



WELCOMES & UPLANDS ROAD ASSOCIATION

MINUTES OF ANNUAL GENERAL MEETING ON TUESDAY 16th MAY 2023 at 8 pm AT KENLEY MEMORIAL HALL

Chairman's Opening Remarks

The Chairman welcomed the few residents (13 excluding Committee) who attended.

Our 2 Conservative Councillors for Kenley, Cllrs Ola Kolade and Gayle Gander, joined the meeting for a Q and A session which took place at the start of the meeting. A record of the session is annexed to the formal Minutes. Gayle and Ola were welcomed by the Chairman and afterwards were thanked by delegates for all the hard work and energy they are putting into protecting Kenley's interests and not least for the time given to attending our modest sized meeting. They left the meeting shortly after the Q and A session had ended..

Apologies for Absence

Peter Runacres, Sally & Geoffrey Banister, Marion and Steve McKelvie, Judith Whittaker, Paul Feeney, and Mrs Ann Jones

In attendance

Committee: Colin Brown (Chairman), Richard Russell (Admin Officer), Robin Mc Callum (Executive member), Janice Scully (Treasurer), Michael Lott (Uplands Road Representative), Stuart Prior (Lower WR representative)

2016	2016	2017	2017	2018	2018	2019	2019	2022	2022	2023	2023
18	14	20	16	27	19	32	26	17	14	13	9
Residents	Houses	Residents	Houses	Residents	Houses	Residents	Houses	Residents	Houses	Residents	Houses

The turnout was low but quorate. A quorum is 10 voting (paid up) members.

A warm welcome to the new occupants/owners who moved to the area since the last virtual AGM in May 2022. These include Welcomes Road 6a,8,10,17,18 25,57 (7 flats- rentals), 73 and 145a. Uplands Road 22, 23 and 24.

The number of homes forming the membership has reached 294 +32% (2018.223) inc 25 flats and those under construction and expected to reach the market in the next few months (1KC, 8KC, 35UR and 42WR). We are on track for a membership in excess of 300 as there are more planning applications already approved and awaiting construction.

Minutes of the Last Meeting

The minutes of the meeting on 3rd May 2022 were adopted unanimously as an accurate record. Proposed: Mike Lott. Seconded Robin Mc Callum

Matters Arising

Virtually all the matters raised on the 2022 minutes have been dealt with but if you have any queries please email welcomesanduplandsroads@gmail.com with details.

Chairman's Report 2022

Having failed to find a new Secretary to replace Richard Russell he has continued in a non executive role as Administration Manager. The Chairman also mentioned that Mr Lott is not standing for re-election this year.

Dealing with developers and their builders continues to occupy a significant share of Committee time. Let myself or the Admin Manager know if HGV traffic has damaged your property. The binding legal agreement we usually hold (not 1KC yet) stipulates that damage to private property must be rectified by developers or compensation paid as appropriate.

Shortly after the AGM a further contract was entered into with London Surfacing to rebuild and resurface the badly damaged section fronting the new development known as Heron Court at 10 Welcomes Road to Kenley Lane at a cost nearly £40,000 (price of tarmac up 25%). This work (from speed ramp at 12 WR) is scheduled to start on Tuesday 18th July 2023 (avoiding bin day) and will take about 8 working days to complete. The road will be closed some of the time. The contractors have been asked for a logistics plan.

The developers (Castlegreen Developments) of Heronwood Gardens have pledged £7,000 towards the cost subject to a matching payment from the developers at 42 Welcomes Road (this payment is in addition to the standard HGV levy they settled in advance). Their proposal has been passed to the Managing Officers for Reflect Welcomes Road Ltd (42 WR) in the Isle of Man and we await a response. Previous requests for compensation for the 400 or more HGV movements generated by the massive site excavation apparently needed for this development, have so far been ignored.

In 2022 London Surfacing Ltd were commissioned to resurface Welcomes Road, this time from Uplands Road to the speed hump opposite 58 Welcomes Road just past the Zig Zag Road junction. This means that of the total area of approximately 8250m² (1650m x 5m) of Welcomes Road about 2600m² (12WR speed ramp to 58WR speed ramp) will remain to be resurfaced at say £42m² inc 20% VAT representing a cost of say £109,000. This is after taking into account the resurfaced 802m² section (see previous paragraph) from 12 WR to Kenley Lane (c192m linear).

Completion of the resurfacing of Welcomes requires the continued financial support of all developers, whether fronting Welcomes and Uplands Road **or their spur roads**, and indeed the membership who all need to keep paying their share of the annual road levy.

The overlay of 40mm of stone mastic asphalt (SMA) is expected to give many years of minimal maintenance and is considered a sound investment.

