

**Waterways Management Committee
Meeting Minutes
9th July 2007, 8pm, Anchor Pub**

Attendees

David Jones	Steve Matthews (standing in for Nick Sampson, Treasurer)
Diane Crocombe	John Lapin
Roger Mumby-Croft (Chairman)	Wendy Scott
Saima Butt (Secretary)	Louise Robertson
Steve Wilson	Richard Dorey
Manuela Vogel (Minute Taker)	Gunnar Niels

1 Apologies

Adrian Steeples, Nick Sampson

1. Matters Arising

2.1 Opening Statement

The Chairman welcomed all present to the meeting, in particular Steve Matthews who was standing in for Nick Sampson. The Chairman clarified that anyone not able to attend a meeting could nominate proxies. He then proceeded to state that a lot had been achieved since the last meeting. Sub-committees had been set up, but more were needed. He felt that using sub-committees to devolve responsibilities was working very well indeed. Foundations were in place, and WMC can now move forward and ensure continuity.

2.2 Letters arising from last WMC Meeting

All 13 letters had been sent out. The Chairman thanked three directors in particular for their help with writing and reviewing these letters. Other than a response from POM, no replies had been received.

1. Contributions to Waterways Website

A Director stated that the Waterways website was still in construction and we had some flexibility in how we contributed towards it, more specifically regarding details of Directors' names for publication on the website. Should it be stated that the WMC committee originally had 14 members or leave it as issued: 12 Directors named with elected positions. A second Director suggested we should only include the names of the 12 current directors. This was agreed.

Action: First Director to communicate to WRA (Website co-ordinator).

Community Room

A Director read out an email received from one of the local city councillors, stating his disappointment with Berkeley Homes dragging their heels over the use of the Community Room and wanted the issue resolved asap. The Chairman re-iterated that based on a point made by one of the Directors in the last meeting, the Community Room is a valuable asset and should not be rejected out of hand. But fundamentally, no decision/reply could be made until the requested information had been received from Berkeley Homes. A second Director said without this information it was unclear whether the room in fact was an asset or a liability. The Chairman stated that it was time to push for a reply, so a recommendation could be put to the AGM in order for the AGM to make the final decision. The first Director suggested that Berkeley Homes wanted to apply the restrictions, so the room may only be used by Peverel / caretaker. The Chairman made the point that the decision rests with WMC & Berkeley Homes.

Action: Chair to push for a reply from Berkeley Homes.

3 Approval of Minutes

A Director (in reference to the minutes from 21 May 07, item 6.2) felt greater clarity was needed regarding the empowerment of individual directors to make decisions on behalf of WMC, (i.e. were Directors empowered individually to make decisions on surcharges without the whole committee?). The Chairman assured the Director that this related to minor matters only in order to keep things running. A second Director aired his frustrations with jobs such as the rebuilding of the burnt down bin store (at Frenchay Road) & storm damaged electric shed (between Lark Hill & Elizabeth Jennings Way) being left unfinished for long periods of time with the excuse of bad weather and a H&S risk from Peverel. A third Director stated that any job being undertaken should have start and end dates.

Action: Secretary to formalise request, insisting on start and end dates, with Peverel by letter or phone call.

The Minutes were approved on this basis.

4 Report from Managing Agents

1. State of Nation Report

A draft report had been received which the Secretary had forwarded on 25 June 07 as an attachment, but Directors had not received it. It was agreed to make this report a point of discussion at the next meeting.

Action: Secretary to resend draft report to directors.

2. Action from Directors Meeting SB1

The Chairman and Secretary had met with Peverel; they were questioning the number of approvals by residents. Some discussion ensued with regard to the fact that Peverel insisted on having approval by WMC first before proceeding with maintenance jobs. A Director stated that they had been through motions with Peverel re the painting of the communal halls, and still nothing had been done of his block. The lease clearly stipulated certain decision, e.g. repainting every 7 years of communal areas. A second Director made it clear that WMC would not overrule any decisions made by residents. The Chairman made the point that finances were ring fenced for each apartment block for such matters, and WMC needed to focus on running the estate. It was agreed to give Peverel the go-ahead for these matters identified.

Action: Secretary to inform Peverel, and pass on to convenor of the apartment sub-committee.

3. Results of the POM Directors Survey

Most directors present were outraged at the way their responses to the questionnaire were treated. As a result of her answers to the questionnaire, one Director had received a phone call from Peverel, offering her details so she could bypass WMC to get matters resolved. It was agreed the Secretary should respond collectively to the survey handler.

Action: Secretary to write to survey handler regarding Peverel's handling of the survey and the way forward.

