

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

**MINUTES OF THE BOARD MEETING
HELD AT
QUAYSIDE, PORT SOLENT – 17TH JANUARY 2014**

Present: Mark Abrams (Chairman)
Ian Currie (Company Secretary)
Geoff Saunders
Melvyn Farndell
Nick Hewitson
Mike Sandall
Barry White

In Attendance: Samantha Simpson
Nikki Avis

1. APOLOGIES

14/01/001 No apologies were received.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH DECEMBER 2013

14/01/002 The minutes were tabled. Nick Hewitson proposed, Geoff Saunders seconded and the Board approved them.

3. MATTERS ARISING

14/01/003 [] **Holywell Drive** – Countrywide advised the meeting that it had yet to receive settlement of the outstanding Service Charge and it continues to pursue this matter accordingly and it remains that the Land Registry consent is yet to be issued.

14/01/004 [] **Tintagel Way** – Countrywide advised it had forwarded all the necessary documentation in relation to the breach of Covenant and other matters concerning POSOL to Verisona Solicitors and it currently awaits their advice.

14/01/005 **Berth []** – A Director queried whether the owner of berth [] is to take legal action against their neighbour due to the trespass into their water space. Countrywide advised that it awaited confirmation from the owner and would write to them for an update.

14/01/006 **Parking in Cadgwith Place** – Countrywide informed the meeting that had yet to receive the costs from Portsmouth City Council for the proposed works in Cadgwith Place including the planting works but would contact them to check on their progress.

A Director queried whether POSOL could plant the parking island themselves. Countrywide advised that to undertake such works it would require Portsmouth City Council granting a Section 142, which it had done previously in other areas of the estate.

Countrywide agreed to liaise with the Portsmouth City Council and report back in due course.

4. MANAGING AGENTS & WORKING GROUPS REPORTS

Finance – Budget – Expenditure

14/01/007 **Expenditure Report** – The Board discussed the expenditure report circulated prior to the meeting and Countrywide advised that expenditure to 31st December 2013 amounts to £353,431.34.

A Director commented that the budget phasing of insurance and management fees are out of sync therefore appears that we have overspent. The meeting asked for this to be reviewed and amended for the next meeting.

Arrears

14/01/008 Countrywide advised the Board that the total arrears amounts to £28,206.64 with £21,101.66 owing from the long term aged debtors.

A Director queried whether the interest that is chargeable is being added to the debtor's accounts. Countrywide advised that interest is charged when an account is referred to Solicitors and is back dated to be charged from the 14th day overdue.

A Director commented that should an arrear be paid prior to the involvement of Solicitors but after the 14 days, they do not have any interest added to their account when POSOL has the right to charge it.

The Board discussed this matter at length and it agreed to review the 'Overdue Debt' policy in place and will circulate with the April invoices.

14/01/009 [] **Bryher Island** – Countrywide advised the Board that the owner has withheld £25.00 from both his house and berth Service Charge as compensation for having to write to Countrywide about being chased for his overdue Service Charges.

A Director commented that as a gesture of goodwill the monies should be written off. In response, a Director objected to writing off these arrears as it would set a precedent for other Shareholders should they be unhappy and therefore the Board instructed Countrywide to pursue the outstanding amount along with the April Service Charge.

14/01/010 Countrywide advised the Board that the following accounts had been settled in full: [] Cadgwith Place, [] Bryher Island, [] Newlyn Way and [] Bryher Island have settled the long outstanding amount of £924.73 which related to the reinstatement of the block paving.

14/01/011 [] **Carbis Close** – Countrywide advised the meeting that it had received settlement of the October 2013 Service Charge and it continued to chase the outstanding balance.

14/01/012 [] **Bryher Island** – Countrywide informed the meeting that this matter concerning the transfer of ownership to the new owners is still ongoing and confirmed that Land Registry would not be issued until the arrears have been settled in full.

14/01/013 [] **Newlyn Way** – Countrywide advised the Meeting that the Solicitors have made contact with the Mortgage Company and have set a deadline of the 31st January 2014 for full settlement of the account.

14/01/014 [] **Tintagel Way** – Countrywide advised the Board that the Solicitors having obtained an OCE have located an alternative address for the owner and will therefore issue proceedings to him there. The Board discussed the matter at length and agreed that should the monies not be forthcoming it will initiate either Bankruptcy proceedings or forfeiture of the Berth.

14/01/015 [] **Newlyn Way** – Countrywide advised the Board that the Solicitors have communicated that the new owner of the property is due to settle the arrears shortly.

Property Alterations

14/01/016 [] **Tintagel Way** – Countrywide advised the meeting that owner of the property is seeking retrospective approval for alterations carried out to the property which has converted the adjacent garage into habitable living space.

The application has been duly forwarded to the Covenants Working Group for its consideration who has commented that since the alterations are internal to the property and there are no visible changes to the external appearance that POSOL consent is not necessary.

Countrywide is to write to the owner to advise that POSOL is mindful not to object to the works carried out but it will not grant any approval for them either.

14/01/017 [] **Tintagel Way** – Countrywide advised the Board that it has received an application from the owner to carry out a loft extension with a dormer window.

The application has been duly forwarded to the Covenants Working Group for its consideration who has commented that it wishes to meet with the owner to discuss his proposal in further detail particularly in relation to the proposed window as it would not be symmetrical of the neighbouring house.

