

**ELMER SANDS LTD (ESL)**  
**MINUTES OF THE 87<sup>TH</sup> ANNUAL**  
**GENERAL MEETING**

**HELD AT 2.30PM ON SATURDAY 10<sup>th</sup> May 2025**  
**THE JUBILEE HALL, MIDDLETON-ON-SEA**

Registered Attendance = 37 people

Votes issued (one per member property) = 27

Proxy votes issued (one per member property) = 1

Total authorised member votes at AGM = 28

**In attendance:** The Directors – Colin Bernhardt, Andy Cooper, John Kirby, Myra Miller, Shelley Newton, Alison Page, Saz Trebble, Jo Wright and the Secretary

Colin Bernhardt in the Chair.

**Item 1: Welcome and Apologies**

The Chairman welcomed everyone to the meeting and thanked the volunteers for setting up the Hall and Vicky Kirby and Heather Calvert for providing refreshments for everyone. He then collectively thanked all the valued volunteers and “unsung heroes” who continued to carry out a variety of jobs throughout the Estate including weeding, fence repairs and litter picking.

The Chairman reminded members that in its present format, which he called “the difficult phenomenon of a democratic body”, ESL largely relied on volunteers, and he invited members to consider volunteering their time to help keep the Estate in its present format. The Chairman then recapped on his drive to simplify ESL operations, save money and focus on the key areas of Estate management.

Apologies were received from:

ESL Directors – Adam Latus and Tim Wright.

Members - Evelyn & Michael Blacker, Bella Amiston, Liz Francis-Gordon and Cilla Matcham

The following business was conducted:

**Item 2: To Accept the Minutes of the Annual General Meeting held on 18<sup>th</sup> May 2024.**

Proposed by Jo Latus, Seconded by John Kirby. Approved.

**Item 3: To Accept the Accounts of the Company for the year to 31<sup>st</sup> December 2024**

Proposed by Peter Trebble, Seconded by Andy Cooper

Approved.

**Item 4: To Appoint PKR Accounting Techniques as Accountants to the Company**

Proposed by Jan Young, Seconded by Shelley Newton

Approved.

**Item 5: To Elect a Maximum of 8 Council Members from those nominated prior to 12<sup>th</sup> April 2025 in accordance with Articles 37-40**

Members were advised that a third of the Council retired by rotation annually.

**Retiring Council Members:** Colin Bernhardt, Shelley Newton, Jo Wright.

**Two new candidates for election:** Linda Smith and Jo Wright who was co-opted during 2024 and therefore standing as a new candidate.

Both candidates briefly introduced themselves to the Members. Linda Smith said she had previously served on the Council and had continued her involvement with Estate matters including drainage and flood management and gardens. Jo Wright said she had loved living on Elmer Sands during the past three years and becoming part of the community and she wanted to continue her contribution to the management of the Estate.

**Election of Linda Smith and Jo Wright as a Directors of ESL:**

Proposed by Ali Page. Seconded by Andy Cooper.

Ordinary resolution passed.

**Automatic Re-election of retiring Directors:** After the election of new candidates Linda Smith and Jo Wright, there were 6 available places remaining on the Council. Retiring director Colin Bernhardt will continue by automatic re-election in accordance with Article 41.

**Item 6: Management of the Estate:**

**FIBRE BROADBAND – Presented by Director Ali Page.**

Members were advised that following the 2024 AGM The ESL Council had agreed to work with Openreach (OR) to install full fibre across the Estate. The decision took

into consideration that OR owns the existing infrastructure, works with the largest number of service providers, and has the largest number of engineers to respond to service issues. OR is also the least intrusive with cabling requirements and as an example Members were shown comparison photographs of the poles and cabling in Middleton and Elmer Sands. OR installation was nearing completion and ESL continued to liaise.

It was further noted that ESL had needed to spend a large amount of time during the past year dealing with other companies attempting to bring their services to the Estate 'on spec' eg in 2024 Virgin Media laid multiple poorly managed overhead cables throughout the Estate without permission and ESL had arranged their immediate removal.

The Chairman concluded that the Estate now has access to faster Broadband speeds and new fibre cables have replaced the old copper cables. Individual members gave positive feedback about new connections and faster speeds.

