

# The Heights

## AGM MEETING MINUTES

Meeting: The Heights Management Company (High Wycombe) Limited

Date: 26<sup>th</sup> November 2019

Location: High Wycombe Cricket Club, London Road, high Wycombe, HP11 1DE

Present	Initials	Apologies	Initials
C Lenton, Lenton & Associates (Company Secretary)	CL		
A Mitchell (M3 Property Partners Ltd), 33 Peatey (D)	AM		
P Danks, 36 Priestley (D)	PD		
R Pugh, 31 Princes Gate (D)	RP		
A Dickson, 14 Melissa	AD		
D Dickson, 15 Melissa	DD		
Properties of Matter Ltd, 17 Melissa, 86 Peatey, 4 & 16 Priestley	PoM		
S Miles, 17 Peatey	SM		
F & M Saiyed, 26 Peatey	FS		
A Chantler, 34 Peatey	AC		
G & J Huntingford, 39 Peatey	GH		
S Burney, 44 Peatey	SB		
A Wright, 52 Peatey	AW		
P Yates, 60 & 83 Peatey	PY		
J Mitchell, 69 & 123 Peatey	JM		
G Galdies, 116 Peatey	GG		
J Lyle, 8 Priestley	JL		
Neil Kurz, Neil Douglas	NK		
Chris Ward, Neil Douglas	CW		
Katherine Sutton, Neil Douglas	KS		
William Dobbie, Neil Douglas	WD		

\*\* (D): Director of The Heights Management Company (High Wycombe) Limited.

No	Agenda item
	<p><b>Open / Introduction:</b></p> <p>Meeting opened at 19:02</p> <p>CL welcomed all present and explained the format of the meeting. CL ran through the apologies received and noted the received proxies from three members.</p>
	<p><b>Declarations of Interest:</b></p> <p>CL asked the current Board if they had any declarations of interest to note. All Board members confirmed there was no interests to declare.</p>

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No	Agenda item
1.	<p><b>Approval of 2018 AGM Minutes:</b></p> <p>CL advised the minutes of the 18<sup>th</sup> Annual General Meeting held on 2<sup>nd</sup> October 2018 were included within the documents calling the meeting. CL asked if there were any queries with the minutes. No queries raised.</p> <p>CL asked if the minutes could be formally approved by a show of hands.</p> <p>The minutes were received unanimously.</p>
2.	<p><b>Matters Arising:</b></p> <p>It was agreed there were no matters arising that were not covered by the agenda for the current meeting.</p>
3.	<p><b>Directors Report:</b></p> <p>CL invited the Directors to provide a management company report for Ye 31<sup>st</sup> December 2018.</p> <p>AM noted:</p>
4.	<p><b>Receipt of Accounts:</b></p> <p>CL advised copies of the year end 31<sup>st</sup> December 2018 accounts were included within the documents calling the meeting. CL asked if there were any queries with the minutes. No queries raised.</p> <p>CL asked if the accounts could be formally approved by a show of hands.</p> <p>The accounts were received unanimously.</p>
5.	<p><b>Appointment of Accountant:</b></p> <p>CL noted Neil Douglas had proposed to use Flat Management Co. Accounts Limited as the accountant for the Company. It was noted they would charge around £900+Vat for the preparation of the end of year accounts.</p> <p>It was briefly explained the history of the service provided by Warwick Estates (previous managing agent) where it was felt service levels were poor, administrative problems, not responsive and acting in own interest rather than their clients.</p> <p>CL asked if Flat Management Co. Accounts Limited could be approved by a show of hands.</p> <p>The proposed accountant was approved unanimously.</p>
6.	<p><b>Appointment of Company Secretary:</b></p>

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	<p>Directors noted the good work completed by Lenton &amp; Associates on behalf of the management company and proposed to re-appoint them as Company Secretary for the next Company financial year.</p> <p>It was asked if Lenton &amp; Associates could be approved.</p> <p>The proposed Company Secretary was approved unanimously.</p>
7.	<p><b>Appointment of Directors:</b></p> <p>CL noted there were no nominations to stand as Director received in advance of the meeting. It was asked if anyone present wished to stand. None present wished to stand.</p> <p>CL proposed the re-election of the following members who are eligible to offer themselves for election to the Board:</p> <ul style="list-style-type: none"><li>- Paul Danks</li><li>- Rachel Pugh</li><li>- Alan Mitchell (representing: M3 Property Partners Ltd)</li></ul> <p>It was noted there were previous criticisms with regards to communication with Leaseholders, and resident liaison, throughout the year. The Board confirmed they were working with Neil Douglas to improve this and took on board the previously provided feedback providing assurances this would improve.</p> <p>CL asked if those proposed for re-election could be approved.</p> <p>The proposed members were approved unanimously.</p>
8.	<p><b>Managing Agent Statement:</b></p> <p>CL invited Neil Douglas to provide their managing agent statement.</p> <p>CW read from a pre-prepared statement as follows:</p> <p><i>Neil Douglas were pleased to have been appointed by The Heights Management Company (High Wycombe) Limited on 1<sup>st</sup> January 2019 to manage The Heights development. We have spent the last 11 months completing the handover of the development from the previous agent, ensuring we are up to speed on the development and working through an inherited list of outstanding items while dealing with any new issues that arise.</i></p> <p><i>Neil Douglas regularly inspect the development to pro-actively highlight and deal with any issues that may arise as well as monitor for deterioration. We liaise regularly with the Directors to agree priorities for the development and discuss any concerns as they arise.</i></p> <p><i>Regarding maintenance, we have arranged the below during:</i></p> <p><b>Financial Period: 01 January 2019 - Present</b></p> <ul style="list-style-type: none"><li>• <i>Changing of grounds maintenance contractor</i></li><li>• <i>Implementation of weekly bin store cleaning &amp; sanitation</i></li><li>• <i>Ongoing bulky waste removal</i></li></ul>

