

Sinclair Proprietors Committee Meeting

7pm 6th December 2011 - Gorgie/Dalry Parish Church

Meeting: 006

Attending: Chris Chapman [CC], Rosina Weightman [RW], Chris Hutton [CH], Bob Buchanan [BB], Richard Simpson [RS], Stuart Hamilton [SH]

Apologies: Barry Moore, Alan Eccles, John Fox

Minutes taken by: CC

1. ChrisH to report on quarterly billing

CH noted that Aspect decided to bring billing forward (bill 2 months instead of 3) on the basis that CH and CC had already seen contractor invoices up to 7th November, with the intent that the bills could go out as they were 'already checked'. CC had raised with Aspect that this was unacceptable and that it was the proprietors invoices that we needed to see, not contractor invoices. Proprietor invoices were provided as of 24th November, with a copy of the job orders sheet supposedly up to date as of 7th November.

There were a large number of refunds / recharges on the invoice relating to mistakes from previous billing quarters that had been highlighted to Aspect. Also the changes to the insurance excess apportionments took effect part way through the period.

CC and CH worked through the proprietors invoices and identified 34 separate charges which had no entry in the supposedly complete job orders sheet, and requested to see invoices for all those charges, as well as an explanation for several odd looking charges. Aspect supplied said invoices, along with an updated job orders sheet with all the missing charges entered.

In total there were 7 separate mistakes, involving some £1500 in charges, Aspect were made aware of all issues including supporting reasoning as of Thursday 1st December. Most were fixed but at least two made it into the final invoices (including the largest error: a £1032 roof repair to 3-6SP charged to 4ST was removed from 4 ST, but not correctly charged again). Correction of those mistakes will need to occur in the next invoice.

Action 006-01: CH to ensure that any mistakes in the Sep/Oct invoice are corrected in the Nov/Dec/Jan invoice.

2. ChrisC to report on dealings with factor

CC noted that Aspect had agreed to exact details as to the process the treasurer would go through on December the 1st during the meeting of November 8th, and only afterwards had changed their minds. The reasoning given by Aspect was to save effort on their part, given that they thought that CC and CH seeing the contractors invoices was sufficient.

CC noted that they had again stressed to Aspect that the contractor invoices are only one part of the invoice process, and it was the final proprietors invoices that must be checked for correctness; also highlighted that the job orders sheet that was supposedly complete was clearly not, and that improvements will need to be made if we are to avoid the same issue again at the end of January.

CC also noted that Aspect had complained repeatedly about lack of time/resources available to provide the invoicing information; although this had not been raised as a concern when the process had been discussed previously.

3. Discussion of gardening contract re-tendering

Prior to the meeting RS had expressed dissatisfaction with the fact that the increase in the gardeners fees had risen by 20% and that this had gone unchallenged by Aspect; so he proposed a motion that Aspect be asked to refund the difference in gardening costs in the intervening period. CC pointed out that the committee has no authority to ask for specific fees to be paid or not, as any contract was between Aspect and the gardener, and Aspect were within their rights to pay whatever fees they deemed reasonable, and change their agreement at any point. CC also noted that when the issue had been raised by RS in mid-September, Aspect had started a new tendering process for the gardening contract, and that 2 out of the 3 tenders had now been provided. As such any complaint now was moot, as a new tender and price would soon be agreed. A vote on the motion was called, and failed to pass, with only one in favour and five against.

In summation, it was generally agreed that the situation had been poorly handled; the change in the contract amount should have resulted in the gardener being asked to re-tender straight away, and the re-tendering process had dragged on for too long.

Action 006-02: CC to chase Aspect for copies of the final tenders and for quick completion of the gardening re-tendering process.

4. Discussion of refurbishment fund proposals and priorities

CC highlighted the recently shared list of refurbishment items, and asked for comments and additions. The content of the list was agreed to be good, but the question of how frequently each item should be performed was still open.

Action 006-03: BB to assess refurbishment items and suggest frequencies

Action 006-04: CC to follow up on list with Aspect, and convert list into a proposed schedule of refurbishments.

5. Vote on Aspect's proposal to have the development re-surveyed for insurance purposes

CC reiterated Aspect's (or Insureness's) request for the insurance valuation of the development to be re-assessed, and pointed out the risks of being under-insured. It was suggested that any re-surveying should only take place in summer 2012, as an earlier survey would not produce any extra benefit. Concerns were raised of a conflict of interest if Insureness stood to benefit from the survey they were recommending, so the motion was amended to state that if a survey was to be carried out, it should take place in June or July 2012 (in advance of the next insurance renewal), and be performed by an independent third party, with the results of the survey being shared with the committee.

The vote was called, and was passed by six votes in favour and none against.

