

# The Element, Newhaven, Owners Association Committee

Minutes of Meeting 31<sup>st</sup> October, 2019  
10.00am at TEF Office

## Present:

- a) **Committee Members:** Rodney Matthews (RM—Chairman), Ken Webb (KW—Secretary), Jane Brook (JB), Evan Simpson (ES), Alastair Byres (AB)
- b) **TEF team:** Marc Myburgh (MM), Simone Myburgh (SM), Jakub Swidzinski (JS—Baltic Solutions)
- c) **Apologies:** Martyna Adamowicz-Brice (MA)

## 1. TEF Financial Report.

- a) Content and frequency of the financial reports: Currently SM provides monthly updates for the committee and summary for owners in their newsletter ahead of their 'Open Doors' meeting. She also produces a budget update and annual report ahead of the AGM. The committee were satisfied with both the content and frequency of these reports, noting that they are much clearer than other factors offer owners in other developments.
- b) It was noted that some owners still don't understand what the fees are for, which is for all communal expenses of upkeep and maintenance and the common utilities bills. The committee believe that they are comparable with what any owner would need to spend on their property to maintain it were it not part of a larger development.
- c) The committee agreed that a meeting such as this would happen prior to the Open Doors event and the AGM. The timing of the latter, RM reminded the committee, was so that a decision about fees for the Red and Green Funds could be made by members at the AGM prior to them being set for the new financial year at the beginning of October.
- d) SM underlined the importance of monthly payments coming in on the first of each month in order to maintain smooth cash flow.
- e) SM answered various questions about the accounts to the satisfaction of the committee:
  - SM pointed out to new member of the committee that they may need to look back at previous reports to see why there were occasional spikes in one expenditure item, such as electricity. These even out over time.
  - A new contract with another company (IQ Fire and Safety Ltd.) managing fire and safety has kicked in, reducing the budget for Fire and Safety, whilst providing an improved service.
  - The CCTV capital expenditure budget has been reduced because there does not seem to be a need to add to what has already been put in place.
  - The Access codes for the entry doors are being replaced by one that works on the newer digital format as and when they fail.

- SM assured the committee that the current level of the Red Fund payments should be sufficient for the current year. These are always reviewed at each AGM.
- f) **Scottish Government Holiday Letting Policy:** RM reported that Scottish Government policy is progressing very slowly. CEC concentrating on limiting holiday letting in city centre tenement flats whilst wanting to encourage holiday lets in the North of Edinburgh.
2. **Issues with certifying fire safety of cladding:** The chairman pointed out that planning and building control is a devolved matter. TEF have had the cladding on our development tested and are satisfied that it meets the requirements of current Scottish legislation. The problem is that there is a clash between Scottish and English legislation and many mortgage companies are demanding that it meets English law. RM reported that he had been in touch with our MSP and MP about the matter. It was agreed that the chairman, RM, write to all owners clarifying the situation we are in, which is outside the control of our factors. **(ACTION: RM)**
3. **NHBC:** TEF are currently waiting for NHBC to come back with an improved offer. The committee asked TEF to find out what the likelihood of success and legal costs would be if we to pursue NHBC down the legal route to get a better offer. If the costs outweigh the benefits, the committee are of a mind to accept the best offer they can obtain and get on with doing the jobs that need to be done.
4. **Date of next meeting:** 3/12/2019 7pm at 33/9 WHV