

SAXON REACH (NO.1) MANAGEMENT LIMITED

MINUTES of the Annual General Meeting of the Company held on the 2nd November 2024 St Nicholas Church Hall, Middleton-on-Sea at 10.30 a.m.

PRESENT:

Chairman	-	Mr Tim Andrews	(17 Douglas Close)
Directors	-	Mr Dave Williams	(31 Normand Way)
	-	Mrs Claire Wood	(12 Thompson Road)
	-	Mr K (Bernie) Alphonso	(2 Freya Close)
Secretary	-	Hobdens Property Management, Mrs Jade Steadman	

Members Represented:

Mr Marston	14 Douglas Close
Mr Jon Gabriel	15 Douglas Close
Ms Scowen	16 Douglas Close
Mrs Andrews	17 Douglas close
Mrs Foley	19 Douglas close
Mr & Mrs Goodall	23 Douglas Close
Mr Lovelock	1 Freya Close
Mrs Alphonso	2 Freya Close
Mr & Mrs Kempson	5 Freya Close
Ms Harwood	3 Norman Way
Mr & Mrs Hill	4 Norman Way
Mr Dave	5 Norman Way
Mr & Mrs Gaffney	8 Norman Way
Mrs Yarham	9 Norman Way
Mr Seed	2 Norman Way
Mr & Mrs Mayger	23 Norman Way
Mr & Mrs MacKenzie	29 Norman Way
Mrs Williams	31 Norman Way
Mr & Mrs Mackenzie	35 Norman Way
Mr & Mrs Smart	43 Norman Way
Mr & Mrs Smith	4 Thompson Road
Mr & Mrs Cawson	8 Thompson Road
Ms Tricia Gore & Leslie	Thompson Road
Mr & Mrs Wood	12 Thompson Road
Mrs Gurney	18 Thompson Road
Mr & Mrs Tate	5 Douglas Close
Mr P J Body & Ms S M Woeckel	36 Thompson Road

1. Apologies:

Mrs Marston (14 Douglas Close), Mr Murphy (10 Freya Close), Mr & Mrs Snapper (6 Douglas Road), (2 Douglas Close), (8 Douglas Close), Ms Onslow (11 Douglas Close), Mrs Collis (18 Douglas Close), Mr & Mrs Jolly (20 Douglas Close), Mrs Dennis (7 Douglas Close), Mrs Miller (4 Alfred close), Mrs Sharpe (32 Thompson Road), Mr & Mrs Kelsh (4 Freya Close)

2. CHAIRMANS REPORT & MINUTES of the previous meeting

There were no comments from the previous meeting minutes.

Tim Andrews delivered the directors update covering the following points;

Budget Position:

- 115 x £315 service charge = £36.2k revenue for 2024

As at 15 October finance snapshot:

- Actual spend at 10 months on track to profiled budget at £34.2k to within £22. Important to note this also includes a number of additional, higher/unexpected costs (ie play area, Insurances, Gate repairs)
- Funds available: £81.8k, of which £55.3k in Aldermore reserve leaving £26.4k (of which £9.7k in service charge spend for last 2 months, incl £3k to reserves), therefore £16.8k free to spend/invest. Nb Aldermore reserve with interest now at £56,151.00
- Next year 2025 service charge annual increase suggested at <3% + £10 to £325

Done in year to date and where the money has gone:

- Replaced Freya Close hedge;
- Tree surgery to - Rose Ave, Eleagnus at East Flats carpark, Alfred Close Birch trees;
- New uplighting installed to gate corner border, timer and light switch and new distribution box installed;
- New landscape border in green facing the gates (work in progress ~ £4k);
- Sea Green grass specialist treatment effective;
- Replaced worn parts of the gate next to the main entrance gate & gate maintenance;
- Repaired and painted 2 sea facing benches;
- Back foot ramp to East Flats gate temporary repair;
- Drain clear and 1 sweep done, 2nd being booked;
- Estate H&S Report by independent done - minor surface areas round drains identified. Low risk;
- Playground work completed - new swings and chains, other equipment repaired, 1.5tons of new rubber mulch laid. Don't propose any more cost outlay;
- New oak Parish Noticeboard bought. Installed free of charge;
- Defibrillator Grant Application made in October to British Heart Foundation for 24/25 cycle;
- Usual reminders for visitor parking and vans done;

