



BRYMPTON MANAGEMENT LIMITED  
Suite 1, Burns House, 19 Town Range, Gibraltar GX11 1AA  
brymptonmanagement@hotmail.com

## Minutes of the Annual General Meeting of 27<sup>th</sup> April 2022 at Charles Hunt Room, John Mackintosh Hall, Gibraltar

### Directors

Louis Russo (Chairman) (LR)

Jackie Sciacaluga (JS)

Nick Pitaluga (NP)

Charlie Debono (CD)

### Attendees

Owners of:

- 11 Mountview
- 2 Collingwood
- 22 Barham
- 7 Blackwood
- 1 Barham
- 14 Collingwood
- 11 Collingwood
- 11 Blackwood
- 14 Blackwood
- 5 Barham

Jackie Anderson of Advanced Property Care (JA)

Hugh Drummond - Accountant (HD)

### Apologies

Mari Azzopardi

### Proxies

17 Cornwallis Tower gave proxy to 18 Collingwood Tower

3 Cornwallis Tower gave proxy to 12 Cornwallis Tower

8 Collingwood Tower gave proxy to 18 Collingwood Tower

13 Collingwood Tower gave proxy to 18 Collingwood Tower

14 Cornwallis Tower gave proxy to 18 Collingwood Tower



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## **Introductions, Establishment of a Quorum and Director's Report**

LR addressed the meeting and thanked everyone for attending. It was agreed the quorum was met and the meeting began.

LR explained the current situation with the building of the bridges. Finances of the building have been taken up by the government who are paying for the project. Unfortunately, a number of technical issues have arisen during the construction which have needed significant design and engineering solutions to be applied. It was noted that the bridges were all constructed a few cm too short. Barham Tower bridge is almost ready for opening and the Contract Administrator working on behalf of BML has been putting the contractor under significant pressure to get this completed as soon as possible. All Committee members are very aware of the difficulties and inconveniences caused by the lack of the Bridges being open.

All bridges should be completed by the end of the 3rd week in July. The work on Collingwood bridge should start next week and it is expected that the Barham Tower bridge will open by Tuesday of next week (Monday being the bank holiday).

A member asked if those dates can be relied on to which LR replied that is the latest information that the Management Company has been given.

Question was asked as to the safety aspects of the Bridges given that they had been manufactured slightly short. LR explained that part of the reasons for the delay was that everything is being engineered to ensure absolute safety.

A member asked how confident the Committee was that the problems had been resolved with the initial Bridge in order to continue work with the others. LR explained that Belilos were the project engineers and that they are a local and very reputable engineering firm, Francis Massetti of FM Chartered Construction Services is both the Contract Administrator and the Clerk of works is also highly experienced and very professional and all the consultants involved in the project, and also the contractor have safety as a paramount concern which is why there has been a delay.

A member asked if perhaps instead of trying to find an engineering solution it might have been better for the new Bridges to be manufactured to the correct size. LR explained that the delays in actually doing this would have been far more significant and of course the project costs would have escalated enormously.



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It was also noted that once the Bridges are complete and fully constructed, that the Management Company will be expected by the Government to sign the Head Lease and also at that point, the additional 50 years on the leases will be available to owners. LR also commented that the owner should be aware that the Estate is over 30 years old therefore requires a significant amount of work and maintenance.

LR went on to explain to members the project to increase security on the Estate by installing gates. The selection of OSG as the contractor to do this, and along with the gates, the intercom panels and new intercom handsets for the apartments

A member asked if they would continue to have keys for the doors. LR explained that, for the time being, the keys would be functional but once the new system goes live, the keys would be replaced by fobs for the electronic opening system.

A member asked if there was a power failure would the doors be opened or would they be locked shut and this would cause a safety issue. LR explained that the doors were going to be set to automatically unlock in the event of a power failure and also in the case of fire as ability to egress the Estate would take priority of security.

A member did point out it should be investigated that the possibility of having battery back ups to ensure the doors continue to function and secure the building in the case of a power failure should be explored.

A member also noted that a number of contractors and people that were moving items in and out of their properties, have a tendency to wedge the doors and gates open and this could cause a major breach of security. LR explained that essentially it is up to the owners to work together to ensure the security of the Estate and to insist that their contractors have proper access and do not leave the Estate unsecure. Owners have to take responsibility for the security of the Estate together, as a community.