The road reserve on 18th May 2023 in the bank stood at £84,645 which will be depleted by £40,000 in paying for the road works from 12 WR to Kenley Lane and recurrent costs for urgent pot hole mending and sweeps.

The cash flow projection to March 31st 2026 suggests that with the support of all current and future developers both Welcomes and Uplands Roads will have been overlaid with 40mm of SMA at an overall cost of c£300,000.

Defaulting Developer Bellview Kearton Close Ltd and Bellview Group. Pinecoat Drive, 1 Kearton Close

The Directors of these companies (<https://bellviewgroup.co.uk/developments/pinecoat-drive/>) were issued with a letter before (legal) action a few weeks ago which they have ignored contrary to the law. The Committee have been trying to meet the directors in order to execute the usual binding agreement for use of our roads by site traffic since work started last year. However they refuse to communicate with us even declining to attend a site meeting including a Council Official. They have also refused to meet the immediate neighbours though they did threaten to get an order from the Council to restrict parking in Kearton Close.

Our insurers confirm that we are covered for any irrecoverable legal expenses incurred in pursuit of our claim and they suggested we pursue the matter through the Money Claim on Line route though we also have an offer to assist from a firm of solicitors should we need to get professional advice.

For each flat sold the vendors (Bellview) will need to complete Law Society form TA 6. This form requires that the debt, or indeed any other disputes with neighbours, are declared, such debt carrying on to the new owners who will then have legal redress against the vendor should they (Bellview) make a fraudulent statement to the effect that there are no outstanding issues/disputes.

Succession Planning

Both Chairman and Admin Manager are over 80 years of age (albeit the new 60 according to a recent Times supplement) and to avoid the huge cost involved of employing a professional firm to look after the road, members are invited to consider attending some Committee meetings to see if they are happy to work the existing members of the Committee and joining them.

Some of the roles to be filled include:-

1. Running the Word Press based web site www.wura.org.uk. If any members know anything about using Word Press we need someone to take over from Marion McKelvie, who has done a wonderful job for WURA in setting up the new site, who is moving away from the area.
2. Property maintenance manager including getting obstructing hedges trimmed back from roads (at individual frontagers cost), verges, dangerous trees, litter picking (a volunteer is doing this already for which we are very grateful), urgent road sweeps (again a volunteer is quickly clearing stone from the road carried down by flood water which we are also very grateful for)
3. Contracts manager to deal with resurfacing contractors and other related works. This is where most of the Association's money is spent and is a key responsibility
4. Pursuing claims for compensation for accelerated wear and tear by HGV construction traffic including taking legal action against defaulting members and developers
5. Marion McKelvie has been drafting letters of objection to planning applications and appeals to the Planning Inspectorate for the Association and we also need someone to fulfil this role. A small payment is made for each letter based on the amount of research needed to produce the letter.

Without volunteers WURA will cease to exist especially if management firms' costs are prohibitive

As suggested by Mr Diviani last year, roles might also be distributed geographically though there are practical limits to doing this. Mr Vucinic suggested doing a flyer again and this will be distributed with the AGM Minutes. The flyer will also ask for email addresses where nor already given.

The adoption of specific roles by a number of different committee members will prevent the concentration and burden of running what is now quite a big operation heading to over 300 homes with a steady turnover of properties with a substantial income and spending programme.

Adoption of roads

As mentioned in the 2022 Minutes, Steve Iles, Director of Public Realm, was asked the hypothetical question namely, *if WURA disbanded with both roads resurfaced to a high standard would the Council adopt them.* We emailed the Council and their lengthy response set out the hurdles to be overcome and the legal complexities involved. Part of the road (halfway across) from about 36 to 42 is registered to the Public Trustee who needs to be involved if Way Leaves are needed by utilities like SGN.

Secretary report

Statistics re web site visits

Users 1579 (1344) Sessions 1967 (1669) May 2022 to April 2023. Average session about 3(2) minutes. Sessions mean number of pages hit by a visiting user. About 55% of sessions involved no interaction with a page. Several members at the meeting said they visited the site from time to time.

Our web site www.wura.org.uk has been run by Marion McKelvie since 20th September 2019 but as recorded above [she needs someone to hand over to before she moves house](#). The web site is a supplementary repository for WURA archives such as accounts and AGM Minutes. It also carries important information for developers (HGV levies) though whether they read it in all cases is not clear.

Emails received c360 via Gmail with similar number sent from 1st April 2022 to 31st March 2023 with similar number sent though often distributed to about 280 members who have entrusted WURA with their contacts details. AOL (weluplands) emails about 5 per month in and out. This is a marked fall from previous years as members we think are resolving issues themselves by interacting direct with neighbours, developers and the Council (local councillors and our MP Chris Philp). Some have been very helpful in advising road blockages often near to construction sites.

