

WATERWAYS MANAGEMENT COMPANY
MANAGEMENT COMMITTEE MEETING NO.22
8.00 PM ON WEDNESDAY 11 NOVEMBER 2009

MINUTES

Present: Miles Thompson (Chairman), Louise Robertson, Peter Higgins, Raquel Stremme, Nick Sampson.

In attendance: Chris Attwater, Peverel OM Ltd, Richard Dorey (WRA – from item 7)

Minute taker: Emma Thompson

Observer: Camille Brown

1. Apologies

Nick Robinson, Diane Crocombe, Stephen Matthews, and Margaret Bird.

2. Private Business

None

3. Approval of minutes from meeting 21 (09/09/09)

The minutes of the meeting were approved as a correct record.

4 Matters arising

4.1 Mtg 18 item 19.1 (& Mtg 21 item 4.2) – Chair wrote again to the Chair of the Woodstock Lodge Residents' Management Company and is now awaiting a reply – *closed*.

4.2 Mtg 20 Item 5.1 (& Mtg 21 item 4.3)
Conveyance Matters: Parking/Visitor Space relating to number 62 Frenchay Road

- a) The Leasehold Advisory Service was unable to provide definitive advice, but the Managing Agent's in-house solicitor confirmed the WMC had the authority to grant the transfer of the parking space. The relevant supplemental agreement to the transfer agreement has now been duly signed on behalf of the Company - *closed*
- b) Managing Agent to invite Berkeley Homes to pay for the costs incurred in resolving these matters: in abeyance pending resolution of issues - *open*

4.3 Mtg 20 Item 5.2 (& Mtg 21 item 4.4)
Conveyance Matters: OCHA and Commercial Unit charges

- a) The Managing Agent has issued final email notifications to OCHA and the owner of the commercial unit, advising them of the intention to request payment of a management charge, with charges to be applied 30 days after the final letter and back dated to 1st May 2009 - *closed*
- b) Managing Agent to invite Berkeley Homes to pay for the costs incurred in resolving these matters: in abeyance pending resolution of issues - *open*

4.4 Mtg 20 Item 5.3 (& Mtg 21 item 4.5)

Conveyance Matters: Charges for additional allocated parking spaces in Lark Hill

- a) Owners of properties who had two allocated parking spaces in Lark Hill had been issued with a letter in October to advise them that their contribution towards parking costs would increase with effect from 1st May 2009, to cover both spaces. No objections had been received - *closed*
- b) Managing Agent to invite Berkeley Homes to pay for the costs incurred in resolving these matters: in abeyance pending resolution of issues - *open*

4.5 Mtg 20 Item 6.2 (& Mtg 21 item 4.6)

Objectives for 2009:

- a) All members of the committee to consider for next year how they would wish to see objectives prioritised. It was recognised that the objectives would be refreshed for 2010 following the AGM – *on-going*

4.6 Mtg 20 item 19.2.2 (& Mtg 21 item 4.9)

Consideration of bringing start time for meetings forward to 7:30pm. Views were sought by email from all members of the Management Committee and attendees. Responses were evenly balanced

RESOLVED

To retain the start time for meetings at 8pm, to allow those getting back from work time to 'turn round' before heading out again – *closed*

5 Preparations for Annual General Meeting

5.1 It was noted that the notice of the AGM, together with a request for new directors to stand, had been issued. 1st December had been booked, with a fall-back of 15th December at St Margaret's Institute for the AGM.

5.2 If insufficient members were in attendance on 1st December, a letter would be issued the following day advising owners of the second date.

5.3 Advanced apologies for the AGM were received from Nick Sampson and Louise Robertson.

RESOLVED

5.4 To review the letter to owners which was despatched last year when attendance precluded the meeting from proceeding.

5.5 WMC to canvas fellow members to encourage as many to attend as possible to avoid a repeat of last year.

5.6 Managing Agent Customer Co-ordinators to remind owners about the AGM,

when they call with enquiries.

- 5.7 Article to appear in the November edition of Waterways World notifying residents of both WRA and WMC AGM, advising them of the difference.
- 5.8 Waterways webmaster to investigate the possibility of allowing residents to opt-in to receive the newsletter electronically from the website.
- 5.9 Those directors wishing to re-stand or resign to notify Managing Agent by Tuesday 17th November, including those currently co-opted.
- 5.10 Chairman to follow up with those directors due to retire by rotation and forward original notice of intent from those co-opted to Managing Agent.
- 5.11 Draft AGM agenda agreed.

6 Treasurer's SubCommittee

- 6.1 The Treasurer reported that he had been impressed with Critchleys, for example in their questioning of some assumptions made by the Managing Agent. The firm had done a good job at a competitive price and he would have no hesitation to recommend renewing the contract.

