

Queen Elizabeth Park Residents Association

Minutes of the Annual General Meeting held on the 29th November 2007.

1 Welcome

Grace Blake, Chairman welcomed approximately 65 residents to the meeting. About 40 residents had written to give their apologies for not being able to attend the meeting and had communicated their views on certain issues. Grace also welcomed Nigel Burnand (Managing Director) and Emma Glazebrook (Property Manager) from Hazelvine Ltd.

Grace thanked the outgoing committee for their work and particularly Dick Moody who had once again led the team that had produced an outstanding Summer Fayre. Grace also thanked Esporta for their continued sponsorship of the Fayre and to all residents for their support for the QEPRAs committee's actions during the year.

2 Minutes of the AGM held on the 6th December 2006.

The draft minutes had been published in a written newsletter and on the QEPRAs website and residents had been invited to request a copy in the notice of this AGM. There was no request for the minutes to be read at the meeting. The minutes were approved unanimously.

3 Chairman's presentation.

Attention is often focussed on the less good issues affecting the estate so Grace reminded the meeting of the good things that had been achieved. Notably, the bus route remaining off-site, the permanent closure of the Goddard Close access, the replacement of Hillier's by Redfields, Trinity replaced by Hazelvine, the Summer Fayre, GBC's promise that the hard play area would be relocated off-site and that the unloved office/community centre building approved in 2006 would not be built.

Grace turned to the **ongoing issues**

Beginning with the proposed **community centre** and outlined its history since 2004 when the first planning application for a free standing building was submitted. It was also around this time that the 2002 planning approval and S106 Agreement which increased the size of the community centre accommodation and changed residents obligations began to be exposed as it had not been shown in residents' Searches. The first application in 2004 which was for a building located on the Green was withdrawn following residents objections. Future applications were all located on the site between Budgens and the Village Green for which approval had been given for a mixed use/doctors surgery in 2002. An application in 2005 for apartments and a community centre was withdrawn and replaced by an application for offices and community centre in 2006. This was approved but was subsequently found to be in breach of a covenant in favour of Budgens so the developer reverted to the design approved in 2002. This is now being built. The developer proposes to let commercial units on the ground floor and has offered the first and second floors for the community centre. Grace showed the architects freehand drawings of the building (the only drawings provided to QEPRAs)

QEPRAs has continued to argue that the community centre is not necessary and presented the concerns expressed by residents regarding its location on site. The thrust of QEPRAs argument is that there is no proof of "need" as defined in government guidelines governing the use of Section 106 funds and that GBC's own audit (a Government requirement) in 2006 showed that no additional facilities were needed. As a result of QEPRAs arguments, which Grace outlined, GBC has appointed a consultant to undertake an assessment of need. He is expected to report his findings by the end of January. QEPRAs has also argued that the current planning permission does not include its use as a community centre and that in any event the existing permission to construct it has expired. GBC disagree but it appears that if we wish to dispute this we will have to complain to the Ombudsman (a lengthy and probably unproductive exercise). If it is decided that there is no "need", the two floors would probably revert to office use.

QEPRAs had also raised the issue of noise insulation of the building if it is to house a community centre. GBC reply that the building will have to comply with the conditions imposed in the 2001 and 2002 planning approvals which implies that it will not be allowed to allow noise above the existing ambient level to break out of the building. QEPRAs has not been shown construction details that confirm this intent.

Because it has been inferred that the QEPRAs committee are representing a minority view and that QEP residents in general may not be opposed to the community centre, the committee needed a clear mandate on the approach it should take in 2008. In particular, whether the residents wanted the committee to continue to oppose the setting up of a community centre on QEP.

During discussion residents expressed their view that the community centre was not needed and there concerns that it will attract a nuisance element in the evenings increasing intimidation and vandalism, lead to more parking problems, the potential to generate noise and the unreasonableness of QEP residents being committed, without their knowledge, to pay for the maintenance of a public facility, managed by others in a commercial building.

Three or four residents spoke in favour of, or were not opposed to, the proposed community centre.

