

Minutes of Trustee Meeting: Monday 14th march 2016

Present: John Gilbody (JG), Carla Brown (CB), Darren Shepherd (DS),

Ian Sharp (IS), John Muir (JM) and Gary Newberry (GN /EM - Estate Manager).

Apologies

1: AGENDA ITEMS:

Minutes of meeting held on Monday 25th January 2016 - these were agreed as a true record and there were no matters arising that are not considered elsewhere on the Agenda.

2: ESTATE MANAGERS REPORT.

Residents Change to Property Applications:

Discussed under Item 4 (Planning Issues). See separate report issued 14.03.16

NOTE – 1 x Separate Licensing Applications exists in respect of Delamere Manor:

The Trustees to make separate representation / objection.

ACTION EM / TRUSTEES

Budgets:

2015/16 (Month 5 (Feb 2106) /Q2 spend) remains in line with "bottom line" and Department Analysis as discussed with Sawyer Quine. Figures circulated separately for Trustee Information. The establishment of a new Bank Account for a "Reserve " fund for the transfer of existing funds to be put aside for building repair / replacement. This will ensure sufficient monies are "ring fenced" and available to meet the subsequent future building costs to be agreed by Trustees in future meetings.

ACTION EM /JM

Bar:

2016 /17 Xmas /NYE Reviewing Live entertainment / in-house music system. A separate meeting was held with the Trustees over this aspect with an option provided on the way / time line to make arrangements. Summary of the meeting of which there are two aspects:.

Details on the actual nights events / timing (which can be agreed over coming months). A critical path for dates by which stage any booking or arrangements should be made to secure acts. In this context the EM would suggest that the trustees allow Kris to explore live acts available and make his recommendations on who he intends booking by June 2016. In respect of the DJ support, Kris will also provide outline costs to deliver this "in house" by May, together with options on an alternative DJ name by June. In that way we will have:

Option A – Live Act + In House DJ

Option B - Live Act + DJ (external)

Option C - Live Act + DJ(external) + In House DJ

Option C has merit as it allows Kris to demonstrate the “in-house DJ system whilst still acting as “Host” and managing the evenings Bar activities. It also allows a fall-back position and variety in the event any 1 of the other acts fails to materialize on the night. The matter to be discussed further with bar manager then the options agreed, will be discussed with CB & DS.

Action EM

Children's Xmas Party - 13.12.15.

Further to the query raised at the last Community Group Meeting, I am able to confirm the (net/Vat free) costs:

DJ for Children's Party - £80.00

Costs - £99.50

Bookers Purchases - £52.74

Bookers Purchases - £21.69

Total = £ 253.93

The Community Groups provided a donation of £100 on the 6th Jan 2016. In addition a further donation of £ 168.60p (from the Fireworks event) has been made, making a total of **£268.60**.

Actual costs confirmed as £256.93 against Community donation of £ 268.60

R&M

Continuing minor leaks in Squash Court roof during extreme weather which have been attended/resolved.

Action EM

Park Playground Equipment (annual) check has identified need for immediate remedial action to address advanced decay of wooden foundation struts to climbing frame equipment . Possible localised repair to be explored with equipment inspector. (Alan Dymond – Morral Playground Services)

Action EM

The Squirrels Building. (not the Lodge) Problems with gable ends of building and indications of decay to wooden gable end rafters, soffit and fascia at both ends of roof structure. Caused by roof sheathing/underlay finishing “short” of gable end allowing water ingress and rot to roof structure. 3 x Quotes being sought to replace affected sections (both ends) with new UVPC Bargeboard and (poss) UVPC Dry Verge + Ridge End Caps (instead of re-cementing roof tile edge).

Action EM

Water Management (Legionella) survey completed by Green Contract Services Ltd. Action plan and audit schedule ongoing. No immediate concerns, but follow-up testing to be agreed.

Action EM

Water Management (Pool Hygiene). In line with expectations and Contractor (PoolCare Services Ltd) satisfied with ½ year annual check of water quality/ records However PCSL have introduced additional filters in poolside skimmers to address / remove surface deposits (oily materials which the existing filters struggle to remove because oils float on the surface) These filters called “water lily pads” are designed to remove greasy substances (i.e. – oil tan lotions / body lotions) which can introduce such contaminants to a pool and create the appearance of a surface “slick” (Cost £10 / month)

Action EM

Asbestos Register. File completed (already in DPML database/ Alan B). The Lodge completed with no problems. Surveyor recommends signage to replace ie: red bunting tape, some of which is missing. Appointed Asbestos Management Ltd to review situation and obtain quotes for removal of ACM's from building in advance of roof inspection and possible roof remedial works (similar to the lodge). This action is purely a precaution and there is no known risk to users of either facility (i.e. – The Lodge / Squirrels) providing the material in the loft space is not disturbed.