#### **ESTATE SIGNAGE REVIEW – Presented by Director Ali Page.**

Members were advised that at the 2024 AGM the ESL Council had pledged to review the signage on the Estate. This project had been temporarily delayed due to the Council's heavy workload and priorities but was now underway. Examples of current signage at The Layne entrance were displayed for reference.

#### **ELMER SEA DEFENCES – Presented by Chairman Colin Bernhardt.**

Members were advised that the Environment Agency (EA) had narrowed down a solution to prevent further beach erosion at the East of Elmer Sands. The project will be an extension of rock island by 40m westwards and recharge of the beach in bay 7. The Chairman explained that the EA expected to receive priority funding by the end of this year with works proposed to start September/October 2026. The overall cost would be approximately £5,000,000 and he went on to conclude that the ESL Council is very supportive of the proposal which should provide protection to the Estate for many more decades.

#### **DRAINAGE AND FLOOD MANAGEMENT – Presented by Director Shelley Newton.**

Mrs Newton referred to the relationship built with a key contact at Southern Water (SW) and how the Team was keeping the pressure on SW to address the deteriorating condition of The Hard Sewage Pumping Station. She went on to say that ESL liaised with the SW 'Future Planning Team' regarding the major housing application for Ancton Lane, recently declined by Arun District Council (ADC).

Members were advised that ESL has regular communications with both ADC and West Sussex County Council (WSCC), as well as consultations with independent drainage engineers to keep abreast of changing regulations. All planning and

development applications are carefully considered for future impact on the Estate drainage system.

A Member raised a query regarding the sea water quality in Elmer and was advised to use the 'Surfers Against Sewage' water quality App which was recommended at the last AGM, and it was confirmed that the Government website recently gave Elmer a 'four-star' quality rating meaning the sea water is currently safe for swimming.

Mrs Newton told members that rules for surface drainage had become more onerous and far more technical over time, and that the ESL Team had been working closely with owners and developers to ensure the best outcomes for the Estate. She stressed that homeowners should individually take responsibility for surface water compliance which affects the whole community.

The 2024 Team had undertaken to apply for WSCC 'Operation Watershed' funds to improve areas of drainage on the Estate particularly the ditches. Mrs Newton explained that despite the many hours of work already undertaken, ESL would need to invest up to £10,000 to progress it further by carrying out the required pre-application surveys. It had therefore been concluded that the application should be put to one side for the time being and potentially revisited in the future when budget priorities can be assessed. In the meantime, the ESL Grounds-man will continue routine clearance of the ESL owned Ditches and 'riparian owners' will be regularly reminded of their responsibilities.

Members were advised that the Estate surface water drains were jetted in November 2024 when the contractor reported they were in a good state of repair and performing well. The jetting will next be booked for June/July to make the most of the dry weather and clear maximum residue from the pipes.

#### **PLANNING AND DEVELOPMENT – Presented by Director Jo Wright.**

Members were advised that the ESL Team takes a keen interest in planning and development, liaising with owners, developers, local authorities and agents to maintain the integrity of the Estate's aging infrastructure.

It was noted that some 30 properties were currently for sale on the Estate and that ESL is delivering a Freehold Management Enquiries service (carried out by the Company Secretary for sixteen properties in 2024). The standard charge made by ESL for this service is now £250.00 and ensures the transfer of licences and easements on completion of sales.

Jo Wright concluded that all residents have a duty of care and responsibility for ensuring that any developments or alterations to their properties meet the changing environmental and developmental requirements, to reduce the risk of surface water flooding and preserve the aesthetics of what she called "our beautiful estate".

## **GROUND AND GARDEN MAINTENANCE – Presented by Director Myra Miller.**

Mrs Miller summarized the ongoing Grounds contracts for Members - Andrew Griffiths Estate Grounds, Linda Smith Gardens and Flower Beds. She explained one of the flower beds and some additional weeding tasks were carried out by herself and other volunteers.

Members were then shown a list of the main Grounds tasks and advised that the children's Playground is routinely inspected for safety. The most recent certificate of compliance was displayed for reference. Mrs Miller noted that the risks highlighted in the latest report are categorized as low to very low and she gave examples of these.

