

WATERWAYS MANAGEMENT COMPANY

COMMITTEE MEETING

8.00 PM ON WEDNESDAY 13TH MAY 2009

MINUTES

Present: Miles Thompson (Chair), Nick Sampson (Treasurer), Margaret Bird, Louise Robertson, Peter Higgins, Nick Robinson.

In attendance: Richard Dorey, Waterways Residents' Association
Chris Attwater, Peverel OM Limited

Minutes: Emma Thompson

i Constitutional Matters

It was brought to the Committee's attention that under the constitution there was a requirement for seven directors to be in attendance for the meeting to be quorate. However, it had not been submitted to an AGM for ratification nor notified to Companies House, which meant the original criteria set out in the Memoranda and Articles of Association still applied. This is for a third of the Committee to be present, subject to a minimum of three. It was agreed the meeting could continue but that any decisions should be circulated to those directors who were absent, to secure their views on the resolutions made.

RESOLVED:

Chair to present to next meeting proposals for revising the constitution in respect of the quorum required for meetings of the Management Committee.

1 Apologies

1.1 Apologies for absence were received from Stephen Matthews, Diane Crocombe, Paula Reynolds.

2 Private Business

2.1 None reported.

3 Approval of minutes from meeting 18 (11/03/09)

3.1 The minutes of the meeting were approved.

4 Matters arising

4.1 Mtg 18, item 3.1.3 – Chair to circulate revised table following this meeting – *open*.

4.2 Mtg 18, item 3.2 – contact details – *Closed*.

4.3 Mtg 18, item 5 – posting of minutes – *Closed*.

4.4 Mtg 18, item 8.1 – Quorum required for General Meetings. Chair to draft motion for consideration at next AGM – *open*.

4.5 Mtg 18, item 19.1 – Chair has yet to establish communication with the Chair of the Woodstock Lodge Residents' Association – *open*.

4.6 Mtg 18, item 18.2 – Matters still outstanding with Berkeley Homes – Peverel OM confirmed these are as recorded on the monthly Maintenance Update

Sheet – *Closed*.

5. Objectives for 2009

5.1 Mtg 18, item 5.1.1 – amendments to Objectives following action agreed at last meeting - *Closed*.

5.2 To agree priorities within agreed Objectives - Deferred to next meeting.

6. Report from Parking and Traffic Subcommittee

6.1 Mtg 18, item 6.6.1 – Response from Berkeley Homes passed to sub-committee – *Closed*.

6.2 Director reported that joint WMC-WRA-OCHA group had met and he had been appointed new Chair of the group. The meeting with County Highways was then organised and took place on 12 May 2009. Draft minutes have been produced and following agreement to those from the County the Chair of the WMC-WRA-OCHA group will circulate them to members of the Committee.

6.3 Concerns had been raised that some residents, particularly tenants, are parking in bays allocated to other properties. A discussion ensued as to whether parking bays should be marked (numbered) and the different ways in which this could be done. The Committee recognised the arguments both for and against.

Unless a particular block complained there did not appear to be a strong enough case to number parking bays. Residents had the option of installing at their own cost a bollard which could be raised and lowered to avoid visitors or tradesmen parking in a bay.

Consideration could be given to marking up visitor parking bays and turning circles but this should wait until the full details and implications of the adoption of the roads are known.

RESOLVED

6.3.1 That there is no strong case at this time for marking up parking bays with house or plot numbers.

6.3.2 GSC to ensure Peverel OM notify the complainant, requesting resolution of parking issue on Lark Hill, that detailed consideration of their complaint will take place once the full details and implications of the adoption of the roads are known, and this is not now expected to be until after October 2009.

6.4 It was noted that a Section 38 Agreement was with Berkeley Homes that would clarify those roads to be adopted by the Highway Authority. Peverel OM will obtain a copy of the agreement following adoption of the roads.

It was reported that adoption would not be likely until the end of October 2009. The Highway Authority had taken on board all the items raised during the consultation with residents.

RESOLVED

Frenchay Road has already been adopted and therefore the Council should be asked to introduce the solutions proposed in this area sooner. Director to raise this with County Highway Authority.

