

Victory Hill Management Company Ltd

Board Meeting

Monday 17th July 2023, 6.00pm – via Teams

Attended by:

- Martin Edge – Chairman VHMC
- Matt Garvey – Director VHMC
- Stewart Smart – Director VHMC
- Jaz Parmer – Director VHMC
- Oliver Kirkham – Director VHMC
- Sarah Morrisen – SPM, Chaney's
- Wayne Buckley – Director VHMC
- Serif Omar – Director VHMC

Apologies:

- James Buckley – HEM, Chaney's
- Lucy BB – APM, Chaney's

Whilst waiting for meeting to become Quorum

- Discussion regarding drug use and detagging of stolen clothes in Oak binstore
 - OK – the magnetic lock to the bin store is always being broken
 - We have a group of individuals who are frequenting Oak binstore on a regular basis, smoking drugs and detagging stolen clothes. Lucy has reported this to the Police and also informed Community Safety Officer, Paula Bailey-James who identified all of the individuals by CCTV and they have since not returned. We believe they are connected to the Sovereign Housing block; however, Sovereign were unwilling to intervene.
If they return, agreed that we would report by letter to Maria Miller – MP
 - SM - I do want to talk about entrance doors to Oak binstore, no matter how good your magnetic locks are, anyone can just pull them away from the wooden frame. I've obtained a quote for replacement steel doors like we have for Yew bin stores. We can revisit this as an option if the situation re-occurs.
 - Agreed to discuss financials although still not quorum.

Actions

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- Contact Maria Miller MP if drug use onsite starts again and include an update re, HE finances, where we are to date.
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• **Financials & Arrears**

- **Arrears**
- SM – March 23, the arrears figure was £579,000 at 27%, last month arrears were £316,000 at 15% and now we've dropped to £288,619 at 13%.
- All cases are now with JB Leitch
- WB – asked level of arrears for CD
- SM – confirmed that all of his 17 properties are in arrears totalling £65472.58, accounting for 26% of the total arrears. All cases are with JB Leitch, CD is disputing the re his parking space – discussions were left with CD as he was requesting an amendment to the Lease, and he has not accepted our offer of a Zoom meeting to discuss.
- WB – the parking space only affects one property.

- SM – yes, and the Lease does not allow for withholding of service charges.
CD said it's unreasonable that JB Leach are dealing with each of his cases on an individual basis and subsequently he is accruing the charges for each of the properties.
SM will confirm with JB Leitch.
- SM confirmed that after we have gone through the Court proceedings, we enter judgement and after this JB Leitch approach the lender for payment of the service charge arrears.
- WB - So basically, we've got 50% of outstanding arrears or attribute almost to 3 owners. That's a bold message for us to make clear at the AGM.
- SM – JB Leitch recently won a 1st Tier Tribunal case in relation to the Building Safety Act 2022, whereby it was ruled that any demands raised for cladding/essential fire related works otherwise payable prior to 28th June 2022 is unaffected by the Leaseholder provisions in sch 8 of the Act. This means that the 1st £1000 demanded by VHMC is payable by the Leaseholder and as such can be included in any further arrears action. SM will send a reminder letter to all affected Leaseholders.
- WB - One way or the other, the members ultimately have to pay. Some Members will argue they have no liability to pay, and we will point to the charges we've previously made against their account, and we'll proportion of the original 1500-pound demand, which was made wholly prior to the change in legislation.
- ME - Some people have paid, some people have refused to pay, some people have paid when they have been threatened with legal. I believe that we need to get to the regular situation where everyone's in the same boat i.e., everybody has paid the £1000.
- It should be that we should have, £1000 from all Leaseholders of Cherry, Holly & Elm, it's £248,000. Currently 27 Leaseholder have the £1000 outstanding.
- SM - Of the 500 pounds JB has approached Alastair to find how much of the £500 funded non eligible pigeon proofing (which would be deemed as recoverable)
- JB's view is that it might just be £250 that will be returnable to leaseholders at the end.
- WB - Okay, which is the credit essentially that we put against the service charge.
- SM - yes
- SO - we need to communicate this first? And then there's a legal case that demonstrates justification for it.
- **Financials**
- SM confirmed that the s20(b) notice has been served on all Leaseholders.
 - WB - the outcome is it allows us to make sure we're able to collect what Members owe.
 - ME - Yes
- Financial spreadsheet discussed – currently running at 98.6% forecast at the end of the year.
- WB - So in the context of this, where does this leave our overall financial forecasts and cash flow?
- ME - last month we had £700,000 in the bank and when I worked out roughly how it might look at the end of the year, we'll be okay, when I say OK, what I mean is we won't, we won't be underwater.
- ME – the Aldermore account needs replenishing.
- ME – We have submitted a claim into Homes England, variation claim # for the sum of £719,000 – we are still awaiting the final decision from HE.
- WB - If we get the 700K, the reality is they've already given us some of that as almost an advanced into our account. So, we might see an uplifting to the income in our current account circa 300K to 400K.
- ME – yes, that's correct
- WB - So we could at that point, whenever that money comes in, whatever money comes in, I would like to see us restate the reserves.
- ME – Absolutely

