

The Element, Newhaven, Owners Association Committee

Agenda for Meeting 12th May, 2020

15.30hrs in Zoom room

Preliminaries:

- a) **Present:** (*in the Zoom room*): Rodney Matthews (RM—Chairman), Ken Webb (KW—Secretary), Jane Brook (JB), Alastair Byres (AB), Martyna Adamowicz (MA), Evan Simpson (ES)
- b) **Apologies:** Tony Barry (TB), and Grant Laing (GL)

1. Minutes of last meeting

- a) AB asked that we include a minute noting that we had welcomed two new members, Grant Laing and Tony Barry, coopted at the March meeting.
- b) He asked that the words ‘made over twelve months’ be added after ‘offer’ in paragraph 5b under NHBC communal offer. The amended paragraph will read: *“So far as the claim for work needed to remedy water ingress into the carpark is concerned, the offer of £47K is still on the table. Since pursuing this any further would involve legal costs, and would result in the matter dragging on yet longer, the committee instructed TEF to accept this offer **made over twelve months ago**. They will then seek quotes for the work in the usual way and report back to the committee.”*

With these two amendments the minutes of the last meeting were accepted as accurate.

2. Matters arising (*not dealt with elsewhere*)

- a) **Protecting Scottish Power sub-station (3)** It was noted that work will proceed on this as soon as current COVID 19 restrictions are lifted.
- b) **Contacting Phil Diamond re. EWS1 certification (4)** KW reported that Phil Diamond had responded to his Email and assured him that he was able to survey the cladding on properties in high rise developments and is authorised to issue EWS1 certificates. These can only be issued for individual owners and not for the block as a whole. His fees are typically £2400.00 ex VAT of which £1500.00 ex VAT is his Professional Indemnity Insurance. He attached a copy of his PI certificate. He made KW aware of the fact that he has already surveyed properties in the other developments in Western Harbour and he has been contracted to do the same for a number of properties in The Element. However, his work on our development has been stalled due to the COVID 19 lockdown. [This minute is simply to report on action taken and members must make up their own minds as to who they decide to ask to undertake this type of survey.]
- c) **Purchasing Garden benches:** KW reported that these had been purchased and placed in locations that caught maximum sun, were central, away from private space and where people could pass with social distancing. The committee were happy with these locations. **ACTION:** *TEF to fix in place.*
- d) *Any other matters were dealt with elsewhere.*

3. Chairman's Update

As the chairman's draft summer letter had not been seen by all the committee a discussion of it will take place via Email once it has been read by all. The chairman had no other matters to raise.

4. Secretary's Update (KW)

- a) **Membership:** KW reported that we currently have 249 members of which 209 are voting members (two new members since last update).
- b) KW reported that he had been contacted by a number of members who were complaining of the incessant loud noise coming from the generator on the P & O ferry moored opposite WHV. Having written to the Senior Manager of Forth Ports he reported that the old generator has been replaced with a new and less noisy one.
- c) KW also reported that he is had to act as a go-between when a member had a problem with a neighbour who is a tenant in a property owned by another member of TENOA. The person concerned had tried talking with the neighbour face to face to no avail. Since only the Secretary and Chairman have the data base of members, this person first contacted the Chairman who passed the matter on to the secretary to deal with. Thankfully the owner contacted his agent immediately and the agent acted promptly copying the Email to the affected person and to KW. AB pointed out that it is not our role to get involved any further than that. KW said that if the property is owned by someone who is not a member of TENOA, then the people have to ask TEF to contact the owner.

5. TEF report

- a) **Finance report and discussion:** The TEF report for May had been circulated. AB reported that he had discussed it with Simone Myburgh of TEF and said that both Green and Red funds were on budget.
- b) **Update on NBHC matters.** RM reported that papers agreeing on a settlement of £47k had been signed by himself and KW and JS (of TEF) and that we are currently waiting for funds to come in so work can proceed on a number of items mentioned in the Critical Risk Analysis report, including making the Scottish Power substation waterproof.
- c) **Critical Risk Survey Report update:**

Jakub Swidzinski (JS) had circulated a list of tasks he considered to be priorities for the next six months. This list was based on how an issue listed on the F3 report affects owners on a daily basis and on fire and safety issues. Though he was still waiting for quotes to be submitted the aim is to complete them within the Red Fund budget for this current year. However, if other urgent repair work comes up, some items would need to be postponed.

His list did not include any issues in the F3 surveyors report that have NHBC mark on them. Once the money agreed in the NHBC settlement above has been paid, then TENOA can recommend the priorities that they want addressed with this money.

The committee agreed on the following:

- We ask JS to complete the spreadsheet summary of progress with remedial work identified by the F3 survey work. **ACTION: AB**

- As per the minutes of the March meeting, we ask F3 Surveyors for quote for an update on their report. **ACTION:** TEF – *once the spreadsheet summary of the F3 action points has been updated.*
- In discussion with TEF we make recommendations for a programme of work over the next 12 months to put to the owners. This may have implications for the funding of the Red Fund in the next financial year. **ACTION:** *Committee at next meeting.*

d) Baltic Solutions update: (As per TEF report). No questions were raised.

e) Cleaning during COVID 19 lockdown

JS had Emailed the committee asking if they were happy with the way TEF were doing the extra cleaning during the COVID 19 pandemic. The committee felt satisfied that everything within reason was being done to ensure our safety in this matter and that TEF should continue with their current schedule and materials used, notwithstanding the marks left on the keyboards of lifts etc.

6. TENOA activities / planning

- a) AGM planning:** Since we do not yet know when the lockdown restrictions on meeting will be lifted, we may not be able to hold our AGM in September. The latest we can hold it will be 13th December, so we could postpone till then. Alternatively we could hold it as virtual meeting on the Zoom platform.
- b) Finding new committee members:** RM pointed out that in his Chairman's Summer letter he will be inviting members to put their names forward to be nominated for election. KW will also put out another plea for nominations in an Email.

7. AOCB

- a) Complaint by member of TENOA about a neighbour smoking of marijuana.** AB pointed out that it was not TENOA's responsibility to deal with this matter. Any suspected criminal behaviour should be reported to the police.

8. Date of next meeting. Tuesday 16th June at 7pm.