

# The Element, Newhaven, Owners Association Committee

Minutes of Zoom Meeting 15<sup>th</sup> June, 2021

7.00pm

## Preliminaries:

- a) **Present:** Rodney Matthews (RM—Chairman), Ken Webb (KW—Secretary), Martyna Adamowicz (MA), Tony Barry (TB), Linda Gilroy (LG)
- b) **Apologies:** Grant Laing (GL)

## 1. Minutes of last meeting

These were approved by all as an accurate record of the meeting

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

### **NHBC Water Ingress claims (2a):**

Prior to the meeting Jakub Swidzinski (JS) had circulated an Email he had received from Matthew Collins, the NHBC staff member dealing with our claims, detailing the results of all the properties they had investigated so far. In each case he said that, since the water ingress is a result of issues with window seals which are not covered under Buildmark, these would not be covered by NHBC and owners would have to pay for these to be replaced themselves. He is handing responsibility for the claims that still need investigating to his successor, Stephanie Haughton, who will be managing the claim moving forward.

TB reported that he had tried on numerous occasions to contact Matthew Collins without success. In spite of their conclusions TB has noticed that there is a group claim number (11/18112) and wanted to speak to him about that claim to see if it was relevant.

RM encourages owners, having checked their title deeds, not to give up on pursuing complaints about their claims having not been adequately dealt with. NHBC, he said, exists to guarantee the quality of materials and workmanship. If the issues have arisen because of poor materials used or poor workmanship, then this should be covered by NHBC. Individual owners will have to weigh up whether or not they are willing to pursue their claims further and risk delay and, possibly, costs if it goes to legal action, or accept NHBC's statement that their individual claim is not valid and leave it to TEF to decide whether to pursue any block claim.

**ACTION: TB** to communicate with JS about how to move forward in remedying the defective seals which may need rope access and to continue to try and contact NHBC via Stephanie Haughton.

## 3. TEF report *(TEF not in attendance)*

### a) **Finance report** *(Previously circulated):*

KW noted that the **Green Fund** is running slightly under budget, but that there were some major expenses, notably the Otis lift repairs, that may push that up before the end of our financial year.

He noted that there are still some major items to pay for out of the **Red Fund**, including work on making good the water ingress into the Scottish Power substation and replacing a corroded beam, the last item having been added since the budget was set. In addition he noted that work was required to remedy water ingress into the CCTV room.

LG requested that TEF provide further details on plans to clean the outside of the development, which TEF said they would be tackling in a phased way, beginning with the block that needs it most. She also noted that a lot of the lift repair work was due to 'damage'. She asked for clarification as to whether any of this was due to use such as heavy items being lifted up with house moves or to abuse. RM said that, since lifts were covered by CCTV, damage caused by abuse could be detected and the perpetrators held

to account. (**ACTION: RM** to raise these matters with TEF when he next meets them for a briefing update).

#### **b) Operations Update:**

RM read out a letter he had written to Jacobs architects (See minutes of last month Action 3 c i) and, after suggesting an amendment, the amended letter, to be sent out under TENOA letterhead, was approved by the committee. Jakub Swidzinski had supplied updates on all key matters in the financial report summary and these have all been noted in last month's minutes.

LG noted the new safety notices in the lifts with a QR code.

### **4. Chairman's Update**

RM had nothing to add to what was already reported.

### **5. Secretary's Update**

**a) Correspondence:** KW reported on correspondence he had received by Email from a member and a response was discussed that will be finalised with the help of LG tomorrow.

**b) Neighbourhood watch:** KW reported that there had been another noisy party on 6th June that had disturbed residents, this time in block 7. The police were called and responded. The front door of that flat had also been damaged. The flat number had been identified, and Joanne Weir (TEF administrator) had been contacted. We gathered that she had contacted the agents who let the flat. But RM added that it was the owner's, and not the agent who manage the property, to make sure that their guests behave responsibly. (**ACTION: KW** to follow up with TEF admin, depending on whether or not the owner is a TENOA member)

Two more bikes have recently been stolen from the basement car park. There has been a request for some form of caged and locked storage for bikes. KW pointed out that TEF have looked at locations where they might site these but other priorities for Red Fund have pushed this matter back.

**c) Membership:** 251 members, of which 210 are voting. One new member last month.

**d) Website:** KW reported that he had paid the domain and WordPress fees reimbursed by SM from the Green Fund.

### **6. TENOA activities / planning**

**e) Planning for AGM:** The committee agreed to set the date of this year's AGM for Saturday 21st August to be held in the garden courtyard, which we hope will be after COVID restrictions have been lifted sufficiently. The time line for notification and nominations was also noted. Details will be discussed at our next meeting.

### **7. AOCB**

LG noted previous discussion about the TENOA complaints procedure. At some point the committee should consider whether it should specify a role for mediation beyond the final decision of the committee. She offered to research this

### **8. Date of next meeting: 7th July 2021 at 7pm**