Action EM

GARDENING MATTERS:

Works progressing on flower beds at:

2nd Sleeper flower bed to front of Clubhouse to be commenced.

Three Ways – 2 refurbished rose beds

COMPLETED

Park Entrance / Delamere Park Way – Replacement of existing brick planted with new Sleeper bed completed, now awaiting plants.

COMPLETED

Review of existing Equipment Contract continuing with Turner Groundcare with 2 / 3 year service contract to replace existing contract

COMPLETED

Existing Tree Policy has expired and existing Tree Surgeon ([Simon Kimber / TreeTec](#)) has declined to progress an update of DPML Policy or produce a revised program. (insufficient time / other works commitments). As a consequence I have approached another Tree Surgeon ([Paolo Bavaresco](#) MICF / [Chartered Arboriculturist](#) of TMN Arboriculture) to undertake a full estate survey and provide a revised 5 year program (to commence this year). At the same time, John Gilbody has been in touch with Reasheath College to see what help/support/ cost they may be able to provide in undertaking the actual tree work.

RESIDENT'S COMPLAINTS

Verbal complaint from Resident / Gardening Club regarding gardening works involving use of sleeper beds at various areas around the Park. (Not felt appropriate in a Park setting). Trustees noted their comments. Input from Gardening Club members on suitable plants to be used to "soften" appearance and address critics. Suitable plants to be purchased.

Action EM/ Gardening club members.

Ref change to Bylaw 2.3 – Replies received from Solicitor / with Trustees for further discussion/decision. **Trustees noted and added to AOB 9A.**

Updates on various Park R&M issues.

The trustees had noted that the EM had thanked the resident for his input on various Park R&M issues and had updated him accordingly. The trustees were satisfied that these were being dealt with effectively by the EM.

Ref hedge @ 7 The Stiles. See 4: Planning Issues.

Action EM

3: STAFFING ISSUES.

Recruitment for (permanent) Bar Supervisor to be progressed (Joseph Ladley appointed as interim Bar Supervisor) still chasing letter of (interim) appointment with Joe before progressing with next stage.

Action EM

National Living Wage

Approval of the NLW was accepted by the trustees. This will inevitably lead to an increase in the wage bill. It was agreed to try and look forward and see if these increases were sustainable / unsustainable over the coming years within the current structure of DPML.

Action CB / JM

Training & Development / H&S

Pool rescue & 1st Aid refresher to staff – courses to be reviewed /arranged.

Action EM

Confidentiality Policy - Step 3

A review of a new policy in conjunction with ACAS / Trustees before further meeting with affected staff. Copies of Policy & extracts from staff T&C's sent to ACAS. Letter circulated to all staff seeking staff "representation" to attend ACAS Meeting. Dates of ACAS meeting subject to all parties availability, but unlikely to be before mid April 2016.

Action EM

Employee Handbook.

As a consequence of reviewing employee T&C's, where ref is made to a "handbook", the EM has been unable to locate or identify its existence or whereabouts. The EM has Checked with the previous EM (Alan Baskerville) who was unable to confirm its existence during his term of office. John Bloor (ebslaw) confirms a new /updated handbook was produced in 2011, but unable to confirm its location. EM pursuing Handbook issue with John Bloor.

Action EM

Gardeners Bonus Scheme.

The Trustees raised the question if the current gardeners bonus scheme set up by the previous Estates Manager Mr A Baskerville was still viable within the structure of DPML . It was agreed that full details of the gardeners bonus scheme and their contracts will be discussed at the next meeting. EM to forward all relevant documents to the trustees before the next meeting.

Action EM

4: PLANNING ISSUES.

1 Ousel Nest: Permission for the fence and hedge was given in 2011, after taking legal advice. If similar requests occur in the future, they will be looked at case by case.

Action EM

7 The Stiles - EM to contact the Plot Holder to advise that the newly planted leylandii hedge does not comply with the conditions of the permission granted by DPML and must, therefore, be removed and replaced with slow growing conifers or shrubs with a maximum height and width of 1 metre and matching the length of the fence of the neighbouring property.

Action EM

New fascia boards have been erected on a house in Cedar Wood Number 2 or 4?). The trustees were unsure that permissions have been submitted /approved of by DPML and could the EM get confirmation either way.

Action EM

Concerns were raised regarding the house renovation and tree removal of 2 The Dell. Confirmation required that all procedures are being adhered to by the plot owner.

