

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF CQRA LTD

Date and Time: Monday 10th January 2022, 7.30pm

Place: Zoom Meeting due to Covid 19 Restrictions

PRESENT:

Martin Boyd (MB) (chairman)	Graham Harris (GH)	Brian Cheetham (BC)
Fiona Tolmie (FT)	Tim Combe (TC)	Marcus Perkins (MP)
James Ker-Lindsay (JKL)	Anastassiya Prolomova (AP)	

1	APOLOGIES None
2	DECLARATIONS OF INTEREST None made
3	MINUTES OF PREVIOUS MEETING (8th NOVEMBER 2021) The minutes were received and approved without amendment
4	SPORTS DIRECT (SD) REDEVELOPMENT <ol style="list-style-type: none">BC presented a paper on the current situation regarding the SD Redevelopment in which it was recommended that CQRA Ltd proceeds with the next stage of the Claim against SDI, the company that SD is using for the Redevelopment, ie: A. Appoint Counsel (and if required, a briefing solicitor) in order to obtain advice as to the risks and costs involved. B. Provided that CQRA Ltd is satisfied that the risks are manageable, serve the Claim.It was noted that a complaint had been made to the Solicitors Regulation Authority (SRA) about Dentons, SD's solicitors, unprofessional conduct.TC asked if there was any answer in regards to our complaint to SRA. MB replied that we had not yet received a reply as there were two working days left within their 30 day deadline for Dentons to respond.MP asked if SD may be in a weaker position due to the Government's willingness to pay for some remediation work and cladding. BC replied that it was unlikely to be relevant.TC expressed his concern in regards to the service road if we do not fight this case. BC explained that we would be in a weaker position. In SD's planning process, they described our private service road as a "shared service road" and that they had the right to use it. SD also stated in their planning application that the road would be used only once or twice per week but in reality, it is likely to be considerably more for such a large store. In addition,

	<p>there would be 33 flats which also would need to be serviced through this road, especially when moving or for online shopping.</p> <ol style="list-style-type: none"> 6. MP asked if our case was so strong, under what circumstances could we lose it. BC answered that SD solicitors might resurrect the argument that the Transfer Agreement when we acquired the freehold from St George West London provides a loophole. However, our Counsel had rejected that view. We were not aware of any other issues. However, no one could predict the outcome of a court case with absolute certainty. 7. FT supported and agreed with BC that SD's arguments regarding the installation dates of the window apertures had the least chance of winning. 8. BC continued that if we retain our RoL, SD would be unable to sell the flats should they choose to build them. FT suggested that we would probably need to register something against their Title. 9. MP asked what would happen if SD dropped the case. BC replied that it would mean that the light obstruction notices would have to be cancelled. 10. FT stated that SD appeared to be using its financial might to bully us into submission. BC explained that professional developers acknowledge RoL issues at the outset and seek to resolve them amicably with neighbours. But, possibly due to an inexperienced team, SD ignored this step. 11. TC asked what would happen if SD decided to reduce the size of the building. BC explained that if that were to happen, it should resolve the problem. However, SD's Development Manager had dismissed this possibility when we had a meeting in August. 12. TC noted that SD had convinced Kingston Council to grant permission for their development. MB said that the Council was limited to what they could stop and they probably wanted a big retailer in the Market again asap. It was noted that we have supported the retail element of the redevelopment from the outset. 13. BC reported that the Planning Officer who was dealing with this permission was currently off work until 4th of April and unfortunately and could not be reached. 14. The recommendation in BC's paper dated 10th January 2022 (see 4.1 above) was approved unanimously.
5	<p>SITE ISSUES</p> <ul style="list-style-type: none"> ● Lighting on Shrubsole Passage TC explained that the bulbs in the passage were constantly failing and that each time we had to call out a company to fix them. David Broome (MHL) proposed it would be better if we had new lights and that we were quoted c. £1,600 +vat for similar black Ansel eyelid installation. The board agreed to that.

	<ul style="list-style-type: none"> ● Landscape lighting in Wetlands TC also proposed to install 15 spike lights and 4 surface mounted spotlights costing £3,400 +vat. He confirmed that it should be the last major expenditure on the Wetlands to finish off the area and it would help to discourage fishermen as the area would be lit if they decided to fish at night on the Wetlands. He asked permission of the board to go ahead with it. The board agreed. ● Carpet TC expressed concerns about the high cost of possible carpet replacement - £14,8K for 100 sq metres, as there are only a few areas where the carpet is very worn and in some places someone had spilled oil making it very difficult to clean. He confirmed that a second opinion to get a professional carpet cleaning contractor for a quote was being considered. ● Residents Permits TC informed that there were various discussions including in the WhatsApp group where residents complained about unauthorised parking in residents' bays. Some residents suggested installing bollards but there would be an immediate issue with this solution as large sections of both car parks had been built on a very high-water table. Any drilling to secure bollards could lead to flooding if the base was damaged. Due to that reason it was not considered. TC continued that another suggestion was similar to having a controlled parking company but managed by Marek and the concierge to control illegal parking. FT informed that it was suggested to have a three month survey which would assess the scale of the problem. Residents would need to report any unauthorised parking either through the website or by email to the Site Issues team to count the number of incidents. Subject to board agreement, the residents would be informed about the survey and asked to report cases accordingly. MP added to the discussion that on average the concierge were helping to park 10-15 visitor cars each day, and that unauthorised parking in the car parks was actually quite low and limited to a very small number of repeat offenders. ● Foxes in garages TC informed that Marek was looking at the possibility of using ultrasound devices on the entrance ramps to deter foxes as the issue still continued.
6	<p>Remediation</p> <p>MB confirmed that remediation work is in progress and that the new announcement from the Government in regards to this problem would not cover our case in any way. He also informed the board that the EWS1 system would soon be replaced by British Standard 9980. MB continued that by the end of our remediation work we hoped to meet the 9980 standard rather than EWS1. He also informed that one of the HML Brokers raised a concern that there might be another problem with the insurance as our site is considered to be at high risk for flooding. They had requested evidence of any flood risk assessment undertaken by the original developer and also what was being done on site to avoid flooding. The Berkeley Group has been contacted for evidence. DEFRA was also contacted to find out the reason why the local flood maps were wrong. MB said it might take up to 6 months to receive answers.</p>

7	<p>AOB</p> <ul style="list-style-type: none"> ● GH updated on Moorings. The relationship continues in a positive light. He reported that we had recently received the 2021 Management Accounts and 2022 Budget. They had intended to discuss these at a meeting on 6th January but this had to be postponed because of Covid issues on the CQML side. The Budget for 2022 does include £10,000 for the upgrade of infrastructure. He informed that they would discuss which elements of infrastructure and a timing at a rescheduled meeting. GH also said we were still awaiting the long term plan based on the Mooring Survey completed last year. ● It was agreed that AGM should take place on Saturday the 9th July 2022. ● JKL raised a concern about the lifts as they break frequently due to their age. He asked if we could look at purchasing a special wheelchair that goes up and down stairs for people with disabilities. FT agreed with the idea given the circumstances as sometimes it takes weeks for a repair to take place. MB asked JKL to check costs and supported the idea of buying one for the site as it might also be required for future fire safety requirements to make sure residents with any kind of disability could more easily be evacuated in an emergency.
8	<p>DATE OF NEXT MEETING Monday 7th of March 2022 at 7.30pm.</p>

Date of Board approval: 07/03/2022