Cash flow to March 2026

The Secretary ran through the cash flow to March 2026 taking note of feedback from the owner of 54 Welcomes Road (Janice Greenwood) which resulted in the projected road fund to 31st March 2026 falling from £127,485 to £89,535 as certain developments were removed. This still leaves a reasonable surplus after allowing for the cost of the complete resurfacing of the remainder of Welcomes Road and all of Uplands Road from Morven House to Abbots Lane using SMA.

Treasurers Report for 2022/23

The 2022/23 accounts audited by Gary Lowe were 'tabled' by the Treasurer with the budget for 2023/2024.

The cash reserves (the road fund) held on 31st March 2023 amounted to £66,336 (£137,650). This is after spending approximately £85,941 on the resurfacing of Welcomes Road from Uplands Road to 58 Welcomes Road. With 2023/24 road levies now coming into the bank account plus a payment by the developer at 35 Uplands Road the reserves stood at £84,645 on 18th May 2023. Standing orders are paid in August each year unless brought forward. Email addresses are still needed to try to get WURA paperless and reduce the time and money spent on printing ink, paper and deliveries.

Unpaid levies continue to run at about 10% of levy revenue. All overdue road levy debt is chased regularly and any accumulated arrears usually collected on sale of the relative property in terms of form TA6 which requires owners to declare neighbourhood disputes including debts attaching to the property. Some of these nonpayers are covenanted to pay a road levy in their title deeds.

Following rises in the rate of levy potential road levies run about £25,000 per annum rising to say £26,000 with the sale of new homes. Sales at No 10 Welcomes Road are currently underway and more will commence in the next few months at 35 Uplands Road and 1 Kearton Close.

The audited accounts for 2022/23 were proposed by Robin McCallum and seconded by Mike Lott and unanimously adopted by the meeting.

The Chairman thanked Gary Lowe for once again auditing the accounts on a pro bono basis and the meeting voted expenditure of approximately £90 to purchase wine for Mr and Mrs Lowe's wine cellar.

Mr Lowe was re-elected unanimously as our auditor

Re- election of Committee 2021/22

Election of Committee. 2022

The following offered themselves for re-election and were unanimously elected by the meeting :-

Chairman: Colin Brown

Secretary: Unfilled position but Richard Russell offered himself again in a non executive role as Administration Officer.

Treasurer: Janice Scully

Committee members:

Robin McCallum Executive member (Bank signatory)

Stuart Prior (Lower section of Welcomes Road)

Their re-election was unopposed and was passed by the meeting unanimously.

Vacant: Committee Member for Uplands Road

Resignations

Mike Lott offered his resignation after 14 years on the Committee, which was reluctantly accepted. His advice has been very valuable over the years. Mr Lott was thanked for his long service by the Chair. In standing down Mr Lott has left an opening for a member living in Uplands Road or any of its spur roads to represent the interests of the members living there.

AOB

Dosan Vucinic WR is willing to help distribute a flyer explaining that WURA is at a tipping point without new Committee members coming forward. The flyers can be distributed with the AGM Minutes. Mr Vucinic also enquired about legal ownership of the road. The advantages of this have largely been lost with events since 2017 when flat building in the road commenced. There is no advantage at all in our nominal 'private' status as all the Association is doing now is managing 2 public thoroughfares at members expense. Members pay Council Tax in full for virtually no help with drainage or road sweeps. Major road repairs usually attract VAT at 20%. All this cost is from after tax income. This cannot be fair. The issue has been taken up with the Secretary to the Treasury through our MP, only for the former to dismiss our case out of hand. VAT at say 5% or a nil rate would enable us to do more to improve the drainage. The City of London Corporation, as Trustees for Kenley Common, from whence most flood water flows have refused to engage with us at all on this matter nor will they take responsibility for verges and unsafe trees on their frontage.

The process to get the bankrupt Council to adopt the roads is complex and costly and in practice is not likely to happen in the foreseeable future even though it would be the best solution for members.

Ken Taylor of Zig Zag Road asked about the supply of full fibre to the property (FFTP) to members. It would appear it may be 2026 before full fibre reaches all members though it is currently being laid to most new developments both in Welcomes (Mr Vucinic) and Uplands Road where consent was given for underground installation. We do not want our new surface in Welcomes Road dug up so much of the cable will be strung from poles.

Members gave a vote of thanks to the Committee for the work they are doing.

Closure of Meeting

The meeting closed at about 21.30 hrs with the Chairman thanking the few who attended the meeting for their attendance and useful input. He also thanked the Committee for their support during the year.