



NOCTON PARK MANAGEMENT LTD

Helping to make Nocton Park a better community!

**NOCTON PARK
MANAGEMENT LIMITED**

Company Number: 02335481

MONDAY 04 APRIL 2022 7.30pm

**REPORT FROM
THE BOARD MEETING**

A) PRESENT

➤ Directors:

- Mrs ALISON COOKE (Chair of the Board) **(AC)**
- Mrs JULIE WALLHEAD **(JW)**

➤ Managing Agent:

- Mr SIMON BAXTER of SR Baxter Business Consulting **(SB)**
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B) AGENDA ITEMS

1. Confirmation of the resignation of Nick Kay as director - any discussion on encouraging new director

I was confirmed by SB that Mr Kay had resigned from the Board and that the resignation had been reluctantly accepted by the Chair. SB confirmed that Mr Kay had decided to resign due to work commitments and not being able to spend as much time on the role of Director as he thought was needed.

SB confirmed Companies House had been updated with the resignation.

The Chair wished to place on record the thanks to Mr Kay for his work.

In regard to the vacancies on the Board, the Chair restated that they would welcome any applications from the local community but would be conscious of the right person.

It was noted that there had been applications from two former directors of the Board who had expressed an interest to rejoin the Board. There was a detailed discussion on the merits of having more human resource to share the Directorial work but also the need for all members to have a good working relationship. It was felt that as the community had voted for a change in leadership of NPML in the EGM last September it would not be appropriate to go back to previous board members, and thus the Board decided to decline the applications.

The Board asked SB to write to both individuals to make them aware.

2. Finance Update on month end and statements

SB stated that the risk of insolvency which was feared in November 2021 due to the financial position had been lifted due to the upturn in receipts.

The Board agreed that the financial position of NPML was far healthy than the end of 2021 and that the Board could now plan with more confidence major projects for the community.

SB updated the Board on the financial position as of the end of March 2022. He noted the following:

- i) All debts (over £10) for 2021 EMC had been paid apart from three: one was £83 but paid into the wrong account, and then there was a debt going through the courts and another for circa £3k going through debt recovery process.
- ii) There was £31,413 owed for EMC for the 2022 and there was 41 properties that had not made any payment in 2022 for EMC
- iii) The bank account now was back within a comfortable range of acceptable level for day to day operations

3. Debt update on 2021 and discussion on process for 2022 debts

SB stated that all debts from the EMC 2021 (bar three) over £10 had been paid. It was expected that one of the debts would be paid to NPML within a few days as it was paid to the previous Managing Agent. The remaining two are either in Court action or the formal debt recovery process.

The Board stated that it was good news that the debtors for 2021 had mostly been resolved.

In regard to the 2022 year, SB stated that there was 41 properties that not made any payment in 2022 and there was numerous others of which their payment in 2022 actually paid 2021 debts. SB stated that for the Shareholder properties, technically their payment of EMC is only due on the 01 April (for 50%) and 01 October (for remaining 50%). The PS properties are obligated to pay 14 days after receiving a formal Notice of Charges.

SB recommend that from a review of debtors for 2022 should be made - with the previously agreed three stage process: i) polite request and statement, ii) more detail reminder with firm details of charges outstanding, iii) formal final reminder.

The Board agreed on the recommendation by SB and asked to start the process to ensure that it is more proactive than 2021.

4. Update on a Nocton Park resident Court Case

SB re-confirmed that the Court Hearing on the 29 March 2022 was unfortunately vacated due to Judicial availability - it was expected to be 3-4 months before a hearing was scheduled. SB did confirm that a formal application for a summary judgement was submitted as it was felt that the defence of the claim was baseless and had no prospect of success. SB stated that once any update was heard he would update the Board.

The Board confirmed the frustration felt but agreed that a summary judgement approach was the best way forward.

5. Update on contractor Court case

SB confirmed that a formal reply had been made to the claim by a contractor against NPML. There had been no reply on the offer of mediation to settle the claim. Until a formal reply is heard no work can be done on this defence.

6. Grass and Arboricultural Contractor - including works included (non NPML areas)

SB confirmed that WELTON TREE SERVICES was appointed as the new Grass Cutting and Arboriculture Contractor for NPML. The first grass cut would be booked during mid April and the major tree and

arboriculture work would in late spring. This would include the tree work as well as the work needed on the back of 44a Wegberg Road.

The Board confirmed that when the days for the tree work was booked, a full day would be scheduled to ensure that value of money for NPML was received.

