

**THE NEW HAMPSTEAD GARDEN SUBURB TRUST LIMITED
ANNUAL GENERAL MEETING HELD AT THE FREE CHURCH HALL,
NORTHWAY, NW11, AT 8 pm ON WEDNESDAY 14 SEPTEMBER 2005**

Present: 46 members and residents

Trust staff: Patricia Craggs, Betty Fox (minutes), Marjorie Galbinski, Jane Wood

Trust Council: Mervyn Mandell (Chairman)
Phillipa Aitken
Wilfred Court
Simon Hurst
Wendy Miller
Michael Rowley
Mervyn Unger
Charles Zeloof

Officers: Jane Blackburn (Trust Manager)
David Davidson (Architectural Adviser)

Apologies: Hilde & John Davis
John Freeborn
Carol & Richard Kemp
Georgina Malcolm
Leonie Stephen
Marilyn & Kenneth Teacher

1. Introduction

The Chairman thanked everyone for coming to the thirty-seventh Annual General Meeting of the New Hampstead Garden Suburb Trust and introduced himself and his fellow Trustees. He referred in particular to the appointment in September 2004 of Wendy Miller by the Law Society, and of Phillipa Aiken shortly after the end of the financial year by the Royal Town Planning Institute, and thanked them both for their expert contribution to the Trust's work.

The Chairman congratulated David Lewis on becoming Residents Association Chairman, and on his excellent and successful campaign to ensure that properly designed street name signs were maintained on the Suburb.

He said that a number of apologies had been received but he would particularly like to mention those from Leonie Stephen who had been ill but was now improving. The Trust wished her a speedy recovery.

The Chairman mentioned the high property values causing people wishing to enjoy the special qualities of the Suburb to purchase houses smaller than they needed and then to apply to make inappropriately large extensions. Some people were buying simply to develop properties for profit. There was also the problem of people wanting to remove hedges and to pave front gardens to accommodate cars.

Later in the meeting there would be an opportunity to raise general questions. The Trust could not, however, respond at the AGM to questions on specific applications to alter properties.

2. Report and accounts

The first item on the agenda was to receive and consider the report and accounts for the year to 5 April 2005. The Chairman did not propose to go through the report in detail, but he summarised the message in his introduction to the report, which was concerned with the pressures now faced by the Trust in conserving the Suburb. It was important in this context to develop lobbying activities with local and national politicians and relevant public bodies, and here the Trust had much to learn from the Residents Association.

One of the Trust's main concerns was to improve its financial position in order to carry out as effectively as possible the duties with which it was charged.

The Trust was keen to involve residents in a study of the characteristics of the architecture and landscape of different parts of the Suburb during the coming year. This would help in formulating appropriately differentiated design guidelines.

The Chairman then invited questions and comments on the report and accounts.

Leon Smith asked that more information should be given in respect of the £42,000 spent in connection with a leaseholder's insurance claim, and also on the work done in return for the £12,000 paid to the auditors for non-audit services.

The Chairman answered that the £42,000 was in relation to a claim made against the Trust by a resident relating to subsidence alleged to have been caused by the Trust's refusal to allow the removal of a tree. The Trust had not notified its insurers of the potential claim until long after it had become a possibility. This meant the Trust was not covered against the very substantial costs it might face in defending its decision in the courts. It had therefore been advised to settle the claim. The Trust had been able to reduce the amount of the claim through a second insurance policy, but the legal fees incurred over a long period accounted for the sum shown in the report and accounts.

Mervyn Unger mentioned that the cost of settling the claim was specified on page 8 in the report of the Council. It was included in the expenditure shown under 'Trees and open spaces' in note 6 on page 14 of the report, because it had arisen out of the Trust's duties relating to the protection of trees. The claim had been initiated, but not reported to the Trust's insurers, some years before the current Trust Council's period of office.

The auditors answered the part of the question which related to them. Their charges for non-audit services covered accounting and advisory work beyond what was required for their audit, and they had in addition operated the Trust's payroll.

The Chairman said that the Trust needed to increase its income. The management charge would need to rise faster than in the past, in order to reflect more accurately the costs of the Scheme of Management.

The Trust Manager said that it was very clear to her, coming recently to the Trust and looking at the legal challenges it faced, that residents had a straightforward choice. They had to decide whether or not they wanted a Trust which could carry out its work effectively. There was a difference in the quality of the environment as compared with that of other areas, and the Trust was crucial to maintaining that difference. People living on the Suburb and enjoying this very special area would have to make a decision as to whether they wished to see the Trust properly resourced.

David Bogush said he would like to congratulate the Trust on the improved presentation of the annual report and accounts. He also mentioned that it was surprising that the management charge estimated in advance at the beginning of the year was shown to be exactly right at the end of the year. Mervyn Unger said that this had been achieved by a transfer from the General Fund to offset a Scheme of Management loss of more than £18,000. This was in effect nothing more than a recognition of that loss.

The Chairman said that the current Trust Council were not satisfied with the way in which the costs of the Scheme of Management and the related management charge were being calculated and were aiming at improving the basis of calculation in future years.

Approval of the report and accounts for the year ended 5 April 2005 was proposed by Richard Wakefield, seconded by Alan Brudney and carried nem con.

