

MINUTES OF ANNUAL GENERAL MEETING

ST BENEDICTS (TOOTING) MANAGEMENT COMPANY LIMITED

HELD ON WEDNESDAY 1ST DECEMBER 2010 at 7 p.m.

AT ST NICHOLAS CHURCH HALL, CHURCH LANE, TOOTING, SW17

PRESENT: Ravi Joshi (RJ) Director
Kevin Herrmann (KH) Alternate Director

Various shareholders as detailed on the Attendance Register.

IN ATTENDANCE: Matt Rittner (MR) Director, Rendall & Rittner
Angela Petts (AP) Property Manager, Rendall & Rittner

MR opened the meeting at 7.05 p.m. and welcomed all those present.

Proxy nominations were received from Mr John Leason of 2 Limetree Walk and Mr & Mrs Hageman of 15 Limetree Walk for Mr Ravi Joshi, Ms Usha Pillai of 3 Carlisle Way for Mr Derek McLean, Mrs Doris Batchelor of 3 St Benedicts Close and Mrs Mary Durkin of 1 St Benedicts Close nominating Mr Kevin Herrmann. A proxy nomination by Mrs Shiromani was presented at the meeting, but could not be accepted as the required notice had not been given.

1. To receive and approve the Minutes of the AGM held on 25th November 2009

MR invited those present to comment on the Minutes of the last AGM held on 25th November 2009. No comments were received. The minutes were duly approved with no objections, proposed by RJ and seconded by Mr Tim Crowther.

2. To receive and adopt the Report of the Directors and the Accounts for the Year ended 30th June 2010

MR talked through the accounts and invited those present to ask questions on any items queried. There were no queries. KH explained that the £8k shown in the accounts was in respect of unrecoverable arrears and issues which had arisen from the previous managing agent HML Shaw which had now been resolved as approved by shareholders at the AGM on 24th June 2009. The accounts were approved with no objections, proposed by Mr Ridley of 4 Limetree Walk, and seconded by RJ.

3. To re-appoint PB Associates as Auditors to the Company and authorise the Directors to fix their remuneration

KH stated that the Board is conscious that shareholders would want to reduce costs where possible and now that issues relating to the previous managing agent had been resolved, the Directors would be looking at re-tendering the audit

work. There was an option, recommended by Rendall & Rittner, to reduce the work to the minimum allowed under the Companies Acts rather than continue with a full audit. MR confirmed that companies the size of St Benedicts do not have to have a full audit so therefore lower costs could be obtained by reducing work. RJ stated that it currently costs around £4k p.a. for a full audit and R&R had indicated that having a partial audit could cost in the region of £1.5-£2k. MR commented that he considered it good practice to retain the current auditors while the previous issues were resolved and explained that there would be no loss of information, it would just be presented in two documents instead on one.

The motion was passed with no objections, proposed by Mr Robert Bradford of 95 St Benedicts Close and seconded by Ms Jill Wookey of 59 St Benedicts Close.

Those present were then asked to vote on whether to proceed in future with reduced audit work as permitted by The Companies Acts, rather than a full audit.

The motion was passed with 17 voting for a reduced audit at reduced cost with none against.

4. Update on recent periodic maintenance and redecoration of blocks

RJ updated those present and confirmed that the redecoration works were now complete including snagging works. RJ confirmed that a payment had been released to Mulalley but that an amount had been retained until February 2011 against any defects still to be discovered and damage caused by a pot of paint spilt by Mulalley down the wall of 31-36 Abbey drive.

5. To remind flat owners of the opportunity to extend their flat leases to 999 years before 31st December 2010

RJ stated that 60% of leases have been renewed to 999 years. RJ warned that that the reduced price of £321 will not be available after the end of December 2010.

RJ warned that the fee would rise to £371 from January 2011 and after June 2011 the cost is likely to rise again significantly as the bulk deal could not be kept open by the solicitor after then and each lease would have to be dealt with on a case-by-case basis so RJ encouraged those who have not participated to do so quickly.

6. To report on the trial web site and to seek feedback on whether this should be maintained

KH explained that, following a suggestion at a previous AGM, he had set up the St Benedicts web site, details of which had been publicised in the newsletter and on notice boards. KH asked those present to indicate if they had looked at the web site and around half present had done so. KH then asked if those who had looked at it found it useful and the large majority did. KH urged those who had not looked at it to do so as it contains a wealth of information and AP said that the majority of questions she is asked by residents over the phone and via email could be answered by looking on the website.

