

Old Wivenhoe Quay Estate Management Ltd (OWQEM)

Minutes of Annual General Meeting 18 March 2017

Held at the Wivenhoe Branch of The Royal British Legion

The Meeting was called to order at 1601 by Aulay Mackenzie who chaired the meeting.

1 Attendees and Apologies

A register of attendees and address was taken and is available in short form at the end of this document. The three directors (Aulay Mackenzie - AM, Vanessa Potter – VP, Keith Baker – KB) and twenty-two members attended, representing 18 properties.

2 Business

The chair presented an overview of the current standing of OWQEM;

The company's responsibilities are captured in our deeds and are yet to be enacted; as recorded in a 2005 letter between OWQEM and Persimmon Homes.

2.1 Water Feature

AM, VP and KB met with Councillor Julie Young on 03 January 2017 after various emails and phone calls from OWQEM directors and several resident members about the unacceptable state of the feature over the second-half of 2016.

Julie has pressed CBC to bring enforcement action as a breach of the original planning conditions, known as an S106 agreement, and the CBC officer has started this process by sending a statutory notice to Persimmon Homes (PH) instructing them to return the water feature to function as the planning permission. PH have responded that they would like to have a variation in favour of a natural pond which they claim to have working acceptably on other developments. On the 19 February, the officer requested a site meeting and this request has been chased up but no date has yet been set. It is likely to be during a normal working day and it was requested that a resident attend, which might be difficult for the directors due to their own work commitments so another member is asked to volunteer to attend to represent our interests.

If PH do formally request a variation in condition we intend to undertake a due diligence process of the other schemes, including assessment of the water losses, management of still water and frequency of plant clearing out, etc. The cost of maintenance of the current arrangement was discussed, although clearly the level of maintenance hasn't been adequate as demonstrated by experience

In general discussion Bernard Horan reminded all that previously concerns about littering have also been raised and the addition of a course of bricks to trap debris before it gets into the water. It was considered that litter would be even more of an issue for a natural pond.

The chair stated that it is not our decision, we can only influence the CBC decision. The current, in-force, S106 agreement is for a working version of the current arrangement.

Question from the floor: Can we have it turned on over the summer, cleaned and operating, as alternatives are unlikely to happen in a short timescale?

Ans: AM understands that that is CBC's intention to have it returned to service, but from experience, the developer would like to hold-out if a change of use is possible. We will keep pressure on CBC with the assistance of Julie Young.

Question from the floor: What other maintenance is due to be carried out?

Ans: PH have said that they will be repairing the wobbly post and should be painting the posts, chains, etc.

Discussion that at least two recent purchasers have had difficulties with mortgage providers due to uncertainties about the Dry Dock and liabilities generally.

Question from the floor: Can we have a quotation for the proper maintenance of the current installation so that we can consider the future viability for the company?

Ans: We will approach ABCS for a quotation for what they consider is required to correctly maintain the system as they know it.

2.2 Finance

As general reminder and for new members:

10 years (or so) ago Persimmon passed the fees that they had collected from residents before the company had liabilities to us as a residents' management company, this came to approximately £30,000. From this sum the only expenditure has been in fees to meet the Companies House reporting requirements, such as accountancy submission of accounts. We are up to date with our reporting.

3 Any Other Business

No additional matters were raised other than questions already noted.

Meeting Closed at 16:23

Minutes recorded by Keith Baker 25-03-17

Record of Properties represented:

2 Dry Dock
5 Dry Dock
6 Dry Dock
9 Dry Dock
9 Dry Dock
12 Dry Dock
15 Dry Dock
18 Dry Dock
20 Dry Dock
20 Dry Dock
9 Mulberry Harbour Way
46 Old Ferry Road
2 Tern Mews
3 West Quay
8 West Quay
9 West Quay
10 West Quay
21 West Quay
22 West Quay