

the cost – in the year to April 2008 some £17,000 of garden work) will strengthen the Trust, and hence benefit the Suburb.

Working with the Residents Association Allotments Committee, the Trust is supporting a programme of improvements to the allotments to ensure that they are attractive and well used.

## Enforcement of controls

Enforcement is part of the day-to-day work of the Trust. The Trust's successes are sometimes difficult for residents to appreciate, because they involve the removal of unsightly features and the restoration of the normal, harmonious appearance of the Suburb.

Trust staff work with residents to eliminate discordant features which may have been built when controls were less stringent. Owners who wish to make other changes are generally asked to correct such features when undertaking their other work. Undesirable change can also be stopped by prompt action whilst work is under way.

As well as managing the Suburb through the Scheme of Management, sometimes it is necessary to use the force of the Trust's legal powers, whether through clauses in the leases or through the restrictive covenants placed on each freehold property. Where appropriate the Trust will either assert or defend its rights and duties through solicitors and when necessary through the courts. There have been three major court actions this year. The Trust has been successful in one and expects to be successful in the two which are ongoing.



*Linnell Drive before (left) and after (right) reconstruction*

A stronger and better resourced Trust could also support initiatives to assist residents with modest grants towards, for example, removing satellite dishes or replacing unsuitable doors.

## Rebuilding reserves

The Trust's reserves, although sufficient to deal with legal challenges, are some way from their desirable level. They are being rebuilt through a combination of increased efficiency and the elimination of subsidy from the Trust's reserves of those costs which should be properly borne by the management charge.

It should be noted however that the management charge cannot be used as a means to increase the Trust's reserves; it is subject to audit and it can only fund actual expenditure by the Trust; any surplus is the property of the individual freeholders and not the Trust. An example of this is the rebate of £33 given to freeholders in relation to the financial year 2006-2007.

The Trust is however using requests to vary the covenants in leases and on freeholds to negotiate premiums, in appropriate cases, to share the resultant increase in value. Again the increase to the Trust's reserves will be

used to benefit the Suburb as a whole.

Leaseholders may, as an alternative to paying a premium, wish to purchase the freehold of the property. This would mean that the purchase price would add to the Trust's reserves and the property would become a contributor to the Scheme of Management.

## Purpose

These measures together are intended to strengthen the Trust sufficiently to make it fit to defend the Suburb in the twenty first century and to ensure that its character survives for another century and more. Residents' support and cooperation is central to the Trust's success and effectiveness.

*Jane Blackburn*



*Before (above) and after (below)*