7 Good Neighbours Guide

7.1 Directors had met and agreed on what needs to be done. One of the Directors has updated the parts of the document agreed so far and is now looking to meet again with the other Director.

8 Notification of applications to local planning authority

8.1 Deferred to next meeting.

9 Treasurer's SubCommittee

9.1 It was reported that a request for funding had been received from the Waterways Residents' Association in accordance with the resolution passed at the WMC AGM.

RESOLVED

To release funding of £1,200 to the WRA, to be allocated towards the cost of maintaining the Waterways World website, producing the Waterways World newsletter and organising a community event. Funding to be provided in instalments as settlement of costs become due. One instalment had already been requested and the next edition of the newsletter was due for publication. Two instalments would therefore be made together.

9.2 The renewal of Directors' insurance was confirmed. It was reported that the renewal should not require a signature from the WMC but if it was required this task should be delegated to the Treasurer.

10 Apartment Block SubCommittee

10.1.1a Mtg 18, item 10.2 – forced entry

A final warning advising that a forced entry would be made to complete the necessary boiler maintenance had been issued. If a satisfactory response is not received then Peverel OM will proceed as agreed at Meeting 18.

10.1.1b It had been identified that the way in which a number of boilers had been installed in apartments meant that a service should be completed every 12 months and carbon monoxide alarms be purchased for health and safety.

RESOLVED

Peverel OM to circulate to those apartments affected, advising owners of this.

Peverel OM to issue to all owners a copy of the recent Waterways World article on boiler maintenance, detailing how to purge the boilers to minimise future damage to the external fabric of buildings. Covering letter to be drafted by Peverel OM and be reviewed by a Director. Chair to be kept informed of progress by email.

10.2 Cleaning contract

Three tenders had been requested. The existing provider had submitted the mid-range value and had subsequently revised this downwards, to seek to retain the contract. The lowest bid was significantly lower but it was not known if this was because the company was prepared to undertake the contract as a 'loss leader' in the hope they could pick up other contracts from within the Peverel OM portfolio or whether it was just unrealistic. The Committee discussed how best to ensure value for money was achieved.

RESOLVED

- a) Peverel OM to request from the lowest bidder two references and an example of a site, as comparable as possible with the Waterways contract, where they have had an existing contract for at least the last three years, so that an unannounced visit can be made to inspect the standard of cleaning. This information to be provided within two weeks of request
- b) in the meantime, the current contractors to receive a one month extension,

- and
- c) if satisfactory information is not forthcoming from the lowest bidder then the existing contractor to be retained, the Committee being satisfied with the current working arrangements and the standard of cleaning.

10.3 It was reported that a resident had enquired whether they would be able to tender for work within the development. The initial view was that this could pose a conflict of interest.

RESOLVED

To consider the request at the next meeting.

11 Garden SubCommittee

11.1.1 Mtg 18, items 11.1.2 & 11.1.4 – articles on bins and culverts had been published in the *Waterways World – Closed*.

11.1.2. Mtg 18, 11.1.3 – a letter had been issued to the Chair of the Harmsworth Fund about the condition of the grounds around the commercial block, however, no response had been forthcoming.

RESOLVED

Peverel OM, on behalf of our Chair, to issue to the Harmsworth Fund a copy of our Chair's original letter, with cover letter reiterating our interest in the matters raised. Copy to be sent to the Chair for information.

11.1.3 Mtg 18, item 11.2 – a letter had been issued to those residents living adjacent to the public bin which was being used for domestic rubbish. Peverel OM reported that residents had been shocked at what had been happening and were monitoring the situation. So far, no further incidents had been reported.

11.2 Angling club – Mtg 18 Item 11.3, Actions 1a, 1b, 1c and 2 had been completed – *Closed*

On Action 1 Peverel OM added that it was not known who else had ownership rights over the lake but it was assumed to be those houses whose gardens extended down to the water.

Action 3 awaits a response from those proposing the club to the matters the Chair had raised under Action 2.

11.3 Landscape works contract
Three tenders had been requested. The current landscape contractor had submitted the lowest bid. The Committee being satisfied with the current working arrangements and the standard of landscaping it was agreed to re-appoint the existing contractor for another year. Another potential contractor had not been invited to bid this year but was considered a suitable candidate for future reviews.

