

The Element, Newhaven, Owners Association Committee

Minutes of Meeting 6th February, 2019, 10.00am
at 33/9 Western Harbour View

Preliminaries:

- a) **Present:** Rodney Matthews (RM—chairman), Ken Webb (KW—Secretary), Pamela Bowman (PB),, Simon McIntyre (SMcl) and David Gardner (DG),
- b) **In attendance: – TEF (only for item 3):** Marc Myburgh(MM), Simone Myburgh (SM), Jakub Swidzinski (JS—Baltic Solutions)
- c) **Apologies:** Evan Simpson, Jo King

1. Minutes of last meeting

2. Matters arising & Following up Actions

Brief updates on:

- a) **Neighbourhood watch:** (3 a) SMcl reported that we are now registered as a neighbourhood watch area. He has not been able to contact EC Council, but has ordered signs (est. cost £150).
- b) **Rubbish & Recycling:** (3 b) KW said that, following discussions with DG, it was felt that, rather than translate the notice on the communal bin store doors into any one language, it would be more effective just to remove all wording and simply rely on the symbols in a larger more visible format. Since the last meeting there has been an improvement in compliance. However, it was still not understood that hard plastic cannot be accepted for recycling. And bags containing rubbish for recycling that have not been emptied will also be rejected.
(Action KW to liaise with TEF)
- c) **Coordinating with other developments:** (3 c) RM, as chairman, reported that he had met with his counterparts in the two other Western Harbour developments to discuss matters of mutual concern. They will continue to support each other in addressing these matters, the most pressing of which was the bad behaviour of a few guests renting apartments used for holiday lets. It was noted that all owners who use their property for holiday letting full time need to register the fact with ECC and pay commercial rates rather than Council Tax. However, those who have lived in their property and decide to move out and let only need to obtain a certificate from the Council. It was noted that City Suites need to make sure that they comply in this respect. RM assured the committee that he would be following up on this and other matters with the chairmen of the owners association in the other two developments.
- d) **Membership:** (5) KW reported that there are currently 247 members and 208 voting members of TENOA
- e) **Christmas Tree:** (6 a) KW reported that the gardener whom TEF employ had donated a small Christmas tree which was lit up over the Christmas and New Year period. Other lights had been draped round the planters, but were not so effective and next year he hopes to concentrate them on the trees for better effect. High winds have blown the tree over on a couple of occasions, as the

roots are not yet deep enough and the gardener will find a way to prevent this, possibly by putting it in a large planter.

- f) **Chairman's Letter to New Owners:** (7 b) A copy of this had been circulated and it was decided to adopt this. The committee requested that TEF give this both in hard and electronic format to new owners along with a form to apply for membership (as is already on the website). They also requested that it be posted on the Living in the Element page of the website. **(Action TEF and KW)**
- g) **Replacing boilers:** (7 a) KW said he had contacted all owners asking for any who might be interested in pooling to see if we could obtain some savings on a bulk purchase of these to contact him. Since only a few did, it was not sufficient to make it a bulk order. Gill Fairley, who had contacted him first with this suggestion, had been in touch to say that she was disappointed that this was pushed back to individual owners, but that a plumber she had asked to check her boiler had assured her that it did not need to be replaced.
- h) **Block links:** RM has hosted meetings with all of these and the common question they have asked is how they can know who the people are in the block that they need to connect to. Since it is not possible under current general data protecting legislation for TENOA to share Emails he had suggested they simply write a letter that they can post in the mail boxes of their block explaining who they are and inviting people to contact them. This has the benefit of including tenants.

3. TEF report

a) **Finance report and discussion (SM)**

The reports for December and January had been circulated previously. Details of last six months will be published in the forthcoming newsletter.

Red Fund: The overall cost of maintaining lifts per owner is £13/ month. However, the repair in December of the lift in WHV block 9 cost £17.9k (around £60/owner). This can be absorbed by shifting priorities in the Red Fund budget without needing to ask owners for an extra contribution this year. The Red Fund will make the remaining payments due to Orona before seeking another more reasonable contract from another company

Green Fund: The average Green Fund expenditure/ per owner/ month is £124. The average Green Fund expenditure is £124.01 Hence we can keep each owner's share of the combined Red and Green funds at £130 for the rest of year.

The committee recommended that the newsletter mention the fact that there might need to be an increase in factoring fees next year to top up the Red Fund after the exceptional expenses of repairs to the lift this year. This a decision about this will be made at the AGM.

