

Woolley Grange Residents Association

Meeting held on Wednesday 24 June 2009 at Woolley Colliery Cricket Club
Pavillion
Residents Meeting Minutes

Present

Paul Bedford (WGRA Chairman)
Martyn Davey (WGRA Treasurer)
Janine Lunn-England (WGRA Secretary)
Cllr June Drysdale (Wakefield MDC)
Cllr John Colley (Wakefield MDC)
Kate Burrow (Bovis Sales and Marketing Director)
Colin Clifford (RMG Property Manager)
Mike Legg (WGRA Committee)
Carol Robson (WGRA Committee)
Jim Bayley (Resident + Woolley Parish Cllr)
Gordon Spence (WGRA Committee)
Chris Love (Resident)
Julie + Andrew Parkin (Residents)
Steve + Jane Gill (Residents)
Michaela Andrews (Resident)
Jane Wood (Resident)
Craig + Gill Murray (Residents)
Martin + Tracey Davey (Residents)
(Residents)
James + Emily Sharpe (Residents)
Paul + Katherine Dyson (Residents)
Ian Hart (Resident)
(Residents)

Sam Robson (Resident)
Ed + Emma Dawson (Residents)
Emily + James Sharpe (Residents)
Ken + Kath Bellwood (Residents)
S Fish (Resident)
Matthew Boud (Resident)
Keeley Scriven (Resident)
Chris Calow (Resident)
Gary Mullins (Resident)
James + Rachel Rawling

Jacqui O'Donnell (Resident)
V + M Langan (Residents)
Rick + Natasha Dhillon

Apologies

Jaime Outram (WGRA Vice Chair), James Watson (WGRA Committee), Catherine Dale (Resident)

Item 1 - Welcome

The Chairman welcomed everyone to a very well attended Woolley Grange Residents Association (WGRA) meeting. In attendance were representatives from RMG and Bovis, due to the volume of people and the number of questions to be submitted it was decided to adjourn with the agenda and move directly to the main business of the evening, with questions to Bovis and RMG.

Item 4 - Question Time

Kate Burrows (KB) introduced herself to the meeting and gave a little background information, firstly that Bovis bought Elite homes in October 2007 that the organisation had restructured and following the economic downturn expected sales are due to pick-up and building work is due to recommence Autumn 2009 with an expectation the whole site should be completed Mid-End 2011.

As many of the residents on the development had questions they wished to ask Bovis, the Management Committee felt it would be prudent to furnish a number of questions that had already been posed, so that KB has time to prepare answers, dependent on the answers the attendees of the meeting could then submit further questions. The questions were as follows:

- 1) When does Bovis realistically anticipate the Development to be completed Phase D (where blue boards are), roads are due to be constructed on Phase D with construction of properties planned for January 2010, it is estimated they will take 10 months to complete.
- 2) When are the roads and pathways going to be adopted by the local Council
Sewers adopted on maintenance completion 2010. Bovis are responsible for all maintenance till roads are adopted. JB stated Bovis are in breach of planning by not completing the link road from The Grange to Woolley Colliery Road to adoptive standards, (JB to provide a copy to KB)
Action KB re state of roads and when roads will be adopted, as parts of the estate are already completed and current situation is not acceptable
- 3) Until the roads and pathways are adopted, who is responsible for their maintenance, with particular reference to gritting Bovis are responsible for all roads and pathways till the roads are adopted. Due to the confusion of Bovis Customer Service, they had previously ignored residents concerns and complaints when roads were not gritted, it was made clear that it will not be acceptable to have no access to the estate during freak/bad weather for a further 2 years till the site is completed and the roads are adopted.
- 4) What level of involvement does Bovis have with Mr Luke Devine, with particular reference to the Spoil Tip and Composting site situated at the entrance to Woolley Grange? KB stated they have no connection, whatsoever with LD. They have today received a letter today requesting a copy of planning application. It is of great concern to Bovis that they have been linked with LD, the environmental impact of vehicle movements/ odours and composting issues.
Action KB to check with their legal department to check Bovis' position

5) There are serious issues with regards parking at the Sales Offices and with Contractors working on site. There appears to be no policing of this, so what are your proposals to limit the impact this is having on residents? Parking issues are down to the contractors, as Bovis are currently not working on site it was suggested that any concerns or complaints are taken up with individual builders in the first instance. As Bovis are the principal contractor of the whole site, there appears to be no respite for the residents and the impact this has.