2. Health and Safety Issues

Warning signs relating to the lake's deep water & no fishing have been removed once again. Chair made it clear that directors could be held liable for any accidents. Chair was keen to have Peverel and OCHA come to the next meeting to work through the issues regarding how the lake can become a safe communal area for the residents. Complaints had also been received regarding children riding around on small motorbikes late into the night without any safety awareness. Further discussion ensued on how to handle these issues. It was agreed the Chair should write to the police seeking their advice. This was primarily deemed necessary in order to have an audit trail, and to ensure directors could be seen to demonstrate due diligence.

Action: Chair to write to the police, outlining some of the concerns, and seek recommendations for action.

3. Financial Issues

1. Summary To Date

Based on the Finance Sub-committee minutes, two Directors stated that it was clear that there was one reserve fund, and as it was compartmentalised it complied with current legislation. The Auditors had confirmed this. The first Director re-iterated that therefore each block, if they so wish, could be self-governing, and take responsibility. The second Director mentioned the doubling of the auditors' fees this year and that they wanted to invite tenders from auditors not chosen by Peverel, as there wasn't really a justification for this increase. He also mentioned that the current Auditors advised that accounts would not be completed until later in the year, and that an AGM should not be scheduled prior to December. As there had been no AGM to date, and as such WMC were already in breach of the Articles of Association, it was felt strongly by all that WMC should insist on the Auditors completing the accounts in time for the AGM in September. The Secretary confirmed that the financial year-end is March, and that 6 months to complete the accounts was deemed sufficient when a possible date for the AGM was discussed at the meeting in January.

Action: Director to communicate to Auditors and seek assurance accounts will be completed in time for AGM approval at the end of September.

7 Reports from Sub-Committees

7.1 Summary of sub-committee issued to website

Secretary asked a Director to put together a summary of the sub-committees (when decided) that are to be put on the website. A second Director reiterated that issues must be able to be dealt with by sub-committees, and only contentious issues (incl. financial ones) to be brought to WMC. Sub-committees in place should discuss their remit and bring this to the next meeting.

Action: All SCs to provide summaries and send them to Secretary.

Action: Secretary to pass on SC summaries to website co-ordinator.

7.2 AGM Sub-Committee

A Director circulated a timeline and draft letter in preparation for the AGM. They talked the Committee through the plan. The AGM required a quorum of 10% or proxy votes of owners in order to be valid. The Chair thanked the Director for his excellent work. It was agreed that a date should be set for Monday, 1 October 2007, and St. Margaret's Institute should be booked.

Action: Director to book room.

7.2.1. Max Size of Management Committee

Consensus was reached that 12 directors was the right number of directors for WMC.

7.2.2 Question of enforced retirement of committee members & method to determine which directors stand down.

A rotational system for directors was discussed. Two Directors advised that this was not allowed in the Articles of Association as it stood today (although the rules were slightly unclear). A rotational system would be based on directors to remain on for two years, with 6 directors to step down each year, and 6 directors to be voted on each year. Directors that have stepped down can always put themselves forward again for re-election. A rotational system like this ensures continuity, but gives others a chance to join. One of the Directors stated that if such a system were adopted, a special resolution would need to be approved by WMC. Any WMC director could put this resolution forward. Consensus was reached that no one should be forced to step down. Chair said that non-committee members could be co-opted to sub-committees. Another Director agreed that this was a good way to widen participation and encourage more people to get involved. Chair also stated that a rotational system like this had worked well on other committees he had served on.

Action: Director to prepare Special Resolution.

Action: All to advise Secretary whether they would like to stay on as committee members by end of next week (20 July 2007).

7.2.3 Method of Voting for New Directors

A Director advised that the process for voting needed to be decided prior to the AGM. He suggested holding a ballot approx. mid August (although the legal cut-off point was 14 days prior to AGM).

1. Agreed draft AGM invite letter to be sent to all members

Directors read through the draft letter prepared & asked for some input from another Director prior to sending out the letter.

Action: Second Director to review draft letter for members and inform first Director.

2. Apartment Sub-committee

A Director briefed the meeting on the establishment of the Apartment Sub-Committee. They had their first meeting, and minutes were circulated to WMC. At the meeting, the sub-committee's terms of reference and communications strategy were established. In principal, the sub-committee would deal with matters assigned to it by WMC, but they were slightly unsure as to the cut-off point for decision-making process. Chair asked the Director to provide recommendations (e.g. limits of money, terms). Director said in monetary terms this would amount about 80% of funds. A second Director said WMC wanted to be consulted, but it was agreed that they subcommittee should have the authority to deal directly with Peverel. This approach was supported by the fact the accounts were broken down by block.

