

BOWNHAM PARK RODBOROUGH RESIDENTS' ASSOCIATION LIMITED

Minutes of the 36th Annual General Meeting held at The Bear of Rodborough on Tuesday June 21st 2011, commencing at 8.00pm

Mr Allen was in the Chair and opened the Meeting by welcoming Members representing 40 households. The Chairman reminded the Meeting that where properties were jointly owned, both persons were 'the Member' and were welcome to attend and participate, but one vote was allowed in respect of each property. The Chairman also asked Residents to identify themselves by name and house number when participating in discussion. The Chairman said that Minutes of the previous AGM, Annual Report and Financial statements for the year 2010/11 had been delivered to households together with the Agenda. The Chairman confirmed that there was a quorum for the Meeting.

1. Apologies for absence

Apologies had been received from 8 Members and the Council had received 16 proxies.

2. Minutes of the 35th Annual General Meeting held on 7th July 2010

The Chairman said that the Minutes of the previous AGM had been circulated, together with the Annual Report and Financial Statements for the year ending 31st March 2011 and the Secretary's Report for the year 2010/11. Mrs Kelsey said that regarding the approved increase in subscription at the last Meeting, she wondered if it would be appropriate to ring-fence an amount for road repairs. On the proposition of Mr Lloyd and seconded by Mr Sims, the Minutes were unanimously accepted and signed by the Chairman as an accurate record.

3. Matters arising from the previous A.G.M.

No issues were raised regarding the previous A.G.M.

4. Secretary's Report

The Secretary said that his summary report had been circulated with papers prior to the Meeting and the legal case concerning Mr and Mrs McEwen, who were present at the meeting, had been covered in the Chairman's Report. The Council had previously been unable to inform Residents in detail about the legal case regarding the breach of Covenants by the McEwens, under advice from Legal Council to exercise caution in case the matter did progress to Court. Every effort had been taken to mediate with the McEwens to resolve the issue and, with their eventual agreement to stop the childminding business, they had been allowed two months grace to finish, consideration being given to the welfare of the children. The objective was to ensure that the Covenants were observed, which was in the best interest of all Residents to maintain the ambiance of the Park and also the detrimental effect the extra traffic/parked vehicles had been on close neighbours, in particular Mr & Mrs Wilkins. Mr McEwen commented on several points and said that in his opinion the childminding had not had a significant impact on their neighbours.

The Secretary said that he would not be seeking re-election and he had been particularly happy that Residents' legal access to their property with the National Trust Deed had been secured. The National Trust Deed entered into by over 60 owners also established this access would only be used by owners and their agents for residential purposes only. In addition this Deed established that only one dwelling house per plot was allowed. It was important that the Covenants were maintained as it was good protection from commercial interests on private dwellings. The Secretary thanked the other Directors for their support.

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5. Treasurer's Report

The Chairman said that the audited accounts for the year ended 31 March 2011 had been circulated and asked if there were any questions. Mr Hopkins said that he thought the expenditure on legal fees was excessive and an explanation of this expenditure was required. The Chairman said that after taking legal advice it was agreed that it was necessary to defend the Covenants, and protect the privacy of all properties on the Park. At a cost of £90 per house he thought it was money well spent after taking good advice and acting in the interests of Residents. Mr McEwen said that it was costly considering they had received 12 letters in total. Mrs Whittaker said that there had been a considerable amount of research and legal work regarding this issue. The Chairman said that there may be a final invoice from the solicitors to wrap up the case, but very minor, as the issue had now been resolved. The Secretary said that if the matter had proceeded to Court we could not have taken that next stage unprepared, so the legal work relating to the Covenants, and associated costs, were necessary.

On the proposition of Mr Mercer and seconded by Mr Stapleton the accounts were signed at the Meeting by the Chairman and the Treasurer. Thanks were extended by the Chairman to the Treasurer for her valued contribution.

6. Drainage System and Estate Maintenance

The Chairman invited Mr Eyles to address the meeting on the proposed adoption of the drains by Severn Trent Water. Mr Eyles said that this had been proposed 6 – 8 years ago, and would be voted on in the House of Commons this month. All water companies would then take over private sewers, and in our location, this would be Severn Trent Water, due to come into effect in October. Mr Blackwell enquired if surface water issues would still be our responsibility and Mr Eyles confirmed that to be the case. Mrs Phillips thanked Mr Eyles for all his work on the issue of the drainage system.

7. Review current and future legal positions

The Chairman said current issues were covered in the Chairman's Report. It would be difficult to regularly send out more newsletters. Mr Fincher said that households should be informed of any major issues. The Chairman said that a potential issue was the plan for development of Bownham Mead School and Field and he had been approached by Bownham Mead Residents' Association to join them to try to stop any development, which would have a serious effect on the houses on that side of the Park. The Chairman said that he was waiting further news regarding a meeting on this matter.

