

Sinclair Development 2019 AGM - Meeting Note

18th June 2019, 7 - 9pm

ATTENDEES

Sinclair Committee

Alex Schooling (Chair - AS)
Pamela Gidney (Minute taker - PG)
Alan Dickson (AD)
Ruth Evans (RE)

Myreside

Peter Bertaut (PB)

1. INTRODUCTIONS

Alex Schooling (AS) welcomed everyone and introduced herself as the 2018-2019 Chair of the Sinclair Resident Committee. AS also introduced the other representatives present from the Committee -Pamela Gidney and Alan Dickson (Ruth Evans joined the meeting at 7.10pm).

Committee apologies were noted from Niall Scott and Rosina Weightman.

AS also introduced Peter Bertaut (PB) from Myreside Management before going on to outline the Agenda for the AGM.

2. 2018-19 Factor Report

PB noted the Factor Report had been pre-published ahead of the meeting and shared as part of the AGM papers sent out to owners. Comments were invited from the floor and a number of points raised in the discussion which followed. The key points arising were:

Electricity

In response for further details about the electricity situation, PB noted that:

- The electricity accounts had not been handed over by DCPM at the time the Factoring contract changed hands in May 2017. PB noted that Myreside had placed several requests with DCPM for the transfer to take place.
- After continued effort, particularly over the past six months, all 21 SSE accounts and six Scottish Power accounts have now been transferred to Myreside. AD clarified that all the eight accounts held by Scottish Power are now held by Myreside and so all 29 electricity accounts now transferred.
- When asked about the debt, PB advised the SSE accounts did not have any debt at the time of transfer. PB noted that the Scottish Power accounts have been received with debt, but that no sums have been paid by Myreside, which PB subsequently corrected at the meeting to approx. £1.4k having been paid. It was noted by AD the Committee again requested at their last meeting on the 28th May that no further payment is made and the Scottish Power invoices put into query by Myreside.
- A complaint was in the process of being drafted in liaison with the Committee to challenge the transfer delay and back-billing of sums going back longer than 12 months which is understood to be the cut-off point that suppliers can seek payment for aged debt.
- Owners will be kept informed of progress. PG shared that on receipt of a complaint Scottish Power would have 8 weeks to respond, after which the matter can be referred to the Energy Ombudsman if the response does not satisfactorily resolve the situation. As such, PG suggested the next update will not be imminent but that owners should be assured the new Committee will seek full resolution of the Scottish Power accounts as a priority and the earliest opportunity.
- While the actual Scottish Power debt is pending confirmation, PB offered the final sum will not be in the region of tens of thousands.

PG clarified that the electricity charges now appearing on owner invoices refer only to SSE usage and this reflects live billing for current usage from December 2018.

AD finished by highlighting it has not been an easy situation to resolve, and underlined by the 78 phone calls personally made by AD to Scottish Power and 32 to SSE to assist Myreside in resolving

the situation. AD was thanked by AS for his efforts on behalf of the Sinclair ownership.

Fees

- It was commented from the floor that an increase in Factor fees should come with a reliable service. The quality of the stairwell cleaning at 32SP was cited as an example of the level of service being below what would be expected.
- The owner concerned also noted that on contacting the Myreside office they have been advised that no spot checks take place. PB stated this is not the case and that spot checks do happen. PB undertook to follow this up and will update the new Committee at their first meeting of the 2019-20 term. **Action - PB (31/8/19)**
- In response to a query about the frequency of the stairwell window cleaning, PB confirmed the windows are cleaned on a quarterly basis. The latest clean was noted to have taken place on 20/6/19. The quality of the window cleaning was also raised.

A wider discussion followed on various topics with the key points as follows:

- **Dog Fouling** - the problem of dog fouling was commented on and that it is becoming an increasing issue around the development. Providing bins and signage options were discussed, albeit those leaving the mess on a private garden area are unlikely to heed either. PB undertook to explore signage options for the five bigger garden/fountain areas and provide a cost for the new Committee to consider. **Action: PB (31/8/19)**
- **Communal Bins** - the return of the communal bins into the sheds rear facing was raised by a few owners. PB undertook to follow this up again with the Council. **Action: PB (5/7/19)**
- **Dumping** - the problem of dumping across the development was raised and the challenge of managing this discussed. It was noted there is signage at all the bin store areas advising that items left lying on the ground will not be collected and with contact details provide for the Council to arrange uplift. Unfortunately, this does not deter all. A couple of owners noted they have contacted the Council directly to ask for dumped items to be removed with success. The 'Fix my Street' portal was also raised as a route through which owners can report issues. Owners requesting a direct uplift of dumped items has the benefit of no cost implication. Any matters reported by Myreside would incur a fee. It was agreed the next Newsletter will carry an item to encourage owners to report dumping to the Council and provide details on the ways this can be done. Meantime, it was noted by PG that when collecting dumped items Myreside do endeavour to minimise the cost by sharing skip hire across the different developments they Factor. **Action: PB/Committee (1/9/19)**
- **Electricity Cupboards** - linked to the problem of dumping, the storage of items in the communal electricity stairwell cupboards was raised. PB noted that a recent insurance risk report has flagged this as an issue and Myreside will consider the remedial actions outlined prior to contacting the new Committee. To prohibit the usage of the stairwell cupboards as storage areas, there will likely be a need to secure all doors. PB advised this would not pose an access issue as the electricity suppliers contact Myreside before coming on site to take meter readings. **Action: PB (26/7/19)**
- **Rhone Cleaning (Townhouses)** - an owner asked for an update concerning the Townhouse rhone cleaning proposal Myreside had wrote out to the Townhouses about last year. PB shared that there had not been enough interest to progress the work. It was noted that a follow up communication from Myreside on the outcome of the initial contact would have been helpful.
- **Signage** - the difficulty in finding properties in the development was raised and whether consideration could be given to installing a site plan/map. Some felt this would be useful. Delivery people do though ultimately find properties/call for directions and friends/family also call who they are visiting for directions. The issue of signage clutter is also a consideration. PB undertook to explore some options. **Action: PB (30/9/18)**
- **Gardens** - a number of owners commented on the scale of the cut-back undertaken earlier in the year and felt it was heavy handed in places with the use of chain saws to remove

