



Helping to make Nocton Park a better community!

NOCTON PARK MANAGEMENT LIMITED

Company Number: 02335481

BOARD MEETING

WEDNESDAY 02 FEBRUARY 2022

REPORT

A) PRESENT

➤ Directors:

- Ms ALISON COOKE (Chair of the Board) **(AC)**
- Mr NICK KAY **(NK)**
- Ms JULIE WALLHEAD **(JW)**

➤ Managing Agent:

- Mr SIMON BAXTER of SR Baxter Business Consulting **(SB)**
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1. Finance update – as at 31 January 2022

SB updated the Board on the financial status of NPML – this was after the Board received a full financial report including a bank reconciliation. The detail has been redacted as this report is available on an open website

2. Budget considerations

SB confirmed that the expected income for the 2022 EMC combined with the EMC debt from 2021 meant that there was a possible income of £51k during this financial year. **SB** cautioned the Board that it was unfortunately uncertain how much of this income would actually be paid and thus they need to be aware of this in their budget planning.

The Board stated that they would need to see what income was like after a few months of the year before they made larger capital project work. They felt the main areas of work needed are:

- Grass Cutting contract – to include small works as well as grass cutting
- The ditches in the NP being cleared out
- Tree survey.
- Streetlights and possible upgrading the bulbs to LED

3. Debt Management process – update on debtors and process

SB confirmed that the REMINDER deadline for the properties still not paying the Estate Management Charges for 2021 is the 11 February 2022.

The Board discussed what should be the next stage for the properties who still owe for 2021. The Board would give properties until the end of February 2022 and then for any properties that still owe monies to proceed with Court action. The Court action would start by lodging a Court application with a cost of £25 for each application but that cost would be added to the overall debt balance.

The Board agreed that not allowing properties to disregard their legal and contractual obligations, they would then be acting fairly to the properties who have met the payments by the deadline.

4. Lease request extension from Mr Modi

SB confirmed that previously he had a consensus from the Directors that the Board did not want to accept a flat lease owner's request to use an online solicitor at a cheaper cost rather than Wilkin Chapman. The Board discussed the fact that while they feel that Wilkin Chapman can be slow and very expensive, they have the full knowledge of the Park and are recognised for their high level of legal service.

The Board confirmed that if the flat owner wished to proceed with buying an extension to the lease they hold, they would require that he pays the NPML's legal cost and they would want Wilkin Chapman to undertake the necessary legal work.

5. NPML – impact of future

NK stated that after undertaking various research on the issues on Privately Managed Estates and had found that across the Country there was problems at almost every similar type of estate and they all had similar problems and the toxicity among some members of the community. He found that the issues that NP was facing was nothing different to other similar estates – while that does not excuse the behaviour of some, it does clarify the issues the issues faced by the Board.

NK stated that he was aware that due recent legislation, the flat owners do have an opportunity to purchase the freehold of the building of flats. If this happened it would remove a significant amount of work and stress that the issues with the flats building causes.

It was discussed by the Board that in order for this to happen, all flat lease owners in the block of flats would have to purchase their flat – in effect ‘all or nothing.’ The Board agreed that this was something that the Flat Lease owners should be approached to ascertain their position; but this may have to wait until some other urgent issues across the NP have been completed.

The other issue that **NK** updated the Board on was the growing momentum campaign across the country of changing the legislation on private estates – it was the ‘Adopt the Lot’ campaign. This would involve local or district councils adopting the roadways and other areas in private estates.

The Board discussed this in detail and while they could see the implications of the possible changes, it was possibly a long time in the future and there were issues that the Board would need to adopt in the short or medium term. But they agreed that they should keep aware of any possible or actual changes in legislation and how it may affect NP.

6. Netball Court – use by local organisation

There was a long discussion by the Board on the use of the netball court by a local group who then was charged for the use. The Board agreed that there a few issues that needed to be considered:

- Should an external organisation be permitted to use the amenity area?
- Would the permitted use, then restrict the possible use by the actual NP community members?
- Should the external group who have NP community members be charged?

The Board discussed the fact that there was no way forward which would meet all the issues and that while they should ensure that the netball court was available for all the community, they also recognised that the group that used the court did have some people who live on NP who should not be charged.

The Board agreed that most appropriate way forward is to ask the group concerned for a suitable voluntary donation – not an actual charge. This then would not actually charge the people in the group who live in the NP but would actually receive some funds back to help the maintenance and upkeep of the area.

7. Grass Cutting contract

The Board discussed the issues and agreed that as they had not heard anything from the previous contractor in regard to them continuing the works for this year, they would need to now seek alternatives.

NK stated that he was aware of some possible contractors who may be interested in providing a quote and would contact them over the next week. The Board in addition asked **SB** to enquire through local

contacts and advertisements for local contractors to ascertain if they wish to provide a quote. **SB** agreed and would direct any interested contractors through to **NK** to ensure that the same message and works details was given to all possible contractors.

