

**Elsa Park Community Trust Annual General Meeting Minutes
Wednesday 12th October 2016**

Present:		
Jono Brough	JB	Resident Director (Chairman)
Duncan Ashwell	DA	Resident Director (Vice Chairman)
Jo Derrick	JD	Elsa Park Primary School Representative
James Fordham	JF	Resident Director
Jane Whitehead	JW	Resident Director
Martin Hughes	MH	Resident Director
Cllr Robert Reid	CRR	SKDC representative
In attendance:		
Barry Cook	BC	Trust Manager
Bea Laidler	BL	Finance and Admin Officer
Emma Ralph	ER	Centre Administration
Lynda Souch	LS	Centre Administration
Robert Anderson	RA	Streets Accountants
Michael Marren	MM	Prospective Owner Director

Meeting opened at 19:00

1. Welcome & introductions

1.1 JB welcomed all residents to the meeting and thanked everyone for their attendance. Apologies for absence had been received from three directors (Dan Browne, Adam Cooke, and Paul Fellows) and from Mr Hewitt.

1.2 JB then welcomed the Directors and staff present at the meeting. He explained that three directors had resigned since the last AGM but that three new directors had joined The Board. He went on to introduce Jo Derrick (representing Elsa Park Primary School), James Fordham (an Owner Director), and Councillor Robert Reid (representing South Kesteven District Council). He also introduced Michael Marren, one of three prospective Owner Directors.

1.3 Finally, JB introduced Bea Laidler, the new Finance and Administrative Officer.

2. Approval of the Minutes of the last AGM held on 9th November 2015

2.1 The minutes of last year's AGM were reviewed. It was proposed by Stuart Benjamin and seconded by Peggy Kent that the minutes be accepted as an accurate record of the meeting held on 9th November 2015. Carried by a large majority.

3. Chairman's Report

3.1 JB delivered the Chairman's report via a Power Point presentation, attached as Appendix A to these minutes.

3.2 BC covered the section of the presentation on the provision of the sports pitches. He said that he believed that there was some pressure from SKDC for Kier to deliver two full sized natural grass pitches (in accordance with the Section 106 agreement), but The Trust still believed that it was in the interests of all to push for a single 3rd Generation Synthetic Turf pitch.

3.3 RR advised that it was more a matter of Kier agreeing to the changes, and that SKDC are likely to support The Trust in respect of its preferences in this matter.

4. Finance Report and Approval of Annual Accounts 2015/2016

4.1 BC presented the Profit & Loss and Balance Sheets and stated that a full set of accounts had been available in hard copy to view at the Centre and a soft copy had been posted on the Website for members to download.

4.2 Several members stated that they had applied for the password to the Members Only area but had not received a response. BC apologised and said he would look in to the problem and advised all present of the password.

Q1 A member pointed out that the reserves are quite high, and asked if the Annual Charge could be reduced accordingly?

A1. BC responded that the Annual Charge and indexation of the charge were set in accordance with the Section 106 Agreement and that The Board were not empowered to vary that agreement.

Q2. What plans are there for spending the Reserves?

A2. BC explained that The Trust were expecting to take over considerable areas of public open space and at least two play areas over the next twelve months, and that grass cutting and maintenance costs were expected to rise considerably. A significant amount of money would be required to fence the new sports pitches and possibly enhance the associated facilities.

4.2.1 It was proposed by Dave Forrest and seconded by Gerry Penny to approve and adopt the Accounts for year ending 31st March 2016. Carried by a majority.

5. Appointment of Auditors

It was proposed by resident Gerry Penny that Streets Chartered Accountants be reappointed as the Trust's auditors, seconded by Peggy Kent and carried by a majority.

6. Questions submitted prior to the meeting

6.1 BC advised that many questions were received prior to the meeting and thanked members for their consideration in submitting them to enable the answers to be properly researched. The questions and answers were:

Q1. Why are some of the pavements in Warwick Close still grassed and not tarmacked. It's very random and is extremely impractical and dangerous in winter as you have to walk on the road.