The meeting was asked whether it wished QEPRAs to continue to oppose all aspects of the proposed community centre. There was overwhelming support for continued opposition.

It appeared to be unnecessary for a vote to be taken but this was questioned after the meeting. The Chairman agreed that an e-mail should be sent to all attendees who had registered an e-mail address inviting them to register their support for the community centre so that the level of support could be fairly judged. Forty four e-mails were sent out. Two replies were received confirming that they were not opposed to the community centre in principle, one of which objected to paying for its maintenance. A further fifteen residents chose to confirm their opposition to it.

[As a result of the newsletter sent out prior to the meeting, a further 34 families sent their apologies for not being able to attend but were opposed to the community centre for similar reasons to those expressed at the AGM (one respondent was not opposed in principle but objected to the maintenance charge)]

Grace went on to report that QEPRAs was awaiting further discussions with GBC regarding the **LEAP** (Locally Equipped Area of Play). The LEAP is a planning requirement and a design had been prepared many months ago but put aside in view of the uncertainties surrounding the area required for construction of the building on the "doctors" site and more recently the possibility of some provision needing to be made for the community centre. However, in the meantime, concerns had been expressed about vandalism and nuisance at GBC playgrounds and GBC had fenced or closed some of its own facilities in the evening (including Stoughton Recreation Ground in Worplesdon Road) following pressure from residents to reduce nuisance in the evenings. QEP residents are responsible for the cost of maintaining the LEAP and it could become a 'Vandal Magnet' consideration would therefore need to be given to fencing and securing it after hours. It was now felt that residents may be more resistant to the LEAP than they were when the survey of residents' views was conducted two years or so ago.

In discussion, residents expressed their concerns that the LEAP may attract undesirable elements in the evenings. **QEPRAs will put residents concerns to GBC and will report further when proposals are known.**

Turning to **vandalism and nuisance**, Grace again reminded residents that they should report every incident, however minor, to the Police. The Police allocate resources according to the level of incidents and QEP was in danger in having its current level of cover reduced because few incidents had been reported and so was crime free (almost). There was an occasionally heated discussion around the potential for increased nuisance if the community centre was opened but there was broad agreement that the gatherings of young people at the entrance to Budgens was intimidating and there was no confidence that the police would deal with the issue. Concerns were expressed about vandalism across the estate, the low level lighting in particular, and a particular attack on a resident. The Police appeared to be unable or unwilling to respond promptly to such incidents. Grace advised residents to attend the quarterly Neighbourhood Police Meetings held at Emmanuel Church and put their concerns directly to the Police.

A resident raise the possibility of installing CCTV cameras and received strong support. The proposal would require investigation of the types of CCTV that could be employed, locations, monitoring arrangement and legal issues. **QEPRAs NHW/Security sub-committee would be asked to investigate.**

The **low level lighting** has been a target for vandalism and in previous years large sums (approaching £40,000) has been spent maintaining it. Only essential maintenance for safety has been carried out this year and as a result most of the lighting on the main Green is out and some on the smaller Green. Hazelvine will be seeking guidance shortly regarding the rectification work to be undertaken.

A resident asked why the "Dark Campus" proposal agreed at the last AGM hadn't been implemented. The answer was that as a claim is being pursued against Laing for the replacement of the current lighting it would be imprudent to voluntarily take the lights out of use.

Litter costs around £13,000 a year to pick up. This could be reduced if residents were willing to pick up some of the litter themselves.

Grace turned to **legal and administrative issues** informing the meeting of the issues relating to the **Local Searches** provided to most residents (which omitted to mention the significant change made in the 2002 planning approval and Section 106 Agreement). The reference of the issue to the **Local Government Ombudsman** who allowed unchallenged information provided by GBC and decided that whilst there had been an administrative error, purchasers hadn't really suffered (the maintenance charge for the community centre?). He ordered GBC to pay £100 towards QEPRAs expenses. The reference to the **Law Society** who had sought QEPRAs approval to using evidence submitted to the Ombudsman to be used in a case for change it is presenting to Government. A submission to the **OFT** who were investigating developers is likely to be followed up by an interview in the coming months as is an approach from the **BBC** who are considering making a programme alongside the OFT investigation.