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	<ul style="list-style-type: none"><li>• <i>Aco drain clearance, repair &amp; replacement</i></li><li>• <i>Gutter cleaning &amp; repair</i></li><li>• <i>Draft of planting plan and general estate tidy-up</i></li><li>• <i>Window cleaning</i></li><li>• <i>Fire and Health &amp; Safety Risk Assessment</i></li><li>• <i>Completion of high priority remedials from the Fire and Health &amp; Safety Report</i></li><li>• <i>Resolution of various roof leaks</i></li><li>• <i>Liaising with Councils re: missed waste collections</i></li></ul> <p><i>We will continue to ensure the development remains compliant with focus being on the safety and well-being of residents. On inspections, communal areas are monitored for items which may cause an obstruction or fire risk and we liaise with residents to have these promptly removed. We do rely heavily on the feedback from residents and encourage you to report any maintenance items as and when you observe them to ensure we can arrange for them to be swiftly addressed.</i></p> <p><i>There are some future works imminently planned which include:</i></p> <ul style="list-style-type: none"><li>• <i>Planting plan for development - £500 grant from Bucks County Council</i></li><li>• <i>Refurbishment of bin stores – Estimated to be completed Q1 2020</i></li><li>• <i>Entrance Areas – Ongoing works to clear &amp; tidy the entrance areas to site</i></li><li>• <i>Recycling – Liaising with Councils re: implementation of recycling facilities</i></li></ul> <p><i>We would like to thank the Directors as well as all owners and residents for their support since handover and we look forward to working for both them and for all Owners in 2019/20 to ensure the development is maintained to a high standard while remaining a pleasant place to live and invest.</i></p> <p><i>CW advised that KS would now read from a pre-prepared statement to cover the current financial position of the management company.</i></p> <p><i>KS read from a pre-prepared statement as follows:</i></p> <p><i>As of 31<sup>st</sup> October 2019, The Heights Estate now has a current account bank balance (not including reserves) of £67,406.28. This allows for any necessary works to be completed promptly and without issue, the Management Company will look to continue to build towards accruing reserves to ensure the long-term maintenance of the development can be completed in accordance with title documents. As of YE 31<sup>st</sup> December 2018, there were £156,084 held in reserves.</i></p> <p><i>Neil Douglas liaise regularly with Directors to discuss all Management Company financial, maintenance and legal concerns. We also supply the Directors, every month, with a statement of all income and expenditure to ensure the development is managed in a financially transparent manner.</i></p> <p><i>There has been good success with the recovery of service charge arrears since Neil Douglas took over management where the inherited arrears sat at just over £38k in January 2019 and, as of 31<sup>st</sup> December 2019, there are now £5,514.02 worth of arrears.</i></p> <p><i>I will now read from a pre-prepared statement with regards to the 2020 service charge apportionments and schedules.</i></p>

