

WATERWAYS MANAGEMENT COMPANY
MANAGEMENT COMMITTEE MEETING NO 39
7.30 pm, Monday 23 July 2012

Present: Miles Thompson (Chairman), Sally Duncan, Richard Doyle, Sally Doyle, Anne Hall, Paula Reynolds, Nick Robinson, Raquel Stremme Mary Tovey.

In attendance: Rebecca Hill (Managing Agent), Richard Dorey (WRA)

Minute taker: Emma Thompson

1. Apologies

1.1 Nicholas Orme, Louise Robertson.

2. Private Business

2.1 None.

3. Minutes

3.1 Approval of the minutes from meeting 38 (14/05/12)

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

4. Matters arising from the minutes from meeting 38

4.1 It was noted that the paperwork appointing the new directors to the company had been completed.

4.2 The directors' respective responsibilities as circulated after the previous meeting were confirmed as accurate.

4.3 It was noted that one resident was consuming a large proportion of the managing agent's resources. In the last two weeks, the same individual was reported to have submitted up to 40 pieces of correspondence. Perhaps the individual would be willing to send all their concerns once a month in much the same way OM organised its responses to them. It was agreed that the situation could not continue at its current level, particularly as the community was in danger of losing value for money contractors.

RESOLVED

4.4 OM to write to resident, having sought input from the neighbourhood police team.

4.5 Directors to meet the resident to identify the main concerns.

5. Health and Safety

5.1 Nothing to report.

6. Updates from Managing Agent

6.1 OM reported that they had investigated a series of separate leaks affecting a duplex apartment on Elizabeth Jennings Way. The original leak from the roof had been addressed and no further water ingress from this source had been identified. A separate leak may have arisen from the balcony area. No remedial work would be undertaken on behalf of the Company if it was found that the cause of this particular water damage was related to parts of the fabric of the building for which the owner is responsible.

6.2 The owner had requested that, in light of the number of incidents and the age of the property, a surveyor be appointed to undertake an investigation of the roof. This would be an expensive exercise and, as no further incidents linked to the roof had arisen since remedial work to it had taken place, it was agreed that the request be denied.

RESOLVED

OM to inform resident that no additional investigations will be undertaken.

7. Waterways Residents' Association

7.1 It was noted that the next edition of the Waterways newsletter was imminent and a request for this year's grant from the WMC had been submitted. Consequently, the WRA would be grateful to receive payment from the WMC in order to settle the outstanding account.

7.2 The lease for the community room had been received from the freeholder, with one point outstanding to be clarified with solicitors. Funding had been obtained for the first year two years of trading and it was anticipated that income generated over the next 12 months would make the Community Interest Company, which had been established to run the premises, self sufficient.

7.3 The next two social events on the development would be the end of Summer and the Christmas gatherings.

(Raquel Stremme arrived.)

8. Report on the objectives for the year

8.1 Publish minutes of meetings

8.1.1 It was noted that work had commenced and was due to be completed by the end of the calendar year.

RESOLVED

8.1.2 To receive updates on progress at all meetings until the website was up to date.

- 8.2 **Promote awareness and understanding amongst members of the Company and residents on the Waterways of the purpose of the WMC and of how to report maintenance issues and when necessary to complain.**

RESOLVED

To receive updates and reports through the relevant subcommittee news round-up.

- 8.3 **Managing Agent review**

The first meeting of the sub-committee was planned for early September.

(Nick Robinson arrived.)

- 8.4 **To produce a plan of action to resolve maintenance issues relating to the Frenchay Road culvert and the wildlife corridor watercourse.**

An update was provided on the latest information obtained by the Managing Agent, which had been discussed at the last meeting of the GSC. In light of the prospective cost of the work the GSC wished to refer the matter to the Management Committee for due consideration. Accordingly a discussion took place on how best to proceed.

- 8.4.1 The Managing Agent reminded the Committee that a number of contractors had been invited to attend the site and provide a quotation. Only Pims Group had shown an interest in tendering. However, even then they could not provide an estimate for the full scope of the work without first gauging the potential degree of difficulty by working an initial trial section.
- 8.4.2 The Committee noted that the watercourse is heavily silted and that the landscape management plan had indicated that the watercourse be dredged every three to five years. However, no evidence could be found that Berkeley Homes had completed this activity during its control of the site and it had not been done since the residents took control of the WMC. It appears no dredging may have been done in the intervening twelve years since the watercourse was created.
- 8.4.3 It was proposed that Pims be instructed to complete phase 1, to clear the section of the culvert between Frenchay Road and the canal. This is the area from which the adjoining car park and private house garden have flooded. Bioscan (environmental specialists) had indicated that in order to reduce any impact on protected species and other wildlife, the works should be undertaken in the autumn (September/October). It was envisaged that Phase 1 might take 3 days.
- 8.4.4 If only phase 1 were completed this year then, it was thought, flooding problems could still re-occur because silting downstream would continue to lead to water 'over-pooling' in the phase 1 section. In addition, there were concerns about the heightened risk to public safety posed by the depth of sediment, if someone were to enter into the watercourse. It was unanimously agreed that the entirety of the wildlife corridor and culvert should be dredged this autumn.
- 8.4.5 There was some discussion of the cost, which would be shared between all members/properties in the Company. The cost would exceed that currently held in