A1. (BC): The pavements appear to have been laid out in accordance with the site plan and the sales literature. Some pavements start /end on the edge of plot boundaries, and the grassed areas appear to be part of front gardens, and not designated pavements.

The roads and pavements as laid out must have been compliant with any planning permission and Section 38 Highways Agreements.

Q2. Use of the Community Centre Car Park during the school drop off and pickups – As the car park is generally empty at these times it would ease the congestion in and around the school and prevent people from parking on the streets near to the school. This would increase the safety for the children arriving and leaving the school.

A2. (JD): When The Trust board first saw the outline plans concerns were raised with Lincolnshire County Council that there were not enough parking spaces. The Board were advised that the number of parking spaces and the “drop off loop” (for want of a better phrase) were adequate, relative to the size of the school and staff and pupil numbers.

At a subsequent meeting with The Trust, LCC stated that with the school primarily serving local homes, they did not expect much in the way of vehicular traffic from parents and carers, except from those living outside the immediate area. They stated that initiatives would be put in place such as “walking buses” for children from Elsea Park, and if parents from further afield did not want to use the drop off facility, an arrangement had been made with Tesco that allowed parents to “park and stroll” to the school.

When Bourne Abbey Primary Academy was selected by Lincolnshire County Council to run the new school, The Trust invited the school to appoint one of its governors to The Board to represent the school’s interests. As building neared completion, the matter of parking was discussed and agreement was reached between the school and The Trust that school traffic would not use the car park except by prior agreement on certain dates or specific occasions when it could be confirmed that it would not interfere with any activities / hires at The Centre.

This position has not changed; whilst there are not many occasions where the car park is needed first thing in the morning, allowing school traffic to use the car park as a matter of routine would simply encourage more people to drive to school. Any major increase in traffic through the estate roads or turning in to or out of The Centre car park would reduce safety rather than improve it, particularly for those children who already walk or cycle to school.

Much discussion ensued, and the meeting was informed that the matter would be discussed at the next board meeting (due to be held in November).

Q3. Speeding motorists at the A15 / Tilia Way Entrance – Motorists entering the estate over the bridge onto Tilia way do so at significant speed and the crossing from Quayside East to West becomes ever more dangerous as the sightline is hindered. Could a table top speed hump not be installed over the bridge to slow motorists to an acceptable speed when entering the estate.

A3. (BC): In the past, The Trust have pressed for a 20 MPH speed limit, but LCC will not support this (unlike some other counties, it is not their policy to impose 20MPH limits in residential areas). It is highly unlikely that LCC would agree to the installation of traffic calming measures at any of the four entrances to the development.

Q4. Road Markings to the Pollards / Russell Way junction – This junction is the scene of many a near miss due to the lack of road markings, not helped by residents parking on the junction. Can temporary road markings be installed similar to those on the roundabout at The Ridings and The Gables which were recently completed.

A4. (JW): We spent a lot of time and effort with Kier and LCC Highways to get white lining on the primary roads through the development (Tilia Way, The Gables, Greenacres Drive etc). We had hoped that The Pollards / Russell Way junction would have been lined at the same time. We have already asked Kier if they could mark this junction and have been advised that once the new road surface is laid (and work is expected to commence throughout Zone 3 late in October), all junctions specified for marking in the various Section 38 Highways Agreements will be white lined in accordance with those agreements.

Q5a. Quality of the Landscaping – Since the estate has increased in size to such an extent that it could no longer be maintained by “one man and his tractor” (forgive me I can’t remember the gentleman’s name) and the landscaping has been subcontracted the quality has dropped significantly. Whereas before the grass was kept neat and tidy with the edges trimmed and the bushes cut back the current maintenance leaves tufts of grass edges left to grow over the paths and bushes left to grow and look untidy.

Q5b. What is the current position with the contractors (grass cutting etc) they appear far from satisfactory as compared to the previous contractors, they do not pick up the grass, move so fast and leave strips un-cut.