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	<p data-bbox="277 277 963 309">KS read from a further pre-prepared statement as follows:</p> <p data-bbox="277 347 1390 519"><i>Since Neil Douglas took over the management of The Heights (High Wycombe) Management Company Ltd, we have been aware that the apportionments of service charges historically have been incorrect and in breach of the lease. We do not know when the apportionments were varied from what was stated within the lease, and there is no paper trail of this, as per the covenants within the lease and TP1 documents of all properties on the development demand.</i></p> <p data-bbox="277 560 1390 692"><i>As such, myself and Alan Mitchell, have spent a length of time working out the appropriate way for the apportionment of the service charges. We explored various options which included basing them on the lease stated apportionments, council tax bands, square footage of properties and number of bedrooms.</i></p> <p data-bbox="277 732 1390 1149"><i>We quickly ruled out the apportionments per the lease, as there was no logic to the way these worked, these apportionments could not be deemed fair across the estate due to the variances within the leases, for example, a number of 1 bedroom properties had a higher percentage contribution than the largest 2 bedroom flats on the estate. While the idea of basing the service charges on square footage per property would be an ideal one, this would not be viable without an in depth survey of every property on the development to ascertain the exact square footage of each dwelling, and although we had original plans to work off, it could not stand up should there be any challenge. We decided that basing the demands on number of bedrooms was the best way forward and had the best correlation in terms of number of people per dwelling making use of the communal areas. This correlated with the use of council tax banding. The variance between all these options can be seen on the slide, where a random selection of properties was used to compare each option.</i></p> <p data-bbox="277 1189 1390 1256"><i>Moving forward we intend to divide the budget into 5 schedules. One estate schedule to which all properties will contribute an equal proportion. This will include:</i></p> <ul data-bbox="325 1299 1390 1686" style="list-style-type: none"><li><i>• Company expenditure such as Company Secretary fees, accountancy fees, Companies House Confirmation Statement fee, postage, etc.</i></li><li><i>• Directors &amp; Officer Insurance</i></li><li><i>• An apportionment of grounds maintenance, relating only to the areas that affect all properties</i></li><li><i>• Professional fees (which will be limited only to any items that all properties should contribute toward).</i></li><li><i>• There may be a small contribution due toward general maintenance and repairs, however we are currently investigating whether there are any boundary items that would fall to the whole management company rather than individual blocks or properties.</i></li></ul> <p data-bbox="277 1727 1390 1794"><i>The other 4 schedules will relate to each block individually, and will include all maintenance items that relate to the blocks, including but not limited to:</i></p> <ul data-bbox="325 1836 1187 2011" style="list-style-type: none"><li><i>• Grounds maintenance of the areas within the boundary of the blocks</i></li><li><i>• General maintenance and repair works</i></li><li><i>• Bin store maintenance, including cleaning and sanitation</i></li><li><i>• Health and safety compliance</i></li><li><i>• Utilities</i></li></ul>

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	<ul style="list-style-type: none"><li data-bbox="325 241 608 275">• <i>Buildings insurance</i></li></ul> <p data-bbox="277 315 1390 483"><i>Further to this, the management fees will be apportioned across all schedules so that the per property amount does not exceed what each property should pay. Each schedule will also have its own reserve contributions. Currently, we do not anticipate there to be a reserve contribution across the estate schedule due to the current level of funds being held, however this may change in the future should The Company deem it necessary.</i></p> <p data-bbox="277 524 1390 658"><i>By separating out the blocks to their own schedules, it means that funds are not being spread across the development, therefore the funds you contribute toward service charges will only affect areas that you have use of. For example, under the current regime, funds contributed by Melissa Court for general maintenance, may end up being used by Peatey Court, or vice versa.</i></p> <p data-bbox="277 698 1390 904"><i>In terms of the apportionments per property, this varies across the estate due to the varying number of properties in each block. As noted previously all properties will make an equal contribution toward the estate items which works out to be 0.4673%. The covenants within the TP1 documents of all houses on the development state a “fair proportion” is payable. The simplest way to work out a fair proportion is to have all properties contribute an equal amount toward the items that all properties will utilise.</i></p> <p data-bbox="277 945 1390 1151"><i>Each flat in Priestley Court, Melissa Court and Ashdown Court will make an equal contribution toward their respective schedule as all properties within these blocks are 2 bedroom properties. Peatey Court has a variance of 1 and 2 bedroom properties and we therefore propose a 15% difference between the 2. (i.e. 2 bedroom properties will pay 15% more than the 1 bedroom properties). This was the fairest way to work out the apportionments and we hope that you all agree with this.</i></p> <p data-bbox="277 1191 1390 1326"><i>The lease requires us to provide notice in writing of any variation to the apportionments, and we intend to have this issued within the next 2 weeks to all leaseholders. We will include an explanation of our reasons for doing this, and the change in apportionments will be implemented within the 1st January 2020 demand.</i></p>
9.	<p data-bbox="277 1373 347 1406"><b>AOB:</b></p> <p data-bbox="277 1447 1390 1507">CL noted there was no formal AOB raised in advance of the meeting and asked if there were any items any present members wish to raise.</p> <p data-bbox="277 1547 1390 1753">CW &amp; NK discussed enfranchisement (purchasing of Freehold) along with the requirements needed and how this could impact or benefit various property owners depending on what their long-term plans were with their properties. It was noted that Neil Douglas would not be involved in the process and would be for interested Leaseholders to collectively pursue – there are x2 Freeholds for the development. Neil Douglas agreed to send an initial letter to gauge interest and outline the potential benefits.</p> <p data-bbox="277 1794 874 1827">No further AOB was raised under the formal AGM.</p>
	<p data-bbox="277 1865 360 1899"><b>Close:</b></p> <p data-bbox="277 1939 708 1973">CL thanked all present for attending.</p> <p data-bbox="277 2013 564 2047">Meeting closed at 20.16</p>

# *The Heights*

No	Agenda item