KH asked if people wanted to have the web site maintained and the majority of those present agreed. KH then asked those present if they would be prepared to pay a fee to maintain the website and the response was roughly 50/50 so KH agreed to continue to keep the website free. He was prepared to continue to host it free and Mr Ian Fenn also offered free hosting if required.

7. To report on the costs of providing a water supply to the Estate and for all owners to consider whether they wish to do this at the likely cost

RJ stated that the current cleaning contractor had requested the installation of an external water tap, though the gardening contractor commented that they did not need one particularly. Thames Water had provided a quote for a pipe and water supply at about £1,300 and there would then be costs of nearly £600 per year for water supply and sewerage charges. Mr Derek McLean said that, when he was a Director, the cheaper option of having a standpipe licence at about £100 per year was used. He offered to provide information to the Directors, which they accepted. KH warned that this cost might not include sewerage charges that could apply.

RJ stated that the cleaning contract was currently being re-tendered so it would be left to see whether the new cleaning contractors would need a water supply on site and if not, this would not be done.

However, in anticipation that it might be required, MR asked for a show of hands in favour of providing a water supply to the estate on the basis of the costs outlined in the proposal from Thames Water, which all who voted were against.

MR then asked those present to vote on whether to investigate Mr Derek McLean's option of a standpipe licence. This was passed by a large majority.

8. To report on the costs of providing wooden enclosures for recycling bags and for owners to consider whether they wish to do this at the likely cost

KH explained that notices in each block regarding recycling had been largely ignored. As requested, costs had been obtained to install wooden enclosures for recycling bags.

There was considerable discussion over recycling enclosures and rubbish and recycling in general. KH explained that the Directors had great sympathy on the issue but, unfortunately, nobody has yet been able to come up with any proposals acceptable to the majority of owners and the Council. RJ explained the work of the gardeners regarding rubbish. Owners disagreed on matters including expenditure and the location of any new stores. KH explained that this leaves the Directors powerless to take any action.

If anyone was spotted disposing of rubbish improperly, this should be reported to Rendall & Rittner to take action against the owner. In most cases, people were reluctant to report neighbours or could not identify the property concerned. Mr Ian Fenn advised that the Council also deal with such matters, which can also be reported to them.

KH asked those present to vote on whether they agreed in principle to the cost of the installation of enclosures at up to £1,300 + VAT each. The votes were 9 were in favour and 9 against, so the motion was not carried.

Mr Ian Fenn initially offered to consider this issue, but later withdrew that offer after the Election of Directors. Ms Jacqui Kelly of 6 Carlisle Way then kindly offered to consider this issue to try to identify a way forward that might gain approval and this was gratefully accepted by the Directors.

9. To report on the costs of replacing flat mailboxes and for flat owners to consider whether they wish to do this at the likely cost

RJ invited Mr Tim Crowther to comment on building regulation constraints which meant that any replacement letter boxes would have to be carefully planned and installed, with particular consideration given to their size, in order to meet current regulations. KH advised that, at least in his block, the existing fitting does not meet these regulations.

Mr Ian Fenn stated that his block in Abbey Drive is a public thoroughfare and feels that post in his block particularly is at risk of post theft more than any other blocks. He feels that this is especially the case since security gates were installed elsewhere.

KH invited flat owners present to vote on whether to proceed with the installation of mailboxes to all blocks at the costs indicated on the quotes provided. 6 flat owners were in favour and 10 were against, so the motion was rejected.

KH then described an alternative proposal where individual blocks could install new mailboxes if all owners in a particular block agreed to the installation and fully funded the cost. It was commented that this could leave blocks looking different.

KH then invited flat owners present to vote on whether individual blocks should be permitted by the Board of Directors to install mailboxes at their own cost. 10 flat owners voted in favour and 1 against, so the motion was carried.

10. To report on the costs of replacing flat entryphone systems and for flat owners to consider whether they wish to do this at the likely cost

Based on the same principle as the mailboxes, flat owners present were asked to vote to replace entryphone systems or front panels across the estate at the estimated costs provided. 2 flat owners voted in favour and 15 voted against with no abstentions, so the motion was rejected.

