



Victory Hill Management Company Limited

Residential Management Company limited by guarantee with no shares

Co no.: 04659245 Registered in England and Wales¹¹ Registered office:

c/o Chaney's Chartered Surveyors

Chiltern House

Marsack Street

Caversham

Reading

RG4 5AP

MINUTES OF THE VICTORY HILL MANAGEMENT COMPANY ANNUAL GENERAL MEETING 2021 Online held over Zoom Tuesday 2nd November 2021

Board of Directors:

Martin Edge – Chairman

Matt Garvey - Director

Jaz Parmer - Director

Wayne Buckley – Director

Oliver Kirkham – Director

Serif Omar - Director

Apologies:

Stewart Smart - Director

Chaney's Chartered Surveyors represented by:

Richard Duncan - Director

Sarah Morrisen – Senior Property Manager

Lucy Broadfoote-Brown – Assistant Property Manager

The meeting commenced at 18:30 Hours.

Leaseholders

Kate Dean	342	Neil Souter	269
Christopher Evans	55	Judy Cant	84
Ritsuko Ozaki	199	Enrico Sapia	162
Swapna Chennupati	215	Kutumba Velivela	138
Angela Wynne	111	David Edwards	297
Sau Cheung	87	Jack Blogg	403
Paul Wright	333	Sarah McOrmish	251
Peg Thorn	203	Douglas How	329
Desmond O'Neil	351 & 386	George Langdown	80
Martin Colenutt	290	Wayne Buckley	403
Serif Omar	360	Martin Edge	366

Oliver Kirkham	167	Vernon Needham	297
Christian Stefanini	134	Tom Beardmore	313
Matt Garvey	190	David Tulloch	378
Gareth Roberts	174	Glyn Thorneloe	400
Amma Nsiah-Ababio	97	Mark Thompson	78
Emily Leyshon	270	Beverley Painter	62
Jaz Parmar	359		

SM- Chaney's

- Apologies to Stewart Smart
- Outline of agenda for the meeting

1. Chairman's Message; Martin Edge:

We would like to get to the Questions and Answers section as soon as possible as the cladding issues are on everyone's mind.

- Anticipate the cladding works will take approx. a year to be completed.
- A cladding update meeting is planned for 16th November 2021. Those invited to the panel are Maria Miller MP, Hampshire Fire and Rescue Services, Ridge Consultants and Vemco Fire Consultants.
- ME raised concerns regarding current service charge arrears. Over 150 leaseholders are in arrears amounting to £180,000. This has immediate consequences on the Company, particularly in times of cladding replacement. Also, any Leaseholder in arrears cannot vote in general meetings.

2. Minutes of last AGM – 17th November 2020

- List of Proxy votes received
- Minutes of the last AGM held on 17th November 2020 outlined and agreed

3. Managing Agent Report

SM presented on behalf of Chaney's

- Onsite at Winterthur Way is running well
- Installation of the CCTV, security gates and access control has solved the problem of homeless and drug use in the communal areas
- Children playing onsite still remains a problem and Residents raise this on a regular basis
- Provisions in 2021 budget for an onsite Guardian, however this has been put on hold. However, the services of an onsite security Company were employed for the October half term that proved successful
- Fire Risk Assessments for all buildings have recently been carried out and any action points will be carried out
- Building re-evaluations have recently been carried out, due every 5 years
- Hampshire Fire & Rescue have carried out an audit of Cherry, Holly and Elm, prompted by the replacement cladding works. They were satisfied with the inspections, however

recommended an audit of all communal fire doors which has been conducted along with any necessary remedial works

- Leak and investigation works have now changed, if there is a leak between flats, VHMC will carry out the initial investigation works to determine the source of the leak, after which the relevant Leaseholders will be notified to remedy

Richard Duncan – Director Chaney's

- RD informed everyone that Andrew Copley has been off work for 2 months and will be back in a part-time role during November, business is carrying on in the meantime and some important and strategic decisions are being carried out within the business.

4. Vote on acceptance Annual Service Charge Accounts 2018

Based on votes cast one member one vote Clause 23 and 24.