RESOLVED

- 6.2 To recommend at the AGM the renewal of the contract with Critchleys as Auditors for the Waterways Management Company.
- 6.3 Treasurer to provide a written report for presentation at the AGM in his absence.

7 Waterways Management Company Objectives 2009-2010 – Objective 3

- 7.1 It was questioned whether the WMC required a communications strategy as the Company was working well. The sub-committees were empowered to make decisions and recognised when to recommend decisions to the main board. However, after some discussion it was recognised that it would be useful to have the process documented for future directors.

RESOLVED

- 7.2 To remove the existing diagram, approve the recommended amendments to the wording and re-title the document 'Communications Guidelines'.
- 7.3 To approve the changes to the constitution as recommended.
- 7.4 To approve the format and content of the list of decisions taken by the WMC since inception, subject to the document being re-titled 'Compendium of Decisions' and not 'Standing Orders'
- 7.5 To provide the Managing Agent with access to the Waterways Management Company shared documents.

8 Good Neighbour Guide

- 8.1 It was noted that a draft had been prepared and was with the Chair for review. The content had taken into account the existing welcome pack issued by Managing Agent.

RESOLVED

- 8.2 Managing Agent to circulate copy of the existing welcome pack in pdf to directors and in Word to the Chairman for editing purposes by the editors of the Good Neighbours Guide.
- 8.3 Notices relating to gas flu checks and parking etc to be issued by Managing Agent, rather than wait for the completion of the Good Neighbours Guide.

9 WRA Matters

- 9.1 Mtg 21 item 9.1 (Mtg 20 item 11.2, Mtg 18 Item 16.3) [Chair]
Chair contacted Oxford City Canal Partnership (13 October 2009). Chair has been invited to attend, as an observer, the next meeting of the Partnership on 9 December – *closed*

RESOLVED

- 9.2 Chair to issue details of next meeting of the Oxford City Canal Partnership to member of GSC who might be able to attend. It was intended to raise the issue of canal users overloading a bin on the Waterways green at the top of Frenchay Road rather than using their own bin store.
- 9.3 Some of the Directors reported that they had not received recent editions of Waterways World. The distribution of Waterways World to would be investigated by Chair of WRA.
- 9.4 A request had been received for additional litter bins to be provided in Rackham Place and Ryder Close. An additional litter bin would need to be sought from the City Council, for Rackham Place, which could be emptied at the same time as the bin already provided by them in the play area.
- 9.5 It was proposed that a second bench be provided on the green at the top end of Frenchay Road. The proposal was declined on the grounds that there was neither the budget for a bench nor a willingness to take on additional maintenance costs at this time. It was also noted that a consultation undertaken with residents surrounding the green several years earlier had preferred the status quo.
- 9.6 Articles to be provided for the next edition of Waterways World by first thing Monday 16 Nov.

10 Report from Parking and Traffic Subcommittee

- 10.1 It was noted that the Council had taken on board the recommendations made by the sub-committee in relation to the parking plan for the development and had been negotiating with Berkeley Homes when it had been disclosed that in order to adopt the structure of the canal bridge in Elizabeth Jennings Way, the Council would expect to receive a commuted sum from Berkeley Homes of circa £100,000. Progress toward adoption appeared to stop following a request by Berkeley Homes for an explanation of how the quantum of the commuted sum

had been arrived at. Discussions had now resumed following a letter to Berkeley Homes, prepared by the sub-committee and signed by the Chair, the Chair of WRA and local County Councillor, JF, outlining the potential hazards arising on the development as a result of inaction.

- 10.2 Once the situation with Elizabeth Jennings Way had been resolved, discussions could move on to address similar adoption issues affecting the canal bridge on Frenchay Road.

RESOLVED

- 10.3 The WMC would not accept the transfer of ownership of the EJW bridge to it.
- 10.4 That Dr W is thanked for his work and support, in the Chairman's Report at the AGM.
- 10.5 To advise residents in the next edition of Waterways World in general terms that the road adoption is being progressed.

11 Apartment Block SubCommittee

- 11.1 Mtg 21 item 11.2
All remaining approved minutes had been passed to Waterways website editor and been posted – *closed*.
- 11.2 Mtg 21, item 6
Managing Agent to issue the letter relating to the bin store – *open*.
- 11.3 A paper was received on the proposed employment of a caretaker / site supervisor for Waterways. It was noted that the individual would be employed by the Managing Agent but that after a period of two years this person would be entitled to TUPE arrangements for transfer to a new Managing Agent, if the WMC appointed one. A base, such as the community facility, would be required to meet staff welfare requirements.
- RESOLVED**
- 11.4 A revised paper to be submitted for consideration to include reference to the benefits, risk and implications arising from the employment of a caretaker / site supervisor.
- 11.5 Freeholder of the community facility to be asked whether use of the room by a caretaker / site supervisor, to meet staff welfare needs, would be acceptable.
- 11.6 If the Management Committee resolves to support the appointment of a caretaker / site supervisor then members are to be consulted at the next AGM.