Mr Ian Fenn enquired the reason for this motion. RJ replied that some residents had complained to R&R and the Board that a number of the buzzers don't work, buttons are missing and damaged and the panels now look outdated and shoddy. KH explained that faults which develop would be fixed as part of routine maintenance, but not damage due to abuse.

Mr Johnson of 75 St Benedicts said that only his button on his entryphone panel works so everybody rings his bell to get in. AP committed to instructing Anchor Door Systems to attend to this and it was agreed not to use a previous contractor, Speak & Enter, due to unsatisfactory service in the past.

Mr Derek McLean felt that not all blocks need replacement. RJ said that this had been considered and that is why it would be put to the meeting to vote on whether individual blocks should be permitted to install their own systems.

KH then asked flat owners present to vote on whether individual blocks should be permitted to install new systems or front panels at their own cost. 9 flat owners voted in favour and 1 against, so the motion was carried.

11. To deal with the election of Directors

KH advised that he had resigned as an Alternate Director with effect from the close of the AGM or any adjournment.

Mr Ian Fenn was proposed to become a Director by Mr Risdon, seconded by Mr Rob Coulton.

Mr Kevin Herrmann had already been proposed to become a Director by Mr Ravi Joshi and Mr Tim Crowther.

MR advised that candidates could not vote for themselves and asked those present to vote in respect of the appointment of Mr Fenn. 8 voted in favour and 9 against, so Mr Fenn was not appointed. Mr Fenn then withdrew his offer to investigate the rubbish and recycling issues and Ms Jacqui Kelly offered to do so instead.

MR then asked those present to vote in respect of the appointment of Mr Herrmann. 16 voted in favour, and 1 against, so Mr Kevin Herrmann was therefore duly appointed as a full Director.

Ms Jill Wookey of 59 St Benedicts thanked RJ and KH for all of the work they put in as Directors of the Board of St Benedicts with the majority present also offering their thanks.

12. To deal with Any Other Business

- Mr Ian Fenn said that he had been a victim of mail theft, which he considered to be as a result of gates being installed on the estate previously that had diverted people to walk past his block. KH advised that 3 blocks including Mr Fenn's are on rights of way and, in response to a further question, agreed to publish a map on the web site.

KH calculated quickly that the cost of installing replacement mailboxes in the 3 blocks on rights of way at the quoted costs would be approximately £30 per flat if funded by all flat owners, not just those in the blocks concerned (but warned that the accuracy of this was dependent on the mental arithmetic being correct). KH asked flat owners to vote on whether all flat owners should

fund replacement mailboxes in the 3 blocks on rights of way at the stated cost. 6 voted in favour and 8 against, so the motion was not carried.

- Mr Johnson of 75 St Benedicts Close raised the issue of nuisance neighbours and wanted to know the managing agent / management company's powers to deal with it. MR said that he should liaise directly with Wandsworth Council as they have the power to impose fines and impound stereo equipment, plus they have monitoring equipment in order to measure the level of noise. With regard to the "quiet enjoyment" clause in the lease, involvement by Wandsworth Council is vital in measuring the level of noise to be able to prove this legally in order for the lease clause to be enforced. MR said that forfeiture of lease is highly unlikely due to noise nuisance considered to be a "minor" breach of the lease terms. KH confirmed that the management company could proceed with action under the lease terms however, under a lease clause an indemnity would need to be provided by the complainant.
- Mr Johnson also showed concern in relation to fly tipping around the 89-113 St Benedicts Close area. RJ agreed to investigate installation of dummy cameras and signs.
- The current snowy and icy conditions were raised. RJ explained that putting grit down would cost in the region of £500 a time due to the size of the estate which would simply turn into brown sludge that would be walked into individual blocks and flats. KH also advised that we could not grit publicly adopted roads and rights of way. It was suggested that bins of grit might be provided for residents to use themselves and the Directors agreed to investigate this.
- Those present praised the efforts of the gardening contractor which AP committed to passing on to them.

Five Police Officers from the Graveney Safe Neighbourhood Team attended the earlier part of the meeting at the request of the Abbey Drive Neighbourhood Watch Co-ordinator, although this did not form part of the business of the AGM. They were invited to introduce themselves between resolutions, since they needed to leave to catch public transport. They did so, provided contact details (published on the web site), took questions and gave crime prevention advice.

There being no further business the meeting closed at 9.10 p.m.