

16/01/14 **EIVT MINUTES**

Location: EIV Office, 39 Island Centre Way

Date: 16 January 2014

Present: Vladimir Ioannou (VI)
Iveta Nemcova (IN)
Carmen Wallace (CW)
Abhay Shah (AS)
Daniel Campos (DC)
Trevor Gibson (TG)

Minutes

The meeting was convened at 18:45 by Chairman Vladimir Ioannou.

Agenda:

1. Welcome
2. Explain new forum idea for monthly meetings
3. Introduce New Trustee – Trevor Gibson and Abhay Shah
4. Present saving schedule
5. Discussions
 - a. Fly Tipping – Fines
 - b. Litter picking – Fines
 - c. Platinum Gardening
 - d. Amber Management
 - e. Community Centre
 - f. Water Tower
 - g. Hassan Mehmet - New care taker
 - h. Angela Bucknor-Smartt (Admin)
 - i. Boat & Advertising
 - j. Lease extensions
6. Russell Cook – solicitors
7. New independent examiner - TACTS
 - a. Allison Ward
 - b. Roberts & Co
 - c. New Accounts - Amber's obstructions
8. Charities Commission
9. New Structure for village

1. Welcome

A proper welcome was not possible due to there clearly being an atmosphere of hostility and mistrust.

CW asked some attendees to validate that they were indeed Members as the meetings were for Members only. However, AS and the Board over-ruled and said all attendees should be able to remain.

2. Explain new forum idea for monthly meetings

On the Board's instruction, the EIV caretaker was present with the object of helping to stop the meeting from descending into chaos as per previous residents meetings. His presence had the opposite effect in that it seemed to enrage those present. The Board subsequently asked him to leave.

CW stated the new idea for the meeting of the first hour of the meeting to be used for presentation by the Board without questions and the second half to be a Q&A session with attendees raising their hand if they had a question.

3. Introduce New Trustee – Trevor Gibson and Abhay Shah

AS introduced himself. He stated that he lived in Phase I and had resided in the village for 13 years. He stated [in the simplest terms] that he is a Quality Manager in a multi-national organisation. He was asked if he had ever attended a residents meeting to which he replied no this was his first. TG also introduced himself.

4. Present saving schedule

VI presented the provisional budget for 2014/15 however was unable to go through the budget because of constant and persistent heckling.

CW asked attendees to write down questions for the Q&A session after the presentation had finished but invariably this did not work. Questions were asked regularly and VI allowed himself to be drawn into responding.

5. Discussions

a. Fly Tipping – Fines

VI communicated that new signs were being created and a sample was passed around. Garry Archer nit-picked on detail such as a spelling mistake rather than seeing the big picture and the fact that this was a draft.

b. Litter picking – Fines

VI communicated that fines for littering were also to be introduced.

c. Platinum Gardening

Residents raised concern regarding the services of Platinum gardeners being discontinued with. VI advised that Platinum's contract ended in Feb14 and were contracted to continue until then. He also explained that their services were discontinued with, for refusing to allow VI and/or the caretaker to inspect and to supervise work carried out. Inspection and supervision is required to maintain proper records by way of attendance notes. Platinum would not cooperate and was not prepared to show VI the area they worked at. VI informed them that unless they comply and allowed inspection that as the Trust's treasurer, would not be able to propose payment to the Board. Platinum refused to show the work they had carried out or completed. He therefore had no choice but to discontinue with their services.

Meanwhile VI tried to explain that the Board was procuring a professional gardener trained and qualified at Capel Manor College. The decision was derided through constant heckling from some of the attendees. AS tried to understand what the resident's concerns were. Through multiple conversations AS ascertained that there were concerns that the contractor is not trained. The Board tried to reassure the attendees that they would be prudent and diligent in their selection but again were not allowed to talk. The attendees seemed to think that they were far more equipped to comment on health and safety and HR issues. AS tried to articulate that he was an ISO 9001, 14001 and OHSAS 18001 Lead Assessor and also very familiar with employment law, however, the atmosphere of the meeting did not allow for this.

VI also tried to explain that Platinum was being paid in the order of £80,000 per annum for effectively cutting the grass in the park area. They also have lucrative contracts with each of the Block Management Companies. Again there was heckling from some of the attendees.

d. Amber Management

VI informed the attendees that Amber Management's contract had been terminated for breach of contract and that he was acting as managing agent in the interim. The attendees raised concerns that:

1. there is potential conflict of interest
2. he doesn't have the expertise to manage an estate

VI explained that the managing agent duties described in the Amber Management contract are largely administrative and financial. Large works are contracted out. VI explained that he has extensive experience of running multi-million pound businesses and does not see any reason why he could not run the managing agent business, which is a relatively small and simple business model.

Again there was heckling, however, AS in particular was keen to hear the concerns of the attendees as they were legitimate. Because of the atmosphere of the meeting, the Board was unable to explain that it would be taking all reasonable and necessary precautions to ensure that the Articles Objects are not compromised and that they would be conducting a comprehensive evaluation of the key roles and responsibilities of a managing agent.

VI also explained that he would be seeking remuneration for this additional non-voluntary position. This was received with mix views.