A5. (BC): The general grass cutting and grounds maintenance has been contracted out since May 2013; there is simply too much work for one person now, and before the work was initially contracted out the board looked at several options, including directly employing more full time grounds staff, using only contractors, or a hybrid solution.

The hybrid solution was chosen as the preferred option, with Peter Ellis concentrating on the children’s play areas, Elsea Park Meadows, the conservation areas, and one or two other specific areas. It was also decided that Peter would spend more time inspecting and maintaining the ditches and dykes wherever possible (to reduce, as far as possible any flood risk), and emptying the increasing number of bins that have been installed across the development.

The contract was re-let in May 2016, and with the exceptional growing conditions that we've experienced this year, we changed from a fortnightly "cut and collect" scheme to weekly cutting with a triple cylinder mower which drops the clippings back on to the grass. We'd be the first to admit the quality of the grass is not as good as when using cut and collect, but believe that the overall effect over a two-week period is much better, with the grass being cut twice as frequently.

That said, we've only had a handful of complaints about the change that has been made this season, and there are only a few cuts left this year. We are considering reverting to cut and collect next year as it would appear that this is what residents prefer, even if it means the grass gets much longer between cuts. It also means that as we take over more areas (for example the Linear Park extension that will extend to the north of Oak Spring Gardens), the amount of grass to be collected and removed will increase massively.

The bushes and shrubs continue to be cut in accordance with the specification and at the times of the year necessary to promote our conservation requirements and the next cycle of pruning and hedge trimming will be commencing shortly.

In respect of path edging, this is only undertaken once a year, usually around late October / early November when the ground is soft but before the arrival of overnight frosts and freezing ground conditions.

6.2 Mr Lunn suggested that as the contractor used two or sometimes three people to cut the grass over a two day period every week, The Trust should, instead of using contractors, consider taking on another full time employee for the grass cutting season. Alternatively, semi-retired residents could be employed on an as-hoc basis, with plant and equipment being hired as required.

6.2.1 BC stated that he felt this would not be practical. There are other grounds maintenance tasks that are carried out throughout the year, safety might be compromised, and it's not possible to hire plant and equipment of the type required at the drop of a hat.

6.2.2 JB said that the board will review how grounds maintenance is undertaken when the existing contract comes up for renewal in 2019.

Q6. Street lighting – A large number of street lights appear to be working incorrectly or not at all on the South Side of the estate.

A6. (BC): The Trust Office continue to report all street light outages that are notified to us by residents to the respective developers or to Lincolnshire County Council (for Phase 1 roads that were adopted in December last year). We do, however, rely on residents to advise us when they notice lights that have failed.

We will continue to report outages until all roads are adopted, at which point residents will simply be able to quote the number on the faulty lighting column and report it directly to Lincolnshire County Council themselves.

It should be noted that some of the lighting columns within Elsea Park are located on privately owned roads, drives, and parking areas, and in those cases, homeowners or management companies of leasehold homes are responsible for the repairs.

Q7. What is the current position and location of the proposed football pitches?

A7. (BC): Members who were at the last AGM will be aware that we suggested that a single 3G synthetic pitch and a smaller informal pitch might be preferable, and if agreement was reached, it was envisaged those facilities would be delivered to the north of Wherry's Spinney on the edge of Kiers new build phase (Zone 6). That vision depended on the support of SKDC, the Football Foundation (amongst other funders), and a compelling business case.

For some time, SKDC have been promising to broker a meeting between all interested parties with respect to updating the masterplan in terms of play areas, sports pitches etc, but that meeting has still not been held.

Kier have recently drawn up a new Masterplan for consideration which shows two grass pitches, one just to the north of Wherry's Spinney, and one in the location originally planned to the north of Oak Spring Gardens. Discussions are ongoing, and we are trying to work with Kier and SKDC to get the best facilities possible.

