

MAUNSEL (FOURTH CO OWNERSHIP) HOUSING SOCIETY LTD
Minutes of the meeting of the Management Committee
Monday 12th June at 7.30pm

Present: Judith Blakeman (JB), Hilary Arnold (HA), Denise Heywood (DH), Cerys Matthews (CM), Kirsten Tormod Pedersen (KTP), Ana Muldoon (AM), Sarah Collinson (SC), John MacArthur (JM)

Guests: Olivia Cox - Minute Taker, Marie Travers (MT), Anna Gardiner (AG)

		Action
1	Apologies: Ben Gladstone, Kirsty Malcolm, Basia Kapp, Laurence Dorman, Philippa Collie Cousins, Sarah Collison	
2	Minutes of the last meeting: Comments from Minutes of last meeting (10 th April 2017). JB chaired. On third page, JM read the letter to the Committee rather than JB. Point 4 (breach of lease) – paragraph above regarding MT. MT confirmed that the assessment made should read “communications have all but broken down” since every effort was made in the lead-up by Marie. Point raised by AG.	
3	Noise issue no. 15	MT
4	Drain update	
5	Garden party	MT
6	AOB	MT, HA

3. Noise issue no. 15 – At the April Committee meeting it was agreed to "try to inspect" (Minutes April 11th, 2017) the properties involved. However, Anna Gardiner reported that both she & Denise Heywood felt this was not appropriate both on technical grounds of other co-owners not being sound experts and, also that while there may currently be rugs in place, these can be taken up at any time either by the current tenants or future ones, meaning we would be back to square one.

JM read the from the 1981 Lease – Clause 10: That no person shall reside in the demised premises except when the floors thereof (including the passages) are covered with carpet and underlay excepting only bathroom and kitchen. An addition was made in the Deed of Variation in 2000: AND had added in clause (10) the words “or other surface sound insulation materials” after the word underlay. Sarah-Jane Fairey (SJF) stated at the April Committee Meeting soundproofing had been laid under her wooden floor.

MT reported a letter from SJF’s solicitor stated there was fitted carpet at no. 15., in fact there are rugs.

Before laying wooden flooring permission should have been sought and an inspection to assess acoustic changes carried out, this did not happen. MT further reported that a ‘sound test’ by the Committee members walking upstairs and reporting on noise would not count as a professional test since it is opinion-based. MT added there are two other clauses that should be taken into consideration from the lease *‘not to do or permit to be done any act to the damage or annoyance of the Association or Lessees and tenants of the Association or the occupiers of any part of the Property or any of the adjoining or neighbouring premises or the neighbourhood’* and from the Deed of Variation *‘at any other time or times so as to cause any nuisance or annoyance to any of the occupants of the other parts of the Property or any neighbouring property and for the purposes the decision of the Association as to what constitutes a nuisance or annoyance shall be final and binding on the parties’*

DH reported an amicable agreement at present between the tenants and DH in which the tenants have made an effort to be quieter. There are rugs, although it was noted that these could be taken up. The breaches of the lease remain, but the tenants are causing less disruption than before. AG agreed with this, but voiced concern that this is not a long-term solution, since new tenants at another point could exacerbate the problem. JB suggested JMW Barnard’s solicitor contact SJF’s solicitor regarding breach of the lease. MT suggested approaching SJF regarding her request for permission to sub-let and inform her that to formalize that, the Lease must first be adhered to – i.e. fitting underlay and carpet. JB reported that other flats do not have carpet. MT stated that if there were other complaints, the same action would be taken. When MT queried the points, JMW Barnard’s solicitor confirmed that the Deed of Variation is worded in an unclear way, and complicates issue, since SJF may argue she has sound insulation materials. DH voiced concern that a precedent could be set if the lack of soundproofing is overlooked. Flat 49. Is the only

other property where the 2000 Deed of Variation has not been signed. MT confirmed following the carpets being fitted the Deed of Variation and sub-letting permission for no. 15 can be finalised.

4. Drain Update JM reported there had been a problem with drains backing up along the Lancaster Road block. This appeared as overflows from the maisonette kitchen drains, particularly at no. 8 (Michael Lynas). Drain Patrol were called to attend to the problem, which resulted in a temporary improvement for a couple of weeks. On a second visit a camera inspection showed the problem was due to root penetration from trees between nos. 8. and 16.. The roots were cleared but if the problem occurs again we may need to have the sewer pipes lined.

JM reported that these visits resulted in an unbudgeted expense of £255 for the first visit and £528 for the second. JM did not seek permission to proceed from the Committee, as he would usually do, as it was a matter requiring urgent attention.

5. Garden Party – Stephen Swarray threw a party recently with great feedback. He has offered to organize a similar one for the square at a cost of £2,000: catered; games, sports day vibe. Everyone still to bring desserts. Query whether to hold in September or the summer. Committee prefers to keep the existing format, in which everyone contributes dishes. The current budget is £300 for drinks, snacks and decorations. Date TBC, usually the first Sat / Sun in September. Sat 9th / Sun 10th penciled in, depending on weather. Timings: 2pm-late. JB suggested inviting the Mayor and local MP. MT to reply to Stephen suggesting he organizes the races.

6. AOB

1. JB raised concern over drones being flown. DH confirmed there was a drone hovering at her window. MT to write to Andy Woodford, landlord of drone flyer. Drones are not legally allowed to be flown in private / confined areas.

2. HA mentioned that open garden square will be this weekend. Chris Bushell will be hosting since HA will be away. HA asked for support from the committee. DH confirmed she will help from the morning until at least midday. MT to email square reminding them it is happening 10am-5pm.

3. HA reported that part of the cherry tree has fallen down in the wind. HA has asked Tom to come in and help. If he can't, MT to help.

4. HA reported that tree ferns need watering every day. CM to help organize.

5. AM raised the issue of the brick circle. HA suggested keeping the brick wall but remove the brock having and make a rose garden. Perhaps have a square paved area without seating for a BBQ area. HA to ask Tom Boyne to do the job. MT to present an email vote to everyone in the Square.

6. Issue about white bags – HA reported that no bags that are not white bags can be collected. Also nothing should be put on top of the white bags. CM has offered her skip as a temporary solution.