A member questioned what the intention was for the bin room as part of the programme to increase security. LR explained that the gate by the bin room had been installed by OSG who, at that point in time, thought that the Victoria Tower residents were part of the Brympton Estate. However, this would be moved during the course of the project in order to increase security and limit open access at other parts of the Brympton Estate.

LR then went on to explain the current situation with the balconies around the Estate. He explained that quite a number of them need urgent attention. The Committee has contracted a project manager to devise a scheme and prepare tender documents to obtain appropriate quotations. When those quotations have been received by the Committee, and the Committee is expecting the project to carry a substantial cost, an EGM will be called in order to put the various options to the membership for their decision.



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Dennis Kelly proposed the approval of the minutes of October 2020 which was seconded by Ray Payas. There being no objections, the minutes were approved.

LR then pointed out that in the past week, the Committee has decided to appoint Advance Property Care to move from carrying out secretarial services to full Estate Management which would include administration, financial management and maintenance of the Estate. Once the contract has been agreed and set up, members will be able to go directly to Advanced Property Care to raise issues and liaise directly with them.

A member asked will the committee members continue to receive their allowance given that an estate management agent is to be employed at the cost of just under £25,000 per year. LR explained that committee members continue to have significant responsibilities as directors of the Management Company and, in addition to this, there would be a continued requirement for committee members to attend numerous meetings and become involved in a number of major projects during the course of their term. JA explained the general role of an estate management agent which includes managing maintenance projects, liaising with the owners and residents of the Estate, supporting the management committee in all their responsibilities to administer the Estate, review maintenance contracts in order to obtain best value for money, in general carry out the nuts and bolts of running the Estate on behalf of directors. The committee continue to work as directors and will be responsible for giving instructions and ensuring the management agent carries out the required work.

LR also explained that at the moment the Management Company is involved with reviewing emergency fire escape procedures and has engaged a professional company in order to carry out this level of work at a professional standard and therefore the Estate will be run in a more professional way in future. He pointed out that things have changed significantly over the past few years since the Estate Management Company was originally set up and that the Estate Management Company has to be able to keep up with changes in legislation and with best practise for the benefit of the Estate.

The member commented that, in his opinion, the appointment of Advanced property care to carry out administrative and secretarial work in 2020 was a good decision. He proceeded to thank the members of the committee for their hard work during the course of the past couple of years in dedicating themselves to improvements and running the estate well. He also pointed out that he personally agreed with the appointment of an Estate Management Agent to run and manage the Estate.

A question was asked with reference to the new intercom system as to which point in the level of expenditure of a planned project would it be put to the owners of the Estate for decision. LR and CD replied that big projects with high costs, such as that planned for the remedial work to the balconies, would be put to a vote at an EGM.

Question was asked as to whether the payment shown in the Financial Statement for the year ending 31st of December 2020 was for the rental of CCTV cameras or simply for checking and maintaining



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cameras on the Estate. It was noted that the CCTV system is on a rental basis. The member asks for permission to approach Chubb, the company that he works for, in order to possibly obtain a preferential quotation. A discussion then ensued as to whether the estate caretaker checks the cameras on a regular basis. JS explained that from time to time it is not possible to identify persons who may have breached their Underlease and left rubbish lying around causing damage, but that the CCTV recording is checked regularly. LR agreed that it would be a benefit to the estate to review the existing CCTV contract and obtain alternative prices.

### **Treasurer's report**

HD referred to the 2020 accounts which had been audited and they had been approved and signed by the Committee; he also referred to the 2021 accounts which were almost complete. The 2021 accounts will be presented to the Estate once the order has been completed.

It was pointed out that in the way the accounts were presented it did not appear that the directors received any emoluments. HD explained that the directors emoluments were actually classed as an expense. This will be adjusted in future years so that it is made clearer.

A discussion was held with reference to the letters at the end of the financial year, HD explained that at the end of December 2021 the Debt to the company was £4,500. It was noted that all persons owing money to the Management Company had been written to. It was also noted that the committee was prepared to take legal action should these person's not pay promptly.

A former committee member pointed out that he still receives the reduction on his service charge from the time when he had been on the committee. HD assured him that this would be altered. The member concerned also pointed out that he had in fact paid the full service charges regardless of the incorrect invoicing.

