

From the Trust Manager

Many residents have long complained that the Trust does not do enough to explain itself. In spite of the Trust's importance to the value of their properties, many people are unclear about its nature and purpose; some are even uncertain as to its existence. Many people confuse the Trust with the Residents Association.

We do not apologise, therefore, for giving a description with which some readers are familiar. The Hampstead Garden Suburb Trust is quite separate from any other organisation. It was established under the Leasehold Reform Act of 1967 and is incorporated as a limited company and registered as a charity. It is the freehold owner of all remaining leased property on the Suburb and of a number of communal areas including closes, gardens, allotments and tennis courts. The Trust also

operates the Scheme of Management which empowers it to "maintain and preserve the present character and amenities of ... Hampstead Garden Suburb". This Scheme of Management was approved by the High Court in 1974. It gives the Trust legal powers over freehold as well as leasehold properties.

In general, the Trust has the authority to restrict changes to the "general appearance" and the "external appearance" of any property within the Suburb. Before such changes may be made the Trust's permission must be obtained. (This is in addition to the need to get planning permission from the London Borough of Barnet under the Town and Country Planning Acts). The Trust has the power to order the reversal of any changes made without its agreement.

Today the Trust is in an exposed position. Deference, even to legally established authority, is not always usual and there is an increasing resort to litigation. However when a freeholder acquires property in the Suburb, they will be well aware, if their solicitor has done his job properly, that the property is subject to regulation by the Trust. Indeed, many residents have come to the Suburb precisely because they understand that their environment is protected and are willing to play their part by subordinating their private interests to the public good.

The Trust acts as a constraint on the normal rights of individual owners in the interests of Suburb residents as a whole. Consequently it is the Trust's duty to seek understanding for what it does and to expose its actions to criticism and comment. *The Gazette* provides an opportunity for residents to inform themselves and to develop and express their views on the Trust's policies.



Jane Blackburn
Trust Manager