

Little Meadows (Cranleigh) Management Company Limited

Company Number 11426781

Minutes of the Annual General Meeting held at

19.00 Tuesday 26th November 2024

at

Cranleigh Methodist Church

188 High Street, Cranleigh

GU6 8RL

Present: See list at end

Tim Townsend of A Lambert Flat Management (ALFM) welcomed all to the meeting and advised that the Directors had asked him to Chair the meeting. All the Directors then introduced themselves to the meeting.

Apologies had been received from Jenni Wade of Aster Housing and Maggie Alexinas Dean.

Approval of the Minutes of the AGM of 26th April 2023

The minutes were taken as read. That they were a true and accurate reflection of the meeting was proposed by Trevor Scale, seconded by Avril Harbour, and agreed by all.

Matters arising from the Minutes of the last AGM

There were no matters arising.

Approval of the Accounts 30th September 2024

Tim Townsend explained that the accounts had been produced with little information provided by the previous Managing Agents (will be expanded upon later in the meeting) and initially no funds. During the financial year, a payment of £7000 was received from the previous Managing Agents, but with no reconciliation. These funds are reflected in the year end accounts.

Additional points referred to include:

- Annual Turnover (service charges collected) £42442, which included circa £3000 of arrears from the previous year.
- Annual expenses £26646, broken down on page 9 of the accounts, with the Repairs broken down further on page 7.

- Gardening costs less than anticipated as there was a period of no gardening.
- Reserves at year end £23969 for the estate; £836 debit for flats 13/15/17/19/21 Marjoram Ave; Nil for flats 47/49/51/53/55/57 Marjoram Ave

Questions raised by the floor included whether there are any arrears now. It was confirmed that there are now no arrears.

The approval of the accounts was proposed by Terry Carter, seconded by Geraint Jones, and approved by all.

Discussion on Service Charge budget for 2024/25

It was noted that the budget had increased by just over £3000. The significant change was the gardening budget which had increased from £12000 to £22000. When the previous gardener disappeared, the contract was put out to tender, and five firms quoted with prices varying between £18000 and £47000. The most competitive was Countrywide at £18210 and Countrywide were appointed for 38/39 visits per year.

The previous year made no allowance for repairs, and the new budget made an allowance of £2500.

Reserves contribution was reduced from £13000 to £4000.

Confirmation of Director Resignations and Appointments

Geraint Jones confirmed that he is standing down as a Director.

It was explained that the M&A of Association for the Company are unusual, in that any new Directors must be approved by the existing Directors. The Directors confirmed they would like some additional Directors and any nominations would be discussed at the next Directors Meeting on Friday 29th November and confirmed the following week.

After some discussion nominations were put forward for Talia Underhill, Kirsty Ellis, and Justine Williams. It was also suggested by an attendee that Simon Bozzoli may be interested, and the Directors are to check this.

Special Resolution to change the LMC name to Little Meadow Cranleigh Ltd

There was a paper circulated to all with the AGM papers. This set out the reasons for the proposed change and the Resolution was approved unanimously.

Report on the FirstPort situation

Geraint Jones spoke on this matter. Geraint explained that DJC managed the estate, having been appointed by Bellway. DJC were taken over by FirstPort. The Directors knew that they would give poor service and so they gave notice to terminate the contract with FirstPort effective January 2024.

A good Managing Agent would then reconcile the accounts and hand over all the records and finances to the client/new Managing Agent. This has not happened. They did make a one off "payment on account" of £7000, but only very minimal information has been provided.

The Directors have been pursuing FirstPort for this information and funds, but nothing has been forthcoming. Eventually the Directors decided to pursue the matter through the County Court. In the Defence submitted by FirstPort they admitted everything significant that was in the Claim.

There has been expenditure to get to this stage and with any litigation there is an element of risk. That risk is reduced by the fact FirstPort have admitted all the points in the Claim.

The current situation is that LMC are now able to apply for Summary Judgement, and hopefully all the required information will be provided.

A question was asked about timescale, and Geraint advised that the legal process is slow and still likely to be measured in months not weeks.

There was a Vote of Thanks from all to Geraint Jones for his efforts on behalf of LMC.

Report on the Land Transfer

Please see the **attached** paper which was read to the meeting by Colin Harbour.

AOB for Company Matters

There was none.

Open Forum

Landscape Maintenance

Gardening costs make up a substantial proportion of the estate budget. Mike Williams is one of the Directors and he acts as liaison with Countrywide, who are the Landscape Maintenance contractors. It would be helpful to have residents in different areas of the estate keep an eye on the landscaping works in their area and report to Mike Williams if anything needs attention, and Mike can then inform Countrywide.

Gary Porter and Sue Knight both volunteered.

Update on outstanding matters with Bellway

Paul Haines spoke on this and explained that there had been three and a half years pursuing Bellway, and they are still coming back to the site to conduct works. This included the recent replacement of fifteen trees. Also works to the swale in front of Yarrow Close, that has been cleared and is now going to be planted with grass seed as opposed to wildflowers.

The boundary with the neighbouring site around Betony Close, has been cleared out and is due to be planted next week.

