

## DRAFT MINUTES

### THE OLD RATTON RESIDENTS' ASSOCIATION

Minutes of the Annual General Meeting of **The Old Ratton Residents' Association** held on Tuesday 20<sup>th</sup> May 2025 in St Mary's Church Hall, Church Street, Willingdon. Meeting Commenced at 19:30.

#### **Present: -**

##### **Current Committee**

CT - Clive Tomsett - Co-opted chair

JO - Janet Olliff - Treasurer

JD - Jenny Diack - Trees

GE - Greg Evans - Roads

GR - Gary Robinson - Roads

CH - Charles Hattersley - Planning

JAC - Jan Creasy - Co-opted Trees/Planning - Gave apologies, not present.

JC - John Cuzick - Co-opted Full Fibre/Webmaster

GC - Graham Carn - Co-opted committee member

CW - Carl Williams - Observer

Total: 9/10

#### **Residents by Street:**

LW - Linkway 02 households

MW - Manor Way 00 household

RC - Ratton Court 00 households

RD - Ratton Drive 10 households

RG - Ratton Garden 06 households

TC - The Close 03 households

TG - The Grove 07 households

URD - Upper Ratton Drive 03 households

WTW -Walnut Tree Walk 10 households

Total: 41/149

#### **Apologies: -**

Committee member Janice Creasy gave her apologies

#### **Residents by Street:**

Ratton Drive 05 households

Ratton Garden 02 households

The Grove 01 household

Walnut Tree Walk 01 Household

Total: 09

#### **Proxies: -**

LW > LW

TG > WTW

Total 02

## Agenda

1. The Notice convening the meeting of The Old Ratton Residents' Association read by J Cuzick.
2. Apologies for absence and notification of Proxies – Please see above for confirmation of apologies and proxies.
3. Election of Committee Chairman – J Cuzick had stood down at the end of March and C Tomsett has been the co-opted Chairman since then. Motion was proposed to elect C Tomsett as the ORRA Chairman.

Proposer: J Cuzick

Seconder: G Evans

**VOTE CARRIED**

4. Formally adopt the minutes of the AGM held on Thursday 9<sup>th</sup> May 2024

Proposer: Resident from WTW

Seconder: Resident from URD

**VOTE CARRIED**

5. Matters arising from the Minutes dated Thursday 9<sup>th</sup> May 2024:

Proposal of change how we record the resident's information on the minutes to adhere to GDPR and avoid Cyber theft/Data Security - Committee propose to redact the names of attendees and instead will be recorded as road name and number of households present.

Proposer: C Tomsett

Seconder: Resident from URD

**VOTE CARRIED**

6. To receive and adopt the Statement of accounts for the year 31<sup>st</sup> March 2025

Proposer: Resident from TC

Seconder: Resident from WTW

**VOTE CARRIED**

7. To appoint the accountant for the year - Hogarth Business Services Ltd. Have indicated their willingness to continue in office.

Proposer: J Olliff

Seconder: Resident from WTW

**VOTE CARRIED**

8. Adoption of the ORRA Committee Reports / Updates

## Treasurers Report - JO

Reports have been distributed and received by all households, with up to date accounts for the year ending 31<sup>st</sup> March 2025.

To date, 06 households owe outstanding payments for the year 2024-25 and 115 households have paid for the year 2025-26. This level of payments is a record and the treasurer wanted to thank residents for their prompt payments.

LLOYDS Banking Group have updated the accounts from a Treasurers Account to a Community Account and are now charging £4.00 per month for continuing to bank with them. They also have an extra charge for number of cheques paid into the account, which should only incur a charge for a maximum of 02 months of the year (April/May).

JO proposed that The ORRA Committee be given the authority to set the maintenance charges for 1st April 2026 to 31st March 2027, with an increase of up to 10% if this is deemed necessary.

Proposer: J Olliff

Seconder: Resident from RD

**VOTE CARRIED**

**Advanced Questions** were read out by the Chairman CT and answers given:

Q? From S Boyce-Sharp

The draft minutes say that 02 households have not paid but I was told by Treasurer during the year that Dudrich Holdings hadn't paid either. Why weren't they named?

