received the relevant documents acting in the purchase of this property and therefore it anticipated receiving the outstanding balance imminently

14/05/010 [ ] **Bryher Island** – Countrywide informed the Board that the property has recently been sold and that Land Registry consent would not be granted until all outstanding service charge monies have paid.

14/05/011 [ ] **Newlyn Way** – Countrywide advised the Directors that the conveyancing matter on this property remains outstanding as neither Solicitors are responding despite pressure from Lockings.

The Board discussed the matter and it agreed that it would seek a charging order against the property to force the sale.

14/05/012 [ ] **Coverack Way** – Countrywide informed the meeting that the matter is still with Solicitors. The owner is claiming that he is not resident within the property therefore has not received any of the communications from POSOL regarding his arrears. However the owner refuses to provide a correspondence address nor is POSOL allowed to provide his email address to the solicitors.

Countrywide advised that it will ask that the Solicitors continue to vigorously chase the outstanding balance.

14/05/013 [ ] **Newlyn Way** – Countrywide advised the Board that the new owners are disputing the payment of service charges because they did not receive a Calling Notice to the AGM in November and were not able to vote. The couple did attend the AGM however but no vote was held. It appears that while they had purchased the property the completion of conveyancing matters was not finalised and the property transferred into their name when the Calling Notices were issued. Countrywide is to respond to their letter and arrears chasing measures will continue as normal if the outstanding balance is not paid.

14/05/014 [ ] **Sennen Place** – the owner has requested POSOL consent to pay their service charge by monthly standing order. This has been refused as the Board do not feel that there is a genuine case of financial hardship.

14/05/015 **Collection of Arrears** – The Board commented how pleased it was with the performance of Countrywide and Lockings solicitors on the recovery of such a significant amount of aged debt in recent months.

### **Property Alterations**

14/05/016 **Legal Action against Breach of Covenants** - The Board discussed the outcome of the meeting held with Solicitors and Barristers to discuss Breaches of Covenant and the action that POSOL can take to address these.

After due consideration, it was agreed that POSOL would hold an EGM on 24<sup>th</sup> June 2014 at 8pm. The resolution put to Shareholders would seek their vote on whether Shareholders would authorise the Directors to use reserve monies up to a sum of £100,000 for the purpose of pursuing litigation against shareholders who breach the estate covenants.

14/05/017 [ ] **Tintagel Way** – The Board discussed the advice given by solicitors on how to proceed with the matter.

14/05/018 [ ] **Coverack Way** – Countrywide advised the Board that it had received further communication from the prospective owners. They had expressed an interest in POSOL’s proposal in relation to the leasing of land adjacent to the property, but were currently on holiday and would address the matter further on their return.

14/05/019 [ ] **Bryher Island** – Countrywide advised the Board that the Covenants Working Group had taken part in a pre-application meeting with the owners of the property who were seeking to carry out some external alterations at the property. The Covenants Working group now await the formal application from the owners with dimensional drawings in order to be able to make their recommendations to the Board.

14/05/020 [ ] & [ ] **Newlyn Way** – Countrywide advised the Board that it had received an application from the owners of the properties to remove a tree in a shared planter in order to pave over the area and create additional parking. After due consideration the Covenants Working Group recommended that the existing tree should be preserved and that POSOL consent be refused. The Gardening Working Group are of the opinion that the removal of the tree would be a significant loss of landscaping in the area and also agree that POSOL consent should be refused. These recommendations were fully endorsed by the Board.

14/05/021 [ ] **Sennen Place** – The Covenants Working group recently visited the property to inspect the external alterations carried out. They are satisfied that the works are in accordance with the plans previously granted conditional approval and therefore see no reason why final consent should not be granted. This was endorsed by the Board. Countrywide is to issue the Final Consent Certificate accordingly.

### **Gardening**

14/05/022 **D-Section in Holywell Drive** – Countrywide advised the Board that works to the D-Section are now complete. A couple of issues with regard to the size of the stones and their grouping has already been raised with Hambrooks. They have agreed to regroup the smaller stones and submit a quotation for additional large boulders which will be passed to the Gardening Working Group upon receipt. In addition Countywide has requested quotations for climbing plants around the pergola.

14/05/023 **Mullion Close** – Countrywide advised the Board that it had received further communication in relation to the D Section from a Shareholder.

The Board discussed the matter and it was agreed that the cost of the individual project would not be disclosed to any shareholder as the rejuvenation of the area was part of the annual landscape maintenance figure detailed in the service charge budget.

14/05/024 [ ] **Carbis Close** – Countrywide advised the Board that it had finally heard from the owner of the property with regard to the type of landscaping he would prefer. His views, having already been considered by the Gardening Working Group were discussed. It was felt that the planter is quite large and that if possible any replanting proposals must retain as much of the existing planting as possible as large areas of the planter were in relatively good condition and did not need replacing. Countrywide advised that it had requested some redesign proposals and quotations for consideration.

14/05/025 **Portway** – The Gardening Working group asked Countrywide to discuss the pruning of the trees and hedges along the Portway as they believed this was overdue and some were considerably high requiring urgent attention.

### Communications

14/05/026 Nothing further to report that is not covered elsewhere in these minutes.

### Berthing

14/05/027 **Water Supply to Remote Mooring Areas** – See Confidential Minutes

### Estate Security

14/05/028 **Berth [ ]** – Countrywide advised that the matter was still ongoing and they were awaiting further communication from the owner before progressing the matter.

### General

14/05/029 **Parking Policy** – Countrywide advised the Board that this matter is still ongoing and that all relevant POSOL comments in relation to the previous draft had been passed back to Verisona Solicitors to be incorporated into the final draft.

14/05/030 [ ] **Bryher Island** – A Director commented that the boat on a trailer was still parked outside the property and was a breach of Covenant. Countrywide advised that it had written to the owner of the property and they had until 19<sup>th</sup> May 2014 to remove the vessel. Another Director advised he had reason to believe that the owner of the boat was the tenant residing at the property. As such it was agreed that a further letter would be sent to the occupier giving him 7 days to remove the vessel. If it was not removed then the matter would be referred to Verisona solicitors to pursue the breach of covenant.

14/05/031 [ ] **Newlyn Way** – it was reported that the owner of the motor home has still not removed the vehicle from the Newlyn Way parking area. The vehicle has been in situ for many months and is causing damage to the hedgerow in the planter behind it and preventing Hambrooks from carrying out their maintenance duties. As such it was agreed that a further letter was sent and that a set date would be agreed for the pruning to take place. If the vehicle is not removed then the costs of the abortive works by Hambrooks will be recharged to the owner and the matter referred to solicitors to have the vehicle removed from the area of POSOL land altogether.

14/05/032      **Cadgwith Place** – Countrywide advised that a work order had been issued to Clameg to commence the landscaping works in the area. Countrywide would now write to all residents in the area advising them of the proposed works.

**5. ANY OTHER BUSINESS**

14/05/033      **Weeds on capping** – a Director asked Countrywide to address the matter of weeds on the capping with Hambrooks.

**6. DATE OF NEXT MEETING – Friday 18<sup>th</sup> July 2014**