12 OCHA Matters

- 12.1 Mtg 21 item 12.3 [SM]
Following posting of signs by OCHA that the green spaces adjacent to the east bank of the canal were for OCHA residents only, the WMC had raised their concerns with OCHA that these spaces should be available for all residents of the Waterways. Cllr JC had been asked to get involved to seek to secure OCHA's agreement to remove the signs. OCHA has now agreed to remove the

reference to the area being only for OCHA residents and to refer to 'Waterways Residents'. However, no timetable has yet been given for when this change will be implemented. The Committee were asked to note that Cllr C had been instrumental in securing agreement from OCHA for this change. - *closed*

13 Complaints Portfolio

13.1 Mtg 21 item 13.1

It was reported that the Managing Agent had written to the owner who had changed their front garden without first seeking consent from the Company, asking them to reinstate the area to planting. The Managing Agent had also updated the complainant – *closed*.

13.2 A consistent late payer had disputed the need to pay a debt recovery charge. The outstanding service charge had now been received but they still had not paid the additional costs that had arisen following the delay in paying. The Managing Agent had determined to absorb these costs rather than incur further costs seeking their recovery; this 'loss' would not be need to met through a charge on other members.

13.3 This particular incident had highlighted some deficiencies in the Managing Agents customer management system. The system could not distinguish between reports of works required and complaints about the service provided. Therefore low level complaints by email can not be monitored. The Managing Agent has stated that if the WMC wanted this level of service an additional charge would have to be levied.

14 Garden SubCommittee

14.1 Mtg 21 item 14.1 [LR]

All remaining approved minutes had been passed to Waterways website editor – *closed*

14.2 Mtg 21 item 13.4

The Gardening Sub-Committee had reviewed the complaint that some canal boaters had taken to using the litter bin on the green at the top of Frenchay Road for disposing of their domestic refuse. The situation would be monitored over the winter by the Sub-Committee. If necessary the litter bin would moved to the other side of the green – *closed*.

14.3 Mtg 21 item 14.3

The Environment Agency was to be contacted about the unauthorised fishing around the lake and to establish how to report suspected offences to them – *open*.

15 Community Room SubCommittee

15.1 It was reported that a copy of the draft lease would be returned to the Landlord's agents, with proposed amendments. The CRSC would continue to challenge some of the proposed restrictions.

RESOLVED

15.2 An update to be provided for the Waterways World newsletter and the AGM.

16 Health and Safety

16.1 Mtg 21 item 16.1 (& Mtg 20 item 18.1.2) [GSC]
An article by the Gardening sub-Committee, specifically relating to the problems with badgers, to be produced for inclusion in the Waterways World newsletter. Timing of article to depend on when the situation has reached a stage where it is reasonably clear. – *closed*.

16.2 Progress on article for a forthcoming edition of Waterways World to seek resident action to reduce the potential for problems with rats (proper management of domestic waste) – *closed*.

16.3 [Raquel Stremme had to leave the meeting at this point.]

16.4 There was a discussion about how to apportion the cost of the pest control work. It would not be met by the insurance policy. The work to exclude the badgers from the setts they had established under some apartment blocks was nearing completion, but further work would be required to stop them returning. They might also move on to other buildings in the Waterways.

16.5 It was noted how the pest control works had been undertaken as a matter of urgency due to the health and safety issues related to the intrusions. In particular, the badger setts had been used by rats as a route by which to then also gain access to parts of the apartment blocks, including some apartments.

RESOLVED

16.6 The cost of the initial survey, to establish the nature, location and scale of the pest infestation to be met from the general fund.

16.7 The cost of the works to exclude the badgers from those setts they had established under some apartment blocks to be met by the members who own property in those blocks; this would invoke the section 20 requirements.

16.8 A letter outlining the cost of preventative versus remedial measures to be issued to all apartment block owners. If a majority of respondents in a block are in favour of preventative measures being taken, then the works would be carried out and charged to the block concerned.

16.9 A letter to be issued to freeholders advising them of measures they could take to minimise the intrusion of a badger set on their property.

16.10 Managing Agent to provide Chair with proofing cost by the end of November 2009.

16.11 A recent health and safety inspection of the site had detailed concerns about the use of the lake for fishing and the need to move signs around the lake to make them more visible. Otherwise it had been recommended that the next inspection would be made in three years.

RESOLVED

16.12 Managing Agent to forward a copy of the report to the Chair.

17 Any other business

None.

18 Date of next meeting

18.1 Thursday 10 December 2009 in the conservatory at The Anchor

18.2 The Chair explained that this would not be a normal meeting with the usual agenda but a brief meeting to take stock following the AGM and to look ahead to the next year.