Actions

- SM to check with JB Leitch to request in writing via email that they have given due consideration to pursuing this as a single versus 17 independent claims and they are advising us to treating as 17 separate claims

- SM to write to all Leaseholder re the £1000 cladding payment outstanding after confirmation from JB Leitch
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Meeting now officially Quorum

- **Minutes of Last Meeting and Actions Update**

- Minutes of the last meeting agreed
- Action points to note
 - SM has inspected the embankment and it's still in good shape so we will postpone any works and review again in November when the leaves have fallen

- **2021 Accounts**

- 2021 accounts are finalised, showing a £17387 deficit. SM will distribute to all Directors prior to issue the 2021 balancing charges.
- 2022 accounts reallocations are being worked on. It's a bit more complicated than what I first imagined due to cladding payment and allocations.
- ME - The accounts have to show that every leaseholder paid for all the remedial work, and then he got a credit back from the government. So, you have to be able to show block by block.

- **Homes England Update**

Waking Watch – Birch

- SM - Fairview have informed us that they are removing the waking watch for Birch, however, previously, the fire service carried out an audit of Birch and Fir and deemed that a waking watch was not necessary, due to the height of the building, their equipment could reach the top
SM – continue to investigate a linked fire system for Birch and to also request a visit from the Fire Service

Actions

- SM – continue to investigate the linked fire system for Birch
 - Contact HFS re waking watch for Birch
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Internal Leaks

- SM presented the current leak spreadsheet that Lucy is compiling. Any leaks that are attributed to the cladding works are being completed and will be passed to Alastair S (Ridge) to claim from Stanlil's 5% retention monies.
- LCS have re-erected scaffold around flat 177 due to a large ongoing leak, they will be carrying out remedial works to the gully etc, after which, we will carry put the internal repairs.
- The pre-condition surveys carried out have proved to be very useful when it comes to accessing responsibility for leaks.

Birch & Fir

- Fairview & LCS have confirmed that they will start works to Fir W/C 14th August 2023, for an estimated duration of 20 weeks.
- The roof system for Birch has been sourced and will be of a metal construction.
- LCS will be excavating the perimeter of Fir to establish suitability to pin the scaffolding. This area of the embankment has been cleared (funded by LCS)

Cherry/Holly/Elm

- SM - Cherry block has been officially handed back to us
21 Bollard around the outside of Cherry have been fully refurbished and the landscaping has been completed.
- OK - Yeah, which looks really good. And the bollards look good too.
- SM – the BAPA agreement has not yet been finalised but is not delaying works to Holly
- SM – installation of cladding has begun on Holly and to confirm, composite decking is being installed on Holly.
- Internal investigation re compartmentation is due to start for Birch, Cherry, Holly, Elm & Fir. There have been indications that the roof voids in the top floor penthouse flats of Cherry, Holly & Elm may be an issue.
- A quote has been received to clean the external of Elm, we are awaiting a 2nd quote for comparison. Costs will be recovered from Stanlil 5% retention monies

- **Fairview//VHMC Agreement**
 - Ongoing

- **Openreach**
 - Openreach have concealed the wiring for fibre broadband in Holly and Elm, however, in Cherry, the wiring is visible in the communal areas. SM has stopped works and is speaking directly to Openreach.
 - WB - So if the answer is the only way they can do it is trunking, then we want to make sure that the first person to put trunk in in puts in trunk in big enough to support any number of service providers.

- **Lift Contract**

We have entered a 2-year rolling contract with Kone without prior consent and SM has raised a complaint re their service. Jackson lifts have provided a quote for the same service at half the price.

- **Leaseholder Update Meeting**

- ME - I think we should, suggest to Gary an agenda of items that should be mentioned and let him propose how he thinks we should engage with leaseholders at Q&A we would like Gary to drive the meeting.

- **A.O.B**
 - Sarah Morrisen - Onto A.O.B
 - Wayne Buckley
No, that was mine. Thank you.
 - Martin Edge
No, I don't think so for this one. Thanks.
 - Sarah Morrisen
Matt.
 - Matt Garvey
No, thank you.
 - Sarah Morrisen
Stewart Smart
No, I know. For me, thank you.
 - Sarah Morrisen
Oliver.
 - Oliver Kirkham
No, nothing from me. Thanks.

- Sarah Morrisen
- Jaz Parmar
No nothing for me
- Wayne Buckley

The meeting was called to a close at 7.40pm