vegetation cited. In response to a comment about the qualification of the gardening team, PB advised the team are professionally qualified gardeners. The loss of water from the fountains was also commented on. PB advised that the team top up the fountains when on site. A couple of owners also noted they top up the fountain in their garden area. Some other owners commented they found the gardens to be in good condition.

- **Seagulls** - it was clarified by PB that the seagull management work will again be undertaken this year (this will be at a cost of £2.6k plus VAT which is the same charge as 2018). There were comments noting that the number of seagulls around the development feels less and a possible sign that the management is working. A concern was raised by an owner about the work and who shared they disagreed with this happening based on the gulls being deemed a nuisance. It was assured the contractor holds the necessary licence and work undertaken by them in accordance with required standards. Further, the reasons for the work happening were also noted by PB to extend beyond nuisance - avoiding damage to flat roof areas that are attractive nesting spots and the blocking of rhones with nest/food debris were other reasons cited as well as safety with there having been reports of people being swooped on by gulls in the development in recent years.

Longer term maintenance plan - PB handed out a copy of a working Maintenance Plan prepared by Myreside which is in draft and will be further developed over the coming months with the new Committee. The development of a plan was welcomed by owners to help give visibility of the different types of work planned, when this is anticipated to happen and the costs involved.

3. 2018-19 COMMITTEE REPORT

AS introduced the committee report and highlighted the following:

- There were seven Committee members in 2018-19 which reduced to six during the year.
- The Committee met on five occasions during the year and all minutes are available on the development website.
- There has been ongoing active work across various areas as outlined in the Committee Report, some of which were discussed under Item 2. This also includes activity to start to look at longer-term maintenance as well as more day to day actions with the flat rhones all cleaned in January and conifer topping completed.
- Intention of the Committee to work with Myreside going forward on a longer-term maintenance plan.
- Inputs from the Committee to help fully resolve the electricity situation.
- Proactive debt management by Myreside. PB added that the debt figure is approximately 10% of the £48k invoiced out in February, which reduces to 5% (£2.5k) when one debt involving the owner of five properties is removed. PB also noted that legal proceedings against this owner have been initiated by Myreside.
- Rise in management and stairwell cleaning and gardening fees by 5%. PB clarified the rise will now be effective from 1/9/19 rather than 1/6/19 and still held for a two year period.

In summing up, AS noted it had been a busy year with positive action in different areas.

In wider discussion under this item, some owners raised the issue of Air BnB lets in the development and problems arising. PB advised he would complain to Air BnB on behalf of owners if made aware of problems. **Action: Owners/PB (ongoing)**

4. MOTION – FACTOR APPOINTMENT

The following motion was presented and discussed (PB left the meeting):

Motion: Re-appoint Myreside Management as Factor

The vote was preceded by a short discussion about Myreside's performance over the past year and the following noted:

- The Committee representatives shared that working with Myreside had continued to be positive over the past 12 month period. Communication was noted as something that could be improved on occasion, but overall the relationship was positive with Peter Bertaut taking an active day to day interest in the development as well as personally attending all Committee

- meetings in the year.
- Communication and the responsiveness of Myreside to matters reported was raised by some owners in attendance. This extended to a follow up on issues reported and re-contacting owners to confirm when work has been undertaken. An example was cited with an issue involving the sewage pipe at 32SP where it took a working week for excrement to be removed from the entrance area. Linked to this, it was commented that the checking of contractor work by Myreside on completion and also spot-checks of work by their in-house teams could be improved.
 - Other owners commented that from their experience issues had been dealt with effectively by Myreside.

The results of the vote on this motion were as follows:

Vote	Proxy Form Votes	Meeting Votes	TOTAL
Yes	16	25	41
No	-	-	0
Abstain	-	-	0

The proxy and meeting votes combined provided the required quorum of 35 as per the Title Deeds and Myreside Management were duly re-appointed as Factor for the development in 2019-20.

(PB re-joined the meeting)

5. 2019-20 Committee

AS noted that Niall Scott and Rosina Weightman were standing down from the Committee, and thanks them for their contributions in recent years.

AS, AD, PG and RE confirmed they were happy to stay on the Committee for the next year. Colin Douglas, Dianne Ball and Norma Johnstone also volunteered to join the Committee this year. AS and PG will relinquish their role of Chair and Secretary respectively in accordance with the maximum two-year term set out in the Proprietor Association Constitution.

The election of the above Committee members was agreed.

Following the formal part of the meeting, three other owners came forward to volunteer to join the Committee - Richard Gibb, Robin Houston Philip Jeffrey and Susan Jamieson. Niall Scott also advised by e-mail after the AGM that he did not intend to stand down this year.

Committee Actions

- AS will contact all new Committee members to arrange an initial meet up in July. **Action: AS (24/6/19)**
- AS/new Chair will arrange a date for the first meeting of the new Committee with Myreside. **Action: AS/new Chair (31/7/19)**

6. AOB

There was no AOB.

AS thanked everyone for attending and closed the meeting.

Sinclair Resident Committee
June 2019