

# The Element, Newhaven, Owners Association Committee

Minutes of Zoom Meetings held 4<sup>th</sup> November, 9<sup>th</sup> November and 17<sup>th</sup> November.

## Preliminaries:

- a) **Present:** *Committee Members:* Rodney Matthews (RM—Chairman), Ken Webb (KW—Secretary), Martyna Adamowicz (MA), Tony Barry (TB), Alastair Byres (AB), Jane Brook (JB), Grant Laing (GL) & Evan Simpson (ES) joined for item 6 at the later time of Monday 9<sup>th</sup> November 7pm, when this item was discussed and on 17<sup>th</sup> November, when decisions were ratified.
- b) *TEF team In Attendance:* Marc Myburgh (MM), Simone Myburgh (SM) and Jakub Swidzinski (JS) present for items 1 to 3.
- c) **Apologies:** GL and ES, who were unable to join on 5<sup>th</sup> November, but joined for subsequent discussions by Email and Zoom meetings on 9<sup>th</sup> and 17<sup>th</sup> November. AB was unable to join on 17<sup>th</sup>.

## 1. Minutes of last meeting

The minutes, as amended to add the name of Paul Nelis' company and amend a typo, were passed as an accurate record.

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

### a) Update on EWS1 (2 a)

KW reported that, as agreed in an exchange of Emails between meetings, MM had allowed Paul Nelis of Fire Risk Assessment (Scotland) Ltd. to see Vertex report and subsequent certification of parts. Paul Nelis responded by advising any needing an EWS1 certification at present to contact him directly. He has not yet, however, given TEF any indication of cost. Until he does we cannot go ahead and arrange for any survey of a complete block to obtain a generic EWS1 certificate for that block. MM said it would be very helpful if any owner who has successfully obtained an EWS1 certificate let him know how much the cost to the individual owner is. MM is aware that a number of properties are currently on the market.

**Action:** TEF to obtain cost from P.Nelis for Block EWS1 Certification ASAP

## 3. TEF report

### a) Finance report

SM had circulated her simplified and improved format of the report prior to the meeting and AB reported that he had discussed this with her and summarised the report as following;

1. Outstanding owners' payments are £17,176. This is a decrease from August and September which is encouraging and all arrears are being pursued actively by TEF with court action and Notices of Potential Liability (NPLs) where appropriate.
2. Green and Red Fund expenditures are both within budget.
3. Red Fund has a healthy balance of £90,704 brought forward from last year. This includes the £49,000 payment from NHBC.
4. Electricity cost was a refund of £977. This is because previous bills were estimates, actual readings resulted in this refund.
5. Red Fund includes a budget of £20,000 for perimeter fencing. This will be subject to the F3 review and priority recommendations.

6. There is no budget yet for EWS1 certification which will be required at some stage through the year

The committee thanked SM for the report and AB pointed out that there are few organisations that he has worked with who produced such timely reporting of accounts. The committee asked SM to remind the examiner that his report was required prior to our AGM. **ACTION: SM**

**b) Scottish Power (SP) Substation**

JS reported that he had met with the SP Engineer to examine the results of the work done to seal the ramp above the substation. Prior to the meeting he had made the committee aware of the fact that the attempt to seal the joint between the ramp and the road had not been successful, though seals around the manholes had stopped any water ingress around these. Because this will result in further rusting of supporting metal beams, the Scottish Power engineer said that unless this is resolved urgently SP may have no option but relocate the substations elsewhere outside on our site. SP estimate that the cost that we would then be liable to pay under contract would be in excess of £200,000. However, prior to going ahead with the temporary repair, at a cost of circa £4,500, which the committee agreed to and which was supposed to last between two to three years, estimates had been obtained for the complete repair of between £20 - 25k.

