



**Powderhall Village Owners Association
Minutes from Annual General Meeting
Tuesday 28th November**

Powderhall Village Owners Association Committee (PVOA) Representatives:

Roddy Martine (Chairman of PVOA)
James Bowyer (Secretary of the PVOA)

Factor (Charles White) Representatives:

Sarah Wilson from Charles White Ltd Factors
Kayleigh Young from Charles White Ltd Factors

Accompanying Documents to Minutes

PVOA Annual General Meeting – Agenda – 28.11.2023
Powderhall Village Income and Expenditure Document

Actions

| Action Number | Action Description | Responsibility |
|----------------------|--|----------------------------------|
| 1 | Review the date of the AGM and production timing of the PVOL accounts | PVOA Committee |
| 2 | Charles White Terms of Service to be sent to all owners | Charles White |
| 3 | Charles White to report to blocks in scope for potential water tank cleaning | Charles White |
| 4 | Provide float increase information in the December 2023 Newsletter | Charles White |
| 5 | Charles White to produce an expenditure forecast for owners for expected 2024 costs | Charles White |
| 6 | Charles White to produce an activities list with associated vendors and contract renewal dates | Charles White |
| 7 | Review contract specifications of cleaning | PVOA Committee and Charles White |

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|---|---|---------------|
| | vendor and review alternative providers | |
| 8 | Charles White to put Inspection Reports onto the Portal | Charles White |
| 9 | Charles White to report to the Committee on how to implement KPI assessment with respect to Charles White's Client Charter. | Charles White |

1. Chairman's Welcome and Overview

Roddy Martine, chairman of the PVOA, welcomed those in attendance and outlined the agenda for the annual general meeting (AGM).

2. Approval of PVOA Accounts, PVOL Accounts and Re-election of Committee and Office Bearers

Overview of PVOA & Powderhall Village Owners Limited (PVOL):

- Roddy and Gordon Chrumka, PVOL Director, provided an overview of the purpose for each entity:
 - PVOA, a collection of owners from the Development, with the purpose of maintaining a professional and effective relationship with the factor and ensuring the Development is a desirable place to live.
 - PVOL, a legal company, where all owners are members by guarantee, setup to hold the public areas acquired by Powderhall Village, such as the car parking spaces. In addition, proceeds from the sale of the historic land is held in the PVOL accounts.

PVOL Accounts:

- As the PVOL accounts have historically not been produced in time for a November AGM, the PVOA Committee will assess the future timing of the AGM and accounts for better alignment.

Quorum:

- As per the Powderhall Village Development Deeds, 20% of owners need to be present or submit a proxy for the AGM reach quorum. The Development has 335 plots therefore 67 owners are required. 54 owners attended the AGM meaning quorum was not met and no binding actions could occur.

Confirmation of Committee members:

- Referring to the second page of the AGM Agenda, titled, 'POWDERHALL VILLAGE OWNERS ASSOCIATION COMMITTEE 2023', the ensembled group of owners were

asked if there any objections to the current Committee members and those who held a position. No objections were received.

Committee membership process:

- James Bowyer, Secretary of PVOA, explained that all Committee members were volunteers and the only criteria to be part of the Committee was to be an owner within the Powderhall Village Development and able to commit sufficient time to benefit the community.
- Any owner at the AGM who wished to be on the Committee, or any owner in fact, could contact the Committee for more information by speaking to any member of the Committee or emailing committee@powderhallvillage.org.uk.
- James particularly encouraged owners with legal, procurement and housing expertise to join the Committee.

3. Factor's Report – Charles White and General Topics & Questions from the Floor

Opening remark:

- Charles White Ltd, represented by Sarah Wilson, stated that it has been a busy year for the development with an array of projects either completed or in-progress.

Exterior Door Block Painting:

- Reported in the September Newsletter, external paint works to the front & rear doors and bin & bike store doors commenced.
- Issues with the quality of painting were raised across the Development with Charles White.
- Many owners present at the meeting reiterated that they were not happy with the quality of the painting job and voiced concerns about payment prior to rectification.
- Charles White inspectors are reviewing the paintwork and remediation actions are being performed by the contractor.
- Payment to be made once Charles White inspectors sign-off on the project following the remediation works.

Internal Block Painting:

- Plan for 2024 to paint the internal walls of each block.
- Charles White Ltd currently running a tender process, as per their Terms of Service, to obtain quotes for the project.
- Charles White Ltd explained that for the painting, these need to be uniform across blocks from the same contractor.
- The internal paintwork will also impact all blocks.

