

Cottesmore Owners Management Company

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MINUTES OF THE COMC COMMITTEE		
HELD ON:	Friday 20 th January 2023	
AT:	22 Kimball Close	
Attendance:	Pete Welsh (Chairman) (13) Jacqui Booth (Secretary) (22) Tim Seal (Director) (35) Rob Mowatt (11) Gary O'Shaughnessy (45) Rod and Gina Waterfield (1)	Sharon Hamilton (10) Nicki Boggis (31) Jamie Mulvany (24) Carl Booth (22) Gill and Mike Barry (21)
Apologies & Declarations of Interest:	Barry Adams (23) Nick Dutton (14)	James Youatt (2)

Notes: Include Proposed / Seconded where required

Issues to Discuss		
ITEM	DETAILS	ACTION
1	<p>Pete first thanked Jacqui and Carl for hosting the meeting and providing refreshments. All others agreed with this.</p> <p>Minutes of Last Meeting 11th July 2022 The minutes were accepted by the meeting. Proposed: Tim Seconded: Gary</p> <p>Matters arising:</p> <ul style="list-style-type: none"> • Loose Inspection covers Rod stated that two of the three 'knocking' inspection covers had been reseated by Anglian Water. The third was the responsibility of RDC and he would continue to pursue the matter with them. Pete thanked him for this. • Apartment block lighting fault. Tim stated that he and Rob had replaced the upstairs bulb and that all was working okay. • Deferred decision re clock tower contribution. Pete stated that this would be dealt with at AOB. • On the same subject Pete then addressed Jamies question at the last meeting re the owners having obtained planning permission needing to consult with COMC before proceeding. Pete stated that Tim had done some research and found that in Schedule 6 of the Management Agreement one of the sections stated: <i>Not to erect or permit any building on the property nor make or suffer to be made any alterations or additions to such buildings (other than internal non-structural alterations) except in accordance with plans and elevations as shall first have been approved in writing by the company such approval not to be unreasonably withheld.</i> 	Rod

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	<p>Jamie went onto say that he had been made aware of this clause in relation to his own property, but that in reality, for him, it was more of a formality than anything else.</p> <p>Following discussion Pete stated even though he wasn't familiar with the condition it had in real terms been more than complied with as several meetings had taken place with the owners both before and after planning permission had taken place.</p> <p>Pete thanked Jamie for raising the matter.</p>	
2	<p>Correspondence:</p> <p>Tim stated that as Director he was currently in correspondence with Barclays regarding their 'know your company' scheme. The scheme aims to show that the bank isn't assisting companies to, for instance, launder money.</p> <p>Tim stated that this was progressing and that he didn't see a need to provide further update at this stage.</p>	
3	<p>Finance:</p> <p>Jacqui stated that the accounts were as follows:</p> <p>Savings account: £6,536</p> <p>Current account: £3,317</p> <p>She also reminded us that we were in a service charge payment period and that 14 homeowners were still to pay.</p> <p>She also stated that all insurance policies were up to date.</p> <p>Regarding Nicki's previous suggestion re changing savings account to possibly generate more interest. Jacqui stated that as interest rates have been rising slightly, she has been working on trying to find a suitable account to move our savings to. This she would complete in due course.</p>	Jacqui
4	<p>Planning</p> <p>Pete stated that there were currently no issues in this area. Two property sales have recently taken place and both have been completed. We are still waiting the arrival of the new resident of number 39.</p>	
5	<p>Website:</p> <p>Jacqui stated that there were no issues regarding the website and that all was up to date.</p>	
6	<p>Maintenance:</p> <p>Grass cutting – Gary stated that he was happy to continue with the grass cutting but asked if his payment could be increased to from £2,00 to £2,100 due to increased costs.</p> <p>He also stated that he would no longer be cutting a small strip of land adjacent to the lay by due to the increased quantities of dog mess in the grass.</p> <p>All agreed with this.</p> <p>Strimming – Rob stated that he was happy to continue with this. Though not mentioned at the meeting during conversation afterwards Rob identified that he</p>	