The committee agreed that we had to go ahead and asked JS to urgently obtain updated quotes for the long term repair to the surface of the ramp and the joint between the ramp and road. JS was also asked to obtain clarification from SP as to how soon this needed to be done **ACTION: JS**

**c) Baltic Solutions update:**

The work undertaken last month was reported in the Baltic Solutions sheet in the TEF finance report. JS said that there were three tasks to complete in November, to complete repainting the courtyard doors, repainting the planters in the courtyard, and replacing the damaged wheels of some waste disposal bins and adding more recycling bins (there is a problem with the supply of the latter, so they may not be with us for a month or more).

JB asked about progress with repainting the corridors, a task that Baltic Solutions agreed to undertake when they took over the maintenance. JS said that it made more sense to do this at the same time that carpets needed to be replaced.

**d) CCTV coverage of Basement Carpark entrance and exit gates**

MM reported that recently over five bicycles (both in the car park and stairwells) have been stolen and other crimes committed. In addition the exit door has been repeatedly damaged. Our current CCTV is just not sufficient. The police suggested that we have better quality cameras covering the gates as well as the door on the side of the entry ramp. We also need to change the angle and viewpoint on some of the existing cameras to try and improve the coverage area so we can better assist with thefts etc.

The committee agreed that this work was of utmost importance and asked MM to go ahead and obtain estimates. **ACTION: MM**

**4. Chairman's Update**

RM had nothing to report other than that he has been focusing of preparing for the AGM, which, due to the restrictions during the current COVID pandemic, required a lot more work than normal.

**5. Secretary's Update**

The Secretary reported that membership numbers are static. He requested that the need for someone else to take over as website manager be highlighted at the AGM. He would also like someone else to manage the Neighbourhood Watch Group.

## 6. AGM planning

Some initial discussion took place on 4th November, but, due to the fact that difficulties in carrying this out on a Zoom platform necessitated by the restrictions on meeting during the current COVID19 pandemic, this was continued in a meeting on 9th and in Email correspondence, and the decision ratified on in a Zoom meeting on 17th December.

During the course of these discussions it became clear that we were not going to be able to make a meeting by Zoom on 2nd December a satisfactory, fair and transparent arrangement. As with other unincorporated bodies throughout the UK, the committee reached the conclusion that we would have to set aside our Constitutional requirements during the present pandemic and not hold an AGM this year. The committee will continue to function in an executive role as required by the constitution between meetings of members.

**ACTION:** notify members on 18th November and explain the reasons for this decision.  
(RM,KW)

## 7. AOCB

### a) Letter of Complaint:

On 22nd October KW had circulated a letter of complaint that he had received from the same complainant as a previous complaint, to committee members. The letter of complaint had been sent on 20th October, but was not read until the 21st. At the time two other committee members had agreed to look at the evidence and to make a formal response within the 28 working days set out in our complaints procedure paper (that can be found on the website if searched for).

At the Zoom meeting on the 17th November the committee agreed to the wording in the formal reply to the letter of complaint as drafted by GL and TB, and the draft form of which had been previously circulated for comment.

### b) Committee Members

- It was noted that Evan Simpson was due to step down from the committee and Alastair Byres, and Jane Brook, who agreed to be on the committee only for one year are also due to step down. The committee thanked them for their invaluable work and it was agreed that they would all step down after the next meeting.
- As the constitution allows for the committee to co-opt members to fill gaps that occur in the between meetings of members the committee agreed to co-opt Linda Gilroy, who has resided in the Element since December 2013 and had served for 13 years as a Westminster MP. She will be invited to our next meeting. Tony Barry and Grant Laing, who had been co-opted by the committee earlier in the year, agreed to continue until the AGM is finally held, when they could be nominated for election. Thus the committee would continue to function with four members and the current chairman and secretary as the two ex-officio officers.

**c) TEF annual Report:** The committee agreed to consider the Annual Report and F3 Survey Update at next meeting.

## 8. Date of next meeting

The committee agreed to meet again on 2nd December, which would have been the date of the AGM had we been able to go ahead.