

West Cliff House Owners' Association

Minutes of 2022 AGM held on Saturday 22nd October 2022 1.30pm (Haddon House)

Prior to the meeting there was a presentation by Penny Jones (Jurassic Fibre Community Engagement Ambassador for Dorset) regarding JF's request to begin installing fibre optic cables on the estate. Penny explained that fibre optic cables provide fibre broadband to the home. JF use existing Openreach ducting and infrastructure where possible in order to minimise disruption.

Their initial plan is to do three different digs on West Cliff Road, Meadway and Third Cliff Walk. At a later date (yet to be determined) JF would look to install new infrastructure on Brit View Road and West Walk. Access to properties would be maintained during any works and JF anticipate works taking about a week. Work could commence about two weeks after the wayleave agreements have been signed.

Owners asked Penny a number of questions, some of which she was better able to answer than others.

Due to historical agreements, JF and other companies can use Open Reach infrastructure and ducting but this would not work the other way round so that if for example, BT or Virgin Media wanted to install fibre broadband on the estate they would have to dig up roads again. So while JF wouldn't necessarily have a monopoly as a provider, they would have an advantage over other suppliers at this stage.

Wayleaves are required to install ducting and then additional work would be required to install broadband to individual properties. Each property would have its own exchange that would be in ducting or on poles. Penny was unable to answer a question about whether poles would be suitable or possible on the estate.

JF have a workforce of about 400 people with a network monitoring centre in Honiton manned 24 hours a day. Penny reported that network stability is good and response time to any faults should be about 24 hours.

Penny stated that JF charge £25 per month (marketing material distributed by Penny showed that this was the starting package for 150Mbps increasing to £40 per month for 950 Mbps). The contract is a monthly rolling one.

Owners had numerous questions for Penny, some of which were of a technical nature. The presentation was drawn to a close to allow the rest of the meeting to continue. WCHOA thanked Penny for her time.

West Cliff House Owners' Association

Present:

50 people from 40 houses were present at the meeting. Of these, three attended via Zoom and seven were Committee members. Two owners had given a proxy vote to another house owner and one house owner was not eligible to vote. The meeting was quorate.

Apologies

Apologies were received from 14 house owners.

The meeting began with the following statement read by the Chair on behalf of the Committee.

During the past year the Committee were delighted to hear from the Treasurer that more houseowners than before had paid their subscriptions and that the only outstanding amounts were from the hardcore that we inherited when we took office and who have not paid for many years. This led us to believe that Association members were happy with the administration of the estate and the handling of their subscriptions and that the many hundred unremunerated hours spent by Committee members had not been wasted.

Recently however a vociferous minority, the majority of whom stand to gain financially from the re-routing of the Bridleway in Brit View, and who were very annoyed when the Association succeeded in accordance with the wishes of 67% of members in persuading Dorset Council to withdraw their plans for re-routing, have made it virtually impossible to carry out the business of the Association by continually raising objections to the way the Committee has operated. They have accused members of having no mandate to deal with the question of the bridleway and the granting of public rights over the estate – ignoring the results of the poll which was carried out expressly to gauge the wishes of the majority, (And I would remind people that our justification for getting involved in this matter in first place, is thatif the cliff path at the top of west cliff ever falls into a state of disrepair and becomes unsafe, then all cliff path users, some 80 to 100000 per year, will be diverted through Brit View, thereby affecting residents in West Walk, West Cliff, Hill Rise and all the cliff walks) This small number of house owners are now suggesting that the work done in accordance with the results of the poll was a misuse of association funds or in the alternative they seek to set aside the wishes of the majority at the last AGM by stating that insufficient notice of the meeting was given or that resolutions from the floor were invalid - demonstrably statutory notice was given and the meeting was quorate (having the largest attendance for some considerable years).