Action EM / IS

10 Hollow Oak Lane - The Plot Holder to be advised that the resolution of the apparent conflict between the Plot Owners Land Registry Plan and that of DPML regarding the position of boundaries will require the application of due process involving the solicitors of both parties. In the meantime the approval process will be put on hold.

Action EM

Residents Name	Address	Nature of Application	Date recd./ackn.	Consultation Date	Any objections / comments	Trustee decision	Resident notification date
Mr A Maddock	1 The Chines	Extension to hallway & entrance, provide ramped access, small extension & extra roof windows	02.12.15	16.12.15	Favourable comment from Fern Gresty, The Spinney	Approved Approved No further action required	18.12.15
Mr D Woods	7 The Stiles	Conifer planting along front garden border	15.01.16		22.01.16 Resident appealed & requested site visit from Trustees to clarify request	Refused 15.01.16	Appeal by Resident with Trustee under review

Name	Address	Nature of Application	Date recvd . @ CW& C	Consul tation Date	Further information
Miss Michelle Stubb	Delamer e Manor	16/00035/DIS Discharge of Conditions: 4 (Landscaping), 7 (Bat Mitigation),	Wed 06 Jan 2016	Thu 28 Jan 2016	CW & Chester Case Officer: Ms Liza Woodray 16/00035/DIS & 14/04492/FUL –

s		13 (Noise), 17 (Site Compound) and 23 (Travel Plan) of 14/04492/FUL Changes of Use Pump House Delamere Manor Cuddington Lane Cuddington Northwich			<p>all docs & info available at http://pa.cheshirewestandchester.gov.uk/online-applications</p> <p>14/04492/FUL Changes of Use Pump House Delamere Manor Cuddington Lane Cuddington Northwich. Decision 27.02.15.</p> <p>Action – with IS to progress / present DPML objections before planning deadline</p>
Miss Michelle Stubbs	Delamere Manor	Change of use of residential property to function facility.	Thu 24 Dec 2015	Wed 10 Feb 2016	<p>CW & Chester Case Officer: Ms Liza Woodray</p> <p>15/05194/FUL Change of use of residential property to function facility. Delamere Manor Cuddington Lane Cuddington Northwich Cheshire CW8 2TE</p> <p>http://pa.cheshirewestandchester.gov.uk/online-applications/</p> <p>Action – with IS to progress present DPML objections before planning deadline</p>

5: PROJECTS

Building Structure & Condition Survey (BCS). Start to be made on implementation of 5 year BCS (Year 1)

Action EM

1	Pool Shower Refurb (plus Drains) Option 3 (full refurb) agreed with Trustee's. Drain Survey completed. M&E Survey completed (+ Electrical (fix wire) Survey completed) Pool H&V report (previously completed) fed to M&E consultants Water Management Survey completed – fed to M&E consultants work being progressed with Consultants for “options”
2	Energy Efficiency Programmed. Costs received from Consultants to undertake study (£1000 - £1,500) and provide Report EM progressing quotes with M&E consultants as part of Item 1
2a	Boilers / CHP/Heat Pumps Linked to 1
2b	Pool Extract Fans / Energy Pumps Linked to 1
2c	Energy tariffs (electric renew date Feb 2016) COMPLETED
4	Hollow Oak (Wood Sculptures) COMPLETED Awaiting final decision on location to be sited.
5	Access Security Review / modifications In progress Meeting held with Lodge Security 25.01.16 / outline report awaited on options available, with meeting planned for 09.03.16

6:FORTHCOMING EVENTS

The following events are completed or planned with separate feedback reports provided to the “Bar” Trustees in respect of:

Karaoke 20.02.16, *Completed.*

Italian Cuisine / Opera with Belle Voci planned for 17th March 2016.

Mothering Sunday (Not arranged) due to issue with Caterer availability v costs.

Poss Thai evening (Caterer arranged mid April / Thai new year – awaiting costs / confirmation).

7: COMMUNITY GROUPS

39/45 Club – Payment of Lodge Fees. The Club Chair has written to the Trustees seeking to have the Lodge room hire dropped or DPML to justify their continued charge. No room hire costs have been paid by the 39/45 Club for the preceding 12 months.

The Trustees have confirmed the charge to remain in place and outstanding room hire charges be paid. A letter to be sent to the 39/45 Club Chair confirming situation.

Action EM

Request for use of park room by the DP Park singers was granted by the trustees. EM to communicate decision.

Action EM

8: COMMUNICATIONS.

Check if any “sponsorship” income from Park News was being obtained to off-set publishing costs

Action EM

The February Park Talk edition was an excellent one and once again the trustees would like to thank the PT editorial team for their work. There is a need to identify the actual costs of this and future editions and it was agreed that CB and JG will meet the PT editorial team to discuss future edition costs.