Terms of Service:

- The latest Charles White Ltd Written Statement of Service will be emailed/posted (dependent on usual preference) to all owners in January 2024. The Terms of Service is also available on the Charles White Ltd Portal.

Dog Fouling:

- Dog fouling is still an issue in the Development.
- Due to the location of the Development to public areas and multiple access routes to green spaces, this issue will continue to be a challenge.

Bike Storage Clear-out:

- The tagging of abandoned bikes in bike stores across the Development was completed.
- The charity, Bike Station, have collected most of the tagged bikes with the remainder to be collected soon.

Bike Theft:

- It has been reported to Charles White Ltd that there have been bike thefts from the Development's bike stores.
- These matters have been reported to the police and it was noted in one instance the perpetrators, group of children, had access to the block and bike store.

Cherry Tree Removal:

- The Cherry Tree outside of 7 Rigg was successfully removed.

Path Fixing:

- 60 metres squared of path outside 7 The Rigg needs to be re-laid.
- Two quotes were obtained:
 - £6,000
 - £5,502.24
- Split across the whole Development the amount indicates an estimated charge of £16.42 per unit.
- Path remediation to be executed as soon as possible.
- Further information will be in the Charles White Ltd December Newsletter.

Health & Safety Projects:

Legionella Testing

- Legionella testing was completed throughout the Development.
- There is scope for cleaning of certain block's tanks to be cleaned:
 - 7, 9 and 11 The Rigg
 - 1, 2, 5 and 7 The Brae
- Powderhall Road properties are not affected.

- Charles White Ltd will write to blocks affected separately.

Anchor-bolt Testing:

- The annual anchor-bolt inspection was completed (anchor bolts are external fixings which allow roofers to abseil from the roof to complete works rather than using cherry pickers).
- The component is not only 20 years but also an obsolete component due to change in building regulations.
- Options on next steps are being reviewed by Charles White Ltd, such as remedial actions or no action if not required.

Float:

- The float is the money paid by an owner upon moving into a property within the Development to support the cashflow between payment of contractors and collection of fees quarterly from the owners.
- The float is repayable to the owner upon leaving the development.
- Due to the increase in costs from services rendered and remedial works, the current float is insufficient to support the cashflow changes.
- To make the increase of the float easier on owners, it was decided at the most recent Committee meeting to spread the increase across three invoices to owners.
- The proposed float increases per block, also to be communicated in the following Newsletter, is as follows:

| Block | Current Float | Proposed Float | Increase |
|------------------------|----------------------|-----------------------|-----------------|
| 1, 2, 5, 6, 7 & 8 Brae | £275 | £410 | £135 |
| 3 & 4 Brae | £175 | £320 | £145 |
| 1 Rigg | £175 | £250 | £75 |
| 2-11 Rigg | £275 | £450 | £175 |
| Townhouses | £50 | £70 | £20 |
| 12-22 Powderhall Road | £175 | £300 | £125 |

- An alternative option to float management is to move to an annual budget however this was deemed impractical at the most recent Committee meeting.
- The audience asked for clarity on why the cost increase is different for the different blocks. The difference is due to the varying sizes of the blocks thus, for costs for services rendered, it is fairer for the larger blocks to take more of the burden.
- An additional question was asked on why the increase was at the level suggest with Charles White Ltd responding it was due to the sizeable increase of costs from suppliers. Please refer to associated document, ‘Powderhall Village Income and Expenditure Document’ for a breakdown of costs for the year.

Contractors, contracts, and Terms of Service:

- The floor asked questions on Charles White Ltd tender process, new contractor process and specific details on the lift maintenance contract.

- Charles White Ltd stated that all tenders follow the tender process as defined in the Terms of Service.
- All contracts, with values that surpass the tender thresholds within the Terms of Service, are tendered at the end of their contract.
- Whilst the Written Statement of Service is available on Charles White Ltd.'s client portal, it was agreed that the latest Terms of Service will be sent directly to all owners.
- Charles White Ltd has a list of approved contractors. Any new contractor, that can be recommended by the Committee, will need to complete Charles White Ltd's onboarding process, which includes risk assessments etc.
- The Lift maintenance contract will be tendered in 2026.

PVOL Funds Usage:

- An audience member asked about the process and meaning for the PVOL held funds.
- The funds in the PVOL's account can be used at the discretion of the Committee however have been earmarked to use for legal defence against Edinburgh Council in the event they act to acquist the Powderhall Village parking spaces.