To Do in 2025:

- Rose Avenue poplar type trees are an issue. 2 sets of tree surgeons have now recommended the older 23 trees removal due to age and rot. Risk of collapse. Other younger shorter 15 trees could be trimmed back. Suggest cut at 5 foot, leave to resprout over time. Advice is not to remove entirely as grinding out will cause damage to road and fencing;
- Redo white road markings;
- Suggest remove 2/3rds of clump of hedging at substation. Leaving existing 3-foot-wide hedge at front and freeing up car parking area behind. Backfill with poly hexagonal tiles and pebbles;
- Paint railings and gate onto Rose Avenue;
- Replanting and grass receding to border at East side flats carpark next spring;
- Tidy rear of Norman Way car park.

Be aware:

- Back foot ramp at East Flats gate to Rose Avenue will need replacing with a proper build at some point;
- May start to need some tarmac patching as starting to see wear coming through at various places throughout the estate;
- Request and reminder made to Environment Agency to reinstall shingle trench.

3. ACCOUNTS

The accounts for the year ended 31st December 2023 were adopted by a majority vote with the following comments.

Mr Lovelock raised that he had been under the impression that £3000 was to be transferred to the reserve but only £2120 was transferred according to the accounts. Tim looked at this and advised this is the way that fund moves are documented by Hobdens but this will be checked on the bank statements and he assured that he had moved £3k into the Aldermore account.

4. DIRECTORS

- Tim Andrews stood down by rotation but stood for re-election – Majority vote received to re-elect Tim. No against votes.
- Dave Williams stood for election after being co-opted onto the Board earlier in the year – Majority vote received to elect Dave. No against votes.

Tim mentioned that to operate the company we need a minimum of 2 sitting directors, without this minimum the company dissolves and control is handed to 'the crown'. It is a volunteer role and he encouraged residents to consider joining the Board.

5. TO RE-APPOINT ACCOUNTANTS

The accountants, Botting & Co, were reappointed and the directors confirmed they had been happy with them to date and found the accounts produced simple and easy to read.

6. ANY OTHER COMPETENT BUSINESS

- a. **Thanks to the board** – Mr Marston raised that he was sorry to hear some directors had been approached with aggression over their term. He wanted to raise thanks for the volunteer work they do.
- b. **Companies House** – Mr Lovelock raised that Bernie does not appear to be listed as a director on Companies House, Jade to follow up with Companies House.
- c. **Trees on Rose Avenue** – Mr Mayger noted that during the summary of the trees on Rose Ave he had some thoughts. His boundary is closer to the house than the others, he tends to cut his trees down throughout the year, last time he cut down to around a foot over fence height this is to keep the lawn healthy and stop moss growth. He had noted that a lot of these trees are in a poor state, the trees are bowing into the road and often being knocked by large vehicles. Dave Williams added that when he looked at these recently a lot are hollow and there is a real danger of them falling. Tim advised he will write to all residents affected in Norman Close. From a tree surgeons point of view, it will probably be easier to get it done whilst the leaves are off.
- d. **East Flats Car park gardening** – It was asked what the plans are for the East carpark. Ms Kempson said that when the eleagnus bushes were cut down the area looked dreadful and has remained so. The spec to the tree surgeons was to cut it right down but not to remove the roots. This area was very overgrown and couldn't just be pruned, we could have dug it all out and started again but Tim thought establishing new plants in this area due to the wind would be very challenging. Some other areas that were earlier cut had come back and are now a nice shape. Tim noted that it will look rough for a while until it is able to be shaped. There would be further planting and grass reseeding done in time for spring.
- e. **New hedge at Freya Close** - a lot of weeds were noted by Freya residents in the new hedge border. Tim advised as it was a risk area because of the wind, this particular hedge was chosen as it has been used in other areas around the estate and is wind and salt hardy. Smaller, cheaper griselinia plants were bought at a discounted rate and he had put in the wind break to try and protect them at the west end which seems to be working. The weeds had been left as a micro climate protection and protected the plants from being pulled out. The roots of the weeds are helping to bind the soil and keep the plants secure in the ground. Alex advised that the weeds can be removed but it will weaken the root hold of the plants. Tim acknowledged it was messy at the moment but it will help to protect the plants and it can then be fully weeded in Spring. If the weeds are taken out now it further risks the plants not surviving the winter storms.