There being no further comments, the accounts were approved.

### **Appointment of auditors**

It was agreed that Mr Hugh Drummond be approved as the Management Company's appointed auditor for the current financial year.

### **Budget**



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This was discussed in detail including the increase that was being shown for the financial year. It was noted that there appeared to be nothing set aside for work on any gardening or landscaping and a member requested that the plants on the slopes between the blocks be trimmed back as soon as possible as this has become quite overgrown. LR pointed out that a local landscaping company had been asked to provide a quote which they will do as soon as the work on the Bridges has been completed.

The question was asked as to the responsibilities of the caretaker. LR explained that he carries out regular inspections of the Estate, minor repairs, touch-up painting, checks lighting, amongst a number of other duties.

The discussion then ensued on the matter of the accuracy of the figures with reference to Flat Type A CD explained that the new figure is the correct figure but he will check to ensure that the previous figures have been entered correctly.

It was agreed that the service charge increase will take place as from the 1st of July. The Management Company will proceed to send a notice of the fee increase. The increase will also be reflected in the service charge invoices to be issued to owners in July.

LR also pointed out that a survey will be sent out to all owners in order to update all current email addresses held in order to improve circulation of information which, going forward, would be largely carried out electronically.

Mr Moore proposed approval of the budget, this was seconded by Judith Nicolson and the budget was approved.

## **Members motions**

One motion was presented to the committee from Mr Watts. Mr Watts suggested that a plastic pipe be installed along the outside of the building in order to collect condensate from air conditioning condensers and the water would then be directed through the pipe and out onto the grass areas which would avoid water waste and would avoid water falling into neighbouring balconies.

This motion was discussed in detail by the members. Mr Watt proposed that this motion should be investigated further by the Management Company. Mr Kelly seconded the motion and the membership approved further investigation of this suggestion.

## **Election of committee**



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LR explained that the entire committee was to step down. All current committee members were willing to be re-elected to the Management Committee. LR asked those present if anybody else wanted to join the committee. There were no responses and he proceeded to explain that, during the course of the Year, if any member wished to join the committee and assist in managing the Estate they would be very welcome to do so. Mr Derek Moreno asked to join the committee. This nomination was seconded by Judith Nicolson. It was agreed that Mr Paul Reynolds join the committee and serve as a representative for Barham Tower. All agreed that the current committee members continue to serve as directors for a further year.

### **Any other business**

A member asked where the committee has been able to investigate what proportion of owners at Brympton were letting their properties out as private rentals. LR explained that although this could be investigated up to a point, it was impossible to oblige owners to be forthcoming with that information. The committee also felt that it is up to the government to investigate situations where persons may not be permitted by their leases to rent the properties. Comment was made that any restrictions existing at the time of development in terms of whether properties could be let had probably expired over time. A member noted that this restriction was an absolute covenant and, potentially, owners renting properties out were in breach of their lease. After discussion, it was agreed that the Management Company's legal representatives would be asked to take a view on the current Governance of the lease and whether these gave any possibility of allowing private rentals to take place on the Estate.

A member pointed out that the clothes drying area seems to have a significant amount of weed growth and asked could this be cleared. Committee agreed that this would be addressed.

A member pointed out that there were two ground floor flats that were empty and, in his particular Tower, the property had been left in a very bad state of repair despite the fact that ownership of these properties resides with the Gibraltar government. Discussion took place as to whether the Management Company should approach the government and possibly take over ownership or use of those properties converting them into perhaps a gymnasium or some other community use. The very poor condition and the significant damp in these properties were highlighted. Members also expressed concern about the possibility of there being vermin in these empty properties and weeds growing and their roots damaging the drains. LR agreed that the government would be contacted with reference to the condition of these properties.

Members offered JS thanks for work that she carried out to sort out problematic drains.

Question was asked regarding the current progress on the legal case. It was explained that costs have been awarded to the owner concerned and that the amount of these costs was currently being negotiated between the legal advisers. No further detail can be given until the case is concluded fully. It was agreed that, in future, the Management Company will uphold lease conditions strictly.



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Members present thanked the committee members for their hard work and dedication to the estate during the past 2 years since the last AGM.

There being no further business the meeting came to a close.

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