

**Elsea Park Community Trust Annual General Meeting 2012**

**Minutes of the Annual General Meeting of The Elsea Park Community Trust  
Held at The Centre @ Elsea Park, Bourne, on Wednesday 12th September 2012**

<b>Present:</b>	<b>Initials</b>	<b>Role</b>
Angela Bailey	AMB	Resident Director ( Chair )
Barry Cook	BC	Resident Director ( Vice Chair )
Matthew Upex	MU	Resident Director ( Finance Director )
Jono Brough	JB	Resident Director
Jane Whitehead	JW	Resident Director
Ken Maggs	KM	Accountant / Auditor Representative
<b>Apologies:</b>		
Shirley Cliffe	SC	Director (Bourne Town Council)
Adam Cooke	AC	Director (Landowner)
Judy Smith	JS	Director (SKDC)
<b>Trust Staff in attendance:</b>		
Rebecca Jones	RJ	Community Trust Administrator
Sally Waltham	SAW	Trust Manager
Peter Ellis	PE	Groundskeeper
Liam Dodd	LD	Trust Apprentice

The Meeting opened at 19:00 hrs.

### **1. Welcome & introductions**

AMB welcomed all residents to the meeting and thanked everyone for their attendance.

AMB advised that before she introduced her fellow Directors she wanted to run through a few points:

- The Board would like to give everyone the opportunity to ask questions and have their turn to speak.
- Members were asked to remember that all Directors are volunteers and give their time freely.
- Directors put a lot of time and effort into The Trust and should be treated with respect.

AMB added that two new Directors that have been appointed in the last month, Jono Brough and Jane Whitehead. The Board had also decided that the director representing Kier Homes, Dan Browne, would not attend this, or future AGMs, as The Board moves towards being lead and elected by the members

A written statement from Kier covering current issues and matters of importance for members has been produced and distributed at the meeting. A copy will also be made available at Trust office and posted on the web site. Members were also advised that Kier now hold regular surgeries for residents to field Kier related matters direct to Kier.

### **2. Approval of the Minutes of the last AGM held on Wednesday 27 July 2011 (Minutes are available on the website or on request from The Trust Office)**

The minutes of last year's AGM were reviewed. It was proposed by resident David Forrest that the minutes be accepted as an accurate record of the meeting held on 27<sup>th</sup> July 2012; seconded by resident Stuart Benjamin, carried unanimously.

### 3. Chairman's Report

AMB asked for all questions to be raised at the end under "questions from the floor" (agenda item 6).

AMB highlighted to residents the areas that The Trust has improved on such as:

- The AGM is more accessible and more detailed information has been provided to members prior to the meeting
- The Board are more accountable to members and all minutes are now published on the website along with the finance reports. The budget was agreed at the beginning of the financial year with targets being set, and The Trust now has better annual fee collection strategy in place with a 35% reduction in arrears.
- The Centre:
  - o The Centre opening event was a great success. The Trust plan on holding a similar event around the time of the anniversary of the opening next year.
  - o The Centre has a high number of activities taking place that cover a wide range of ages and needs including the latest activity, a new Beaver group.
  - o The Quiz nights have been a huge success and there are lots more to come.
  - o Elsea Park residents Children's Christmas Party is planned for 19<sup>th</sup> December 2012
  - o A party is being planned for New Year's Eve.
- The Parks:
  - o We have made improvements to existing play areas and have recently taken on the large play area at The Centre.
- Involvement
  - o Following the open event The Board are pleased to announce the newly formed Centre and Events Committee. They organise and run events for the benefit of the community. AMB asked all present to get involved and put their ideas forward.
- Staffing Levels
  - o The staff levels have now been increased to incorporate two caretakers (part time posts) who see to the demands of The Centre. The Trust has a dedicated workforce comprising of The Trust Manager, Trust Administrator, Administration Apprentice and Groundskeeper and the caretakers.
- Communications

- The Trust has recently established Facebook and Twitter pages. These can be used as a way of communicating and asking questions.

AMB informed the residents that The Trust wants and needs more Volunteers, Resident Directors and a better level of response from consultations.

#### **4. Finance Director's Report and Approval of Annual Accounts 2011 – 2012**

MU gave an update on the financial position of The Trust and the 2011/2012 set of Accounts and Audit.

MU advised the members of his professional background including twelve years accountancy experience with this being his third AGM as Finance Director.

MU stated that two years ago The Board felt it wise to engage an audit firm to review the accounts in order to provide assurance to members that The Trusts finances were being run properly and with full accountability.

MU presented the financial statements for the year ended 31 March 2012. These had been discussed and agreed at Board level. They have been audited by Ken Maggs and his team at Moore Thompson who have given a clean audit report. A full copy of the financial statements is available from The Trust website, or by request from The Trust office.