- f. **Alex Hoare – gardener** – Thanks given to Alex for work on hedges in Norman Way. A resident mentioned they had pointed out other areas to Alex that need attention but he doesn't have time at the moment. It was asked if his hours could be increased given that we have a healthy fund. Tim noted the gardening contract is worked out on a model of 164 hours per year, with longer days worked in the summer. This year Alex only managed 142 hours due to bad weather. However, he has been tackling things this year that no other previous gardeners have managed to get to. We are open to him doing more hours so long as he can fit them in. He comes at a reasonable rate compared to other gardeners. The Board had asked him through the winter to be on site every other Weds. In May and June he will be there weekly, which is an increase on last year to help him to keep on top of hedges, grass etc during the peak growing period.
- g. **Front green landscape work** – It was noted that some people weren't aware of the planned improvements now underway. It was asked how can people be made aware as some residents might have wanted the monies to spent elsewhere. Tim advised that the Board is setup so that we have the AGM meetings annually and the Board meeting in April is now also open to residents. This gives direct input from residents for ideas/suggestions every 6 months. AGM minutes are circulated and Board minutes posted to the noticeboard. The landscaping issue was raised at the 2023 AGM and a vote was taken at the April 24 open meeting. If a paper vote were taken by correspondence this inevitably would take extra time, raise new issues and can be hard to gain a consensus. Claire reminded there is also a new noticed board and everything that is discussed at meetings is put on the notice board, the point has been in talks for 2-3 years. It was asked how long the diagram has been in the notice board, Tim advised that it was recently added to the notice board.
- h. **Website** - Following on from the above, Dave added that the Board had realized that perhaps some people hadn't been regularly reading the notice board updates. Directors wanted to reach people on as many channels as possible. We will be designing and creating a website which will have all relevant estate information and will make it easier to update residents.
- i. **Sea safety** - Mr. Martson asked if the Board have any view of how safe the sea is in terms of sewage and how are the new houses at Ancton going to affect this. Tim advised he has seen testers regularly down at the sea and our beach gets an excellent quality rating. Tim advised the Board aren't asked directly for their opinions about type and volume of planned housing and it would be the responsibility of individuals to raise concern.
- j. **Covenants relating to residential use** - Mr. Lovelock wanted to mention the covenants and in particular the 4th Schedule, paragraph 4 in relation to not using a property for anything other than residential purposes. Mr Lovelock said he was concerned to hear a clinic was now open opposite his house. This was not brought up at the last AGM as he expected it to have been. Mr. Martson asked what he means by a clinic. Claire (the owner of the property in question) advised

that she will leave the meeting at this point. Tim responded to Mr Lovelocks opening remarks, firstly by asking him to clarify that he was raising a complaint in that Claire was running a business from her property. Mr Lovelock said he was raising a concern to the Board that the covenant was not being followed as his view was that running any business from a property was not allowed. He was further of the opinion that this business was bringing vehicles to the estate and as he looks directly outside of his property and sees the traffic, it was disturbing him and his wife. Tim asked, where did the covenant state specifically that a business cannot be run on the estate. Mr Lovelock repeated para 4 referred. Tim declared at this point a conflict of interest as his son works from a summer lodge in his back garden, is self employed and runs his own film editing business and he does have occasional visitors for meetings. He also noted there were other residents who also run a business such as accountants, dog groomers etc who also have visitors. Tim asked why these would be acceptable, given Mr Lovelock had failed to mention them and only singled out that business run by Claire. Tim also stated the covenant does not specifically say a business cannot be run. The Board had, in reviewing a set of Terms of Reference, had legal advice that this para 4 term could not be relied on to exclude running a business in Saxon Reach. Tim also noted that Mr Lovelock was of the opinion that working from home was ok, but questioned why this was apparently acceptable as technically it too fell within his interpretation of the para 4 covenant. Tim added he felt that the level of traffic was being exaggerated in his complaint. Tim also advised (with the express approval of Mr & Mrs Wood to disclose) that a complaint had been made this year to the council about the running of Claire's business. The council had carried out various testing in this regard and had reported that there was no detrimental impact and that she was free to continue. Tim asked the attendees if anyone else shares these concerns. Mr Marston asked if Claire was given notice that this would be raised. Tim advised he was aware this was likely to be raised and had let Claire know in advance. Mr Marston added he felt this was an unfair forum to raise this. Mrs Cawson raised that she lives a few doors down from Claire and walks past regularly and has never noticed any unusually increased traffic. It was raised that 'working from home' was not generated by covid and has been ongoing for years before. Paul Body advised that his understanding was that you cannot run a business from your property, in the flats he feels that specifically relates to holiday lets, he asked if we needed to get clarity on this.