A: Dudrich are not classed as a household.

Q: Are they fully paid up now?

A: No they are not.

*Q? From S Boyce-Sharpe*

I am a bit confused regarding the figures provided on Income & Expenditure accounts versus the written report from the Treasurer:

INCOME Members Contributions Paid £34,468

Arrears paid £ 1,111

Total £35.579

TREASURER'S Members contributions £35,270.00

REPORT Plus Dudrich Holdings £ 232.00.00

Total £35,502.00

I would appreciate clarification of £77.00 difference please.

A: Overpayments of residents, which will be deducted from next year's maintenance request.

*Q? From S Boyce-Sharpe*

Why are there two gift titles in the Expenditure column? One 'Retiring Gifts' and the other 'Thank you - committee leaving gift'?

A: Both are retirement gifts.

*Q? From J Batchelor*

It states that there was a charitable donation of £50 made from the Maintenance Fund. This was patently not maintenance by its very title. By whose authority? This has never happened before so why now? The membership pays into that fund for Maintenance. The committee does not have authority to pay monies out of the maintenance fund for items other than maintenance of the estate.

A: This was a committee decision, and clarification that this was £50.00 rather than £90.00.

*Q? From S Boyce-Sharpe*

"It states that there was a contribution of £36.00 paid to Christmas Festival out of the Maintenance Fund. This was patently not maintenance. So, why? This has never happened before so why now? The committee do not have authority to pay monies out of the maintenance fund for items other than maintenance of the estate."

A: After deliberation with the committee it was decided it shows ORRA's presence in the community.

It was advised that this has been done in the past for three years running.

J Olliff asked resident of WTW who raised their concern about the donation to the Asthma and Lung UK. Resident told the Committee it was £90.00, supported by a screen shot from the funeral directors' website showing ORRA's donation. J Olliff assured resident that this was £50.00, as was shown on the bank statement. Resident gave the opinion that this could have been a mistake on their part, but the main issue is setting a precedent of giving donations to charities, and where does it stop. Previous committee members who are no longer present thought the maintenance funds could be used to fund social events, which could have been confused with an account the estate used to have called the Lions Fund for the benefit of all the estate, and it has now closed due to the restoration of the 18<sup>th</sup> century pillars using the last of the funds. A lot of new residents are now present on the committee, and it is important that they understand are advised by residents who have been on the estate/committee longer of the correct use of funds, where will it end. Resident understands it was all from good intentions and if this was the case that a fund could be set up separate to the maintenance funds. Charity is an individual and personal matter and if you want to donate to a charity yourself not through a resident's association. It is a maintenance fund and that is what it should be used for.

Having listened to these opinions, C Tomsett wanted to clarify the feeling of the residents regarding the matters discussed.

It was pointed out that such donations had not been itemised in previous records and only recorded this year. J Olliff advised that the accounts were presented to the accountant and the accountant has chosen to record it in this way, to be clearly shown there.

A vote was asked for by residents to clarify what the maintenance funds are to be used for.

G Carn stated that the resident is correct that monies collected are solely to be used for the objects of the company as noted in the Ltd Company. He also wanted to clarify that lessons have been learnt in regard to this matter.

J Cuzick stated that a measure of discretion must be given to the Committee in order to fulfill its function, for example to fund room hire, but believed that Maintenance Charge funds should not be used for charitable donations.

G Robinson added we have had two street parties, which were not maintenance from the estate. It was contended that the first street party was funded out of the remainder of the Lions fund and that the residents enjoyed it so much that it was suggested to repeat the year after. It had been agreed on the proviso that residents self-funded it and brought their own refreshments. J Olliff advised that money was used from the account for the second Street party. Resident said this wasn't the case.

J Cuzick brought the residents and committee back to the subject of the use of maintenance funds for charitable donations. He suggested a vote on the matter of donations, and if a vote was needed regarding the funding of ORRA events, that this be brought up at a later date.