Q8. At the bottom of The Gables adjacent to the former Wimpey Site and facing the by-pass is a narrow strip of land with an old fence, gate posts etc, badly overgrown with weeds. This is not a very good sight for one of the main entrances to the development. It seems that the bund should be extended with scrubs planted to finish the appearance. What I fear is that it is one of those jobs that with Kier if it is not done properly now it will never get done but overlooked.

A8. (BC): That bund is still owned by Kier. We have asked them in the past to attend to it, and before that area of land (between roundabouts two and three) is taken on by The Trust, we will ensure that the offending structures are removed and it is properly landscaped and planted. Furthermore, we expect that it may receive the attention it deserves when that particular entrance becomes the primary route to Kier's new sales office and show homes.

Q9. What is the current position with the Trust Board as regards to any future planting of trees and shrubs within the Linear Park?

A9. (BC): We do not intend to carry out any further planting on Linear Park for the time being. We will revisit this decision once some of the other amenity land and public open space is transferred to The Trust.

Q10. Is it possible to insist that dogs are kept on leads? There have been instances of dogs attacking people and other dogs, and it might reduce the amount of fouling on the development as many owners may be unaware their dogs are fouling as they are often some distance away.

A10. (JW): Previous advice that we have received from SKDCs Environmental Protection Team and Bourne Neighbourhood Policing Team has indicated that although (as the landowner) we could ask that dogs be kept on leads, neither SKDC or the police would be able to enforce the rule. The law states simply that a dog must be kept under control.

There have been two instances on Elsea Park (that we are aware of) of dogs attacking members of the public, and in one case, the owner was prosecuted and received a large fine and the dog was destroyed.

We would welcome any suggestions as to how we might combat the problem of fouling.

Q12. Service Charge - I appreciate this has been mentioned in previous minutes and understand it was included within our purchase documents but why when the trust holds a healthy balance and there are more new houses contributing each year is the annual service charge as high as it is? I acknowledge the use of CPI rather than RPI but surely the charge could be reduced?

A12. (BC): The accounts have a healthy balance because much of the land and assets that it will eventually own and manage has yet to be transferred to The Trust. This means that it has not yet had to meet the cost of maintenance and repairs for those areas.

The original (index linked) Annual Charge was set at a level commensurate with all the dwellings originally planned being built, and all members paying the fee that was calculated at that time. The fee was never planned to decrease as more people paid it; it was based on the costs of delivering the facilities demanded by the Section 106 Agreement eventually being transferred to The Trust as and when the respective land and assets were ready for transfer.

Directors are not empowered to reduce the Annual Charge, and the company is specifically prohibited from returning any unspent funds to members.

Q13. All weather pitch - will the cost, running costs and upkeep be included within our service charge? Considering the amount of damage being caused to current play areas, property and cars is it wise to have this?

A13. (JF): The all-weather facilities (if we are able to obtain them) should be self-financing. We would not be able to build them without funding from various agencies, and they will not provide funding without a full business case being satisfied.

From similar models that we have studied, if full utilisation can be achieved, the facility would cost approximately £60,000 a year to staff, manage, and maintain (including the £25,000 a year that needs to be placed into a sinking fund to replace the playing surface every ten years), and should generate an income of around £65,000 pa.

6.3 Before answering the final two questions, The Chairman said that he'd been very disappointed to receive them, because he felt that they questioned some of the foundations on which The Trust was built, those being conservation of the wildlife habitats, and community engagement.

Q14. Bird boxes - these are reported within the trust literature as "free" yet they have been purchased to pass onto home owners. This is therefore not "free". Why is the trust purchasing them? If anyone wanted a bird box they could buy it cheaper themselves. When one of my neighbours recently went to the office to collect her "free box" she was asked if she had her letter to collect it. Not knowing anything about a letter she was told the office will be sending out letters to households to encourage them to collect their "free" bird box. So not only has our service charge money purchased these boxes we are now paying an admin persons time to write the letter, print and post - more unnecessary costs.