Insurance:

- Powderhall Village Development has 4 policies in place that cover buildings/block insurance.
- Claims made by the Development in the last 5 years, from the date of the AGM, is £133,000.
- 90% of the claims made by the Development relate to water damage, whether externally caused or internal, e.g. flat-to-flat leaks.
- The high level of claims is a key cause for the high insurance cost borne by owners in the Development.
- Charles White Ltd uses a broker to identify insurance providers for the Development. The broker used is A J Gallagher, who rebranded from Deacon in 2022.
- An audience member raised the concern that the Development has used the same broker for an extensive period of time.
- Charles White confirmed that they received 12% commission on the net insurance premium (excluding insurance premium tax).
- This was incorrectly stated as 20% in the Written Statement of Service but was identified and updated prior to the AGM.
- The Broker receives 10% commission on the net insurance premium.
- The remuneration of Charles White Ltd from the insurance commission for 2023 is as follows:

| Policy | Commission Charles White Received (£) |
|-----------------------|--|
| 1-6 Powderhall Rigg | £6,608.99 |
| 1-8 Powderhall Brae | £2,344.15 |
| 12-22 Powderhall Road | £5,777.00 |
| 7-11 Powderhall Rigg | £5,707.00 |
| Total | £20,437.14 |

- Charles White Ltd explained they are an Appointed Representative of AJ Gallagher Insurance Broker, therefore act as an administrator as such.
- Charles White Ltd needs an approved person on behalf of AJ Gallagher and at Charles White Ltd this is Sarah Wilson.
- Charles White Ltd's only two income streams from the Development are the management fees and the insurance commission. There are no other commissions received.
- As per the Deeds, the insurance policies are to be managed by the Managing Agents, Charles White Ltd.
- Charles White Ltd outlined the following about the claims process:
 - Any claim greater than £3,000 a loss adjuster will be used.
 - Excesses are as follows:
 - All insured perils (except following two items): £500.
 - Insured Peril – explicitly water: £1,500.
 - Insured Peril – explicitly subsidence: £1,000.
- The audience challenged why Zurich was chosen as the insurer. Charles White Ltd response was due to the fact Zurich covered all requirements as per the deeds and they were the best choice of the top 3 vendors sourced.
- Charles White Ltd reiterated the claims history is a significant challenge for the Development.

Forecast/2024 budget:

- Challenges were raised from the audience that Charles White Ltd can better inform owners about upcoming costs by providing an expenditure forecast for 2024. This can be based on 2023 figures and for works expected to occur resulting in better cashflow management for owners.
- Charles White Ltd agreed to produce a forecast and communicate to owners.

2024 Activities List & Contract terms:

- Following questions about expected costs next year, Charles White Ltd agreed to provide to owners a list of expected activities, gardening, insurance etc., the associated contractor and the renewal date for the contract.

Block carpets:

- The audience asked about the degrading carpets within the blocks, given the planned internal painting works.
- The Charles White Ltd Development Inspector drives the assessment about which blocks require immediate work.
- The work can be performed block-by-block.
- Initial review indicates 2-6 The Rigg as requiring most urgent work.

Cleaning:

- The audience raised concerns of the lifts not being sufficiently cleaned.

- Charles White Ltd and the Committee will review the specification of the cleaning contract and examine alternatives prior to contract renewal due 2025.

Guttering – 3 Brae:

- The guttering outside 3 Brae was left for 12 months and the subsequent repair job has not fixed the issue.
- Charles White Ltd stated the repair job was signed off by the Development Inspector from a visual inspection from the ground.
- Challenge from the audience as to why this was case resulted in the agreement future inspector reports to be shared to owners via the Client Portal.
- Charles White Ltd confirmed that this is with the IT company to have this in place in 2024.

KPIs (Key Performance Indicators):

- The audience requested Charles White to produce KPIs against their Client Charter, so there is transparency if Charles White Ltd are meeting their objectives.
- The KPIs in question were responding to emails and calls within the timeframes outlined by the Charter and the KPI assessment should be put on the Portal.
- Charles White Ltd to review KPIs and report to the Committee.

Bin Store Doors:

- Ways to limit damage to the bin store doors were discussed but nothing conclusive was gained.

Contingency Fund:

- Audience raised the contingency fund proposal.
- Roddy confirmed the proposal is dead and any future contingency fund proposal will go through a more rigorous review process before being voted upon.

Brae & New Development Fence:

- Artisan, the counterparty involved for the other development, is not getting the issue rectified in a timely manner.
- Charles White Ltd reviewing legal action to force them to fix the issue and to claim damages.

4. Conclusion

Roddy Martine concluded the AGM.