Resident suggested that the overpayments from residents could be used for occasions like this. J Olliff advised that overpayments are accidental and will be deducted from the resident's maintenance charges for the year following.

C Tomsett proposed a motion that the Maintenance Charge exclude any charitable donations but include reasonable evidence-based disbursements.

**Proposer: C Tomsett**

**Seconder: J Cuzick**

**VOTE CARRIED**

*Q? From S Boyce-Sharpe*

Please advise what the title 'Title Registers' refers to in Expenditure in accounts? Value £130

A: These were used to cover costs to obtain Land Registry documents to confirm land ownership as part of the Full Fibre project with Openreach.

*Q? From S Boyce-Sharpe*

Can I ask if the Debtors' total of £1,535 is all households who have not paid or are there other debtors?

A: This sum includes all debt owed by residents of the 149 households, and includes Dudrich Ltd.

G Carn stated that Committee have sent out to all residents the proposal regarding 'Maintenance Charges/ Constitution Additions', adding penalty charges for late or non-payers of maintenance charges. Late payment has a detrimental effect when it comes to setting out budgets and committing to expenditures. Collection of charges is time consuming and not the best use of committee member's time.

*Q? From Resident of RG*

Can I enquire if ORRA have taken legal advice on the matter of charging 'late and non-payers of ORRA Annual Maintenance Charge? The date of that advice? And further, who provided that advice?

A: Yes, we have. The proposal has been verbally checked on two accounts, using a firm of solicitors regarding corporate and commercial perspectives. Firstly, to confirm that it is not unusual or illegal for financial implications for late payments. And secondly, that the committee have the necessary authority to impose this. On the strength of this verbal advice, we haven't sought to use maintenance funds to engage with solicitors formally, but we have had written guidance on key points to mention. Legally, it is quite typical for maintenance charges arrears to have financial implications/penalties. In respect of interest on arrears the statutory rate is 8% above the base rate, but the committee have set this lower than that.

ORRA Ltd can delegate powers to the ORRA committee, and both historically and currently that is the way the committee conducts the day-to-day duties and responsibilities of the Ltd Company. ORRA and the directors, acting through the committee, entirely legitimately have the powers to propose a resolution to residents. The Ltd Company and the committee therefore must act in accordance with the company's memorandum and set out the committee's objectives for its purpose. Objectives are to oversee and maintain the estate, roads, trees as well as character of the estate and to collect charges to facilitate these objectives from dwellings. The Ltd Company is specifically tasked to do all such things that are incidental or conducive with the obtaining of the objects. The Ltd company can alter, make, adopt and revoke bylaws providing such bylaws aren't repugnant to the memorandum towards the conveyance of the association. In summary, the resolution is legal, and legally the Ltd Company can put it before the residents. All procedural requirements are being followed. Also, would like to highlight that this proposal will only affect a small number of members who do not adhere or act in good faith towards the Committee's requirements.

*Q? From S Boyce Sharpe*

At time of invoice both parties must be in agreement for that interest to be chargeable.

A: Residents are aware that these charges are due as part of the Covenants and our rules for living on the estate. We set the increase of maintenance charges with flexibility, and it is agreed collectively.

*Q? From M Thornton*

If a resident is in dispute, is this a reasonable reason for withholding payment?

A: If a resident has a reasonable dispute, that might be understandable, and we would look into resolving any issues. Once resolved, payment would proceed. Late payment charges are primarily for serial non-payers or disputes where a resident is not engaging with the Committee in good faith.

If an unpaid debt reaches a high level and the committee needs to take legal action, the added interest will help fund any costs incurred.

The motion to adopt this amendment regarding late payment penalties was put to a vote.

*Proposer: G Carn*

*Seconder: J Olliff*

*VOTE CARRIED*

**Tree Report - J Diack**

The comprehensive tree survey conducted in 2024 by Abi from St Abyn recommended general pruning to ORRA trees, crown lifting to protect them from high sided vehicles and overhead cables and aerial inspections to ascertain decay in older trees and their ongoing potential. Private trees were also assessed by mistake. We appointed two contractors for this work based on successful quotations, Tidy Tree Company and Simon Peel. The majority of the work is now complete, and any remaining work will be complete once the saps have risen and nesting birds have fledged. We appreciate your understanding and cooperation as the work has been undertaken. The tree maintenance plays an important role in

preserving both the beauty and health of the trees on the Ratton Estate. A new planting scheme will follow the completion of the BT Openreach fast fibre project to avoid unnecessary damage to new trees planted.