QEPRAs had advised the two developers that residents considered that there had been incidents of **misselling** to encourage them to communicate on a range of issues. The individual issues had not been followed up as the issues vary across the estate and can only be taken up by the purchasers affected, possibly through Trading Standards. The existence of these issues was confirmed at the meeting. QEPRAs may be able to help to bring residents with similar issues together if they wish to pursue a claim.

At some point, possibly in the coming year, the developers will **hand over the QE Park Residents Management Company to the residents**. Directors and Secretary will be appointed (purchasers were required to agree to accept such positions) so the transfer could take place very quickly when the developers decide. Work needs to be done to review the implications of this so QEPRAs intends to appoint a sub-committee for the task. **If any resident would like to join the sub-committee, please make contact.**

That completed the ongoing issues, turning to **new issues**.

Concern had been expressed about traffic **speeding on the estate roads** designed for 20mph maximum. SCC had been asked to display signs to that effect but cited cost and likely police objections (unable to enforce) as reasons for not doing it. An alternative proposal involving signs only at the main entrances to the development has been put and rejected for lack of funds. **QEPRAs intends to pursue this in the coming year.**

Residents present raised the lack of road marking at the junctions in Railton Road and Henderson Avenue which are viewed as dangerous. This issue has been taken up with SCC who see no problem. The road markings and signing at the Budgen's/Railton Road were only carried out after two years of pressure from QEPRAs on a goodwill basis and are not fully RTA compliant.

Parking is another issue which causes stress amongst residents. Grace asked residents to park with consideration for their neighbours.

QEPRAs had recently advised residents that SCC were considering experimenting with **one-way working in Grange Road** during forthcoming gas main renewal and that if the traffic successfully found other routes, it would be made permanent. Residents had reacted very strongly against the proposal and discussions since have led to an agreement with the lead SCC officer that QEPRAs will be kept up to date with the proposals for

the traffic management arrangements whilst the gas main works are carried out. If it is decided that one way working offers the best solution during the gas main works and the experiment takes place the restriction will be removed upon completion and whilst the results are reviewed and consultation takes place.

The meeting was asked for its views on a permanent one-way working proposal. There was overwhelming opposition, which confirmed the written submissions received from more than 30 residents who could not attend the meeting. **QEPRAs will question very closely the need for one-way working during the gas main works, will maintain a stance of objecting to a permanent proposal and will keep residents informed as the issue develops.**

4 Treasurer's Report.

As the Treasurer was unable to be present, the Chairman presented her report for the year to 30th June 2007.

In Summary,	£	
Brought Forward from 2005/6	1441.09	
Income	<u>1687.01</u>	
	3128.10	
Expenditure	<u>2333.56</u>	
Balance	794.54	Of which £168.75 is held in the legal fund.

Due to the poor weather on the day, the Summer Fayre (2006) suffered a loss of £664.46 which was covered by a surplus from the previous year.

QEPRAs operated an account on behalf of the Youth Club which remained in surplus throughout the year.

The accounts were approved.

5 Resolutions

Notice had been given of the following Resolution which was put to the meeting.

"That provision be made in the Estate Charge to fund the hosting of a comprehensive website for QEP costing up to £300". *Proposed by the Committee.*

The Resolution was approved unanimously.

6 Election of Officers and Committee Members.

The following were elected.

Chairman: Grace Blake; Secretary: Bill Perkins; Treasurer: Josette Pipe.

General Committee Members: Ritch Ames; Michael Andrews; Colin Bayman; Robin Clinch; John Hamilton-Williams; Mark Harding; Linda Keane; Susie Maguire; Jane Moore; Eve Moreve; Curtis Rambaran; Sharon Stokes.

There were two more nominations than places for General Committee Members but the meeting unanimously agreed that all the nominees should be elected.