8. Playground – safety work

SB confirmed that following the inspection of the Play Park in late December and the issuing of the report, and upon direction of the Chair, he had requested quotes for:

- i. Red and Amber issues
- ii. Green Issues & Blue
- iii. For everything as a reduction of price
- iv. Flooring – removal of bark and rubber shredding installed

The Board discussed the issues raised in the report and the time period to which the work will be done. **SB** recommended that once the necessary quotes are received, it may be worth considering a time staged plan for works – which will allow surety for the contractor but that the expenditure can be over more than one financial year.

9. Communication - how to publish minutes, regular updates, works details and website management

There was a discussion by the Board on how to ensure that the community were updated on what the Board were planning in regard to the NP management of issues. They recognised that communication was absolutely key to limit or prevent a feeling of uncertainty in the community.

They agreed that the website was the key to ensuring updates were made which would include

- various details of works in the NP
- Board Meeting Report
- possible a FAQ

The Board agreed that as the website is now under the control of **SB**, and not under a third party, it can be used in a more proactive manner. The website may need to be updated after a review.

The Board did agree and clarify that the Board would not use any Facebook functions as it was not considered appropriate or secure or would ensure that proper conduct is maintained.

10. Issues raised by a flat lease owner on maintenance and car parking

SB confirmed that the flat lease owner had raised two issues:

- i) When the soffits and facias work on the flats will commence?
- ii) Clarification on the parking issues outside the flats

SB confirmed that he had replied to the flat lease owner with the Board discussed and agreed points. This included the detail found by the Board in regard to the parking outline – as well as stating that once the work on the cracks as requested by the insurer was completed, the next works project would be the soffits and facias work. The Board agreed that once the cracking work was done, they would want to focus on the soffits and facias work to progress but accept the work will be very expensive due to the scaffolding needed.

11. Section 20 Consultation update– Works on the Flats

SB confirmed that he had been in contact with the insurance broker in regard to an extension for the deadline imposed. The insurer agreed to an extension to the of February 2022.

NK confirmed that he would be meeting a contractor on the 03 February 2022, another one on the 05 February and then another on the 09 February. He confirmed that he would be asking all of them to submit a quote promptly so that a decision can be made by the Board on going forward. **NK** did say that the timeframe when they complete the work is not clear.

12. Health and Safety issues on the Park

SB asked if the Board wished to raise any H&S issues they wish to raise. They Board confirmed that apart from the issues raised in the Play Park inspection, the following issues were raised:

- Raised drain access holes
- Ditches near certain streets need to be cleared
- Storm drain at the Steamer Point Road junction

13. Flats and PS Property representatives

SB confirmed that he had received an email from a flat lease owner who was under the impression that Mr Brooks was still the Flat Representative but was told differently by Mr Brooks. It was confirmed to this

person that currently there is no flat representative but that flat lease owners are welcome to apply to the Board to become a Director.

The Board discussed the issue and it was felt that it would more appropriate (and more legitimate) if a person from the Flats or the PS Properties joined the Board as a director, not a 'representative.'

The Board did discuss how they would get more persons to join the Board but that it would have to be done fairly across the whole community. They did note however that some persons in the community had offered some help but it was unclear what 'help' actually meant.

14. Management and storage of records of NPML

SB updated the Board on the fact that he was happy to continue to store the NPML records but will be proceeding as previously agreed to purchase some secure cabinets to protect and secure records. The long-term aim was to scan all paper records to store digitally but as that was a mammoth task it would be a very long-term objective.

NK asked if off site archive storage could be considered: **SB** clarified that while most records are not needed daily, there has been some occasions when the records had to be referred to. In addition, there would be cost to off-site storage. Board again confirmed that they were happy for secure storage cabinets to be purchased and used in the short to medium term and that digital storage was the preferred method long term.

15. Community Meeting

The Board discussed the issue of holding some sort of community meeting to allow an opportunity for the Board to update the community on what they have been doing and what is happening, as well as an opportunity for the community to ask questions. The issue that was concerning was the somewhat aggressive atmosphere caused by some in the community and that the Board felt that while they were committed to holding a community meeting (as was agreed at the EGM in September 2021) they felt that they needed to address some current important issues first and then look to hold a meeting later in the year. The Board did agree that in the meantime they would look to have a Frequently Asked Questions area on the website which may answer a lot of the questions some of the community had, as well as the website encouraging anyone with questions to send an email to the enquiries@ email.

16. Allotment discussion

The Board discussed the current situation with the long term aim of agreeing a formal lease with the Nocton Park Allotment Association in regard to the allotments in the Park. **AC** stated that she had been in contact with the Chair of the NPAA in regard to having an overview discussion on the proposed lease but that it was preferable that the Board first agree what they wanted from the lease as well as what responsibilities they felt the NPAA should take on – specifically the considerations of the bridge and the ditch area. The Board agreed that it was preferable to get the lease agreed on the format that **SB** had submitted but that the lease needed to be right for the NPML.

17. Next Board Meeting

The Board agreed that the next Board meeting should be held after the Court Case on the 29 March 2022 and thus it was agreed that 30 March 2022 for the next Board meeting via Zoom.

MEETING WAS CLOSED BY THE CHAIR AT 9.45PM.