- Vote cast
29 - Yes
4 - No
4 - Abstain

Annual service charge accounts 2018 accepted

5. Vote on acceptance – Annual Service Charge Accounts 2019

- Vote cast
25 - Yes
5 - No
6 - Abstain

Annual service charge accounts 2019 accepted

6. Vote on acceptance – Annual Service Charge Accounts 2020

- Vote cast
27 - Yes
5 - No
6 - Abstain

Annual service charge accounts 2020 accepted

7. Vote on appointment of Directors

a. Vote on appointment of Co-opted Directors+

- Oliver Kirkham
49 Votes cast
4 Abstain
45 In Favour
0 Against

Confirmed as elected

- Serif Omer

48 Votes cast

5 Abstain

42 In Favour

1 Against

Confirmed as elected

b. Re-election of Retiring Directors

- Jaz Parmar

47 Vote cast

4 Abstain

42 In Favour

1 Against

Confirmed as re-elected

- Stewart Smart

47 Votes cast

5 Abstain

41 In Favour

1 Against

Confirmed as re-elected

8. Vote on Special Resolution to Amend the VHMC Articles of Association

“Article 23 of the Articles of Association is to be amended and a new Article 24 is to be introduced. The existing Article 24 and all following articles shall remain unchanged and be renumbered accordingly.” Current Article 23 23. Subject as hereinafter provided and subject to Article 7(c), every Member present in person or by proxy shall have one vote. Proposed Articles 23 and 24 23. Subject as hereinafter provided, every member present at a general meeting either in person or by proxy shall have one vote, irrespective of whether the vote is on a show of hands or on a poll and irrespective of the number of leases held by a member at the Development. 24. In accordance with the definition of "dwellingholder" in clause 1, joint leaseholders of a dwelling will constitute one membership and the provisions of clause 23 will apply. Should the same joint leaseholders hold more than one lease at the Development, this will still constitute one membership and the provisions of clause 23 will apply.

ME – The purpose of this resolution is not to introduce nor change anything in the Articles of Association. It is however intended to remove any civil ambiguity which might exist in respect of voting rights of the Members and follows on from legal advice to ensure the Articles of Association are watertight.

56 Votes cast

1 Abstain

50 In favour

5 Against

Special resolution passed.

9. Financial Forecast and Service Charge Budget 2021

- End of year spend of 97.6% overall
- Overspends to note:
 - Birch Block – expenditure of note – emergency light replacements and fire safety inspections regarding EWS1 forms
 - Cherry Block – expenditure of note – dry risers repairs and emergency light replacements
 - Holly Block – expenditure of note – dry riser repairs and emergency light replacements

10. Project Updates

a. Cladding

- Stanlil are the appointed Contractors and site set up is due to start December 2021.
- The whole of Elm undercroft will be used as their site compound and Leaseholders concerned will be offered alternative parking.
- Scaffolding will be fully erected on Elm first and will be fully netted. Cherry will be next followed by Holly

Q & A's

Q – Parking spaces don't belong to you so how can you give them away.

A – we are not giving them away we are offering alternatives during the essential cladding works.

Q – What if property owners have issues with tenants unhappy with losing their space and light into their flats with netting.

A – The works for cladding that are being undertaken are all required by law

Q – I have paid my contribution of £1,000 and I have not received my demand for the remaining £500.

A – As per the Website the Directors and Chaney's have chosen not to invoice the leaseholders for the second payment of £500 as it is not needed presently but we anticipate that it will be needed early in the new year.

Q – My parking space is under Elm will the alternative parking space definitely be on the estate.

A – We are 95% sure that it will be on the Estate.

Q – If someone has an under-croft parking space will they be offered like for like.

A – We cannot guarantee that.

Q – When will Residents of Elm be advised of their alternative space during the cladding works.

A – They will be informed as soon as we have absolute confirmation of who is going where.

Q – What communications will be sent to Residents before/after works to advise residents when balconies will need to be cleared and windows closed etc.

A – Each leaseholder will be communicated with directly regarding clearing of balconies

Q – How long will each block be scaffolded and netted for.

A – Approx. 3 to 4 months with a transition period between blocks, but it depends on time scales and run of works.

Q – Why was the contractor instructed prior to securing the funding.

A – This is a £2.5 million pound contract; a lot of planning goes into securing the Contractor. The Directors, Chaney and Ridge Consultants (Project Manager) had a responsibility secure the Contractor to ensure prices wouldn't rise.

Q- - Can we confirm that pigeon proofing and cleaning will also be undertaken.

A – External cleaning has been removed from the schedule of works, but full comprehensive pigeon proofing will be done, and replacement of balconies will continue as part of the works.

Q – After the cladding works have been completed will the temporary parking spaces be made permanent.

A –No parking allocation will revert to normal

Q – Can we have more details of what the pigeon proofing will entail.

A – Sarah can send details if requested.

Q – Are balcony replacements still part of the works.

A – Yes only the wooden element of the balconies.

Q – What form of contract are we entering into is it JCT or NEC.

A – Sarah Morrisen believes it JCT but will check.

Q – How secure is the funding agreement, I understand they have confirmed eligibility however how do we know that they will release the funds applied for.

A – Homes England have approved us for funding, we are awaiting a letter of confirmation to confirm the actual amount along with the date of release of 80% of the payment.