## **ROAD MAINTENANCE – Presented by Director Myra Miller.**

Due to further erosion since the November repairs were carried out, members were advised that the 2025 annual repairs are to be brought forward to June which will also make the most of the dry weather and best repair outcomes. Areas of potholes in Farm Close and Norfolk Way and a large area of degradation in Manor Way will be addressed, together with repainting of road markings throughout the Estate. The contractor will also be resetting bollards and lowering a drain gully to reduce the flood risk near 3 Manor Way. Work will take place on 5<sup>th</sup> & 6<sup>th</sup> June and the Manor Way entrance will be closed for this period. Affected members will be advised by letter.

Mrs Miller added that to promote longevity and good drainage, the ESL Team would be introducing measures to ensure that developers take the correct steps to join new driveways to the roadway.

A Member asked if anything could be done about bollard damage caused by service or other vehicles and he was advised that without evidence it is not possible for ESL to prove liability.

## **ESTATE SECURITY GUARDING AND UNAUTHORISED PARKING MANAGEMENT – presented by Chairman Colin Bernhardt.**

Members were shown unauthorized vehicle turnaround statistics from Summer 2024 and advised that to deter unauthorized parking similar arrangements for gate guarding, and barrier closure will be in place this year. The Chairman said that the ESL Team will continue to respond to parking reports and issue parking charges via One Parking Solution and he then briefly noted an incident in 2024 when a motorbike was illegally ridden on the pavement next to The Layne barrier.

## **ESL SOCIAL EVENTS – presented by Director Saz Trebble.**

The 2024 events put on by the ESL Team were displayed for Members and included five seasonal family and community events held during the year. Overall cost to ESL £921.00 and every event raised money for chosen charities.

The timetable of five events for 2025 was also displayed and Mrs Trebble highlighted the Team's next planned event an 'Armed Forces Day' on 28<sup>th</sup> June.

### **BOULE COURT REINSTATEMENT OPENING EVENT – Presented by Director Myra Miller.**

Members were shown a photograph of the re-instated Boule Court and a video montage of the self-funded opening event held on Sunday 4<sup>th</sup> May.

Mrs Miller explained that in response to Members' requests for more community leisure facilities, the Council had agreed to reinstate the Jubilee Garden Boule Court which was originally established for members in 2002. She went on to share details of the process and decision making involved and in summary said that this was an inexpensive project that would require minimal maintenance going forward and could be enjoyed by everyone in the Elmer Sands community.

### **Item 7: Issues Raised in Advance by Members (previously submitted in writing):**

Two questions were submitted by member Peter Trebble concerning the Boule Court Launch Event held on 4<sup>th</sup> May. Mr Trebble's questions were displayed with initial brief answers from the ESL Council marked in red (Appendix I).

On behalf of the ESL Council, and specifically the Boule Event Team, Director Jo Wright thanked Mr Trebble for his interest and in response to his questions she read out a statement which expanded on the event detail (Appendix II).

Mr Trebble reiterated that he appreciated the work of the ESL Council and then elaborated on the reason for his questions which primarily raised his concerns about advertising the Boule event outside the Elmer Sands Estate.

A lengthy and detailed discussion followed, with contributions from members and directors expressing their individual views on inclusion of the local community for events. The Event Team emphasised the difficulties around the control and containment of information sharing and Mr Trebble was offered an apology for any confusion caused with the advertising of the event which was put on for Estate residents, their family and friends.

Bringing the matter to a close, the Chairman concluded that the Council would look at an AGM proposal to clarify the Articles concerning Estate social events and attendance by the wider community.

### **Item 8: Any Other Business:**

The Chairman noted that Shelley and Alan Newton were moving from the Elmer Sands Estate after many years of service to the community. Both had served on the ESL Council and Mr Newton on the Parish Council. On behalf of ESL, the Chairman

expressed his sincere thanks to Mr & Mrs Newton for their valued contributions and said that they would be greatly missed. A token of thanks was presented from ESL.

There being no further business The Chairman thanked everyone for their attendance and contributions and concluded saying that in his view Elmer Sands was a very well-run, unique and lovely place to live.

The meeting closed at 3.40pm

Appendix I & II attached.