

## Directors Meeting

<b>Date</b>	09.12.2020	<b>Time</b>	6pm	<b>Venue</b>	Held over Zoom
<b>Present</b>	<b>In attendance</b>		<b>Absent / Apologies</b>		
<ul style="list-style-type: none"> <li>Wayne Buckley (Temporary Chairman for this meeting)</li> <li>Martin Edge</li> <li>Stewart Smart</li> <li>Jaz Parmar</li> </ul>	<ul style="list-style-type: none"> <li>Andrew Copley (Chaney's)</li> <li>Sarah Morrisen (Chaney's)</li> <li>Sara Martin (Chaney's)</li> </ul>		<ul style="list-style-type: none"> <li>Edward Loughrey</li> <li>Matt Garvey</li> </ul>		

### 1. EGM Request

- The prospect of arranging an EGM was discussed following on from a letter that has been received from Colin Davison requesting an EGM and further stating that he has signatures from several members at Winterthur Way. WB advised that he would like to see the letter from Colin along with our response. AC to send copies to all Directors. In the meantime, AC read out the response which stated "The Board acknowledges your request for an EGM of the company and will make arrangements to hold this in January. The Board does not consider that your notice meets the requirement to call an EGM as the articles makes it clear that each owner is only listed as a single member, however the Board Directors are keen to be open and transparent in any matters which Members wish to raise and are happy to make arrangements. The Board is due to meet shortly and in time a date will be set, and notices will be issued to Members, at this point we will invite an agenda of items for resolutions. The Board Directors are clear that service charge demands will be issued in accordance with the terms of the lease - AC shared the letter which has been received from Colin Davison. The letter listed other members which he states had met and discussed items and were also in agreement for an EGM to be held. There were no other attachments with the letter with any further signatures from the Leaseholders listed. WB commented that the letter received from CD was only signed by Colin and no other members and therefore only represents one leaseholder. This was agreed by the Board. Colin Davison has yet to respond to the letter sent to him. WB queried if there were any specific issues which CD states that he wanted to raise. AC confirmed that there were no specific issues but that a lot of CD's issues are previous issues raised by email which he believes have been dealt with in September and suggested to send a request to CD asking for a definitive list of items which he wishes to discuss at the EGM. WB asked if there was anything which the Board wanted to consider putting on the agenda for discussion at the EGM or if they should wait for CD to suggest items and it was agreed for CD to suggest items for the agenda in the first instance. ME enquired under what circumstances could or should the Board call an EGM and AC confirmed that the Board can call an EGM if requested by 5% of members or it has been decided by the Board. ME stated that 5% of Members have not lobbied for an EGM. AC suggested that he will compile a summary of concerns/complaints which have been received post AGM from Leaseholders and how they should be dealt with.
- SS commented that the PMP and concerns regarding the reserve fund contributions has been queried many times and will likely be raised at the meeting. AC commented that there are concerns that the PMP can only cover 3 years rather than the current 10-year period. We will need to review how much is being retained over a 3-year period and the amounts required, contributions etc. AC to put PMP plan together before the next Board meeting. ME requested and AC agreed to provide a tabulation, block by block, of the closing balances of the Reserve Fund over the last (5) years. If we divide these figures by the annual spend, we will have a quick indicator of the number of years in our planning horizon.
- WB suggested that we should agree on certain facts which should be covered in the EGM; for example statutory requirements of the Board in terms of the reserve fund such as whether they are allowed to be held for more than 3 years; based on the current PMP schedule, where we are relative to the number of years and is there any kind of flexibility with policies which can be taken i.e. if the reserve fund can be held for more than 3 years, what would Chaney's recommend is held. This would then give a choice to members; the

choices are to continue as we are now which is prudent and to keep in place an appropriate level of funding or to abandon the reserves and end up with continuous cash flow issues. AC advised that the practicalities of abandoning the reserve fund would mean we would have to demand higher service charges within each 3-year period. WB suggested that a very clear statement of choice is presented to Leaseholders.

- WB also queried whether there has been any planned maintenance works which have been dropped as we would need to be clear with the members, it was confirmed that to date only external cleaning has been paused.
- WB advised that we need to be clear with the Members regarding the provision of the Onsite Guardians and what has been done previously to resolve the issues onsite along with expenditure and how the Guardians would be paid. SMO to compile a list of complaints and issues received which gave cause for the implementation of the Onsite Guardians.
- WB expressed concerns that it may appear that the Board is not listening to Members with regards to Facebook and that a clear statement needs to be conveyed regarding how the Facebook page will operate going forward. We need to be clear to Members how they can communicate with us in the future.
- Cladding update to be provided to Members.
- It was suggested that there could be an option for Members to join the Directors at the end of a Board meeting for them to be able to listen in. To be discussed further. WB enquired if this was a practical idea in terms of sending invites etc. and asked for SMO and AC's opinion.
- JP enquired if AC had asked Colin Davison if there was anything which he would like to discuss. AC advised that he had informed CD that an EGM can be arranged, and a date will be provided in due course
- Date of the EGM to be decided at the next board meeting along with a shortlist of what to discuss at the EGM.