3. Election to the Trust Council

The Chairman thanked Mervyn Unger, who was retiring, for his services as a Trustee in the course of which he had undertaken much detailed work for the Trust. The Chairman also thanked Mervyn Unger's wife Prue for supporting him in that work. He presented Mervyn Unger with a painting of a view from Erskine Hill by Suburb artist Annie Walker, which Mervyn Unger said he was delighted to receive.

There had been only one name put forward for election to the Trust Council following Mervyn Unger's retirement, that of Richard Wakefield who would join the Trust Council unopposed.

Richard Wakefield gave a brief account of his experience as a Suburb resident over many years. He said there was a general feeling that there was too much secretiveness about the Trust's activities, and consequently a lack of understanding of all the good work that the Trust did. He wanted to help change this.

4. Reappointment of the auditors

Eva Jacobs asked how long the Trust had had the same auditors and suggested that it would be good practice for the work to be put out to tender. This was no reflection on the current auditors. She was told that the current auditors had been working for the Trust since 1986. Mervyn Unger said that the Council intended to invite some appropriate firms, including the current auditors, to tender for this work in 2006/07 and subsequent years.

The reappointment of the current auditors for 2005/06 was proposed by Eva Jacobs, seconded by Derek Chandler and passed unanimously, and the Council was at the same time authorised to fix their remuneration.

5. Other business

The meeting was thrown open to questions.

David Littaur asked whether the current guidelines relating to satellite dishes were being enforced, and whether consideration could be given to the recommendation to residents of an expert installation company which could ensure that satellite dishes were properly installed.

David Davidson replied that the wish of many residents to install satellite dishes could not be ignored. Dishes should, however, be installed in low and inconspicuous positions, usually at the rear of Suburb properties. The Trust regularly asked people to reposition dishes which were not well placed. He felt that the recommendation of an expert installation company was a good idea but that it would be difficult to insist on its use by residents. He ended by saying that if David Littaur had any other ideas on how to tackle this problem he would be very pleased to hear them.

Ivor Hall asked if the minutes could be circulated in advance in future, and the Chairman said that next year they would be sent out with the report and accounts. The minutes of last year's meeting were, however, available on the RA website.

Ivor Hall felt that every household on the Suburb should be represented on the membership of the Trust. At present there were only 860 members. He felt that new residents should be able to become members immediately rather than after a 3 year qualifying period. The Chairman said that this arrangement had been made many years ago — he did not know the reason. Membership was open to 1,250 people but that number of residents had never applied to become members.

Georgina Malcolm said that if the Trust Council was thinking of promoting increased membership they should not forget people who rented rather than owned Suburb properties. The Chairman replied that the only qualification was that people had to be residents of the Suburb.

Leon Smith raised the issues of pavements and verges. He said that when paving stones were damaged they were often being replaced by tarmac. Barnet was concerned about claims from people tripping over raised paving stones and that is why they were replacing them with tarmac. People should complain to Barnet about this, and ask for paving stones to be replaced properly.

Robert Dobrik said that for the last 18 months the Suburb had been increasingly scarred with graffiti on walls and wanted to know what the Trust was doing about it. Rosalind Josephs said that people need to be prepared to take action individually on this, but that she and other members of the Residents Association had been successful in getting graffiti removed on several occasions.

The Trust Manager said that dealing with graffiti and satellite dishes raised the question of resources. The Trust supported the efforts of the Residents Association, but at

present had to concentrate its limited resources on work that safeguarded the future of the Suburb. With improved resources, the Trust would aim to deal more effectively with other problems.

Andrew Botterill asked if the Trust Council were aware of the possibility of a public building on the Suburb changing hands. The Chairman replied that there had been rumours to this effect in relation to the Tea House. He said that the Trust held the freehold in this case subject to a long lease to the Institute. The Institute was intending to move most of its activities out of the Suburb at some stage, but would like to retain the Tea House as a continuing presence in the area.

The Trust Manager said that there was a debate going on within the St Jude's Parochial Church Council relating to the possibility of sub-letting the Church Rooms in Central Square, the freehold of which was held by the Trust. An offer was understood to have been made to them and, should the Church decide to sub-let, they would have to obtain the Trust's consent.

Diana Bromley spoke of what seemed to be a defeatist attitude on some problems. She said she knew that the Trust had limited resources, but in the case of graffiti the problem could be reduced if the Trust was more willing to take legal action. Donna Beldon said that the absence of police at night could be a reason for much of the graffiti.

Wendy Miller said that the outcome of any litigation was always uncertain. She said she would find it very difficult to advise the Trust Council to embark on legal action about graffiti or satellite dishes. Legal fees and the costs of expert witnesses could be very high.

The Trust Manager said she was sorry if the Trust sounded defeatist, but that was not how the Council and staff felt at all. If the Trust could get groups of neighbours to look constructively and objectively at their parts of the Suburb people might start thinking harder about, for example, where they were putting satellite dishes. In this context, the Trust was planning to work with residents and with Barnet on the assessment of individual areas within the Suburb. Projects of this kind had been undertaken successfully in other parts of the country. For example, Stratford-on-Avon residents had undertaken such assessments to help decide what they valued about their areas.

The Trust Manager reported on the problem of a vagrant who had been living for some considerable time at Sunshine Corner. Many residents were concerned about this, and the Trust had tried to get him to leave in conjunction with the Heath police, who had been very supportive. This was, however, an example, of legal action which could be costly to the Trust.

The Chairman closed the meeting by renewing his thanks to those present for attending, and by inviting them to continue their discussions informally over the refreshments that had been provided.