*Q? From J Batchelor (JB)*

Cannot understand why mistake was made regarding all trees being assessed when all information was handed over pointing out which trees are owned privately and which are owned by ORRA which has resulted in an extra 30 trees being surveyed costing three times the amount it should have costed. Now there is the worry that this sets precedents for the next surveyor who will study the previous report and take it from there to survey non-ORRA trees at the additional cost. These trees include Dudrich trees, all Ratton garden trees, number 4s trees and the tree fenced off by the electricity substation.

*A: J Diack confirmed nothing has been paid towards the survey of the tree in the substation, as that tree belongs to Ratton Village.*

Resident stated this is down on the recent report as being surveyed which resident will double check to confirm this information, but still a further 30 trees have been surveyed that has caused confusion and extra cost to have all the extra trees looked at. Resident cannot understand as she previously was in charge of the tree maintenance and the information was provided and handed over and assistance was offered as was done previously when the role was handed over from the last committee tree member.

C Tomsett stated he has walked the estate with J Creasy and there is a challenge with how the trees are marked and there is a proposal this year to retag the trees, which will mark the private, and ORRA trees on the tags. The tree team are passionate about ensuring that the correct tags are in place and getting this right. We are learning, reflecting and ensuring that the cost and confusions are suppressed to avoid unnecessary charges.

J Olliff: is there a possibility that when the trees were tagged that they were tagged incorrectly? These were more than likely tagged many years ago.

J Batchelor stated that as a previous committee member of trees 8 years ago and all the trees were tagged and the trees outside the flats were owned by the flats, this was contested by RG resident that not all the trees outside the flats are owned by the flats, 8 of which are owned by Dudridge.

C Tomsett stated the committee will ensure that the tags will avoid any further confusion as to who owns the trees and going forward this will ensure that the legacy is passed on for generations to come. Mistakes have been made historically, and we endeavor to avoid further mistakes.

Resident from RG asked to obtain from J Diack a copy of the tree map to understand which trees are which of the RG land. Also wanted to confirm about any contact with Dudrich, as not they responding to RG resident emails. Information was not readily available so will email to discuss further.

#### **Road Report - G Evans**

Part of the planning was to clear the gullies on the estate. A contractor was employed to undertake the work in February. Unfortunately, from some checks that were carried out by GE and GR it was found the work wasn't completed to a satisfactory standard. A map of the gullies and drains were provided and these weren't fully cleared. There was a long delay trying to get the company back to querying the issues. Another company was employed to survey several lines of drainage that had indicated problems for residents on the estate, which had resulted in flooding. Subsequent to the survey it was highlighted that the clearance of the gullies from the previous contractor were not completed. Original company was contacted but no reply. To speed up the required work several companies were contacted to complete the work, from these results we are now able to move forward.

To date we have now had a contractor in to complete the work to various gullies and drains. This work will be completed by the middle of June.

*Q? From S Boyce- Sharpe*

Can we assume a refund was requested from the contractors whose work jetting the gullies was found unsatisfactory? The report just leaves it that another company has now been contracted. It says nothing about refund from original company?

A: Original company hasn't been paid at all. The work being completed by the new contractor will be closely monitored by GE and GR to ensure completed to a satisfactory standard.

*Q? From T Clarke*

How often are the gullies meant to be cleaned, as they need to be cleaned every 6 months at least.

A: Plan is to clean the gullies twice a year once in the autumn after the leaf fall and again at the beginning of the year.

*Q? From Resident of RG*

Will you notify individuals when and where the work is being completed?

A: Yes, there will be notifications of planned work circulated to all residents affected

Resident from RG queried what the 2025, £4996.00 contributed to.