#### Actions

No.	Description	Action	Due
1	AC to send copy of Colin's letter as well as Chaneys response	AC	18/12/20
2	AC to request a list of Agenda items from Colin Davison	AC	Jan 2020
3	AC to compile list of concerns/complaints received post AGM	AC	
4	PMP to be compiled	AC	21/12/20
5	Date of the EGM to be decided	ALL	21/12/20
6	List of reports/issues which led to the implementation of the Onsite Guardians	SMO	21/12/20
7	Comment re Members being able to listen into future Board meetings	AC/SMO	Feb 2020
8	Clarification as to whether CD can vote if 1 of his properties is free of arrears	AC	21/12/20

## 2. AGM

- WB mentioned that there were a lot of actions which were raised at the AGM and which were to be discussed by the Board:
  - a) Heaters in Holly- there are wires sticking out from the new/previous installation- works to be completed next week.
  - b) Solar panels – was suggested by one of the Members to have them installed. ME suggested that research is completed before further discussions take place. Agreed that this would be added as a project, however we would look at discussions in the 4<sup>th</sup> quarter 2021 and a Director to take the lead will be appointed nearer the time.
  - c) Website content- concerns were raised at the November AGM around the content of the website and that it was not easy to navigate. Structure to be re-visited. AC to review. Need further feedback from members as to what they would like added to the website. GDPR was also raised. AC advised that anything personal is redacted. AC to review and ensure that there is no PID by the 21<sup>st</sup>.
  - d) Air BnB- this issue was raised at the November AGM, it has become apparent that some flats are being let out in this manner. WB mentioned that this has been discussed at previous meetings. Minutes of previous meetings to be checked. SMO confirmed that the lease does not prohibit Air BnB and Consent to Let only applies to properties let over 6 months or more. Agreed to check what has previously been agreed by the Board. SMO to check the minutes and the legal position of enforcement. Also, SMO to check that letting via Air BnB does not invalidate the buildings insurance. ME queried what the issues were. SMO confirmed that there have been a number of complaints regarding Air BnB customers regarding noise. Need confirmation how many Winterthur Way flats are advertised on Air BnB. Information to be provided by January 2021.
  - e) Cladding- update should be available for Members. AC advised that the planned elevation drawings have now been completed. ME commented that the information which was provided on the recent

newsletter which had been sent out was out of date and suggested that less information is provided to Leaseholders and Residents. WB suggested that no further updates are provided without approval from ME. ME advised that he will be able to provide an answer to the question which was raised at the AGM regarding Ridge and the Project Management Company used and how the selection process took place. AC also commented on the fire engineer and that there was only 1 was available due to the overwhelming need for them at this time. WE proposed that pre- canned responses are used and are available.

- f) Roller shutter for the MSCP- there have been a number of failures and it was suggested at the November 2020 AGM that the gates are only used at certain times of the day and not during peak times, however it was agreed that this was not a viable option. EL had put forward that the shutters could be replaced by gates similar to those in the undercrofts. This has previously been discussed and is not a valid option. SMO to discuss with EL. ME advised that there used to be a log which was completed which each failure. SMO advised that the log is still being used and the shutter has broken down 4 times this year (2020). However, on a positive note, a recurring problem that was causing the failures has now been resolved by the Contractor.
- g) Fire door guides- it was suggested by one of the Leaseholders at the November AGM that fire door guides are sent out to Leaseholders following the flat inspections which took place in Birch. Chaney's to provide by February 2020.

- WB raised his concerns about progress of some of the actions from the AGM. AC commented that a lot of time has been monopolised by other subjects but took his comments on board.

#### Action Items

No.	Description	Action	Due
1	Appoint a Director to carry out solar panel research	ALL	Aug 2021
2	AC to review the website and the GDPR	AC	21/12/20
3	SMo to check previous Board minutes for Air BnB decision and to legal position on enforcement.	SMo	Feb 2021
4	Number of flats advertised on Air BnB to be investigated	SMA	Feb 2021
5	Chaney's to provide fire door guide to leaseholders	SMo	Feb 2021
6	Provide clarification regarding the selection of Ridge re cladding oversee works	ME	21/12/20
7	SM to discuss MSCP shutters with EL	SM	21/12/20

### 3. Outstanding Matters

- WB commented on the issues on site and how promptly they are dealt with. SMO shared the list of outstanding actions for the site. Spreadsheet to be shared with the Directors going forward.
- The projects which are currently outstanding also shared with the Directors. WB suggested that there should be consistency with the information provided.