West Cliff House Owners' Association

The estate has suffered recent vandalism of signs and infrastructure some of this observably carried out by persons who seek to gain rights over the estate and who are encouraged by those opposing the actions of the Committee

The Committee therefore feel they cannot continue without the support of the majority of the members from all parts of the estate and would propose that a simple poll is taken at this point of those present as to whether they would wish all members to resign en bloc and for those who wish to take the estate in a different direction to take their place. If the poll is not in support of the present Committee we will immediately tender our resignations and those who wish to take our place can seek election in the usual way, and once elected continue with the Agenda. In the alternative if it is the wish of the meeting that the Committee continue with a clear mandate then we will all be prepared to do so, but preferably with the addition of one or two extra members to share the load.

Attendees were asked to vote on whether they were in favour or against the current Committee continuing in post.

37 house owners voted in favour

2 house owners voted against

1 house owner abstained

Before the above vote was taken there was a robust discussion on the issues that led to the Committee feeling that a vote of confidence was necessary as some owners were unclear about the DMMO in particular and its impact on the estate.

A small number of owners queried how and why the Committee was involved in the DMMO issue as its role is related to maintenance and repair of roads and drains.

The Chair pointed out that Dorset Council had invited the WCHOA to work with them to try and a) assess the views of house owners and b) seek an alternative route around the estate. Further the suggestion in the DMMO to re-route the bridleway impacts on land owned in trust by the estate.

Both the chair and secretary made strong points about how the Committee works to act in the best interests of the majority of house owners and recognises that it will never please all the people all the time. The majority of house owners present at the meeting made clear their support for the Committee. On this basis the Committee agreed to stay on and the Chair continued with the meeting.

West Cliff House Owners' Association

1. Minutes of 2021 AGM

Mr and Mrs Grimstone asked for one amendment to be made to the 2021 minutes – that they had agreed to have a sign on their fence to ask cyclists to slow down. However they did not agree to a sign saying Private Estate with a video surveillance camera.

Brian Robertson proposed and Alan McCartney seconded that, with the above amendment, the minutes be agreed as a true record of the meeting.

2. Treasurer's Report

a. Update on financial position

The Treasurer distributed additional finance papers and talked through the income and expenditure for 2021-2022. There is currently a bank balance of £29,193.22.

One suggested that going forward, the Committee 'shops around' for public liability and professional indemnity insurance. The Chair pointed out that we do use a broker who searches the market before making a recommendation. The Committee agreed to look into this at one their future meetings.

b. Subscriptions

There was a discussion on payment of subscriptions. The treasurer reported that for the current year 127 owners have paid.

One owner reminded the meeting that in the deeds of most (if not all) house owners, there is a requirement that occupiers have to pay a proportion of the cost of maintenance. In light of this, the £100 charged was considered very reasonable.

One owner highlighted a personal situation where she had a property on a private road but that the owners couldn't agree to setting up an association and that, as a result, essential repair works and routine maintenance were not carried out. This led to the owner being unable to sell her property.

At the end of the meeting, members agreed to retain the current subscription fee of £100 if paid before end June 2023 and £125 if paid after this date.

c. Approval of accounts

The meeting approved the accounts for 2021-22

West Cliff House Owners' Association

3. *Committee report*

a. Definitive Map Modification Orders (DMMOs)

There are currently two DMMOs sitting with Dorset Council that relate to the estate. The most recent one was submitted by Symondsbury Parish Council and relates to the re-routing of a bridleway that runs through the middle of seven houses in Brit View Road. The DMMO re-routes the bridleway down through the middle of the road. There was a long discussion about the issues related to this with different house owners having very different and divergent views. One member suggested having a special meeting to discuss this issue.

Members were reminded that if five or more owners wrote to the Secretary requesting an EGM the Committee would be required to convene one within one month of receipt of the request.

The Committee was again challenged as to why it got involved with the DMMO and reminded the meeting that the re-routing impacts on land owned by the estate.