Action 006-05: CC to communicate requests for re-surveying for insurance valuation to Aspect

6. Setting the agenda for the January AGM

The timescale for the January AGM was laid out by CC, noting that for a late January AGM, the agenda needed to be prepared and mailed out at the very start of January. The most important issue on the agenda is the dismissal and re-appointment of the factors. It was noted that in the absence of another factor able to take over the development, recommending re-appointment of Aspect is the only option. CC raised concerns that the factors fees for next year were unknown, and suggested that a meeting with Aspect's management to establish the fees was required. CC also suggested that, given Aspect's complaints about under-resourcing and the committee's desire to see more positive action on all the various development issues, it might be a good idea to see whether an increase in the level of service could be negotiated for a reasonable increase in fees.

Concerns were raised about any increase in factors fees, and about the lack of any other viable options other than re-appointing Aspect. RS raised concern as to what would happen if the proprietors refused to vote through a motion to re-appoint Aspect. It was generally agreed that any increase in fees would have to come with an associated increase in service, or risk a general meeting refusing to re-appoint the factors. As part of re-assuring the proprietors that the development was getting good value for money, over the course of 2012 the committee would seek to have Aspect and other factors re-tender for the factoring contract, with a view to providing multiple options at the 2013 AGM.

Action 006-06: CC and another committee member to meet with Aspect management to discuss 2012 fees, and to notify them of the intent regarding re-tendering in 2012.

7. Discussion of plans for bike-sheds

CC suggested that the other major item for the January AGM agenda (other than re-appointing a factor and the committee itself) should be action on the bike shed situation. It was generally agreed that at a minimum, the locks on the bike sheds needed to be replaced, and that to get a new key, proprietors would have to enter onto a register of bike-shed users. The other suggestions for the bike sheds (finding a way to clear out old bikes, improving the lighting situation, etc.) were secondary, but would be made much easier once a register of bike-shed users was available. The issue of who would bear the costs for such a change (whether it be split amongst the whole development, or only amongst those who actively use the bike-sheds) was undecided. CC suggested that several options be proposed to proprietors at the AGM, and this was generally agreed; also that the suggested motions needed to be written up and included in the AGM agenda to be sent out in early January.

Action 006-07: CC to write up several different proposed motions on bike-shed actions, and circulate them amongst the committee for approval.

10. Arrangements for next committee meeting

The meeting running short of time, agenda items 8 (fly-tipping prevention) and 9 (town-house integration discussion) were skipped. It was suggested by CC and generally agreed that an early January committee meeting would not be necessary, and the next meeting would be the January AGM itself.

Action 006-08: CC to make arrangements for the January AGM, and co-ordinate the preparation of the agenda for mailing to proprietors.

Summary of actions

Action	Description	On
006-01	CH to ensure that any mistakes in the Sep/Oct invoice are corrected in the Nov/Dec/Jan invoice	CH
006-02	CC to chase Aspect for the final tenders and for quick completion of the gardening re-tendering process	CC
006-03	BB to assess refurbishment items and suggest frequencies	BB
006-04	CC to follow up on list with Aspect, and convert list into a proposed schedule of refurbishments.	CC
006-05	CC to communicate requests for re-surveying for insurance valuation to Aspect	CC
006-06	CC and another committee member to meet with Aspect management to discuss 2012 fees, and to notify them of the intent regarding re-tendering in 2012	CC
006-07	CC to write up several different proposed motions on bike-shed actions, and circulate them amongst the committee for approval	CC
006-08	CC to make arrangements for the January AGM, and co-ordinate the preparation of the agenda for mailing to proprietors	CC

Outstanding issues from previous meetings

Action	Description	On
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001-02	Committee should prioritise writing up and agreeing the refurbishment / maintenance plan with Aspect	Committee & Aspect
001-04	Committee should work with Aspect to nail down a document detail exactly what they think their responsibilities are, and on how to collaborate on monitoring progress of development issues.	Committee & Aspect
001-07	Committee to work with Aspect to make clear the plan for the bike-sheds and settle on a timetable	Committee & Aspect
002-02	CC to get clarity from Aspect on the following issues: <ul style="list-style-type: none"> ● T.O.R. 	CC
005-01	CH to chase up Aspect for insurance premium invoice.	CH
005-02	CC to request details from Nancy on any future claims.	CC
005-03	(Request from AE) CC to ask how many hours per week NL is spending on the development.	CC
005-04	Aspect to arrange for line painting as described to be actioned	NL
005-05	Aspect to communicate desire for placing a sign to Scottish Power	NL
005-06	AE to assemble concise documentation of all events relevant to the mono-block repair	AE
005-07	JF to prepare list of possible gardening tasks	JF
005-08	CC to make arrangements for the next committee meeting	CC