MU identified a number of areas that residents may have queries on and followed with explanations on each point.

MU started with the 'Detailed Trading Profit and Loss Account'.

MU asked residents to note in other income an amount of £958000.23 as a gift in kind. This amount relates to the Community Centre and all of the connected land which was transferred to trust ownership pre year end. These assets have been included in the accounts at the build cost to Kier and will be subject to a professional valuation in the coming months which may alter the carrying value in the 2013 financial statements.

MU advised that if the transfer of these assets to The Trust is removed from the figures then overall The Trust made a surplus of £49,422 before tax.

The turnover continues to increase as would be expected given that the community charge is index linked and more houses are being built and occupied every year.

MU advised that the continued increase in the number of dwellings being occupied, together with the opening of the Community Centre has also necessitated an increase in staffing, thus a rise of £17,653 in these costs over the prior year. The Board are very mindful of staffing costs and feel they get excellent value for resident's money and are paid in line with market conditions. MU thought it would be fair to suggest that these costs will rise further in coming years due to a full year of the Community Centre being open and The Trust having to cover activities 'outside of normal hours'.

MU moved on to explain the Balance Sheet. The inclusion of the Community Centre and associated land has led to a large increase in the asset value of The Trust. The Balance Sheet value has

increased to £1,007,235.00 this year, with the Community Centre and lands accounting for much of this increase.

MU stated that one of the key areas where The Trust can be seen to be improving year after year is the collection of debtors. As at 31 March 2012 the monies owed to The Trust in respect of outstanding service charges amounted to £31,750.00. This is a 36% drop on the previous year, and based on a higher turnover which would generally lead to a higher value of debtors.

MU confirmed that The Board have implemented and support a strong debt recovery process, however if residents do find themselves in a difficult financial position in respect of paying the annual charge, they should visit The Trust Office at the earliest opportunity to discuss the best way forward. MU said, however, that neither the staff nor The Board are empowered to waive community charge fees.

As per 'Cash at bank' at the year-end MU informed that it appears high, and explained why. The Community Centre had been taken on in late March and had yet to be fully equipped. The cash reserves are being used and will continue to be used to both fully equip the centre with an Audio Visual system and CCTV, as well as undertaking various projects around Elsea Park which MU advised will hopefully provide an improved environments for residents.

MU added that The Board are committed to the highest level of Corporate Governance and transparency; The Board wants the members to really feel that they have a say as to how their money is spent. The Trust will need to maintain a level of reserves which will give The Trust the autonomy to undertake larger scale projects as and when deemed necessary. From a budgeting position The Trust have prepared a budget for the year to 31 March 2013, and members should all have received a copy.

The next step for The Trust is to prepare a five year business plan as AMB has already discussed, and MU reiterated how much residents input would be greatly appreciated in this area.

MU then took the following questions from the floor.

**Q1:** Why do we still have debtors outstanding at year end?

AMB confirmed that firstly The Trust never have bad debts as the fees owing from any property on Elsea Park will always be cleared upon completion of the sale of that property. Consent cannot be given on house sale completions until arrears have been cleared. In order to further reduce the amount owed by debtors, The Trust is currently seeking legal advice as to the best way to recover such debt.

MU advised that the debts have reduced by some £15000 from the last Financial Year and The Trust is doing everything in its power to further reduce these arrears.

**Q2:** Are legal fees recoverable?

AMB confirmed that County Court fees are recoverable and also some solicitor's fees but it depends on the Judgement from the Court and what the legal fees are.

**Q3:** Are we paying for the bird boxes?

AMB informed that The Trust have always paid for the Bird boxes.

**Q4:** Does The Trust need entertainments, alcohol, and Performing Rights licenses for The Centre?

AMB confirmed that such licences are required and are already held.

MU asked the residents to approve the accounts for the Year Ending March 2012.

Proposed: David Forrest

Seconded: Charlene Upex

The accounts were approved by a majority vote (20 for, 3 against).

## 5. Moving Forward

AMB discussed the key issues for the future with the first one being development of The Centre. Over the coming years The Board want The Centre to be self-sufficient and in order for this to happen it needs to be really well used and managed.

There are going to be new play parks and open spaces developed along with sport pitches and changing rooms which will benefit the whole community.

AMB advised that The Trust is in the process of reshaping The Board and reviewing the 5 year business plan. The Board would like help and assistance from residents on taking the Elsea Park business plan forward and have booked a planning session for residents on 28<sup>th</sup> November 2012 at The Centre. The Trust wants to know what the members want their money to be spent on and how they feel The Trust should develop. The first draft is hoped to be finished early in the New Year with estimated completion around March 2013.