A: This included original surveys gully and leaf clearance and grass cuttings.

*Q? From S Boyce-Sharpe*

Has the council continued their responsibility for clearing the catch pit at the top of Linkway?

A: Yes, this has just recently been cleared

*Q? From Resident of TG*

Is there any planned work for the repair of the roads? Especially regarding potholes highlighting the pothole at the top of The Grove which is also having an effect on the manhole cover.

A: The work advised is due to be completed in stages and the potholes are being assessed. The pothole at the entrance to The Grove has been picked up.

*Q? From Resident of RG*

How will we be advised of the stages of work?

A: The committee will circulate the information of works to be carried out.

### **Full Fibre / BT Openreach - J Cuzick**

An updated report was sent out prior to the AGM informing residents of the stage we are at with Openreach. We were hoping to have something more finalised to present to residents but there are still issues to resolve, which will take more time. There is an issue in Walnut Tree Walk regarding the lower section of the road there. There are two issues in Ratton Drive, a major blockage outside 26 Ratton Drive, and an issue around the driveway of 48 Ratton Drive. There is also an issue with the connection to Ratton Garden, which the residents of Ratton Garden are yet to resolve with Openreach.

*Q? From Mark Thornton*

Is there any indication how patient Openreach will be before they move on? Also, a thank you for all the hard work that has gotten us to the stage we are at present.

A: The current Openreach team completed most of the investigative work on the estate in 2023, but as discussions have progressed additional issues have come to light. There is no definite deadline for when they will finish, since we have not yet reached a proposal for works that is acceptable to both ORRA and Openreach. The estate is something of an afterthought for them, since the majority of the works around the town have been completed. They have continued to be engaged, with multiple site visits and there is a

definite drive to reach an agreement. If the current team deems the work isn't practical, discussions may have to pause until another Openreach team can pick it up and take it over.

There are options that have been suggested to resolve outstanding issues. For example, connecting the upper section of the estate via a different feed from Babylon Way. The ball is in Openreach's court to inform us if this is a possibility and we are currently waiting to hear from them if this is feasible.

**Q? From D Farrington**

How difficult will it be to resolve the issues that have surfaced?

A: It depends on the issue. Some are fairly straight-forward. The ducting in Walnut Tree Walk is silted up, but this can be blasted out using the existing gulleys for access. In some cases, a blocked duct is in the soft verge and can be dug up and rectified. These are fairly simple solutions.

However, there are also more complicated issues. For example, where a blockage is under the road we are exploring different options like erecting poles to bypass the blockage. If this is not possible the work is more expensive for Openreach, since they may need to dig and then reinstate the road. To complicate things further there is the matter of permission, some of the land is owned by ORRA and some is owned privately. There are always multiple options to resolve each issue, which has taken time to consider all involved and affected.

J Cuzick advised residents that he is attempting to represent their best interests. For example, if the majority of residents don't want new poles, we would advise Openreach that this isn't an option, and this may then mean the project is delayed. It may be that the final proposal doesn't satisfy everyone, but the old technology of copper cabling will need to be replaced at some point, so it is a matter of achieving the best balance for the good of the estate.

**Q? From T Clarke**

Is there any indication of when this might be in place as there are changes beyond residents' control?

A: If we were to speculate, we would like to have a finalised plan around August or September if not sooner. This depends on an agreement with Openreach of how to resolve blockages. JC doesn't want to promise something that we cannot deliver. There may be an option to hold an EGM at a later date to discuss this matter further, as it is such a major issue that it cannot proceed without a mandate from residents.

**Q? From T Clarke**

Is there not an option of a two-phased process where the easier connections are completed and the harder ones are completed at a later date?

A: There are options for easy households to be connected. Openreach work on a cost per household basis, and we are conscious that if we hand all the cheap, easy households to be connected there is less incentive for them to return and complete the trickier and more expensive connections. JC has always made sure he represents all the residents, and he aims to ensure connection for all residents.

