

Hampstead Garden Suburb Residents Association

Minutes of the Meeting of the Council held on 6th March 2007
at Fellowship House at 8.00pm

Present: David B Lewis in the Chair

John Boulter (Hon Treasurer), Simon Abbott, Peter Beesley, Jean Barraclough, Derek Chandler, Francois Crompton-Roberts, Rosemary Goldstein, (Secretary to the Council), Rosalind Josephs, Richard Kemp, David Lewis (Vice-Chairman), David Littaur, Steve Morris, Selwyn Nakan, Max Petersen, Georgina Malcolm, Gary Shaw, Leonie Stephen, Douglas Thomas, Richard Wakefield (Secretary).

Visitors: Joyce Littaur, Terry Rand, Angus and Annie Walker, Jeremy Woolf, Jane Blackburn, Mervyn Mandell, Will Sowerbutts, Brian Viner, Nicholas and Judith Owen, Rona Wood.

1 Apologies for Absence

Denis Baron, Douglas Blausten, Carol Boulter, Terry Brooks, Alan Brudney, Nicole Gerber, Colin Gregory, Eva Jacobs, Alan Walker

2 Approval of Minutes of Previous Meeting - 6 February

3 Matters Arising from the Minutes not on the Agenda

Fallosen Way Bus Stop

Gary Shaw had no further news regarding this.

Award in Honour of Michael Rowley

It was reported that Eva Jacobs had been working on this project and liaising with Kingston University.

Banding of HGS Trust's Management Charge

Mervyn Mandell, Chairman of the Trust, reported to the Council that the letter which the HGS Trust had circulated to Council members will be distributed to all freeholders. He explained that due to recent legislation an application may be made by any resident to vary the Scheme of Management. There have been two such applications.

There had been an application from residents in Asmunds Place challenging the charge levied under the Scheme of Management. He said that the cost of fighting this may cost the Trust £10,000 and will have to be born by the Scheme of Management. There is a further application from Angus Walker challenging the flat rate basis of the charge.

The Trust regretted that the RA had passed the resolution at the February Council Meeting without having first heard the views of the Trust. Mervyn Mandell said had not attended this meeting as he awaited legal advice and did not wish to comment before this had been obtained.

He pointed out that last year the Trust had to make a surcharge but he hoped that this year the Management fee would be under £100. The Trust had considered altering the Scheme of Management basing it on the Council Tax banding but decided it preferable to remain with a flat rate tax for the following reasons:

- n It is simpler and easier to administer
- n The council tax banding may shortly be abolished and would require the Trust to adopt a new system, with further costs and this would also need approved by the LVT. The Trust may then be forced to eventually accept a charge based on the capital value of individual properties. The range of house prices on the Suburb range from £250,000 to £20,000,000 which would mean that the higher value properties would have to pay excessive management charge.
- n The proposal would mean the possible appointment of an independent surveyor to oversee this.
- n More households would pay more than those who would pay less.
- n All households benefit from the work of the Trust no matter the value or location of the property.
- n The amounts involved are small
- n The Trust will deal with cases of hardship.
- n The Trust is obliged to run the scheme in an efficient, economical and consistent manner.
- n The cost of having to defend these applications is likely to increase the charge to freeholders and this could have a catastrophic consequence for the Trust. The applicant does not have to bear the cost of any application.

The chairman referred to the articles about banding in the Gazette and the statements in the Trust annual report and his own statement to the Trust AGM in September 2006. Mervyn Mandell said that the Trust had looked into this and considered other possible options, eg on plot size, poll tax, size of frontage. Comments were made that residents in large houses should pay more but Mervyn Mandell said that they all benefit from the Suburb amenities in the same way.

Jean Barraclough said that she wanted a more ethical and equitable system, which Leonie Stephen agreed with.

Simon Abbot said that there were two issues: the principle of whether the Trust would like to have some banding and the practice which is how to do implement such as scheme.

Mervyn Mandell said that the charge is not a tax on the property but a land charge and freeholders know about this when they buy their property.

Selwyn Nakan commented on the possible variation in the charge which would be between £70 and £120 which he considered a small deviation for the difference in value and not worth the expense of varying the Scheme.

In answer to a question, Mervyn Mandell said it may cost as much as £40,000 to defend the second case and it was important that a good case is made and a clear ruling is given by the Leasehold Valuation Tribunal to deter future residents making similar applications on a regular basis.

4 Question Time

Terry Rand quoted from an article in the press but Mervyn Mandell said the article had been incorrectly quoted and he again referred to the hardship fund for residents who could not afford to pay the charge.

5 Approval for Centenary Expenditure

The Chairman assured Selwyn Nakan that the expenditure on the Centenary did not exceed the income so far collected.

Georgina Malcolm proposed and David Lewis seconded the following motion;

“That the Council approve the following expenditure:

Hire of chairs for the Big Birthday Party on 17 June - £661

Souvenir postcards - £646

Postage and Stationery for mailing to patrons, invitations etc, incurred by chairman - £287.50

Grant to St Jude’s towards disabled toilet - £2,000

Centenary pencils - £171”

This was passed Nem Con.