AMB informed the residents of The Trust's aims over the next year are to:

Provide value for money for all members

Drive forward the improvement and adoption of all roads and common areas on Elsea Park

Manage and run the new Community Centre as a first class facility for the community

Ensure that the play areas cover the full range of needs of member's children and are well used and maintained

Stimulate an environment that residents are proud of and that attracts new residents

Work with the developers to ensure that new facilities are provided on Elsea Park

AMB intends that The Board will carry out an evaluation at each year end against each of these aims and see if they have got it right.

AMB ran through the reshaping of The Board and how it might benefit The Trust and what it means for members:

- Current position
  - o Kier still have overall authority on The Board
  - o Kier underwrite the activities of The Trust
  - o The company still governed by the original Articles of Association etc.

- Where do we want to be?
  - o Independent from Kier
  - o Run by the members
  - o Chair and Directors appointed by residents
  - o Articles of Association etc. up to date and fit for purpose

Once The Trust has reached this position, the extant Board will resign and a new board will be elected by the members.

## 6. Questions Submitted in Advance of the AGM

BC read through the questions that had been submitted in advance of the AGM by members and responded accordingly:

### Q1. Submitted by Robin Butler

*Why did The Trust spend thousands of pounds on non-essential outdoor gym equipment without asking the members if they wanted their money spent on this type of project and without being informed of the costs involved?*

**Response:** The objectives of The Trust are to provide community benefits for the Elsea Park community. This includes leisure facilities. The Board consider fitness equipment to be a useful and well used benefit to the community.

Before purchasing and installing the equipment, the proposals were included in the overall consultation for Linear Park. Plans and details were available to view at The Trust offices in July 2011 and displayed at the 2011 AGM. Information available included the costs of the equipment. A newsletter publicising the consultation and outlining the proposal about the fitness equipment was sent out to all residents in July 2011.

### Q2. Submitted by Gerry Penny

(Note: Mr Penny withdrew one question on limits to expenditure authorised by The Board)

*2a. who was responsible for the specification and handover of Linear Park?*

**Response:** The specification formed part of the original design for Elsea Park.

The handover formed part of a package of land transfer across Elsea Park which included The Centre. All communal areas were inspected by a team from The Trust which includes a Resident Director, the Manager and the Groundskeeper. Their recommendations on acceptance of these transfers were subject to approval by The Board.

The transfer of Linear Park was combined with a larger transfer of land including the Community Centre. At the time of the handover (March 2012) the park was in the early stages of seeding and growth. A delay in accepting the transfer of the Linear Park would have meant that The Centre would not have been transferred to The Trust and so not opened for community use for several months.

The Board therefore concluded that it was preferable to take ownership of The Centre sooner rather than later. To protect The Trust's position a separate Letter of Agreement between Kier Homes and The Trust was included with the legal transfer stating that Kier would be responsible for maintenance for a period of 6

months i.e. to the end of September. In response to representations by The Trust Board about the condition of the Linear Park and the landscaping, that period has now been extended until such time as the area is considered to be in a condition which is fit-for-purpose

*2b. what was the cost of the gym equipment and who authorised it and for what reason?*

**Response:** The cost was £10,500. It was authorised by The Board following consultation with residents (see above) and is considered to fall within The Trust's objectives to provide community benefits for Elsea Park.

**Q3.** *Why are landscaping contractors to be employed for grounds maintenance? We would like to see someone employed rather than contractors.*

**Response:** The Trust is not outsourcing the entire landscaping activity. The Board considered three options:

- Outsource the entire operation
- Carry out all work with directly employed labour
- Introduce a hybrid combination of the first two options

It was concluded that the hybrid option was the most advantageous since it allowed greater flexibility, the potential for economies of scale, addressed the seasonal nature of the work and reduced the need for investment in additional equipment.

It is the larger areas of the landscaping which are likely to be outsourced such as Linear Park, the play park, the Pollards, the area alongside the A15, both inside and outside the hedge, and hedge cutting at the Meadows and alongside the by-pass and the A15.

**Q4.** *Why do the habitat ponds not hold water? Is the drainage system working properly and who is responsible for the drainage system?*

**Response:** The only habitat ponds are on the Meadows. They form part of the drainage system and are naturally subject to changes in the water table which are reflected in the levels.

There are balancing ponds on the Linear Park. These form part of the drainage system and are a requirement of the statutory authorities. They are not intended hold water permanently but are designed to take excess water in the event of extreme water conditions.

#### **Q5. Submitted by Nicola Green**

*I'm still concerned about the progress of the transfer of land along The Pollards and the upkeep of it. The contractors do not seem to be cutting the grass on a regular basis and when they do, they simply glide along on their sit-on mowers with no attention to deal and often leaving patches of grass not cut. I know The Trust is keen to take on responsibility for Linear Park, but I do feel it is more important to sort the existing areas out first. After all, many residents like ourselves have been paying this fee for a number of years now, yet priorities seem to be for areas that might be deemed more exciting or of better benefit to The Trust.*

**Response:** The Pollards comes under the same maintenance regime as Linear Park and the play park. There have been instances of it being cut by Taylor Wimpy contractors but it is Kier Homes who are responsible for the maintenance. The Taylor Wimpy contractors apparently caused the unsightly spraying. They have been requested to stop maintaining area for which they are not responsible. We are aware of some dead trees on the Pollards and these will be replaced at no cost to The Trust. Kier Homes will continue to maintain the Pollards for the same extended period as Linear Park.

