

POSOL RESIDENTS MANAGEMENT COMPANY LTD

MINUTES OF THE BOARD MEETING HELD AT PORTCHESTER BUSINESS CENTRE, PORTCHESTER – 17TH MARCH 2017

Present/Apologies Julian Shaw (JS) Chairman
 Ian Currie (IC) Secretary
 Paul Le Maistre (PLM)
 Melvin Farndell (MF)
 Reg Sillence (RS)
 Mark Abrams (MA)
 John Palmer (JP)

In Attendance: Samantha Simpson (SS) SDL Bigwood PRS and Estate Management
 Ruth Hoff (RH) SDL Bigwood PRS and Estate Management

MINUTES OF THE LAST BOARD MEETING 17TH FEBRUARY 2017

17/01/001 The minutes of the February meeting had been circulated. Subject to minor amendments to minutes 17/01/012 and 17/01/025, it was agreed that they represented an accurate record of the meeting. IC Proposed and JP Seconded.

17/01/002 It was agreed that Directors names should be removed from minutes published on the website. This practice had been previously put in place by Countrywide but had not been adopted when SDL Bigwood took over management. It was agreed that SS would review all minutes dating back to October 2016 and arrange for revised copies to be published on the website.

MATTERS ARISING

17/01/003 It was noted that the owner of [] Tintagel Way had advised POSOL that he was intending to refer his formal complaints to the Property Ombudsman as he was not satisfied by the way in which they had been handled by POSOL.

MANAGING AGENT'S AND WORKING GROUPS' REPORT

FINANCE:

17/01/004 Finance reports for expenditure to 28th February 2017 were circulated. Expenditure as at that date was £ 457,789 against a budget figure of £ 452,136. A Director [IC] stated that it was important for POSOL to have a balance sheet but that to date none of POSOL's Managing Agents had been able to produce one due to the accounting software used for Property Management. SS was asked to advise accounting staff and Senior Management at SDL Bigwood that a balance sheet would be required at the end of the financial year.

- 17/01/005 The Board reviewed the list of aged debtors on a case by case basis. The total amount of aged debt stood at £16,698.89, a reduction of £1,073.75 on the previous month.
- 17/01/006 [] Newlyn Way – see confidential minutes.
- 17/01/007 [] Sennen Place – see confidential minutes.
- 17/01/008 The Board agreed the service charge budget for the financial year ending 31st March 2018 and the wording of the Shareholder Summary to accompany it.
- A Director [] stressed to all Directors the importance of remaining within budget, and asked that this be reiterated to all working groups. All groups must be mindful of this especially when additional works above and beyond the usual contracted maintenance were being considered.
- 17/01/009 SS referred the Board to the “Customer Information” and “Summary of Charges & Arrears Collection Procedure” documentation which would be circulated to all Shareholders with their April service charge demand. It was agreed that this documentation was most helpful and subject to minor amendments should be issued accordingly. Copies should also be posted on the website in due course for future reference.
- 17/01/010 A Director [] queried the charges applied by SDL Bigwood on payments made by debit and credit cards. It was agreed that POSOL would write formally to SDL Bigwood’s Senior Management outlining their concerns on the matter, particularly in relation to debit card charges which the board believed should be zero in line with most businesses.

COVENANTS

- 17/01/011 [] Bryher Island – SS advised she had spoken with the owner who had advised her that all works to the property had stopped due to concerns raised by POSOL in early 2016 that had yet to be resolved. He had allegedly endeavoured to resolve the matter through Countrywide to no avail. Furthermore he advised that he would be willing to continue with the planned works if POSOL was in agreement.

It was noted that the previous concerns related to the roof of the proposed dormer in the loft conversion but that Consent had already been granted by a previous POSOL Board and could not be rescinded.

It was agreed that SDL Bigwood would contact the owner confirming that POSOL did not object to the planned works continuing as soon as possible. POSOL’s priority was to see the property restored to a suitable condition and the scaffolding removed from the external elevations. It was agreed that 6 weeks would be an acceptable timeframe to commence works and if this is not possible that the scaffold should be removed from the property until such a time as they can be.

17/01/012 [] Bryher Island – It was noted that although Portsmouth City Council had granted planning consent for the proposed alterations, there were still unresolved issues in relation to the breach of covenant in relation to building within 7m of the marina containment wall.

POSOL noted that this was a matter for Premier Marinas to resolve directly with Portsmouth City Council and it was agreed that POSOL was not in a position to consider the application any further until it had confirmation that such a breach had been resolved.

17/01/013 [] Bryher Island – It was noted that the matter was still outstanding and that there had still not been any application for formal POSOL consent from the owner. There were still however clearly unresolved issues in relation to the breach of covenant in relation to building within 7m of the marina containment wall. POSOL advised that it was not in a position to consider any application until such issues had been fully resolved.

17/01/014 [] Cadgwith Place – The Covenants Working Group advised that following a meeting with the owners a number of proposed changes to the alterations had been agreed. It recommended that Conditional Approval be granted subject to the owner agreeing to the revised works. This was endorsed by the Board.

17/01/015 [] Cadgwith Place – The owner is requesting POSOL consent to replace rotten patio windows with a suitable UPVC alternative. The Covenants Working Group has considered the application and recommended that Conditional Approval be granted. The Board endorsed this.

17/01/016 The Board discussed the fencing at the end of Coverack Way/Port Way. It was noted that the fencing did not run around the entire area and as such the area was being used as a cut through. It was suggested that that it may be beneficial to extend the fencing at some point in the future to prevent this but it was noted that this was not currently possible due to budget constraints.