One member asked whether the Committee had spent Association funds on challenging the DMMO. The meeting was reassured by the Chair that **no WCHOA money has been or will be used to support or oppose a DMMO.**

b. Speeding on the estate

A number of house owners have written to the Committee expressing concern over an increase in speeding on the estate – by cars and cyclists. It was acknowledged that most owners pay due regard to other owners and that speeding is likely to be by a small number of house owners, holiday makers, delivery vans or non-resident cyclists.

The use of 'sleeping policemen' had been suggested. However one owner recalls these having been tried before and they didn't work. Another suggestion was the use of flashing lights reminding people of their speed. The general consensus of the meeting was that these would not deter speeding and at about £3,000 were expensive.

One owner asked why the roads were not covered by mandatory speed limits as, although they are private, they do allow access to the public. The Chair pointed out that we had approached the police about the situation and they would not get involved because the roads are private.

West Cliff House Owners' Association

One owner suggested asking holiday let owners to put up a sign in their let asking guests to observe the speed limit and drive carefully. The Committee agreed to look into this at a further meeting.

c. Managing increase footfall on the estate

There was a brief discussion on the negative impact of people walking through the estate. One of the issues of concern was an increase in dog fouling and dog walkers leaving 'poo bags' on benches, gate posts etc. One owner asked about the viability of 'poo bins' but the issues would be a) emptying them and b) locating them as it is likely that no owner would want one outside their property. Another owner wondered if this was something the local authority would do for a fee. One owner reported that one of the signs outside Cleveland at the junction of Hill Rise and West Cliff Road had faded,

The Committee agreed to check the above sign and to approach the council to see if they do empty dog poo bins.

d. *Managing how estate owned land is used*

From time to time the Committee receives reports from owners relating to easements, parking on verges and using estate land to park trailers, boats and camper vans etc.

The Chair explained that owners need to seek an easement if they are intending to use land owned by another owner (including trustees) for personal benefit and/or to enhance their own property – by creating a new driveway or widening an existing driveway for example. Granting of an easement is a legal transaction and the Committee, on behalf of trustees, will ask for a fee to be paid when an easement is required. However there is no precedent on the estate for how much should be charged for. The meeting felt that any such charge should be 'reasonable'. One owner queried whether an ongoing 'rent' could be applied. Another owner queried what action the Committee could take if an owner refused to pay an easement.

The Chair re-iterated that the Committee could take legal action against an owner who refuses to pay for an easement but this could be a lengthy and time-consuming process. It would be much better if owners acted responsibly and decently and in the interests of the estate rather than the Committee have to challenge and fight.

Another issue where owners are asked to consider others is parking on verges. This can be dangerous, particularly if someone is speeding through the estate and a walker has nowhere to go to get out their way. A number of options were suggested which the Committee agreed to look at at a future meeting; these included additional

West Cliff House Owners' Association

boulders and/or no parking signs. Another suggestion where there is no driveway or garage, could be to make the verge into hard standing area that allow grass to grow through.

West Cliff Road appears to be the road where most owners park on verges.

4. Election of the Committee

Following the earlier discussion and vote of confidence, the current Committee agreed to remain in post until the next AGM with the additional of two new members proposed from the floor – Neil Grimstone and Alan MacCartney.

This was proposed by Sarah Herring and seconded by Sharon Winston Smith. The meeting agreed to the new Committee who are:

Name	Current position	Road rep
Nigel Mawditt	Chair	Cliff Walks
John Gaylard	Treasurer	Meadway
Chris Leigh	Secretary	
Alan MacCartney	Committee member	West Cliff Road
Chris Barette	Committee member	West Walk
Neil Grimstone	Committee member	Brit View Road
Colin Marley	Road maintenance	
Lindsey Blair	Committee member	
Emma Curryer	Committee member	

There is no road rep for Hill Rise and Hill Close.

The meeting concluded with a brief discussion on whether the rule book should be changed so that those owners who do not pay their subscription fee are not allowed to attend the AGM. The Committee agreed to look at this as a future meeting.