7 Estate Management.

Michael Andrews led this presentation and began by showing a slide entitled "Who's Who" to illustrate the roles of the parties involved in managing the estate. He referred to the decision of residents at the 2006 AGM which confirmed their wish that Trinity be replaced as managing agents. Hazelvine Ltd was appointed on the 1st July 2007. The meeting expressed its approval of the change.

The handover from Trinity to Hazelvine had not been smooth. Issues still outstanding included the provision of the final accounts for the year to June 2007, the transfer of reserve funds and the recovery of significant debts

(c£80k). The latter resulted in no funds being transferred to Hazelvine at handover and the continuance of maintenance works is entirely dependent upon residents, the housing associations and the commercial area paying their charges for the current year promptly. It is understood that Trinity's overspend for the year to June 2007 could be as high as £50,000 which they would need to recover.

Residents will be well aware of the problems with the maintenance of the low level lighting and the paths on the Greens. These and a number of other less serious defects were the subject of a claim being pursued with the developers with the object of getting these major defects rectified or compensation paid to cover the cost. Residents may have to decide whether any offer received is acceptable.

In previous years the maintenance of the low level lighting had cost very large sums (up to £25k p.a.) and Trinity had not done any repairs or maintenance since February 2007. Because no funds were transferred from Trinity and because residents and others were slow to pay their charges Hazelvine did not have the funds to bring this lighting back to standard or do any more than essential safety repairs. In due course it will be necessary for a decision to be made whether to bring the lighting back into use. The decision may be dependent upon the outcome of the current negotiations with the developers.

Currently QEPRAs was pushing the QEP Residents Management Company (effectively Laing/Linden) to secure the transfer of the reserves to Hazelvine and to obtain information from Trinity regarding the 2006/7 overspend. The Management Co. director had agreed that when the accounts were forthcoming, he would arrange for a second audit before agreeing that residents should be charged.

It wasn't all bad news though. The Gardening Committee has gained full access to the Redfields staff on site and now had regular meetings with them to monitor what they are doing and agree priorities. They were working together on a 3 year recovery plan to restore the quality of the planting and maintenance generally. For the first time, residents have some control over the work and expenditure. Residents now have a Managing Agent (Hazelvine) who is working with QEPRAs to bring costs back under control and who will work with us.

8 Hazelvine Report, July – November 2007

Parklands Commercial Units:

Previously the commercial users were paying their contribution to an agent, acting for the freeholder, but due to a dispute the funds never reached the management account. Trinity Estates are now pursuing the freeholder through legal channels for those arrears.

We have been attending regular meetings with the commercial users and have agreed that in future we will send the service charge demands direct to them to ensure payment is received. The same meetings are attended by your community support police officers who we are getting to know and building relationships with. This provides us with the opportunity to make them aware of any issues such as graffiti, vandalism and theft that have been reported to us.

Miller Homes:

As the Miller Homes section of the site is nearing completion we have been chasing to ensure that kerbs and paved areas damaged by their large delivery vehicles will be reinstated. We have just received written confirmation from Miller Homes that they will replace any damaged kerbs in the straight section of road from Queensgate to the junction with McDowell Road. Laing's and Linden's are responsible for the remaining roads and kerbs and should be bringing them up to standard prior to adoption by the local authority.

Gardening and Landscaping:

Since taking over in July we have established regular meetings with Redfields, the contracted firm responsible for the grounds at QEP, and the Resident Association gardening committee. We have developed a process for dealing with gardening issues reported by the residents. If action is required, we report details to the committee members, who in turn liaise directly with the gardeners on site to ensure that specific areas in need of attention are seen to promptly. This system appears to be working well as we have had a steady decline in the number of issues being reported to us. The gardeners are doing a good job since taking over from the previous contractor bringing the grounds back up to an acceptable standard.

Additional waste bins and dog bins have now been installed across the site in an effort to ensure the greens stay clean. The gardening committee have discussed the issue of dog mess with the Community Safety Warden and the possibility of using cameras to catch the culprits.

We have instructed the gardeners to create a compost heap on site for leaves only. The benefits will be good compost at no cost, less time off site removing debris and less tipping charges. This has recently been established behind Little Street.