Action CB / JG

9: A.O.B.

9a: BYE LAW 2:3.

A small number of residents have expressed their objection to the change made to Bye Law 2.3 made by the Trustees and it had been agreed that these concerns would be discussed in Any Other Business (AOB). On the day of the meeting a resident submitted a letter with a petition signed by 61 plot holders. All trustees were given a copy of both to read at the meeting. The Trustees would like to point out, that the change to Bye Law 2.3 is within the remit of the Trustees, without the need to involve all plot holders. The trustees had discussed the reason to change at length in previous meetings and did not feel that it was a major change to the Bye Law and as such, we did not feel that we needed to involve all plot holders on such a minor issue. After the Bye Law was implemented, a resident wanted clarification on this and the Trustees have had confirmation from the solicitors that we are entitled to change Bye Laws. Under this ruling, changes to Bye Laws have been made in the past by previous trustees.

All Trustees are elected to manage the affairs of Delamere Park Management Limited (DPML) and nothing will get done if all plot holders have to be informed every time to find out if a change is a minor one or a major one. The trustees have to use their judgment as elected representatives of Delamere Park (DP) residents, and the decision to classify this amendment as a minor change was unanimous. In the past, no mention of who has the rights to use the facilities were in the Bye Laws, but over the years previous trustees have introduced Bye Laws to include whom has the right to use the facilities. So far we have not found any reference to any of these changes, other than updated Bye Laws being issued by the elected Trustees at the time of those changes.

Understandably, sometimes the Trustees decisions will not be agreeable to all residents as the petition highlighted by the 61 plot holders (13%) on Delamere Park shows.

So to summarize the reason why we changed the Bye Law, the Trustees agreed to the following statement being recorded in the minutes for all residents to see:.

The changes made by the trustees to Bye Law 2.3 will stand and continue to be implemented.

The previous Bye Law 2.3 had been changed circa 2012 by the trustees at that time (and not by plot holders) which allowed the situation for a plot owner to live off the park and still use the DPML facilities. This stopped the tenant using the facilities. We felt this was wrong as it excluded residents and left the onus on policing this arrangement to DPML staff. We have added an amendment to the Bye law to allow the tenant to use the DPML facilities as well, if this situation arises and plot fees paid up to date..

The change is fair and just to all who reside on DP, so that all residents who actually live on the park (whether tenant or plot holder) have the right to use the facilities that are currently on offer by DPML.

This is in keeping to ensure that DP is an attractive place to live and people will want to come and live here, either by owning or renting.

For example:

DPML obtains a fee for a plot and adds a further £100 to cover administration by DPML. This then allows both plot owner AND the tenant to use the facilities.

This is a win win situation for DPML and at the time of the meeting, this affects just ONE plot.

One other point that was raised by another resident was "this change to the Bye Law is the first step in allowing people not living on DP, access to the facilities." This is NOT the intention of the current Trustees. The previous bye law allowed nonresident plot holders to use the facilities of DP. The change allows both the owner of a plot (even if NOT living on DP) and the tenants who live here on DP, the right to use DP facilities.

The changed By Law does not allow non residents who are NOT plot owners to use the facilities.

But, one concern we do have with this Bye law in its previous and new wording is that plots could be purchased by people who have no intention of living on DP but would like to use the facilities. This situation will be monitored by the present Trustees and hopefully by future trustees as well.

9B: TENNIS COURT LIGHT REPLACEMENT.

After seeking advice regarding lighting requirements for tennis courts and receiving feedback from tennis players it was agreed that no replacement would be required at the moment. However, it was agreed that the whole lighting arrangements for the tennis courts would be reviewed and the existing lighting columns be checked for safety

ACTION EM

9C: UPDATE ON RESIDENT VANDALISING / DAMAGING PLANT POTS OUTSIDE THE CLUBHOUSE.

No response has been received from the resident from any previous correspondence sent by the EM. It was agreed that a final letter will be sent and that the police are to be notified of the incident.

ACTION EM

9D: STAFF CAR PARKING.

No satisfactory resolution has been found as DPML cannot enforce any employee to park in the DPML car park and DPML cannot stop an employee parking their vehicle on the public highway. Correspondence to be sent to any residents who have complained to DPML regarding this situation, and no further action will be taken by DPML management.

ACTION EM.

9E: REQUEST FOR UPGRADING CRICKET NETS.

Quotes are being obtained.

ACTION EM.

Date & Time of Next Meeting - Monday 23rd May 2016 (7pm). Venue (tbc) -END -