The Board also discussed the issue raised by some members of the community - in that some areas of the Park not under the responsibility of NPML will not be cut by the new Contractor. The recognised that this may be controversial but that they had a responsibility to ensure that the funds of the NPML were used for NPML responsible areas as otherwise it creates a liability should anything happen.

The Board did state that the adopted areas are the responsibility of the Parish Council and Lincolnshire County Council - the community have a right to expect the Parish Council to manage these areas as they pay their precept for this.

7. Cleaning Contract

The Board confirmed that the decision to give notice to AJ Nichol as the cleaning contractor for the Flats had been taken as desire to redress the continual issues that the Board had faced from the residents of the Flats. SB confirmed that Mr Brooks had accepted the offer of the contract from the Board following his submission of the quote of costs. It was confirmed that once the notice to the former contractor had been confirmed, that Mr Brooks would be asked to start his contract.

SB agreed that Mr Brooks would be updated and that a notice on the website would be placed.

8. Play park works following quotes

SB confirmed that the order had been made with Online Playground for the work that the survey inspection had documented as needing work. The pro forma had been paid and it was hoped that the initial lead time of 10-12 weeks would be shortened for the work.

It was agreed by the Board that the flooring of the playwark would be replaced next year with the rubberised flooring and not use the bark. The cost and schedule would be agreed later in the year.

9. Update of Flats works for Insurer

SB confirmed that the insurer had been informed of the works completion that were requested which were noted in the survey report of the flats. The insurance broker confirmed that the insurer had confirmed the original terms of insurance would be reinstated and that they are content to take the word of the Board.

10. Flats works - soffits and facias including S20 consultation

The Board agreed that the next project for the Flats would be the soffits and facias. This had been on the agenda of the various Board administrations for a while. SB confirmed that the cost would require a Section 20 consultation with the lease owners due to the cost. The company that undertook the cracks work will be invited to quote as well as other contractors.

SB recommended to the Board that around mid-May to start the S20 consultation with the intention of the contractor appointed getting the work done in late Autumn.

Board agreed that this was the right approach and that in the initial point NPML would pay for the cost and then seek the cost reimbursed by the lease owners, but it was recognised that it may not be straightforward.

11. Capital Works considerations

The Board discussed the capital works that needed to be considered for undertaking but felt that they needed to ensure the financial foundation of NPML was controlled first. It was felt that the priority of the list has to be the soffits and facias of the flats, and then followed by the work on the beck area and the roadway near the Akrotiri Square. This was in addition the play park work already under project.

The Board asked SB to start to prepare the soffits and facias works project with necessary tender work.

12. Allotment lease discussion

The Board confirmed that there had been discussions with the Committee of the Nocton Park Allotment Association. It was agreed that the format recommended by SB was the way forward and that they all had agreed that there were a few issues that still had to be addressed - such as the work on the beck area, the insurance coverage and the contribution by the NPAA. The Board agreed that they needed to iron out the smaller issues but were confident that a formal lease could be agreed in due course.

13. New property EMC considerations

There was a discussion by the Board on the appropriate consideration of EMC for any new properties in Nocton Park - but especially on the properties on shareholder unadopted roads. It was agreed that it had to be fair to the current shareholders that if any new house were built using roads managed by NPML, that this would mean that the property owner should pay the full shareholder charges.

In regard to the current sale of the garden area of a property on shareholder road, it was agreed that once the planning permission was fully granted the owner would be given a small grace period but then would be expected to pay the pro rata of the EMC for that year. They would however get a formal share in NPML.

14. Defibrillator consideration

It was confirmed that there had been a request for a Defibrillator to be installed at the Flats in NP after a donation of funds from the Nocton 200 Grants fund. The request was that the actual defibrillator would be on the flat walls but use the electricity feed from the flats.

The Board decided that the defibrillator could be placed on the Hallside Block of Flats - it will be on the wall facing the carpark. This will allow the electrical feed to run to the communal area.

The Board asked that SB to contact all the Flats to let them know of the decision of the Board and the placement of the defibrillator.

15. Website update and thoughts

It was agreed by the Board that the work recently undertaken on the website had been very successful and it was far more useful now for the community and the Board. The innovation of the 'Board Updates' allows the Board to get updates out to the community and ensure they have up to date information on considerations of the Board and the works planned, and undertaken.

It was agreed by the Board that the Reports from the Board Meetings (once they had been reviewed for confidentiality items) would be posted on the website.

Meeting was closed by the Chair at 9.05pm.