

WATERWAYS MANAGEMENT COMPANY
COMMITTEE MEETING
8.00 PM ON WEDNESDAY 12TH MARCH 2009
MINUTES

Present: Miles Thompson (Chair), Nick Sampson (Treasurer), Diane Crocombe, Stephen Matthews, Louise Robertson, Paula Reynolds, Peter Higgins.

Guests: Richard Dorey, Waterway Residents' Association
Chris Attwater, Peveler OM Limited

Minutes: Emma Thompson

1.0 Apologies

1.1 Apologies for absence were received from Margaret Bird.

2.0 Private Business

2.1 None reported.

3.0 Committee membership

3.1.1 Steve Matthews was co-opted back on to the committee, until the next AGM.

3.1.2 Paula Reynolds' statement for membership was received by the committee and it was agreed to co-opt her on to the committee, until the next AGM.

3.1.3 Given the time constraints, their areas of responsibility would be confirmed with the Chair outside the meeting.

3.2 Contact details for committee members were confirmed by circulation of a schedule during the course of the meeting.

Action: chair to distribute contact details amongst committee members.

4.0 Approval of minutes from meeting 17 (02/02/09)

4.1 The minutes were approved, subject to adding the phrase 'part of Stone Meadow' to section 12.1.

5.0 Minutes from the Annual General Meeting (20/01/09)

5.1 As the minutes could only be confirmed at the subsequent AGM, it was agreed that prior to publication on the website, the minutes should have the word 'draft' inserted at the top and that the title of the file should also contain the word draft to indicate their status. Subject to this the minutes were approved for publication as a draft.

6.0 Objectives for 2009

- 6.1 The committee was concerned about overall capacity to deliver on all the objectives and identified that some would only be achievable if conditions outside of its control were favourable. It was agreed to remove the item 4, relating to a review of the managing agents, with the potential to remove item 3 if capability became insufficient.
- 6.2 It was felt that it would be important to make value for money and the control of costs explicit under section 2. The managing agents also recommended that it would be important for the committee to ensure it was maintaining records and processes for measuring the impact of its services.

Action: chair to amend wording and the directors to identify priority items – things that have to happen before the AGM this November – prior to next meeting.

7.0 Good Neighbours Guide

- 7.1 It was suggested that the messages and language within the Good Neighbours Guide should be consistent with the style of writing on the website. The relevant pages from the Canalside Environment Group would also be submitted to the Director leading on the guide, for inclusion in the guide.

The new Director offered to help the Director leading on the guide to pull the content together and consider, when complete, how to encourage the local letting agents to forward it to tenants within the development.

8.0 Quorum required for General Meetings

- 8.1 It was noted that under Article 7.2 of the Articles of Association of the Company that a quorum should be no less than one tenth of the membership. It was agreed that there should be sufficient members present at a General Meeting to out-vote the directors, which would require at least twenty five to be present.

Action: a motion shall be presented to the next AGM recommending that Article 7.2 be amended so the quorum required for General Meetings shall be no less than twenty five members to be in attendance (ie. excluding proxy votes). If approved at the AGM it must be lodged with the company secretary who would update the Articles of Association at Companies House. This could be done at the same time as formerly lodging the amendment to the revised cap to the funding of the Waterways Residents' Association, which was agreed at the last AGM.

9.0 Financial update

- 9.1 It was noted that the service charge would have to be confirmed within the next two weeks in order to make the necessary direct debit arrangements. The Treasurer reported that they felt the estimate was generally acceptable but had queried a number of aspects. Namely:

- The insurance costs for those apartment blocks still owned by Berkeley Homes had increased significantly more than the insurance premiums for blocks owned by other freeholders. It was noted that the leaseholders would have to take this up directly with the freeholder but, it was anticipated that Berkeley Homes would eventually sell the freehold and, at this point, the insurance premiums would be brought in line with the other policies across the development.
- Refuse bin cleaning had increased compared to previous years. It was reported that jet washing of the containers would be contracted out rather than be undertaken by the council and the difference in cost between blocks was dependent upon the number of units which were sharing the cost.
- Fire equipment costs had reduced for which the ABSC was thanked.
- The managing agent was asked to check whether any inaccuracies existed in relation to the charging of parking spaces. Those houses with two spaces should be paying double and there were a number of anomalies. The agents were using data provided by Berkeley Homes which had been subject to change and those discrepancies were being identified and rectified as quickly as possible.
- It was queried why the maisonettes within Complins Close were being charged on the same basis as apartment blocks for the maintenance of communal areas. This was because the maisonettes were contained within the fabric of the apartment block but if any resident wished to make a complaint about the level of the service charge, it would be given due consideration.