- k. Tim advised he did seek advice on this when he wrote the set of Terms of Reference in 2019 as a guide for Directors in outlining the Board's aim, intent, official meeting process, dispute resolution routes and the like. Within this document he had also included suggested additional definitions of existing covenants, which were poorly written and not exhaustive. Legal advice gained included that the Board do not have the right to summarily change the covenants in Deeds and that the covenant at para 4 does not specifically state a business

cannot be run from a property. Therefore, that ruling against running a business could not be upheld and could be successfully challenged. Tim also advised that if the first test of any complaint was for it to have a firm foundation in law, the second test was to prove impact, ie there was real harm or disturbance caused by running a business/working from home. This complaint appears to not to have satisfied either test. Tim noted that several complaints have been made over the years by Mr Lovelock and they were by their nature vexatious and this complaint made today was considered to be in the same vein.

- l. Tim summed up his view as Chair that he was comfortable with Claire to continue with her working from home as there was little to no impact and no further action was needed. And, that Mr Lovelock should seek his own independent legal advice if he remained convinced that a complaint needed to be escalated. The previous chairman added that in his time he had received 14 complaints from Mr Lovelock and had been personally threatened with legal action by him. Dave added that the Sea Lane estate note on their website that in regards to working from home that they state they will only deal with a complaint if there is evidence of nuisance. Mrs Hudson also confirmed that the legal test should be how much nuisance an issue was causing and Tim confirmed we need to look at the impact made, not just the type of work. Mr. Marston suggested a vote of confidence for Claire and in Tim as chairman's decisions, there was a majority vote for this. Bernie suggested that Mr Lovelocks' intentions were for the good of the estate. Mr Lovelock then chose to leave the meeting without further comment.
- m. **Garden maintenance** - It was asked what influence the Board had on asking owners to properly maintain their property i.e. tidying up gardens, having gutters cleared. Tim advised the Board does encourage residents to keep their properties looking smart but there were no firm rules to rely on. Tim noted it had proved to be a good opportunity to encourage owners at the outset when people move in onto the estate.
- n. **Sea wall** - It was noted that during storms when there was a high tide the whole sea facing green becomes covered in shingle. Should we do some work ourselves? Tim added that he has looked into this but lots of companies won't hire out a digger if work on shingle was involved. Mike advised he has a friend who has a digger who might be able to help, Mike will get a price.
- o. **Front landscape update** - Tim noted with regards to the landscape area at the front there is more to be added, including a large boulder will be sourced by a resident, Rob who is a stonemason, and this was going to be engraved with 'Saxon Reach'. There is an option to add uplighting to the boulder, palm and groyne installation - this would probably be blue or green lights. We had ordered some border stones for this area and the supplier had been very generous and over supplied. As there were lots left, please help yourself to those in the metal cage as they are surplus to requirement.

Tim thanked everyone for their attendance and added that if there are any further ideas or suggestions for the estate going forwards please approach a member of the Board or Hobdens or use the Boards' email – directors.saxonreach1@gmail.com

The meeting was then closed at 12:09pm.