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	<p>was faced with additional costs in relation to the strimming. It was agreed that Rob should increase his fee by £50.</p> <p>Shrub maintenance – Rob and Pete agreed to continue with this task on a voluntary basis.</p> <p>Weed control – Tim agreed to continue with the spraying where appropriate. Again on a voluntary basis.</p> <p>Green bins – Rob agreed to re-register the two green bins when the date was due.</p>	
7	<p>Report from any meetings attended on COMC behalf: Nothing to report.</p>	
8	<p>Any Issues to report regarding Communal Areas including Block: Apartment block safety check – Tim stated that this was up to date. Pete then raised an issue regarding the fence surrounding the communal field. He stated that it had been brought to the attention of COMC that the short section of the fence surrounding the communal grassed area was rotten and in need of replacement. On inspection this was indeed found to be the case.</p> <p>He went onto say that the repair of a fence adjacent to a property would normally be the responsibility of the owner of the adjacent property. The owner of the adjacent property however stated that on this occasion both the short section of fence in question and also the much longer length of fence leading to behind the row of conifer trees was the responsibility of COMC to maintain.</p> <p>He stated that the owner presented legal suggestions to confirm this. Conversations took place between the owner and the committee and a number of factors dictated that COMC decided to agree to the commitment on a without prejudice basis. They were:</p> <ol style="list-style-type: none"> 1. At the time of the construction the builders were obliged to make good the boundaries. The owner of the adjacent land was a third party and as such neither the builder nor subsequently COMC could, unlike with homeowners and COMC members, transfer responsibility to them. 2. The longer length of fence has previously been replaced by COMC. This has set a precedence which legally we would struggle to negate. <p>The fence was thus replaced at a cost of £810.</p> <p>Pete stated that they did try to confirm the legal stance regarding the matter. This as solicitors say is a grey area and could cost a considerable amount to clarify.</p> <p>Discussion then took place regarding the matter. This centred more on the reason that COMC had previously replaced the long section of fence, rather than our legal responsibility. Several members resident at the time stated that they recalled that the fence had been replaced as a gesture of good will to the then new owner following a request by COMC to purchase the adjacent land.</p> <p>Pete stated that Tim had looked into this and that he could find no written record of this in minutes or similar.</p>	

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	<p>The discussion continued and Pete stated that with regular maintenance the long section of fence should be good for years to come and it was agreed that if we did have to replace the fence in the future that it only need be sufficient to mark the boundary.</p>	
<p>9</p>	<p>Any Other Business: Clock Tower contribution As Gill and Mike Barry, part owners of the clock tower were present, Pete asked if all were happy to discuss the matter in this way. There were no objections and it was felt that Gill and Mike might be able to address any queries raised. Mike started by explaining that they felt that the clock tower was a benefit to the whole estate rather than just themselves. Pete then went onto reflect the results of emails that he had sent to all home owners regarding the matter. He stated that he had received a total of nine proxy votes. Six in favour and three against. Pete then went onto relate some of the reasoning that the proxy voters stated had led them to making their decision. One person in favour stated I am happy for us to make a contribution as I think it benefits all of us even if only aesthetically. Another of those in favour however was concerned that other planned projects on the estate might lose out if funds were spent on this. Those against were concerned that we should not have to contribute out of the COMC savings because if something else on the estate becomes a problem it could then end up with service charges rising. Also that the clock tower does not have an impact on their home and that the houses it relates to should have had the correct survey done before purchasing. Another who was against stated that they felt it was something both residents knew they would be responsible for when they purchased their respective properties and that if the committee parts with funds on this occasion, then it will potentially set a precedent for others to look for funding for any repairs they may have to do in the future. The discussion then continued and concerns were raised by all both in favour and against, much the same as the proxy voters. Gill stated that when purchasing the property the previous owners had stated that the tower had recently been maintained and that all was in order. To have had a survey carried out would have been very expensive so they relied on the account of the previous owners. Further comments were made by members including whether if agreed this might invite others to ask for monies towards their own repairs. Other members stated that this would not be the case as the tower was a heritage item and even described as iconic by one member. The discussion continued and after all had had opportunity to have their say a vote was called. At this point Gill and Mike agreed to absent themselves from the vote. The vote then took place. It was to decide whether COMC should make a contribution towards the new clock tower The total vote, including the proxy votes, was 12 for, 6 against and one abstention. The meeting thus agreed to make a contribution towards the new clock. Pete then went onto invite the meeting to decide the amount that the contribution would be. He stated that the amount that he had mentioned in his emails was a guide and that it could be more or less.</p>	

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	<p>Prolonged discussion again took place and members were mindful of amongst other things, our present assets and liabilities.</p> <p>Members also wanted assurance that by contributing on this occasion that it was made clear that it was a one off payment and that this would not lead to an obligation on COMC to make further payments should the new tower require further work.</p> <p>Pete assured the meeting that this condition would be represented in the minutes and that by making the contribution on this occasion it would not enter us into an agreement of any sorts to make any future contributions.</p> <p>A figure of £1,000 was finally suggested, to be shared equally between the two houses. This was proposed by Rod and seconded by Gary. All were in agreement apart from one abstention.</p> <p>During the various discussions regarding the clock tower Pete had stated to the meeting that he had hoped that his pre meeting emails to homeowners did not indicate an implied intention by COMC and that all were given the opportunity to both vote and have their say. The meeting stated that it felt that this was the case.</p> <p>Finally at the conclusion of the votes Jamie stated that he thanked Pete for his efforts in making the clock tower discussions balanced and fair. All were in agreement.</p> <p>No other additional items were raised and the meeting concluded.</p>	
10	<p>Date of next COMC Committee Meeting: It was decided by the meeting that the day should revert back to a Monday. The date of the next meeting was set at Monday 24th July 2023 at 7pm. Venue 22 Kimball Close,</p>	All agreed