Action: Director to prepare recommendations for decision-making and present to next WMC meeting.

3. Gardening Sub-committee

A Director reported to the meeting in her role as current convenor of the Gardening Sub-Committee. She reported the general lack of response and action from Peverel, in particular with respect to the trees. Secretary advised that quotes from Evergreen had been received that afternoon. A second Director wanted to know how to deal with Evergreen complaints in general. First Director advised that a meeting had been arranged. A third Director stated that the gardeners did not appear to discriminate enough of what & how planting needed to be maintained. A fourth Director stated that in general, they knew the gardeners well, and felt they had a good understanding of what they were doing, and that the Waterways gardens were generally looking much better than gardens on other estates she had seen.

2. Issues raised by Waterways Residents' Association

8.1 WRA

Chair WRA, had been invited to join the meeting to share her issues/ideas of how WRA & WMC could work together. Chair WRA circulated a note outlining WRA's changing role and how the relationship could be developed in the future to the benefit of both WRA and WMC. The note also included a proposal for WMC to fund WRA's running costs by an annual grant of around £275 (approx. £1 per privatelyowned household). Chair WRA reported that they had good representation from OCHA, and money was available through the OCHA community chest to support social events etc. A Director questioned whether the 'barge residents' would be eligible to join WRA. Chair WRA responded that there were no exclusion criteria, and owners as well as renters could join, but she was unsure whether this applied to the barge residents. She advised this would need to be clarified at some point, in view of the parking, which would become a community issue once the council had adopted the roads. Chair asked whether anybody knew the boundaries of the canal. It was felt the WRA website/Waterways World would be useful to give information and provide links. Chair asked if WRA wanted help with putting the newsletter together. Both Chair WRA and a second Director said there was lots of material, but limited time to put it altogether. The community room and notice board were discussed. Chair WRA aired her frustration that the notice board was still not in place. It was agreed that locating the notice board next to the post box might be a good solution since the council could provide weatherproof notice boards, and would also be responsible for maintaining it.

Action: Chair to send Peverel a reminder regarding the Notice board location.

Action: Secretary to find out boundaries of canal with regard to the boat people.

Action: WRA funding to be discussed and decided on at the next meeting.

8.2 Potential safety hazard of children riding small motorcycles around WW.

WMC had no legal powers to enforce a restriction. It was felt that the problem was intermittent (when the weather was good). A Director suggested that H&S issues such as this could be put on the website. Chair WRA felt they wanted to use the website to give a more positive outlook, and that they had good examples of 'Good Neighbourhood Guides' that could be used, instead of the Peverel recommended one used in Abingdon.

Other issues discussed with Chair WRA:

A Director raised the point that mailboxes were not secure in the apartment blocks. Secretary raised safety concerns regarding the lake, and the fact that the signs were being taken down. Chair WRA offered to raise these concerns with OCHA, and also to take up the idea of a fishing club with OCHA. It was felt that this needed to be guided by firm rules since the directors had direct responsibility for insurance etc.

9 Issues raised by Oxford Citizen Housing Association (OCHA)

1. Community Room

Covered in 2.4

10 Issues raised by Canalside Environment Group

A Director raised the issue of the overflowing dog bin by the canal (near Frenchay Road bridge). It was not clear who placed the bin there, and who was responsible for emptying it. Secretary thought that it would not have been CEG, but OCC and the space 'belongs' to British Waterways.

Action: Secretary to establish who was responsible for emptying the dog bins.

11 Issues raised by other interested groups

None.

12 Development Issues

It was confirmed that the work behind the Nursery was in fact to build a children's playground. BH are currently preparing to lay on the final surface on all roads on WW

Action: Chair to re-write to Berkeley Holmes to obtain a formal timeframe for adoption of roads. Their reply is to be presented at AGM.

13 Any Other Business

13.1 Roads and Adoption of Roads

It was felt there was still a lack of clarity of how and when the roads would be adopted by the council. However, nothing could be done until building of the estate was deemed complete. Secretary wanted to know whether this was a matter for WMC to pursue.

13.2 Burnt Down Bin store

Given Peverel's performance and general dissatisfaction from the committee, it was agreed that other managing agents should be investigated and views on their performance gathered (apparently, Waterside use Cluttons). The contract with Peverel was a rolling contract, and six months' written notice is required to terminate. A Director raised the point whether the dissatisfaction was in fact with the site manager and his performance, rather than Peverel as agents.

14 Date of next meeting

Monday, 10th September 2007 at Anchor Pub.

Action: Secretary to book. The meeting closed at 10.30 p.m.