A14. (JB): The provision of bird boxes to new homes on first occupation was only discontinued in 2009 for reasons unknown. The original idea had been to encourage nesting following the destruction of natural habitat as more homes were built, and with the swathe of new homes now impacting on that natural habitat it was recently decided to restart the scheme.

The letter inviting the collection of a bird box is sent out with the Certificate of Membership. No additional postage or time is incurred, and the cost of the additional print to mention that a bird box can be collected if required is miniscule. It's worth adding that the reintroduction of the bird boxes has proved very popular with members.

Q15. Calendar - Who sanctioned this additional cost using our service charge money? I am aware there is a photographic competition going on and the prize is a calendar but the admin time, printing cost etc will not bring any additional revenue.

A15. (JB): One could use the same argument to ask why funds are spent on advertising and running Picnic in The Park.

The whole aim of the competition was to encourage community engagement and get more people involved and interested in being part of that community. It was envisaged that a competition that prompted residents to submit photographs and artwork of the Elsea Park environs might encourage residents to explore and make use of those same environs.

The idea was not to produce a calendar that would "bring in additional revenue"; the total cost of printing the calendar is estimated to be in the order of £250.00. The cost of the presenting a calendar to all the winning contestants will be under £50, and the remaining calendars will be sold at the cost price.

Finally, although staff have spent some time organising the competition and getting the calendar to print, community engagement is part of their role.

7. AOB – Including questions from the floor

7.1 DA addressed the residents regarding the evolving Trust and hoped some members of the audience might be interested in joining The Board. If so, they would be welcomed at a Board Meeting to see for themselves how things worked. Or perhaps somebody in the audience might consider joining the Events Group, who are always looking to bolster the band of volunteers who do so much for the Elsea Park community.

7.2 JB then expressed his thanks to The Trust staff for their hard work and commitment.

7.3 JB stated that Facebook was a great tool for passing on information but sadly it is used by some residents as a means of attacking The Trust, and sometimes the attacks against the staff become very personal. He also went on to dispel some of the mistruths that had recently surfaced on Facebook.

7.3.1 The Wake Pond. This is the responsibility of Kier and the problem with the fish and the algae is now being dealt with by the Environment Agency, the RSPCA and Kier's contractors. BC has been providing regular updates on Facebook of the situation with the fish.

7.3.2 Roads and Footways. These will eventually become adopted by the County Council, but until that time, they remain the responsibility of the respective developers. The Trust will never become responsible for roads, footways, or the associated lighting on Elsea Park.

7.3.3 Public Open Space. Several areas of public open space and amenity land belonging to various developers are not being maintained and some residents think the Trust should look after these areas. In some cases, our staff or contractors cut grass on behalf of the developer for the benefit of the residents often and The Trust bills the developer for this work. In other instances, The Trust has been asked not to attend to these areas as the developer appoints its own contractors and the Trust has to respect this decision. The Trust has no legal right to enter the land to undertake this work.

7.3.4 Water Meter Covers. Whenever the Trust is notified of a missing water meter cover, the relevant authority is informed and the cover is always replaced promptly. Comments like "...it's been reported and has been like this for months" are simply untrue.

7.4 JB advised that the "Elsea Park Residents" Facebook page is controlled by the residents and not the Trust, though BC regularly answers questions that are posed through the page. He added that The Trust has its own Facebook page.

AOB Q1. Margaret Reagan asked if a medical and dental practice will be included as part of the new development.

AOB A1. RR answered that when the plans were approved they did not include medical or dental facilities. However, due to the size of the Elsea Park, these facilities might now be warranted and residents should put forward their concerns and comments on the Local Plan.

AOB Q2. Peggy Kent asked when the new 'all weather' path from The Centre to the Wellhead will be completed.

AOB A2. BC responded that the completion date is unknown, but a request by Kier to extend the diversion / closure of the original footpath until February 2017 was approved by the local authority.

There being no other business, the meeting closed at 10:15pm