Action: managing agents to prepare suitable covering letter to accompany service charge schedule in conjunction with Directors on the Treasurers sub-committee. Final figure should also include balcony railings.

10.0 Apartment Block Subcommittee

10.1 Matters Arising

10.1.1 Lift work. See item 2.1 to ASBC meeting minutes 3 March 2009. – *closed*.

10.1.2 Aerial update. See item 5 to ASBC meeting minutes 3 March 2009. A consultation would be undertaken under section 20. – *closed*.

10.2 Forced entry. It was reported that a leaking overflow pipe had begun to degrade the exterior surfaces on one of the apartment blocks. Approaches to the flat owner had not resulted in a response and further action was now necessary.

Action: a notice to be posted on the door to the flat advising the tenant that entry would be required to make repairs two weeks from the date of the notice. An email would simultaneously be sent to the chair of the WMC and the ABSC chair. Directors on the ABSC would also attempt to contact the owner through the letting agents responsible for the apartments concerned. It was noted that forced entry was permitted under the lease in such circumstances and that the police would be in attendance to ensure legal procedures were followed.

11.0 Gardening Subcommittee

11.1 Matters Arising

11.1.1 Path on wildlife corridor. See item 3.4 to GSC meeting minutes 6 March 2009. – *closed*.

11.1.2 Garden bin article in *Waterways World*. It was noted that the article had been written and would be submitted to the editor. – *open until published*.

11.1.3 OCHA garden maintenance. A letter would need to be drafted for the attention of the Harmsworth Fund. Chair to liaise with managing agent – *open*.

11.1.4 Article on culverts in *Waterways World*. It was noted that the article had been written and would be submitted to the editor. – *open until published*.

11.1.5 Review of Oxford County Council tree information. The GSC will identify where work had not been completed as agreed under the original survey requirements and will then instruct the Managing Agent to submit a letter to the developer. See item 4 to GSC meeting minutes 6 March 2009. – *closed*.

11.1.6 KidsUnlimited signage. The managing agents had issued a letter of refusal – *closed*.

11.2 It was reported that individuals had been using the bin by the public art as a means of disposing of their own domestic rubbish.

Action: Managing Agent to draft letter to residents of the adjacent apartment block reminding them that domestic refuse should not be placed in the litter bin but in the bins provided in the bin store and of the bin code.

11.3 Angling club. The committee were in agreement that the request from an angling club to use the lake should be considered and the following actions were agreed:

Action 1a: the managing agent to establish whether shared ownership of the lake prohibits fishing

Action 1b: the managing agent to establish what information is available regarding the depth and profile of the lake and if information is available to provide that to the GSC

Action 1c: the managing agent to establish how the Company's insurance premiums may be affected if it allowed fishing to take place at the lake.

Action 2: Chair to reply to those proposing the scheme, setting out that the WMC can see the potential benefits of the proposal, in providing a structured and essentially peaceful, outdoor activity for young people, and is willing to discuss the proposal further but that we wish first to make clear that we have a number of concerns, namely

- **there are significant health and safety issues as a result of the steep sides and great depth of the lake and a genuine concern about the risk to life; one**

of the objectives of the planting scheme around the lake is to prevent access to the waterside

- **the additional and/or extended liabilities the company, and the directors, would be exposed to, and**
- **the expectation held by residents around the lake that fishing would not be allowed.**

The Company would therefore need to have for consideration either at or preferably in advance of a meeting:

- **the results of an independent risk assessment, which may be provided by the Council**
- **details of any works to the waterside that would be necessary and proposals for who would be responsible for implementation and subsequent maintenance**
- **details of how similar projects have operated elsewhere, and**
- **initial details therefore on how a scheme might operate here.**

Furthermore, if the proposals did advance it would need to be understood that

- **it is at nil cost to the WMC**
- **there will need to be an agreement between the Company and the club**
- **the club will be open to residents of the Waterways only**
- **there will be a limit on numbers**
- **the proposals must be subject at an early stage to consultation with those of our members who own property around the lake, and the views of the majority of the respondents will likely be determinative of the position of the WMC on whether to agree to the proposals, and**
- **the final decision will be subject to a resolution at the next AGM.**

Action 3: GSC to meet the proponents of the scheme and to make recommendations back to the Management Committee at a future meeting to determine what to recommend to the AGM.