Clause 6 of the Articles allows for remuneration to Trustees if professional, such as solicitor or accountant.

A concern was also raised by a Member regarding continuity of service; if for example, VI was to discontinue service for any reason. VI responded that he has no plans to discontinue and will ensure there are appropriate systems and controls in place for business to continue.

e. Community Centre

VI explained that he had concerns regarding the expenditure of the Community Centre and that it lacked proper monitoring and supervision. He also raised concerns that EIVT was

paying £20,000 in rent as stated in the accounts prepared by Amber Management for the Community Centre when RSA had stated that the agreement was that that EIVT could use the centre free from rent.

f. Water Tower

VI commented that the water tower was unused and that he would like to see it refurbished and used for purposes that fit in with the Trust's Objects such as use it as a community centre and/or a music studio for people from low income families for example. His idea was derided by the same minority of attendees.

g. Hassan Mehmet - New care taker

VI stated that a permanent caretaker has been engaged to carry out small repairs and supervise the work of contractors. Since the new Board was formed, there have been many cases where contractors could not provide or were unwilling to provide evidence of the work they had purported to carry out. In one case an invoice was received and when the supplier was asked to demonstrate the work completed, no further communication was received.

The caretaker has been employed on a self-employed basis for a remuneration of £1,800 a month for a 40 hour week. Duties include patrolling the village in a visible vest, collecting and disposing of fly-tipping daily, supervising the daily litter picking, interim maintenance and inspection of playgrounds, supervision of contractors and completion of their work. An email address has been created and added to the eiv.org.uk website whereby residents can report repairs direct to the caretaker maintenance@eiv.org.uk. Residents are also able to take advantage of reduced rates for private repairs by benefitting from a £25 hourly rate which includes electrical repairs by a trained electrician.

A small number of the same attendees again raised concerns over the contractor being unskilled. Despite VI and the Board assuring the small vocal group of attendees that the contractor has qualifications in the rights areas, would have the appropriate PPE if required, and would not undertake any hazardous tasks, there was general discontentment.

h. Angela Bucknor-Smartt (Admin)

It was confirmed that a new administrator had been appointed. Garry Archer raised issue with correspondence not being replied to and that in his opinion the Trust was operating a non-standard purchasing system. The Board disagreed but noted his comments.

i. Boat & Advertising

VI commented that he was confident that he could secure advertising on the boat which would mean that the boat would provide an additional income. He stated that he was looking into the possibility of introducing fountains in the boat area which would add to the spectacle of the village. Some residents said that the fountain might introduce a noise issue. The Board commented that of course they would carry out due diligence before making any decision.

j. Lease extensions

VI stated that he had agreed a good deal through one of the Trust's solicitors, Gisby Harrison, to coordinate lease extensions for Members. The deal was significantly cheaper than other offers and the Trust would benefit from a £100 payback by the Trust's solicitors for every lease extension transaction. The money to be used to introduce plants and flowers and other aesthetic benefits for the village.

6. Russell Cook – solicitors

Due to the unsavoury atmosphere and regular disturbances in the meeting, there was not time to address this item

7. New independent examiner - TACTS

- a. Allison Ward
- b. Roberts & Co
- c. New Accounts - Amber's obstructions and failure to provide accounting records.

Due to the unsavoury atmosphere and regular disturbances in the meeting, there was not time to address this item

8. Charities Commission

Due to the unsavoury atmosphere and regular disturbances in the meeting, there was not time to address this item

9. New Structure for village

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Footnote: The monthly meetings were intended to be held in the interests of transparency and to keep Members informed of the Board's activities. Unfortunately, the meeting was again disrupted by certain Members who were aggressive, unruly and disruptive.

The Trust's Articles 34.7 state 'Trust members are entitled to attend board meetings and provide opinion/insight based upon matters being discussed in a professional and constructive manner. Members however are not able to vote on matters discussed at the meeting'.

Monthly meetings are a concession and not a right. A number of the attendees acted in a very unbecoming manner and were neither professional nor constructive and have behaved in the same unprofessional manner at the last two consecutive meetings. The Board has therefore decided that they are not prepared to be subject to cowardly attacks and bullying tactics. Instead minutes will be provided to everyone on the website and any suggestions members have can be submitted by email to info@eiv.org.uk for consideration. Trust Members are also encouraged to register on the website so they can be included in email circulars.

Having said the above, the Board is aware that the minority, but very vocal people, disturbing the meeting is the same group that has disturbed meetings whenever a Board has either removed or

tried to remove Amber Management. The Board is seriously concerned regarding their motives. The Board does not profess to be perfect, but is trying diligently and in good faith to further the Objects of the Articles. On one occasion Garry Archer confronted one of the female Trustees in a very aggressive, confrontational and unbecoming manner. Mark Turner was also rude to the other female Trustee.

However, the Board also recognises that the attendees who have genuine and legitimate concerns are not being given the opportunity to speak. Since the decision to cancel the monthly meetings was taken in preference for posting minutes on the www.eiv.org.uk website, the Board is willing to reconsider its position after the EGM on 28th April, 2014 is concluded.

Signed:



Vladimir Ioannou

For and on behalf of Enfield Island Village Trust

31/01/14