MM said that TEF are reviewing all contracts, including the contract for lifts with Orona, mentioned above and that for garage door maintenance. As a result they will be terminating their contract with Chubb and moving to IQ Fire and Safety to reduce costs and improve service and assessing others as current contracts run out.

b) **Baltic Solutions update (JS)**

F3 Critical Issues Progress Report: It was pointed out that details of progress on work have been itemised in reports. All the urgent and important issues have

already been addressed. The remaining issues concern what are known as passive fire safety issues (see under fire safety below).

NHBC Joint Claims: JS reported that there is a new NHBC project manager. There has been no progress on communal claims since the last meeting, and they seem to be dragging their feet. They have been in dispute with NHBC about outstanding issues in the court yard and the car park. They are asking for a cash settlement. NHBC has offered £47k but a recent quote for the work was ten times that. The work in the car park, not the garden courtyard, is the priority.

NHBC private claims: Every owner is responsible for following up their own claims. There is a complaints procedure on their website. A link to this will be sent by Email to those owners chasing up their own claims.

Lights: Throughout the development almost all have been fully replaced with more efficient LED bulbs. There are a few remaining ones to be replaced in WHV block 5.

Fire safety: The first task is to put fire covers around plastic drain pipes in the basement. JS is meeting a fire risk assessor to ask how much it costs to get advice about how to address passive fire safety issues and to find out what else can be done to make it safer. This will be paid for out of the Red Fund budget. This is more important than replacing satellite dishes etc. which were also in the Red Fund budget, but will have to be deferred till next year. Information about fire exits will be put on notice boards. There is also a fire exit in the garage next to the garage exit door. This can be opened by simply pushing the bar but can also be opened from the outside using the same key as for the garden gate.

c) Insurance

SM reported that she had met with Mr. Ken Whittle, the insurance broker, to seek clarification as to what was and what was not covered when damage is caused by water leakage. His written response in an Email had been circulated to the committee. To quote *"....an aged water tank/boiler that starts to leak due to age/corrosion is not insured peril and therefore cannot be replaced by the block insurance. However, the resultant water damage to the fabric of the building arising from the leaking water tank/boiler will be covered (subject to it not being gradual deterioration)."* Insurance also covers the investigation of damage.

Currently there is an excess for repairs caused by water leaks of £1,000. The committee decided that this excess will be shared amongst all owners.

Any further information of interest to owners will be passed on when clear.

4. Living and Letting in the Element

a) The Element Code of practice

The chairman had previously circulated a final draft of a document, 'The Element Code: facing some challenges of living in a multi-residential complex.' This was action agreed at the last AGM. It points out that, unlike the Title Deeds, none of this is legally binding. It merely "... offers a courteous way of minimising problems of possible disturbance from someone else's way of life, with tips on good-practice for the benefit of the whole community." The committee were happy to have this posted on the website. It will also be included along with the welcome letter referred to in 2f, above, amongst the documents given to new owners.

b) Letting

Following from item 2 in the last minutes DG produced a revised draft of a document he had presented at the last committee meeting. JK was also going to produce a revised draft of her document. The committee noted that the two approaches complemented each other. However, since JK was not present and had decided to withdraw the document she had presented at the last meeting, the committee decided not to add anything at this stage to the Element Code of Practice mentioned above. For now, they simply request that owners who let their property for short 'holiday lets' make their guests aware of the nature of the Element and of the points made in the Element Code.

5. TENOA activities / planning

- a) KW reported on a successful trial of a 'Progressive Dinner' he had organised with his wife in WHV Block 9, that has the highest proportion of owner occupiers. It was an activity that encouraged residents to mix and get to know each other informally and could be repeated.
- b) Summer Garden Party date was set for 1st June. RM to contact link people in each block to invite them to form an organising committee. KW can let them know what has been done successfully in the past so that this is not an onerous task.

6. AOCB

- a) **The Heart of Newhaven Project:** RM reported that he had been asked to chair the organising committee and be the vision coordinator for an event that took place on January 28th in Victoria Primary School. It was covered in the Evening News and a report will be posted on the Element News page of our website. **(Action RM & KW)**
- b) **Resignation of committee member:** Jo King had written asking to step down from the committee. Her request was noted. The committee were unanimous in their appreciation of her contribution and noted the value of having someone on the committee who represented owners who let their properties on short lets. They wondered if relieving her of responsibilities for the website might persuade her to remain on the committee. KW will write to members to see if anyone would be willing to take this task on. PB and KW offered to meet with her to see if there was any way she could be persuaded to stay on. **(Action: KW & PB)**

7. Date of next meeting: Monday 8th April, 2019