Action KB to check if Bovis hold the freehold to the whole of the site

6) With regards Play Areas for Children, at what stage do you anticipate these being provided and where will they be situated? A lengthy heated debate this one, in summary, Bovis are responsible for creating a play area, it is planned for 'The Village Green' to be constructed when the whole of the site is complete.

It was suggested that this is not the most suitable place as it would be directly across the road from the park planned for Woolley Colliery Road residents, whereby KB stated that perhaps Bovis and the residents could negotiate a more suitable area. In addition, residents are very unhappy that a play area could potentially take another 2 years before being constructed and the question was raised of 'Where are the children supposed to play now?'. Clearly the roads and paths are either unsafe due to poor surfaces, heavy plant vehicles driving through the estate or green areas not being completed. Potentially a child who moved onto the estate 3 years ago and has 2 years left to wait for an area to play may no longer be a child!!!! This is totally unacceptable, and the suggestion from Bovis that children play in their gardens (yes with the constant building works and dust blowing round the site) was found to be unsympathetic and frankly, very discouraging.

Action WGRA Committee to take this forward with Bovis

7) We wish to have two Notice Boards sited on the development. Where & Who do we need to direct our enquiries in order to facilitate this? Enquiries and details need to be submitted to Bovis directly to KB

Other questions and issues raised at the meeting;

Regarding snagging and outstanding issues, lack of customer service from Bovis which should now be redressed in a timely manner.

Unsafe land at the back of the pumping station....landscapers have been drafted in, a schedule has been put together to do the work asap.

WGRA intend to invite representatives from other builders on the site to future meetings.

Road at end of estate floods and drainage not satisfactory (Woolley Colliery Road end), this would be Bovis's responsibility to rectify.

Garden/green area maintenance, it was stated that the grass was cut but planting is not being maintained.

Walkways and beds around the estate is the responsibility of the site team to maintain. The spinal column (The Grange) is the responsibility of RMG.

Action KB to provide a copy of who owns what and who is responsible for said maintenance.

Questions were then addressed to RMG representative Colin Clifford (CC), it should be noted that CC had not previously seen the questions and therefore, many questions needed further investigation to provide full answers

1) Each of the Developers has provided purchasers with a Lease agreement, however there are huge discrepancies between each Lease, so will you therefore provide the actual Lease Agreement which CPM/RMG is working to, and ensure that this includes the following items:

- i) The "Terms of Appointment"
- ii) The "Schedule of Activity"
- iii) The "Service Charge Budget"

All issues were discussed including a move in pay proportion of management fee. Many residents have paid fees but dispute additional charges levied. Why are some residents paying a charge and not others, why are some builders advising clients no charges are due until site completed or the whole site has been adopted by RMG? Residents feel that it is sheer incompetence on RMG's part that these situations have arose, also that debt collectors have been instructed when accounts have been settled and the onus has been with residents to prove payment has been made. It was suggested by the chair that RMG hold surgeries on-site so residents can discuss leases and charges.