There was discussion regarding the effect on this area of a new development. Mr Eyles said it was Government policy to establish new housing and Mr Morris said that there was pressure on Borough Councils for new social housing. Mrs Phillips said that it might be necessary to increase the subscription if there were significant legal costs in this matter. The Chairman said there might well be legal costs in this matter and Mrs Phillips said that it may be necessary to ring-fence costs and an EGM might be necessary. The Secretary said that, as with previous issues, it was not easy to run the Association by referendum and restrict the powers of the Directors on difficult issues, and the Chairman agreed. Mr Clements agreed with the power of authority of the Directors and said a clause in the articles made it possible to make a resolution to raise an invoice in cases where extra costs were incurred. Mr Stapleton agreed that it was counter productive to tie Directors and detrimental to the running of the Association. Mr McEwen said that the Directors had taken the power to enforce the Covenants and therefore made all decisions. The Secretary said that all views would be considered when discussion was necessary. Mr Blackwell said that when there was further information a Newsletter on this issue would be effective communication. The Chairman said that he would report back with relevant information after discussions with Bownham Mead Residents' Association.

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8. Annual Subscription 2011/12

The Chairman said that the risk of expenditure on the drainage systems appeared to be receding and having reviewed the cashflow requirement which required funds for the road repairs and repairs to cattle grids, it was recommended that the annual subscription should remain at £255. Mr Sims enquired if there were any subscriptions not paid and the Chairman said that 67 of 71 households had paid. Mr Stapleton said that costs of all work would go up and not down and perhaps the subscription should be increased in line with inflation. Mr Jones said he would be relieved if the drains were taken over by the water authority, but that would probably result in additional water rates. There was some discussion about the implications of a private road being adopted by the local council. The Chairman then moved to adopt the recommended Annual Subscription and this was proposed by Mrs Arnison and seconded by Mr Blackwell.

9. Appointment of Auditor for 2011/12

The Treasurer said that she was happy with the current Auditors and the Chairman concurred. On the proposition of Mrs Lloyd, seconded by the Chairman, it was unanimously agreed that Kingscott Dix be retained as Auditors for the year 2011-12.

10. Election of Council for 2011/12

The Chairman said that in respect of election of officers, Mr Clements was standing for the position of Secretary and Mrs Lloyd as Treasurer. The Chairman said that Mr Clements had previously been Secretary of the Association and had lived on the Park for many years. On the proposition of the Chairman, and seconded by Mr Sims, Mr Clements was elected as Secretary. The Chairman said Mrs Lloyd had done an excellent job as Treasurer, and on the proposition of the Chairman, and seconded by Mrs Bennett, Mrs Lloyd was re-elected as Treasurer. The Secretary said that, with retiring Council Members, and the two new Council Members, Mr Clements and Mr Richards, the Council would have a total of 7 Members, which was in line with the minimum requirement of 6 and maximum of 8. On the proposition of the Secretary and seconded by Mr Blackwell, Council Members were elected en bloc, supported by a unanimous vote.

11. Neighbourhood Watch

The Chairman extended his thanks to Mr Lloyd for his contribution as Neighbourhood Watch Co-ordinator. Mr Lloyd said that there had recently been issues at the bottom of the Park on the Common with people congregating and firing golf balls at houses and also an incident of two ladies walking their dogs being intimidated. There had been communication with PCSOs regarding these issues. Mr Fincher said that he had reported anti-social behaviour to the Police several times and the National Trust had been informed and were monitoring the situation. Mr Hinch said that graffiti and vandalism was also a concern and Mr Thackray had been aware of disturbances in the past, and had taken relevant car numberplates. Mr Lloyd said that there had also been an attempted dog snatch and he had been informed by the Police that dogs did get stolen.

Mr Lloyd said that speeding in the area was a continuing issue - often on the stretch of road past the Bear of Rodborough, but there had been a speed survey which gave the average speed of 38mph, so no further action was taken. Mr Lloyd said that he would continue his communication with Stroud Safer Community Team.

Mr McEwen said that the taxis parking close to the entrance to the Park collecting children from Amberley Ridge School was a continuing nuisance. Mrs Phillips said that she knew the school was about to be re-located, due to transport costs, and that would end the problem.

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12. Any Other Business

The Chairman said that Mr Hinch had been active in addressing the speeding issue on the Park and invited him to address the Meeting. Mr Hinch said that the main offenders were non-residents cutting through the Park, and delivery vehicles or contractors. There had been discussion on ways to resolve the problem, and a survey had been delivered to residents, resulting so far in 50% feedback. It seemed the majority thought that there was a problem we now needed to move on to the next stage of discussion and possible suitable action. Mr Sims said that it was important to base any action on current and not historical information and Mrs Phillips said that she was concerned about the informal meetings and thought that the survey form would have better reflected Residents' views if it had been anonymous rather than specific to the householder. Mr Lloyd said that the meetings on speeding had been open and all households had been invited. Mr Irving said that in his view speeding was not a big problem and he would not wish to live in a gated community. The Chairman said that further informal meetings to address the issue would continue.

The Secretary extended his thanks to the members of the Council, and thanked retiring members Mr Allen and Mrs Britton for their contribution. The Chairman gave thanks to Mr Whittaker for his 12 years service, and was particularly grateful for Mr Whittaker's success with the National Trust regarding access to Bownham Park.

The Chairman closed the Meeting at 9.45pm

DKW/JB 20/07/2011