#### Action Items

No.	Description	Action	Due
1	Spreadsheet of outstanding actions to be shared	SMo	Ongoing
2	Spreadsheet of projects to be shared	SMo	Ongoing

### 4. Site Guardian

- It was suggested that the information regarding the Onsite Guardian should be consolidated at the meeting on 21<sup>st</sup> December in readiness for the EGM. The Resident survey was discussed. We need to justify to members and demonstrate that Onsite Guardians are a good idea. WB suggested that we obtain statements from the local Councillors and police regarding the issues on site and compile as much historic evidence that we can to support the idea.
- ME advised that the survey conducted only returned 25 responses and only 17 of those responses made comments regarding the issues on site and suggested that the Board comes to a unanimous decision that should then be put to the Members.

- JP mentioned that a list of the issues which were raised has been provided at previous meetings, however agreed that a decision does need to be made.
- WB enquired if any of the complaints are logged. AC confirmed that any formal complaints received are dealt with by Chaney's; however Residents' comments/complaints are not officially logged. WB suggested that complaints are logged going forward and shared with the board and would like it fed back to the Board if there are any complaints about Chaney's. AC to review.
- JP advised that a hub had previously been suggested by herself and EL. This will take place but will be moved till after the EGM when the weather is warmer.

#### Action Items

No.	Description	Action	Due
1	AC to review logging of complaints	AC	
2	To obtain statements from the local Councillors and police regarding the issues on site and compile as much historic evidence	SM	

### 5. Insurance Claim

- WB requested an update on the current ongoing insurance claim. SMO confirmed that the claim has gone to the final stage with the Ombudsman and we have until the 22<sup>nd</sup> December 2020 to submit any further information. A resolution is expected by January 2021. WB enquired that if the decision goes against VHMC, are we clear how to proceed? AC advised that is the reason why the 2019 accounts are being held back, once they are realised then IRO £500 would need to be paid by each individual Leaseholder in that block (Elm). The funds cannot be taken from reserves and would have to be dealt with in that financial year. WB suggested that this is another good reason to hold the EGM as every Leaseholder within that block would want an explanation. AC requested that SMO obtain some firm dates for a decision.
- WB suggested that a payment policy needs to be agreed if it transpires that Leaseholders are required to pay.

#### Action Items

No.	Description	Action	Due
1	SMO to obtain dates for decision from Insurance Ombudsman	SMO	18 <sup>th</sup> Dec

### 6. Arrears

- It was suggested that we should arrange for the service charges to be reviewed by an outside party.
- Percentage of members required to vote to be checked by AC.
- JP enquired if the arrears and reserve fund could be reviewed on a regular basis. AC advised that this had been discussed by AC/SMO and will be reviewed on a more regular basis going forward.

#### Action Items

No.	Description	Action	Due
1	AC to check the percentage of members required to table a vote	AC	21 <sup>st</sup>

### 7. Any Other Business

- Facebook- Discussed that Facebook should be used for information purposes only and that only Admin can post and not Members of the group. It has been apparent that the Facebook page is being used to raise concerns rather than the correct channel of emailing [help@winterthurway.co.uk](mailto:help@winterthurway.co.uk) and has become a negative forum. AC commented that Residents will go to Facebook to make any comments before contacting the Board or Chaney's. If Residents come to the Board or Chaney's first, then we would be able to explain what the lease states etc. and provide more context. Facebook does not work well for Residential Management but does for customer service-focused companies. WB also suggested that all Resident queries would need to be logged if Facebook is to be limited so we can keep a record. It was unanimously voted to change Facebook to information only with immediate effect and that queries should be sent to [help@winterthurway.co.uk](mailto:help@winterthurway.co.uk) instead (SMO to post this on the Facebook page to remind Residents that they have a channel of communication).
- AC proposed that information/documents for Winterthur Way should be moved to Teams to enable the information to be seen by all Directors and easily updated.

- AGM Minutes- WB suggested that all Directors review the minutes before the 21<sup>st</sup> in order for the minutes to be able to be sent with the demands.
- WB thanked all for their time.

**Action Items**

<b>No.</b>	<b>Description</b>	<b>Action</b>	<b>Due</b>
1	AGM minutes to be approved.	<b>ALL</b>	<b>21/12/20</b>
2	Statement to be added to Facebook regarding the closure and all queries should be sent to help@.	<b>SMo</b>	

Meeting ended: 8pm