Action CC to check databases, issue correct leases and surgery access for residents. WGRA to publish on WG notice boards dates and times, etc

2) The Management Fee is stated in one Lease as being no more than 20% of the Maintenance Charges received, however, in 2006 the Management Fee represented 35% and in 2007 represented 52% of the Maintenance Charges received, so please provide:

- i) An explanation why, in breach of the terms of the Lease, the Management Fee represents such a significant proportion of the Maintenance Charge
- ii) What you as the Managing Agent have actually done to warrant such a fee being levied

There was no explanation why there was such a discrepancy of proportion of management fee/maintenance charge. Work completed by RMG involves the maintenance of the spinal road only, no other areas of the site have yet been adopted. This involves the road from the gateway and landscaping which should be completed every 2 weeks in Summer and 1 per month in Winter. Residents felt this was not the case and planted areas had not been maintained. Also the wording on the wall at the entrance to the estate 2 letters have fallen off and not replaced...this does not give a good first impression to the site. The lease RMG are

working to is classed as a 'Mid' lease which should involve 1 visit to the site per quarter, 4 directors meeting and 1 AGM.

Again, there has never been an AGM so RMG are in breach of contract. Most of the money paid by residents is being held in a bank account or covering back-office facilities. As the admin side is ever growing and work is not been done accross the whole site, residents feel a reduced rate should be charged. After the last legal completion an AGM should be held and then residents can request RGM step down as management agents.

Action CC to address residents requests and concerns

- 3) The Lease states that the Maintenance Charge is to be paid six monthly in advance on the 1st day of January and 1st day of July in each year, so please provide:
 - i) An explanation why, in breach of the terms of the Lease, you actually request payment in full in January of each year
 - ii) Justification as to why those that have questioned this practice have been threatened with Bailiffs, Legal Action and additional costs for recovery
 - iii) An explanation as to why the option to pay monthly costs an additional 33% i.e. for 2009 the annual charge is £125 but if paying monthly costs £184

Action CC took details of some residents' individual concerns to get an overview and check the accountancy procedures

- 4) The Lease states that a copy of the Accountants Certificate for the year ending 31st December of each year will be provided to each Tenant within 3 months of said date. Please explain:
 - i) Why, in breach of the terms of the Lease, the Accountants Certificate has not been sent for the year ending 31st December 2006 and 31st December 2007
 - ii) Why there is a delay in producing the 2008 Accounts

Accountants Certificates are due to be brought to AGM, neither have they been issued or available. Residents pointed out that if they are not made available within the correct timescales then RMG are in breach of contract and therefore, no payment should be made by residents. Suggestion was also made by residents as there appears to be a further 2 years to put monies into the 'sinking fund' then should we get a reduced rate or a refund of money already paid and start afresh? CC was unable to say at this stage what course of action could/would be taken in relation to any refund or reduced rate. It was also suggested by Councillor Drysdale that the residents take legal action as a group against RMG who are in breach of contract.

- 5) Why has there never been an Annual General Meeting (AGM)? You are legally obliged to invite all Tenants to an AGM however no such invites have ever been received. Please provide an explanation.

There has not been as AGM, (as previously stated) however, CC stated that it had been booked for Monday 22 June 2009 and then

cancelled in favour of tonight's meeting. It is noted that no residents had received an invite to Monday night's meeting and that the meeting tonight did not constitute an AGM

Action CC to rearrange AGM for residents

6) Which parts of Woolley Grange is CPM/RMG actually responsible for?

CC brought maps of the site showing the areas they will be responsible for in the future.

Action WGRA to obtain copies from RMG to be held on file and access given to residents (possibly via the notice boards)

There was no time to ask the following question

7) Who ensures that CPM/RMG abides by their Covenants and what are the penalties for breaching these covenants?

Action CC to provide a response

Other questions raised were regarding are the houses subsidising the apartments, houses do not subsidise the apartments there are 2 separate bank accounts and leases, we are not paying for communal areas or window cleaning of apartments.

Action CC to check house leases (as some state window cleaning is included in lease charge).

WGRA would like to thank both representatives for attending and answering residents questions and will follow-up any action points advising residents via the 'Woolley Grange Forum' website.

AOB

Committee Information

Gill Gallagher has resigned as WGRA secretary, and Janine Lunn-England has agreed to cover these duties

Jim Bayley has resigned from WGRA committee

Cricket Club Pavillion

Residents there is some 'nice to know' information on the Woolley Grange Forum website about the cricket pavillion

Time and date of next meeting to be confirmed