**Q5. Submitted by Stuart Aldridge**

*Can traffic calming be placed on The Pollards for the reasons outlined below?*

*We lost our cat to The Pollards, the speed of the road & use as a "rat-run" is of huge concern to me. I also mentioned the moped riders that are racing through the estate in the evenings & weekends. On one instance we had seen the rider without a helmet & sticking his finger up at me as his mate's spurred him on cutting over our path.*

*These instances really concern me greatly, the loss of a pet is a heavy price, I worry the next could be a young child & I hope we can see the introduction of traffic calming measures soon.*

**Response:** The Pollards is a designated distributor road for Elsea Park and also it is not yet adopted. Given its status as a distributor road it is very unlikely to be subject to traffic calming even when adopted. However, when roads are adopted The Trust will give be asking residents whether they would like to see a blanket 20 mph limit introduced across Elsea Park.

With regard to mopeds, if you can get the registration number, they should be reported to the community police service.

BC informed all present that the police have advised they will be targeting cars that cause an obstruction next week as they have received several complaints from residents living on numerous roads throughout the development.

**Questions from the floor:**

**Q1.** *When does The Trust plan on taking over the ponds?*

AMB advised that with the current commitment and finance of the Centre The Trust would not be in a position to take on ownership of the Ponds. Originally the ponds were not planned to be transferred until the development is finished but the ponds will need to be factored in when developing the Business Plan.

**Q2.** *Where are residents supposed to park their cars if they cannot park on the road and only have one parking space?*

BC advised that this was not a matter on which The Board could advise, but suggested that in the interests of everyone that drivers should park in accordance with the relevant laws regarding the obstruction of roads and pavements.

**Q3.** *Will the police hand out tickets to illegally parked cars?*

AMB informed that by parking cars on pavements and blocking access to roads means that both pedestrians and car users struggle to gain rightful access to the same.

**Q4.** *Please can The Trust consider the gritting of roads prior to winter arriving?*

SAW will respond in full to this question in due course as there are certain permissions that are needed from both the developer and the council. We have already applied for grit bins need permission to site them.

**Q5.** *When will the roundabout be finished on Tilia Way/The Pollards? It looks a mess!*

AMB said The Trust will look into it.

**Q6.** *Can we have lots of flower beds and bedded pots across the development?*

AMB said that was a good idea and it will be investigated.



**Q7.** *Why is there no adequate disabled access to The Centre?*

AMB advised this matter will receive the attention it deserves as soon as possible..

**Q8.** *Can The Trust look at getting another Post Box near the Centre?*

AMB informed that The Trust will consult with Royal Mail on behalf of residents.

**Q9.** *Why has The Trust moved the basketball hoop and not replaced it with anything?*

BC informed the residents that prior to moving the hoop Springbank Play Park was complained about 2 or 3 times a week. Since re locating the hoop this has now alleviated the problem.

AMB has suggested a consultation with the Springbank play area residents to see what improvements can be made and any equipment that might need to be put in.

**Q10.** *Can we have more dog and waste bins across the development?*

AMB informed the residents that The Trust has a schedule and a budgeted amount in place for bins that will be implemented across the development by the end of the year.

**Q11.** *How many houses are on the development at the moment?*

AMB – Approximately seven hundred and sixty houses have been built.

**Q12.** *Is it possible to receive all communication / newsletters etc. via email?*

BC advised that this is something that we can work towards but not something that can be put in place immediately. There are many members who prefer printed matter, and that there are legal obligations in that some correspondence must be sent out by post or hand delivered.

**Q13.** *When you cross the roundabout on the bypass near the gables there is little visibility due to the overgrown weeds on the roundabout. Can this be looked into as this is the only safe crossing point to get to the other side and down to the meadows?*

SAW agreed with the point and there is an agreement when the bypass was adopted that the verges and Roundabout 2 and 3 would be cut by The Trust but that the council will do the first cut. This first cut has not yet been undertaken and The Trust will try to resolve this as soon as possible.

**Q22.** *Perhaps the new pub could sponsor the roundabouts to help with the maintenance cost?*

AMB agreed this was a great idea and would be pursued further.

## **7. Any other Business**

There being no other business, AMB extended her thanks to all those present for attending this, the first AGM held at The Centre, and declared the meeting closed at 21:00 hrs.