There are a couple of streetlights at the front of the estate which have been placed on the road. Bellway have accepted these need to be moved at their cost. LMC are waiting to hear when this will happen.

A question was raised about the boundary with the neighbouring site around Primrose Close. Paul Haines advised that despite many attempts Bellway will not accept any responsibility for this. The crux of the matter seems to be that this was shown on the planning permission as “retention of historic hedging”. However it was agreed works are needed and this is to be discussed next on the agenda.

Primrose Boundary Work

The meeting agreed that despite Bellway refusing to fund any works to this boundary area, works are needed. It was also agreed that these works should be expedited before the next growing and nesting season. Some were of the view that this could maybe be tackled as a resident’s “self-help” approach if there was enough to make up a working party. Others felt the works needed were too “heavy” and contractors were needed. It was agreed that a “working party” would be formed to consider this, and look at what is needed and the options. Gary Porter confirmed he would be willing to be involved, as did Sue Knight. It was also suggested that Simon Bozzoli may be interested but this would have to be checked.

Adopt a Tree

It was suggested that as many trees have already been lost, and have had to be replaced by Bellway, that residents may want to adopt one or two trees near their property, and keep an eye on them. To water them if we have a sustained dry period and advise Mike Williams if any other works are needed. Many at the meeting suggested they would be interested in this, and it was agreed that ALFM would email all about this.

Thank you

All agreed a huge vote of thanks for the Directors and the works they have undertaken in the past year.

The meeting was closed at 20.00

Report on the Land Transfer

Terry has kindly done a written note for the directors regarding the Land Transfer which he has been pursuing for us. If I may, I'll try and summarise that and will add a little background. The following is, I think, where we currently stand.

If you are a first owner, you will know that Bellway Homes Ltd originally developed our estate, Little Meadow, and by early 2021 all properties had been completed and sold.

The development comprises 75 residential dwellings being 11 flats and 64 houses. Of these there are 27 dwellings where the freehold is owned by Synergy Housing Limited, which is part of the social housing group known as Aster.

In the old days, a Local Authority would pretty much automatically assume responsibility for the common areas of a new estate but that is patently no longer the case and the planning decisions they give make this clear. LMC is a party to each of the Bellway property sales on the estate as the entity required, and contracted, to provide estate maintenance. The maintenance covers the common areas of land, but currently the legal ownership of these common areas at the Land Registry still rests with Bellway who are supposed to have transferred it to LMC by now.

At the beginning of 2024, the Directors of LMC sought to get the title to the common areas transferred into the name of LMC. Bellway agreed that the acquisition should proceed and instructed their solicitors, IBB Law (who, if you are the first owner of your property, you may recall will have handled Bellway's side of your own purchase). IBB advised Terry Carter, who as I said before is kindly dealing with this side of things, that Bellway had indeed instructed them to proceed with the land transfer. On 11 January this year, IBB said that they anticipated the land transfer would take about 4 to 6 weeks to complete assuming that there were no complications.

The Directors of LMC instructed Red Kite Law to act on the company's behalf in the transfer. This firm was known to one of the directors who had had previous dealings with them and their fees quote was very competitive.

The transfer has proceeded very slowly - in fact it's progressed hardly at all. It was not until this month that Red Kite Law finally received a copy of Bellway's title document to the land but there are still many questions for Bellway and/or their

solicitors to answer in order that LMC knows exactly what it is about to take on - these questions concern exactly which areas of the estate are to be, or already have been, adopted by the Local Authority; and the working condition of any of the many things that LMC would be responsible for - such as surface water drainage and sewerage in the areas which are definitely not to be adopted - the three Closes - and SuDS (Sustainable Drainage Systems) which are the areas that mimic natural drainage processes to manage stormwater. Needless to say, any of these could potentially be a big responsibility if something goes wrong.

The purchasers of freehold residential properties on the Little Meadow estate should have seen a number of reports concerning the proposed development and it is assumed that each owner was reasonably content to proceed on the basis stated; however, there is one particular aspect that is important and that many seem unaware of - the land title as registered with the Land Registry on the west boundary does not extend to the pavement along Alfold Road. The registered title stops just before the ditch/swale associated with the pavement. Surrey County Council does not accept that the ditch/swale is their land and in fact the ownership of this strip is unknown - literally no-man's land. An indemnity insurance policy for (in round figures) £36m exists in perpetuity for the benefit of every owner to protect any persons passing over this land from any claim(s) that they are not entitled so to do. I have a copy here if you're interested.

The planning consent for the development by Bellway includes a provision that the developer is required to prepare the ditch/swale area and sow various seeds as well as maintain the road sight lines from the junction of Marjoram Avenue and along Alfold Road. There appears to be no end date concerning the maintenance of sight lines. On the transfer of the estate to LMC the responsibility for the maintenance appears to fall upon LMC, so due provision for these costs needs to be made in the annual maintenance budget. By the way, Bellway has been billed by LMC for the cost of the recent clearance of the swale - whether they pay up remains to be seen.

So to summarise, there is still a very long way to go before the common areas are formally transferred into LMC's name. Please rest assured that the directors are pursuing all aspects to ensure that any future cost to LMC is minimised.