GARDENING

17/01/017 The recent programme of tree works were discussed and it was agreed that more planning and input from all parties, including owners/residents, was needed before any further work took place. It was agreed that more structure to the plan of works was required and that a specific policy should be drawn up to deal with all estate trees. JP proposed and RS seconded.

17/01/018 [] Cadgwith Place – it was noted that the tree in the raised planter directly in front of the property had been planted by the owner. Furthermore, she undertook maintenance of the trees and shrubs in the planter and no works were required in this area. It was also noted that the planter had been damaged for a number of years, and the resulting crack was not caused by any vegetation or tree within the planter.

17/01/019 A Director [] advised the Board that the Gardening Working Group was holding a meeting on 13th April and extended an invitation to SS and JS to attend.

17/01/020 The Board discussed the performance of the estate grounds maintenance contractor and it was agreed that while significant improvements had been across the estate, there were still significant areas that required attention. A Director [] noted in particular the lack of progress made in respect of the Mullion Way and Coverack Way rejuvenation programme.

It was agreed that all instruction for works outside of the general maintenance agreement must be issued by SDL Bigwood and accompanied by a corresponding quote and works order. It was noted that additional costs had been submitted by the contractor for works requested by the Gardening Working Group which POSOL deemed should form part of the annual maintenance contract.

17/01/021 Additional Gardens – A Director [] advised that he had received quotations from Escapes in relation to 3 additional gardens in Coverack and Mullion that were not covered by the original phase of the rejuvenation. He commented that due to the costs involved it may not now be possible to rejuvenate the gardens due to budget constraints.

17/01/022 The Board reviewed the first draft of the grounds maintenance contract previously circulated. SS advised that while a member of the Gardening Working Group had made comment in relation to the contract terms no input or comments had been made in relation to the actual estate specification and frequency of works. It was agreed that PLM would review the specification with the Gardening Working group in addition to writing a section in relation to COSHH for inclusion in the contract and report back to SDL Bigwood so that the contract could be finalised at the next Board meeting.

BERTHING

17/01/023 It was noted that the review of the berth database was nearing completion but that a number of shareholders had failed to comply with any of POSOL's requests to return information in relation to boats on their berths. The information gathered to date had raised a number of further queries and it was agreed that RH would work through these and continue to liaise closely with the Berth Working Group.

17/01/024 The Berth Working Group advised that it had undertaken an exercise across the marina and that it was in the process of compiling data on the actual measurements of all POSOL berths within the marina, in particular in relation to beam. They would be compiling this information and passing it on to the managing agent for future use. This would be an essential tool in the management of POSOL's residential berths as it would enable POSOL to determine the maximum beam permitted on any berth within the marina.

17/01/025 SS advised that the Berth Working Group had meet with the owner of [] to discuss POSOL's refusal to register her boat to the berth. The berth is not standard in shape and the vessel she is attempting to register to the berth is not of an appropriate size. Furthermore, POSOL has received a complaint from the owner of the adjoining berth [] who had advised that he will not consent to any part of the vessel trespassing into his water space.

Unfortunately the owner of [] refuses to accept POSOL's ruling on the matter and as such has been advised to seek legal advice from the solicitor who acted on her behalf when she purchased the berth and arrange for a marine surveyor to measure the berth to obtain the actual dimensions leased to her in the sub-underlease.

17/01/026 A Director [] suggested that it would be beneficial for SDL Bigwood to include a report on all berthing matters in each monthly board pack.

17/01/027 A Director [] queried what action Premier Marinas and POSOL could take should a shareholder categorically refuse to register their vessel. A Director [] commented that shareholders expected POSOL to take more robust action against those shareholders who were in breach and as such it was agreed that POSOL obtain a quotation in respect of appointing a specialist marine barrister for further advice. In the meantime, a Director [] will continue talks with Premier Marinas to assess what assistance they will provide.

SECURITY

17/01/028 Nothing to report.

COMMUNICATIONS

17/01/029 The Board discussed the proposed estate newsletter to be issued with the April service charge demands. A Director [] asked the meeting for feedback and amendments so that the document could be finalised and passed to SDL Bigwood for printing.

17/01/030 It was noted that there had been some issues with emails bouncing back on the POSOL email address. A Director [] advised the reasons for this and put forward a number of proposals to resolve it. It was agreed that the website would be moved on to a private email server and that it was likely that the website would be down for one day while the move was carried out.

17/01/031 The Board discussed its proposals to compile a database of all shareholder contact details in particular email addresses. SS advised that SDL Bigwood had details of some email addresses received as part of the information at handover from Countywide. The accuracy of the information however could not be confirmed. As such SDL Bigwood was in the process of compiling its own records each time a shareholder

contacted the Property Manager by telephone or email. Furthermore, SS referred the meeting to the "Getting in Touch" document that was being circulated to all shareholders with their April Service charge demand.

ANY OTHER BUSINESS

- 17/01/032 SS brought to the attention of the board an email from the owner of [] Bryher Island in relation to a number of POSOL matters. The Board reviewed his comments in full and noted the evidence supplied by SDL Bigwood that the points had already been addressed and responded to on previous occasions. The Board advised that it was satisfied in which the matter had been dealt with but it was agreed that a Director [] would contact the owner directly.
- 17/01/033 Oyster Quay Gates – it was noted that the legal documentation in relation to the matter had now been drawn up and was awaiting signature by both parties. The Board discussed the procedure in relation to the issue of Cotags to POSOL shareholders and it was agreed that further information would be circulated to all shareholders with their April service charge demand.