the relevant reserve fund and therefore an additional charge would need to be levied on all properties in the end-of-year service charge. Some reserve funds could be used to but there would still be a need to make a substantial addition to this year's service charge. It was noted the scale of the additional levy would not be such as to require a consultation with members (which in any event would only be available to leaseholders and not freeholders). Nonetheless, the Committee recognised the importance of explaining to our fellow members what was happening.

8.4.6 It was agreed that a communications plan should be put in place to run in parallel with the preparation for and undertaking of the work.

8.4.7 As part of the information to be collected for the Company by the Managing Agent, the Directors confirmed their wish to receive

(a) a schedule of costs to include charges to be levied by Pims, Bioscan, and OM and any other additional costs, eg for depositing material at a licensed waste facility

(b) a copy of the contractor's waste management licence/certificate and confirmation the waste had been disposed at an appropriate, licensed waste facility.

RESOLVED

8.4.8 Appointing of contract to be overseen by the Gardening Sub-Committee, in conjunction with the Chair, subject to the individual cost per property not exceeding £150.

8.5 **To prepare a plan of action to prepare for the replacement of lift machinery in the apartment blocks.**

8.5.1 The item had been discussed by the ABSC and it had been agreed that a number of manufacturers be contacted to assess the availability of parts. No responses had been received to date but it was hoped that the outcome of these investigations would underpin the plan. One director reported informal discussions they had with engineers who serviced lifts for care homes. They thought there should not be a problem sourcing replacement parts as common components were used in lift machinery.

RESOLVED

ABSC to discuss further at next meeting and report back to next Management Committee meeting.

9. Sub Committee news round up

Finance Sub-Committee

9.1 It was noted the Chairman had signed the indemnity insurance for directors, for cover for another year.

9.2 OM reported that the accounts would be issued to the Treasurer for review, by mid August.

- 9.3 Due to the resignation of the director who had the role of Deputy Treasurer, a request was made for another director to provide support.

RESOLVED

- 9.4 Chair to provide advice and support to Treasurer, as required.

Apartment Block Sub-Committee

- 9.5 The lead contact between the sub-committee and OM was noted.

Gardening Sub-Committee

- 9.6 A resident had requested that the trees by 2-32 Elizabeth Jennings Way, adjacent to the land with Keble College, should be removed as they were interfering with their view and natural light. The request had been denied.

RESOLVED

- 9.7 Director to monitor feedback email in case resident wished to appeal the decision to the Management Committee.

Feedback

- 9.8 Nothing to report.

10. Community Meeting Room

- 10.1 It was noted that on 16 May 2012, the Chair confirmed to the solicitors for the freeholder of the Community Meeting Room that subject to the freeholder of the property remaining liable for the payment of the Estate Maintenance Charge to the Waterways Management Company the Waterways Residents Community Interest Company will not be required to enter into a deed of covenant to perform the estate maintenance charge covenants as far as applicable to the demise, as referred to at clause 20.12 to the Transfer Agreement dated 18 July 2007.

11. Request for deed of variation in respect of 27 Stone Meadow

- 11.1 The Committee considered a request to erect a screen wall on the back edge of the pavement. The Committee took account of the documentation submitted by the applicant and a report prepared by the Chair (which had earlier been provided to the applicant's solicitor via OM).

RESOLVED

- 11.2 The request is refused on the grounds that it would detract from the visual amenity of the street scene and would create a hazard between vehicles using the garage / driveway and pedestrians on the pavement

The Managing Agent to advise the applicant accordingly.

12. Retirement of Directors

- 12.1 It was noted that one resignation had been received since the last meeting, as a result of a director moving abroad.
- 12.2 The secretariat of OM was reminded to maintain accurate and timely records.

RESOLVED

- 12.3 To file the relevant paperwork and update Companies House accordingly.

13. Date of next meeting

Monday, 17th September 2012.

If the community meeting room had become available by then it was agreed that the WMC would look to meet there. Alternative accommodation should also be sought as a back-up, the new split table arrangement at The Anchor not being conducive to the holding of meetings.

RESOLVED

Director to enquire of availability and cost of hiring premises elsewhere, including St Margaret's Institute and the Baptist Church.