**Planning - C Hattersley**

We now have in place a transparent table of plans and planning applications. Out of thirty applications, we are waiting for submissions from two households that are pending. We have asked residents if there were any applications that should have been handled during the period when the Committee was working with Lacon Property Management, in case these remained unresolved. We have noticed two properties having works started that had previously had the plans approved but the requests hadn't been filed with the committee, which we now have. We would really appreciate if any residents have historical approval documents from recent years, for them to be shared with the committee. It is important that

approvals are processed correctly, there may be a point in time where a resident comes to sell their house and would need this documentation for a prospective buyer.

It has been recognised that some of the questions when filing for planning approval are only half being completed so we have decided to have a guide of hints and tips which will be available on the website to help with the process.

*Q? From S Boyce-Sharpe*

Is it the understanding that Lacon haven't handed over their records?

A: Yes, and this is part of the reason why the final payment was withheld

#### **Renewables - G Carn**

This is a subtext of planning but in the climate of renewable energy and climate change the installation of solar panels and heat pumps. We feel renewables are going to play a considerate part of conflict when protecting the street scene of the estate.

It was decided as this is such an expansive issue it was decided that this may be discussed at a later date, perhaps at an EGM in the autumn. We want to explore address and clarify what is acceptable in regard to updating renewables and what consent is required moving forward. It is important to reach out to all residents in regard to this important issue and we are planning to circulate a Questionnaire for residents where we can gather the information provided and present these at an EGM in a formalised manor.

C Tomsett proposed that an EGM is needed in the autumn, as there are items that need further exploration and this gives time for more information to be provided.

*Proposer: C Tomsett*

*Seconder: C Williams*

**VOTE CARRIED**

#### **9. Committee nomination forms received and a vote**

No nominations received.

Committee nominations have been discussed.

Clive Tomsett nominated as Chairman, which has already been voted in at beginning of the AGM.

Gary Robinson has been nominated to replace Janet Olliff as Treasurer who has notified the committee that she is standing down at the end of the AGM

*Proposer: G Evans*

*Seconder: Resident from URD*

**VOTE CARRIED**

Carl Williams has been nominated to stand as Committee Secretary

*Proposer: J Batchelor*

*Seconder: S Boyce-Sharpe*

**VOTE CARRIED**

Committee officers both standing and co-opted: -

Jenny Diack - Trees

Jan Creasy - Trees and Planning/Renewables

Greg Evans - Roads

Charles Hattersley - Planning/Renewables

Graham Carn - Planning/Renewables

John Cuzick - Full Fibre/ Communications

**VOTE CARRIED**

CT would like to propose a vote of thanks for J Olliff continuous hard work and a round of applause from all.

## 10. Any other business

*A question was received D Kidd*

I propose at the AGM that the following is discussed and debated – the committee was provided with some historical figures with the bands and the band charges.

The premise of the question received is the maintenance fee is based on the council tax bands; it is felt this is unfair as regardless of size and value of property we all receive the same service. The resident of TG propose that the maintenance charge is changed from being based on the council tax banding to an average meaning all residents would pay the same.

D Kidd added the difference between the lower bands to the higher band is £170.00 we all receive the same thing. Each year this is increasing.

Figures were presented to the committee but not circulated with the resident prior to the AGM, as the figures could be mis-interpreted.

Resident from RG disagrees as their trees aren't included in the maintenance funds and they also have their own maintenance charges.

J Cuzick wanted to add that the banding of properties has been in force for many years now and it is understood nationwide that the greater the value of your property, the more you pay. The maintenance of the estate's trees, roads and other features contribute to the value of all properties and over time the absolute value of a larger property is likely to increase more than a smaller one. The percentage value of any annual increase in Maintenance Charge is the same for all properties, and while the absolute difference between different bands will increase over the years, that is the nature of inflation.

It was proposed that we continue with the current system of linking the rate of Maintenance Charge to council tax bandings.

**Proposer: Resident from WTW**

**Seconder: Resident from WTW**

**VOTE CARRIED**

C Tomsett thanked resident from TG who submitted the question.

Conclusion of the ORRA AGM meeting **21.15 hours**