Marks Court Leaseholders and Tenants Meeting

30th June, Park Inn, 10.15 – 12.30

Introductions to Trustees and Rob

Apologies from Anita

Run through of Agenda

* Introduction
* MESA Directors Overview (H1/2024)
* Transfer of Trusteeship
* Marks Court – new build
* Communication
* Site Management – FSPM
* Volunteer to Work
* Any Other Business

**Overview:**

Woods have and estimated £300 - £400k in the reserve fund for Marks Court, as well as money from the service charge that they collected for the second half of 2023.

These are estimates as we have never received the actual figures.

10% of the properties didn’t pay the service charge in January and they are being pursued.

Another demand for service charge has been sent for the second half of 2024.

Our priorities in January we agreed was: Repairs to porticos, the bins, and windows.

In this meeting it has been agreed that the trees will be added in areas where they are causing darkness.

Query raised about the communal windows nailed shut. This is not in breach of H&S laws; however Rob will see if these can be relaced with a restrictor.

Communal windows: These were going to be replaced by RMG at a cost of £300K, however this is unnecessary and just need refurbishing. We will look to schedule this work when we get the reserve fund.

**Transfer of Trusteeship:**

We replaced Woods RMG as trustees, but the trusteeship needs to be thought of as two separate areas: operational and executive.

Operational is what we are doing, including appointing a management company (FSPM), taking action on the day to day running of the court. The executive is things like agreeing extensions on the leases and approving sales.

In August last year, MESA took over the operational control, and requested the deed of appointment and transfer of funds, including the reserve funds, which should have been done in 3 months.

They didn’t send over the deed of appointment until February. We read through it and saw that it included a clause to indemnify Woods RMG against any illegalities that ever took place during their trusteeship, and would make us responsible. This includes the Directors of MESA and all leaseholders of the court, as owners have one share per flat they own.

We aren’t able to do this, as it puts too much risk on us, and we sought legal advice. The first solicitor finally said they didn’t have time to help, so 6-8 weeks ago we instructed Jerry Nathan of Tollhurst Fisher. He advised that the Deed of Appointment was not standard and should be amended.

He requested the documents from all parties, and it’s only last week that he received them after Woods RMG were chased by the MESA board.

It will probably take 2 weeks for him to digest the information and send a suggested course of action, and then we need to wait for RMG. We are hopeful that we can reach an agreement, however if not, we may have to go to court.

As we haven’t signed the Deed of Appointment, we aren’t the Trustees yet. RMG are listed on the Land Registry site as the organisation that can approve sales and lease extensions.

We do not know how long this will take. We recognise the difficulties that some members of the court are having with extending leases and selling, but unfortunately, we are unable to compel Woods RMG to behave in a reasonable manner.

We are doing all we can and taking every opportunity to move this along as much as we can.

**New Build:**

Pier is planning to dig a hole and put some cement in it, as the planning permission is set to expire soon, and this will ‘start the works’ so it doesn’t expire. We aren’t expecting this to cause issues for parking at this stage.

They are planning on building four new flats.

Once these are done, we will need to rewrite the Trust Deed to reflect the new properties. This isn’t something that we have any say over now.

**Communications:**

There is a new website live now:

This has a landing page, FAQs, dates of meetings, minutes, and an area for FSPM to provide updates. There is also a contact us area.

We will try and set up a Zoom link for anyone unable to attend future AGMs and other meetings.

The information will be put up in the lobby.

**FSPM:**

There were difficulties at the beginning as there was no money, and FSPM worked until January short of money.

The caretaker was also TUPEEd over to FSPM, as were all the contractors.

Their first priority was to deal with leaks, and all roofs have been checked, loose tiles sorted and guttering cleared.

They also realised that most of the contracts didn’t have a scope of work, so these have been set up and services reviewed.

Next they assessed what companies were offering value for money. They saved c. £12k on insurance and utilities for 2024. As well as £45k on the caretaker.

An assessment of all buildings has taken place, a H&S and Fire Assessment is also scheduled. Paving has been repaired, with instructions already in place for this to be completed.

The latter will require access to flat doors, and FSPM will be in touch to arrange.

Creative Parking are being replaced by another company which seems to be more flexible and accommodating of our needs. This should be in place in 6 weeks.

Lighting is being upgraded as bulbs fail with microwave sensors. Once the reserve funds are in place, this will be done systematically.

Gardening and Cleaning services are being retendered for and should see an improvement. This will cost a small amount more, as it seems impossible to find a cleaner for the price we are currently paying – which is probably why we have had problems with the service.

This should be in place in 4 – 6 weeks.

FSPM agreed to replace the spring on the top gate for security.

Site security and rough sleeping. Not an easy fix, FSPM have investigated, and mobile patrols are several thousand a week. Investigating an external lock.

There is now sufficient money to redecorate the porticos, and this will start in Q4 2024.

We would ask all residents consider if they would volunteer as a Fire Warden or Garden Assistance.

Please contact us directly if you would like more information.

**Any Other Business:**

Paving blocks outside flat 114 are in disrepair: These repairs have already been scheduled.

Brickwork on the site has multiple issues, FSPM is instructing a brickwork company to come on and do all these works.

Some people don’t have keys for the side doors, if you contact Rob at FSPM, these can be provided at cost.

Pest control: A new company is taking over

These contracts should be in effect in 4 – 6 weeks.

Anti Social Behaviour:

Smoking weed on the site

Washing hanging up in the front of people’s flats on balconies. We will check the deeds and see if there is anything we can do.

**Next Date:**

Park Inn, 8th December: 10.15 – 12.30. We are going to try and stream this on Zoom for anyone unable to attend. Please note that as the AGM, this meeting is for leaseholders only. We will be presenting the accounts and seeking approval from the leaseholders at this meeting.