

# **The Element, Newhaven, Owners Association Committee**

Minutes of Meeting 27<sup>th</sup> August, 2019

at 33/9 Western Harbour View

## **Present**

- a) Committee members: Rodney Matthews (RM—Chairman), Ken Webb (KW—Secretary), David Gardner (DG), Simon McIntyre (SMc), Evan Simpson (ES)
- b) In attendance: TEF team—Marc Myburgh (MM), Simone Myburgh (SM), Jakub Swidzinski (JS—Baltic Solutions); Linda Gilroy (LG—WHB block 11 link person)
- c) Apologies: none

## **1. Minutes of last meeting and matters arising**

Under 'Attendance': Change Craig Malcolm to Chris Daveney. The minutes were passed with the amendment. There were no other matters arising from them at this point.

## **2. The Element Factors (TEF)**

- a) Finances

SM reported that the annual accounts have been independently examined and signed off. This year there has been a small surplus of £890. She confirmed that for the next three years the factoring fee per property can safely be kept at £110 p.c.m./property for the Green Fund and an additional contribution of £240 p.a. (or £20 p.c.m.) for the contingency 'Red' Fund making a total of £130 p.c.m.

SM emphasised that these fees need to be paid up at the beginning of each month for cash flow reasons. RM confirmed that the Red Fund contains a float for capital projects as well.

Owners will be given an opportunity at the AGM to vote on whether or not to accept these recommended fees. SM is working on a comprehensive annual report to send out prior to AGM with sufficient detail for owners to make an informed decision at the meeting. She will also include other useful information and advice for owners, some of whom have moved in during this past year.

The full annual report that has been examined will be available in October when the new financial year kicks in.

Owners' debt for whole development is less than 2% of total property owners. So 98% of people are keeping up with their payments. The budget for 2019-20 is based on that level. Obviously, if the percentage of non-payers changes then it impacts on the budget. If debt can be recovered it means there are more funds for development projects.

The committee asked what the impact of Brexit might be on the budget. MM said that the only known increase in costs would be spare parts for our Orona lifts that come from the EU. He also said that since we are drawing close to the end of contract with Orona for lift maintenance an alternative reputable company is being contacted. If this is value for money and less costly, then there will be a saving, despite parts still being sourced from Orona.

b) Other matters raised in discussion

- **The carpet outside the lift in WHB block 11** basement was damaged by water ingress and smells. Could it be replaced by tiles? MM responded that this would be expensive. One alternative would be to simply paint the concrete flooring once the carpet is removed. (**ACTION:** TEF to follow up).
  - **Roots of trees** outside WHB 11 may eventually damage building as these trees grow taller. (**ACTION:** TEF will speak to gardener and get a referral from him of a tree surgeon who can assess the prospects and advise.)
  - **Courtyard Garden:** It was pointed out that tiles are continually coming off what was originally designed as a water feature in the garden. KW asked whether these could eventually be changed to contain planting. MM pointed out that since this was one of the matters that NHBC are meant to cover we have to wait until that issue is settled before deciding what to do with this feature. As for other ways to enhance the garden, the suggestion is that we set up garden committee to pool ideas and see what can be done to improve the garden. **ACTION:** Ask for volunteers to form a **Garden Committee** at the AGM. (RM & KW)
  - **Loose Paving Slabs** in courtyard garden; not only are these uneven, they are also wobbly, causing water to splash up when you step on the loose ones after heavy rain. MM explained that under these are sheets of plastic with a framework. To correct this a whole area of the paved walkway will need to be lifted and the plastic sheets with framework for the slabs would need to be replaced. This will be expensive. But it is something TEF could look into for the future.
- c) **NHBC:** JS said that progress on NHBC issues is still very slow. (E.g. water ingress in certain areas of the basement carpark where heavy rain also causes lots of loose debris to fall on the cars—this matter was raised by an owner affected)
- d) **Repairing Roof over WHB block 11:** JS said that he is arranging for a proper repair of this roof. It was damaged by storm and repaired insufficiently. The cost will depend on what exactly is needed, which will only be known when the current membrane is lifted. Quotes from two companies have been obtained. One was for £7,000 + VAT in a worst case scenario. (This might, however, turn out to be only be £5,000+VAT). The other company quoted £23,000 in a worst case scenario. **ACTION:** The committee approved the former and asked TEF to proceed with the contract.
- e) **Lock boxes:** There have been recent complaints about lock boxes popping up. Our title deeds prohibit owners from fixing anything to the outside of the building themselves. It is clear that this includes fixing anything to a solid panel. Yet these are put up for good reasons, either by those letting a property for short lets or by those who are infirm so that a carer can access them. The committee approved a letter addressed to all owners from the chairman, but sent out by our factors, requesting those who have put these up, or who are considering whether to put one, up to notify the factor so that there can be a negotiation as what should take place in each block. **ACTION:** RM & TEF. The matter will be further discussed at the AGM.

- f) **CCTV:** The Factors receive various complaints about behaviour, requesting the factors to check CCTV footage. MM said they would be publishing guidelines about CCTV and its use so owners can know they will be managing the CCTV.
- g) **Smoking in entrances:** the current law prohibits smoking in public buildings and entrances to them. Notices have been put up, but the committee were clear that it is not the TEF's responsibility to police this.

### 3. Chairman's report

RM updated the committee on various matters that he and the chairmen of our neighbouring developments are dealing with. These included matters to do with short lets, the imminent start of building work on the new Victoria Primary School and the development of Forth Port's Land opposite.

### 4. Secretary's report (KW)

- a) **Website:** KW reported that he had had a useful Word Press training session with a friend who is a website developer. As a result he has managed to add a link to a page where information on Letting in the Element can be found under Element Life. He has also found out how to add PDF documents to a post so that he does not have to copy and paste the Chairman's letters.
- b) **Membership:** At the time of the meeting there were 239 members and 209 voting members. However he knows of four others filling in membership application forms and will send out a final reminder to apply for membership before the AGM.

### 3. AGM planning

- a) The practicalities of setting up and running the meeting were discussed.
- b) The agenda will be a simplified version of last year's agenda.
- c) **Elections:** RM and KW have been nominated for a further year as chairman and secretary respectively. There are five vacancies on the committee, with only ES staying on (for one more year). Two people have come forward to be nominated:<sup>1</sup> Alastair Byres (nominated by SMC), who has been on the committee before and has agreed to stand for one year only, and a new member, Martina Adamowicz-Brice (nominated by RM). As there are still two vacancies, members attending the AGM will be encouraged to volunteer and can be referred for co-option. The new committee has the right to co-opt members until the next AGM.

### 4. AOCB

- a) **Thank you:** As this was the last meeting for Simon McIntyre and David Gardner before they step down at the AGM, the Chairman thanked them for their contribution to the work of the committee; Simon for his work, amongst other matters, in setting up the neighbourhood watch and David for his detailed scrutiny of minutes and accounts.
- b) **Neighbourhood Watch:** KW reported that a member had suggested we set up a Neighbourhood WhatsApp group and invite members to join. That would enable anyone to report suspicious or disturbing activity so that others could be aware. A set of ground rules for its use can be established, and it does need to be monitored. The committee generally felt this to be a good idea. **ACTION:** KW to

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<sup>1</sup> After the meeting Jane Brook, who also has been on the committee before, volunteered. Profiles will be published with the Agenda.

*invite the person who suggested this to help set this up. The secretary can then invite members to join and explain the purpose and ground rules for participation.*

- c) **The date of next meeting** will be set after consultation with the new committee after the AGM.