A number of residents have called regarding replanting of barren areas. The gardening committee have been listing areas of the site and we will look to carry out a programme of replanting starting in the spring, as funds permit.

The gardening committee will also be looking with us at individual one-off projects in the future. Items such as re-landscaping small sections or replacing soft landscaping with hard where damaged by constant traffic. As with the replanting these projects will progress as funds allow or possibly sooner through discussion with locally affected residents.

Flats Only - Maintenance Works:

Annesley House

The window frames on the exterior of the building were in dire need of redecoration when we took over in July but reserves for those works were not handed over. In agreement with the residents additional funds were raised and the works were completed in early November.

We have written asking Trinity Estates for the reinstatement of the reserve funds without a favorable response. Residents may want to consider making a direct approach.

Rivett-Drake Close

There have been repeated problems with the bin store doors coming off their hinges and a number of repairs have not resolved the problem. Our investigation found that the structure is not sufficiently rigid. Movement puts pressure on the weakest point, the hinges. We have recently instructed a contractor to strengthen the structure, replace the doors and fix with galvanised hinges. The work is due to be carried out shortly before Christmas.

QEP Summer Fayre

We were very pleased to attend the summer fayre on 1st September and meet some of the residents; it's always nice to put a 'face to a name'. It was also great to see the community spirit that exists on the development. The fayre has been expanding every year and we hope that next year Hazelvine will have a stand of it's own to ensure we are recognisable to anyone wishing to approach us. We would like to offer the opportunity for residents to come and introduce themselves and discuss any issues or interests on the site, face to face.

Financial Report:

As I am sure many of the residents are already aware, when Hazelvine took over from Trinity Estates as the managing agent, there was a large deficit on the account preventing us from carrying out many maintenance issues. Trinity has kept control of chasing those arrears and are now starting legal proceedings against those who have still not paid.

We have now been advised by Trinity that when the accounts for year ending 30th June 2007 are completed there will be a further deficit of £50,000. Following discussion with Tom Amato, director of Queen Elizabeth Park Residents Company Limited, he has agreed to request the full accounts and all supporting vouchers to be sent over so that a review can be carried out by us and your committee.

Electric Gates

Many residents may not be aware that there are two set of electric gates on the site; these are only accessible to 15 residents but the costs of maintaining them is a general cost under the Variable Rentcharge as defined within the Transfers. In our opinion this is inequitable and the cost should be borne by those who use and benefit from them, if not legally, certainly morally. We raise this as we are soon to put in place a maintenance contract on the gates and we want all residents to be aware of what the charge is for.

9 Questions and discussion.

- i) Can Hazelvine be sacked? Nigel Burnand replied that they had a 1-year rolling contract.
- ii) Would Hazelvine let residents know if there was likely to be an overspend? Nigel replied that it was his intention to work within the funds at his disposal which could mean that work was delayed if contributors hadn't paid their charges.
- iii) Regarding the transfer of reserves. Nigel expressed his concern that not all the outstanding sums will be recovered. Trinity had loaned money to fund the ongoing maintenance work and may set receipts against this first. The worst position would be that no reserves would be handed over which would have implications in the future.
- iv) Nigel confirmed that maintenance work on the trees would resume when sufficient funds were available.
- v) Reference was made to the anticipated Trinity overspend in 2006/7. Nigel confirmed that the director of the QE Park Residents Management Co. had confirmed that there would be an independent audit before residents were asked to pay the deficit.
- vi) A resident of one of the Miller Homes asked whether/when they would have to pay the maintenance charge. Nigel replied that residents in occupation should be paying a charge now. Whilst the Management Co. wasn't maintaining their gardens and Green yet, part of their charge related to the overall maintenance of the development. He was currently discussing the issue with Miller Homes and a charge would be levied in due course.
- vii) There was a general discussion about the current relationship with the Management Company and the duties and responsibilities of the current directors who were appointed by the developers.

10 Closure.

Grace thanked everyone for attending and the meeting closed shortly after 10pm.

Bill Perkins
Secretary, QEPRA