Birch and Fir – cladding

- External investigation works have been carried out to Birch and Fir
- An EWS1 form has been produced for both by Vemco Fire Consultants
- Both blocks have been deemed as non-compliant
- Birch and Fir are under 18m in height so currently are not eligible for Government funding
- Government has stated that a loan facility to Leaseholders will be established payable at a rate of no more than £50 per month.
- Leaseholders will be updated as the Government provides more information

Q&A's

Q- As we are under 18 meters we are not entitled to funding for the remediation, and I read horror stories of tens of thousands falling on Leaseholders, how are you going to avoid that happening?

A – We are aware of this, Government has announced a loan system to Leaseholders, however we also need to consider that Lenders shouldn't be asking for EWS1 forms for blocks under 18M, however still continue to. The government are pushing for this to cease, and Lenders are coming on board. VHMC are aware that we have an EWS1 form that is non-compliant so we do have to action this we cannot just ignore it. We are very much aware of potential costs and implications for Leaseholders, and we are actively trying to get the best resolution and we will report back as soon as we have anything tangible to offer.

Q – Given the Governments moved the requirement for an EW1S form under 18 meters why have you gone ahead with it any way

A – That was because at the time we were pressed to do so by Leaseholders trying to sell under pressure from their Lenders to provide an EWS1 form

Q - Latest Government guidance suggests that buildings under 18 meters do not need an EWS1 form. I understand an advice note issued in by the Government in 2020 contradicts that but it may be a case that in the next few months it will be removed and if this was to happen then surely the works would not need to happen.

A – Unfortunately now we have the EWS1 form we have to take action.

Q – Will you hold off any work until further updates from the Government

A – Yes

Q – Are balcony repairs optional?

A – As per the Fire Consultant’s report it is a legal requirement for necessary works to be carried out to the balconies

Q – Why are we being asked for a EWS1 form when it was not needed.

A – Because prior to intervention by the Government, Lenders, regardless of what they were being advised, were asking for a EWS1 form for re-mortgages and sales.

Q – Are the balconies at the end of their life.

A – We have answered this question previously.

Q – I tried to re-mortgage last week with several lenders, but nobody offered without a pass on the form

A – Yes, we know but it does depend on your lenders at the moment.

Q – It seems as if Birch has been shafted.

A – Birch and Fir have both failed the EWS1 form and Birch more so.

Q – Will there be a snagging process afterwards.

A – Yes there will.

Q – Have Fairview or Rialto, the original developers, had any comment to make on this.

A – They no longer exist due to Company liquidation

Q – Who is the authority saying that the balconies have to be replaced.

A – In the case of Holly, Elm and Cherry blocks there are two authorities one is the Fire Officer, and he is the individual who signs off the EWS1 form and Hampshire Fire & Rescue Service who also say that they have to be replaced.

Q – The balconies aren’t common property.

A – The balconies are deemed to be part of the main structure.

Q – When will we know how much it is going to cost.

A – At present we do not know how much it is going to cost.

b. Lease Compliance

- Individual flat inspections – a trial was carried out in Birch, however Covid has delayed a rollout
- During the inspections Chaney’s checked front doors to ensure fire compliance and hotspots within flats where leaks could occur
- In 2021, we have dealt with 30 leaks, 19 of which came from individual flats

11. Q & A from Leaseholders

Q – What measures are being taken against people who owe money

A – Anyone who owes any service charge arrears or equally arrears of the cladding payments will be referred to Boyes Turner Solicitors who conduct arrears recovery. Cases will eventually proceed to Court resulting in a CCJ

Q – What measures are being taken against people hanging washing on balconies

A – We will follow our lease breach procedure

Q – Who will pay the Courts and solicitors fees

A – Those who are in arrears will pay their own legal fees

Q – I understand that the external cleaning is not included in the works now will those who have paid for it get a refund

A – The contribution from Leaseholders for the £1500.00 in total doesn’t include external cleaning works

Q – I know Chaney’s take a fee for work carried out, will that include all the cladding, fire safety work.

A – All professional fees including our Surveying fees are all part of the funds we are requesting from Homes England, so they all form part the quote so there will not be any fees or funds in that relation.

12. ANY OTHER BUSINESS

- Martin Edge – Nothing
- Jaz Parmar - Please support the cladding meeting and the Directors who have worked so hard on this.
- Wayne Buckley - Nothing
- Matt Garvey - If you have not paid what is owed, please pay as it is an obligation.
- Oliver Kirkham - Nothing
- Serif Omar - Nothing
- Richard Duncan - Nothing
- Lucy Broadfoote Brown -Nothing
- Sarah Morrisen - Nothing

Martin – I would like to say to everyone who has been present tonight that generally I feel that most Leaseholders are on the same page we are all trying to get the cladding work done so we can get on with our lives.

The meeting ended at 21.35 hours