RESOLVED

- a) To re-appoint Evergreen on a rolling contract for a further twelve months, and
- b) to invite University Parks Department to tender for contract beyond that twelve month period.

12 WRA Matters

12.1.1 Mtg 18, item 16.1 – Chair was awaiting minutes from last WRA meeting - *open*

12.1.2 Mtg 18, item 16.2 – dealt with at item 9.1 - *Closed*

12.1.3 Mtg 18, item 16.3 – the Chair reported that he had yet to contact the newly established Oxford city canal group. – *open*

12.2 It was noted that the Canalside Environment Group had been awarded a cheque for £250.00 for its contribution to the OxClean initiative earlier in the year. The Group was congratulated for its work.

13 OCHA Matters

13.1 No update from Director for liaison with OCHA.

13.2 The Committee expressed disappointment at the appearance of signage by the canalside Rackam Place apartment block, describing the canalside garden as private for OCHA residents of a particular block. Whilst the Committee had some sympathy with the likely reasoning behind it, there was nonetheless concern that this was divisive, given that private residents contribute towards maintenance of Company land to which OCHA residents also have the benefit of access.

RESOLVED

Director to contact OCHA to express concern and to seek withdrawal of limit over access.

14 Complaints Portfolio

14.1 Mtg 18, Item 13.1 – it was noted that the persistent late payer had now made contributions up to the end of April 2009 – *Closed*.

The Committee expressed their gratitude to Peverel OM for managing the situation.

15 Community Room SubCommittee

15.1 Nothing to report.

16 Health and Safety

16.1 Mtg 18, item 15.1.1 – mortice lock consultation had been published in *Waterways World* – *Closed*.

16.2 It was reported that the annual health and safety audit for the development would take place in September.

16.3 Pest control contract

The report from Prokill to initiate pest control was received by the Committee. The Prokill strategy had been produced following liaison with Natural England, to ensure the baiting strategy would not threaten protected wildlife. This would provide the WRA with due diligence on this issue.

It was noted Peverel OM had, in Prokill, presented a supplier who in their opinion had demonstrated appropriate knowledge and competence. Nonetheless, the Committee felt that for a contract of this value, and importance, tenders should normally be sought from more than one supplier. However, having regard to the immediate seriousness of the problem it was considered to be most important to expedite a pest control strategy as soon as practicable. Competitive tenders could be sought when the Prokill contract expires (after twelve months). The Committee being satisfied with the proposed strategy and fees agreed to appoint Prokill.

RESOLVED

16.3.1 To appoint Prokill, subject to them first supplying Peverel OM with copy of the correspondence showing Natural England's approval of the strategy, and thereafter to provide regular progress reports to demonstrate continuing compliance with Natural England's requirements.

16.3.2 Peverel OM to look to ensure that future contracts for work of this value and importance are put out to tender to at least three suppliers.

17 Any other business

17.1 Peverel OM reported an inconsistency in the conveyancing across the development, which has resulted in the creation of two distinct financial periods. In order to resolve this matter it is possible to

- establish 1-32 Clearwater Place as a separate development so that the service charge can be applied with effect from 1st April rather than 1st May
- arrange for a deed of variation, which would be expensive for the owners concerned
- continue to seek collection from the owners a month late.

The latter is currently taking place and it has not given rise to any complaints from the owners. The only disadvantage to the Company is that in delaying pursuit of the payment by a month there is a corresponding loss of interest, but these were considered to likely be very small sums and this disadvantage is likely to be outweighed by the costs associated with seeking to rectify the inconsistency.

RESOLVED

Continue to seek collection a month late, that is, on 1st May and 1st November. Chair to write to Peverel OM to confirm this.

Meeting closed at 10.20 pm.

18 Date of next meeting

8 July 2009.

Venue to be the conservatory at The Anchor unless otherwise notified.

Glossary

ABSC	Apartment Block Sub Committee
AGMSC	Annual General Meeting Sub Committee
CRSC	Community Room Sub Committee
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