14/01/018 [] **Newlyn Way** – Countrywide advised the Board that it has received an application from the owner to replace all wooden windows and doors with suitable UPVC alternatives.

Countrywide commented that given that this was a standard alteration it would issue the requisite letter of conditional approval subject to the standard terms and conditions for colour and design.

14/01/019 [] **Coverack Way** – Countrywide advised the Board that it has received an application to remove the grassed area adjacent to the property to create additional parking at the property. These alterations will be subject to planning approval from Portsmouth City Council to extend the dropped curb.

The application has been duly forwarded to the Covenants Working Group for its consideration, who has commented that it can see no reason why consent should not be granted and therefore recommended to the Board that conditional consent be granted.

The Board discussed the matter and it endorsed the recommendation of the working party and asked Countrywide to issue conditional approval.

14/01/020 [] **Newlyn Way** – Countrywide advised the Board that the owner of the property is appealing POSOL's previous decision to refuse removal of the planter to create additional parking at the property.

The matter is to be duly forwarded to the Covenants Working Group for its consideration and recommendations to the Board.

14/01/021 [] and [] **Sennen Place** – Countrywide advised the meeting that following inspection of the loft conversions and approval by the Covenants Working Group, the final consent certificates for the works are to be issued.

Gardening

- 14/01/022 Countrywide advised the meeting that it was due to meet with the Gardening Working Group and Hambrooks for routine estate walkaround on the 30th January 2014.
- 14/01/023 A Director queried the progress of the scheduled planting of daffodils along the Portway. Countrywide advised that it would request an update from Hambrooks and report back.

Communications

- 14/01/024 A Director commented that he is looking to revamp the website in the coming months with updated pictures and Countrywide advised that it will circulate drafts of proposed information for the Directors' approval.

Berthing

- 14/01/025 **Water Supply to Remote Mooring Areas** – See Confidential Minutes
- 14/01/026 **Pontoon Maintenance** – Countrywide advised the Board that Premier Marinas had contacted them to advised that a member of staff had slipped whilst in the residential part of the marina due to a build up of algae on the pontoon.

Countrywide advised the Board whilst POSOL undertook to do the annual maintenance of pontoons it did not clean them as this is the responsibility of the berth owner. However, there is potentially a Third Party liability should POSOL ensure that the pontoons are not cleaned regularly.

The Board discussed this matter at length and it asked Countrywide to obtain a quotation from Solent Marine, the approved marine contractor.

Estate Security

- 14/01/027 **Security Gate adjacent to []** – The Security Working Group advised the meeting that it considered the issue of the security spikes on the gate protruding into the water space of Berth [] and discussed the matter with the owner.

The owner would like the gate to be altered so it does not enter his water space but he has commented that he does not wish for the security of the rear of the properties to be compromised.

The Board discussed the matter at length and whilst it agreed that security spikes were an issue it would not wish to go to such an expense as relocating the gate. After deliberating the suggestions made by the Security Working Group it agreed to remove the spikes entirely.

General

- 14/01/028 **Budget for Upcoming Financial Year 20-2015** – The Company Secretary asked the members of the Working Parties for its consideration of possible expenditure for the upcoming financial year as he would shortly be compiling the new budget.

The Company Secretary asked the Board for its consideration of acceptance of the increase in the Audit Fee from Taylor Cocks to £3,600.00 pa. Ian Currie proposed, Nick Hewitson seconded and was duly approved by the Board.

Following a discussion of the proposed increase in Company Secretarial fees for the 2014/2015 year to £3,500.00 p.a, Mark Abrams proposed, Nick Hewitson seconded and it was duly approved by the Board, with Ian Currie abstaining.

14/01/029 [] **Bryher Island** – A Director advised the meeting that the owner of [] Bryher Island has contacted him to express their concerns over the actions of [] Bryher Island, as it appears they have erected a Pergola in the rear garden which is within 7 metres of the marina capping wall.

He also commented that the owners of [] Bryher Island are causing a serious nuisance to the neighbouring properties as they are feeding the birds which is causing a significant amount of mess to build up on the properties outdoor furniture and boats in the vicinity.

Following a lengthy discussion, the Board asked Countrywide to write to the owner to remove the pergola and whilst it sympathised with the issue relating to the birds, it was not able to intervene in neighbourly disputes.

14/01/030 **Oyster Quay Gate** – Countrywide advised the Board that there is presently a fault with the key pad on the Oyster Quay Gate that is situated between the two developments and therefore access for POSOL residents is restricted.

Regular updates have been posted on the website for POSOL Shareholders and once we have been provided with a date on when the final repairs are to be completed we will advise accordingly.

Countrywide informed the meeting that Oyster Quay Management Company have extended an offer to POSOL residents that should they wish to purchase a key fob to access the gates even when the keypad is out of action they are able to do so but at a cost of £50.00 per fob.

5. ANY OTHER BUSINESS

14/01/031 **Anti-Social Behaviour on the Estate** – Countrywide advised the Board that following its discussions with the Letting Agent responsible for [] Tintagel Way in respect of the antisocial behaviour they have been advised that they are due to vacate the property in the coming days.

6. DATE OF NEXT MEETING – Friday 14th February 2014