6 Mayor of Barnet

The Chairman explained that the Mayor’s office had confirmed her acceptance of an invitation to the opening ceremony in writing on 6 February. It wrote two weeks later week to say that the Mayor now had to be abroad on this date and could send the deputy Mayor in her place.

The Chairman had approached other Councillors to see whether they could persuade the Mayor to change her arrangements. Cllr Brian Coleman stated that the mayoral office of which he is responsible, decides which events the Mayor should attend.

The Lord Mayor is abroad, the Mayor of London has declined but Rudy Vis MP is expected to attend.

Gary Shaw thought that it was inappropriate to have the deputy Mayor but David Littaur disagreed.

The Chairman suggested that the RA appoint their own Mayor and Richard Wakefield was suggested or alternatively to invite Sir Donald Sinden and

perhaps Leonie Stephen or another actress to act the role of Henrietta Barnett.

The question of LB Barnet's involvement in the Centenary was raised. Georgina Malcolm pointed out that it is making an effort to organise the restoration of the Memorial to Dame Henrietta Barnett. It has been said that the restoration of the lantern alone will cost £10,000.

The following resolution was proposed by Simon Abbott and seconded by Max Petersen:

"For the Centenary Year the Council of the Residents Association will appoint its own Mayor."

This was passed Nem Con with one abstention

7 Suburb Gallery

The Trust had received formal notice from Freshwaters offering a new 14 year lease at an increased rent of £3,500.

Richard Wakefield explained the benefit of the Gallery to suburb residents. The sales had been increasing during this year. The cost of running the Gallery before the increase in rent is £100 per week and these costs are being covered by sales.

Simon Abbott said that the Gallery is the only visible RA presence on the Suburb.

He would like to see more emphasis on the RA and the Trust in the Gallery including the sale of current books and he would like an approach to be made to Freshwaters asking them to agree to a lower rent as their contribution towards the Suburb Centenary and also to explore the possibility of developing the Gallery at the rear.

Selwyn Nakan asked for confirmation what the maximum liability for the RA would be. A figure of £12,000 was mentioned but the amount will depend on the terms of the lease and the agreement with the Trust.

A resolution was proposed by Selwyn Nakan and seconded by Francois Crompton Roberts.

"That the Chairman write to the HGS Trust requesting that it renews the lease on the Suburb for a further four years period on the same terms as exist now except that the RA and the Trust will share equally the cost of any rent not covered by Gallery profits".

This was passed Nem Con.

8 Liability of the RA Council

The Chairman said that the Constitution provided that membership of the RA is by household. A change of status to a limited liability company would mean that the constitution would have to be changed which inevitably would incur some costs. The auditor has said that he would not be able to audit the RA accounts of a limited company free of charge.

Steve Morris said that this issue cannot be left unresolved and Simon Abbott agreed and said that a thorough discussion is needed.

Derek Chandler proposed and Steve Morris seconded the following resolution.

“That the matter of converting the Residents Association into a limited company should be raised informally at the Annual General Meeting.”

This was passed Nem Con

9 Royal Free Hospital Public Meeting

Derek Chandler told Council that the future of the Enfield Chase hospital is being considered.

The Royal; Free Hospital would like to become a Foundation Trust and will be holding a meeting on Wednesday 18th April from 7-9 at the Health Clinic in Temple Fortune to which all residents are invited. The Royal Free would like residents to become members of the Trust and they are setting up a group of stakeholders. Derek Chandler will explain this to residents at the AGM. DC

10 Hampstead Heath Strategic Management Plan

The Council received a report from Colin Gregory.

11 Matters Arising out of the Executive Committee Minutes

Centenary Celebrations

Security

LCS had not agreed to, but had said that they could provide security. Georgina Malcolm said that the Horticultural Society had made its own arrangement for this. Rosalind Josephs had also spoken to Sergeant Edmondson.

12 Any Other Urgent Business

Retirement from Council

Douglas Thomas is retiring from Council after many years and the Chairman thanked him on behalf of Council for all the work he had done. He wants to remain on the Tress & OIPen Spaces Committee.

Youth on Suburb

Simon Abbott asked for an agenda item after the AGM to discuss youth and children's issues on the suburb.

Assistance with Bar at AGM

David Littaur asked for some assistance with this. Selwyn Nakan, Derek Chandler and David Lewis agreed to help.

SN
DC
DL

Kenwood Concerts

The Trees Committee will discuss this and bring a proposal to Council at the next meeting.

Phone Box outside Fellowship House

Rosalind Josephs said that this had now been repaired.

Pageant

The Chairman read out a report from Colin Gregory. There had been a successful audition for the Pageant, but there was no representation from Henrietta Barnett School. There will be a Gala performance on 7 June to which Centenary patrons will be invited.

The Garden Suburb Theatre are delighted that the RA had approved the funding application and arrangements for sharing any profits. The theft of many costumes from a garage in Finchley was very sad as they are irreplaceable. The Theatre is insured for these.

Hampstead Heath

The Chairman read out a report from Colin Gregory. Progress is being made with installing a zebra crossing outside Golders Hill Park. Preliminary work should begin in the spring and completed before the summer. The crossing will be just to the left coming out of the Park and will be in addition to the existing one further up.

- 13 To confirm the date of the next meeting on Tuesday 27 March 2007 at 8 pm at Fellowship House
This was confirmed