12.0 Traffic and Parking Subcommittee

12.1 Matters Arising

12.1.1 Minutes – *closed*.

12.1.2 WRA AGM minutes had been issued to the County Highway Engineer – *closed*.

12.1.3 Letter to Berkeley Homes concerning the noise and ineffectiveness of speed bumps. It was reported that Berkeley Homes had been unwilling to consider making any alterations to the existing road infrastructure. This issue would need to be resolved prior to the adoption of the road.

Action: Director to forward response from Berkeley Homes for consideration by the sub-committee which would reconvene with the WRA and OCHA.

12.2 Marking of parking bays. **Action: to be included on the next agenda with the need to highlight no parking in reversing bays and the complaint being handled by the GSC.**

12.3 It was reported that traffic entering Clearwater Place was travelling at inappropriately high speeds for an area with young children about, including children attending KidsUnlimited. The managing agent was in discussion with the company responsible for the commercial block over the requirement to contribute to the estate. The managing agent could raise with them the potential for that owner to fund a speed bump.

13.0 Complaints Portfolio

13.1 Three cases were brought to the committee's attention:

- A roof had leaked during the recent heavy snow and had been dealt with. As a result of this two changes had been made to the managing agent's protocols in relation to its procedures with its sub-contractors and the transfer of messages from its out-of-hours team to working day operators.
- The failure of damp proof coursing to an apartment within 1-25 Stone Meadow. It had been recommended that the fault be addressed through the Zurich insurance policy.
- A persistent late payer. The committee was satisfied that the managing agent had been fair, having given payment options to the individual. The Committee supported the actions taken.

14.0 Community Room SubCommittee

14.1 The committee noted the following report.

The director met with representatives from Shout, Spurgeons & OCHA on 6 March. There is an interest in Spurgeons/Shout taking on the role of managing the room on behalf of the WMC, in accordance with the new strategy agreed at the last WMC AGM. Shout/Spurgeons need to obtain in principle agreement to the costs involved but otherwise are willing to move things forward.

14.2 The director to draft agreement for Spurgeons to consider. The director to re-initiate negotiations with the freeholder over the terms of the lease. When broad terms have been agreed and Shout/Spurgeons have confirmed they are ready to proceed then the director will instruct solicitors to complete preparation of lease.

15.0 Health and Safety

15.1 Matters Arising

15.1.1 A concise article had been submitted to the editor of *Waterways World* on the mortice lock consultation – *open*

15.2 It was noted that the annual health and safety audit for the development was due which would include a fire and a general risk assessment which would be reported to the ABSC and GSC as appropriate.

15.3 It was reported that an issue with vermin had arisen on the development and care would need to be taken to ensure that any pest control measures did not impact on local wildlife. Managing agent to provide update to next Management Committee meeting.

16.0 WRA matters

16.1 It was noted that the next meeting of the WRA was due to be on Monday 16th March. Committee members expressed a desire to attend.

16.2 It was reported that a funding request from WRA was expected soon, to be submitted to the Treasurer.

16.3 A new Council canal group initiative had been established to discuss the maintenance and general upkeep of the watercourse. **The representative from the WRA reported that it had been recommended that members of both the WMC and CEG should also be invited to attend future meetings of this group.**

16.4 Volunteers were asked to support the annual Easter event being organised by the WRA in conjunction with the Woodstock Baptist church and Shout! The event would be for all children within the development.

17.0 OCHA Matters

17.1 The Director previously responsible for liaison with OCHA agreed to continue as OCHA liaison and the Chair would forward details of the property management contact he had obtained from OCHA.

18.0 Maintenance update

18.1 Copies of issues were being forwarded to the chair prior to meetings – *closed*.

18.2 The managing agents reported that Berkeley Homes would be increasingly likely to refuse to consider problems that were arising across the development and would for example on build defects, recommend recourse through the Zurich policy. The WMC agreed that major build defects should be pursued but other aspects of the development would now be managed on a day-to-day basis. Only the issues relating to tree work remained to be raised with the developer.

Action: managing agent to identify outstanding matters and associated costs which would be presented at the next meeting.

19.0 Other Matters

19.1 Chair of GEM to be invited to meet chair of WMC – *open*.

20.0 Next meeting – 13th May 2009

Meeting closed at 10.30 pm

Glossary:

ABSC	Apartment Block Sub Committee
AGMSC	Annual General Meeting Sub Committee
CRSC	Community Room Sub Committe
GSC	Gardening Sub Committee
OCHA	Oxford Citizens' Housing Association
PTSC	Parking and Traffic Sub Committee
MARSC	Managing Agent Review Sub Committee
WRA	Waterways Residents' Association