

Hampstead Garden Suburb Residents Association  
Minutes of the Meeting of the Council held on 2<sup>nd</sup> June 2009  
at Fellowship House at 8.00pm

Present: Janet Elliott, in the Chair

John Boulter, Douglas Blausten, Terry Brooks, Bridget Cox, Rosemary Goldstein (Secretary to the Council), Colin Gregory, Eva Jacobs, David Lewis, David Littaur, Richard Kemp, Selwyn Nakan, Max Petersen, Judith Samson, Gary Shaw, Ian Tutton and Richard Wakefield

Visitors: Derek Epstein, Tony Ghilchik and Joyce Littaur.

1	<p><u>Apologies for Absence</u>  Simon Abbott, Peter Beesley, Carol Boulter, Tony Brand, Dave Brown Alan Brudney, Charles Gale, Nicole Gerber, Rosalind Josephs, Tony McGuire, Steve Morris, Will Sowerbutts, Alan Walker and Richard Wiseman.</p>	
2	<p><u>Approval of Minutes of Previous Meeting - 5<sup>th</sup> May 2009</u>  These were approved.</p>	
3	<p><u>Matters Arising from the Minutes not elsewhere on the Agenda</u></p> <p><u>Publication of Minutes on HGS Web Site</u>  The missing minutes are now on the Suburb web site.</p> <p><u>Reorganisation of Trauma and Stroke Services by NHS London</u>  A letter of objection had been sent</p> <p><u>Yellow Directory 2009</u>  This is in the process of being distributed to residents.</p> <p><u>Henrietta Barnett School Extension</u>  Ian Tutton and Charles Gale met with the School to discuss the building work. The internal work on existing buildings has commenced and will be completed by September. The major new exterior work will start in August and last for a year.</p> <p>Ian Tutton reported that the School had agreed that a liaison committee will be set up with representatives from the local residents to discuss the issues: movement of traffic, safety and security of site outside working hours, pollution control, agreed hours of working and advance notice of 'noisy' work. IT and CG would represent the RA Council on this Committee. Derek Epstein suggested that everyone in the vicinity should be given these details and a contact number.</p> <p>Janet Elliott undertook to write to the school to formally request that this will be done.</p>	JE

4	<p><u>Finance</u></p> <p><u>Expenditure agreed by EC not previously reported to Council</u> None. However, once David Lewis has received the suggested wording to be engraved on the plaque from the Horticultural Society, and this has been agreed, John Boulter will forward the agreed sum of £1330 against an invoice from the Hort. Society.</p> <p><u>Financial Report to Council for January –April</u> John Boulter said that at this early stage:</p> <ul style="list-style-type: none"> <li>• the subscriptions, membership and publication costs will be similar to last year;</li> <li>• £1250 of bad debts had been written off and this may rise to £4000 by the end of the year; (Janet Elliott explained that the bad debts related to the sale of advertising in Suburb News, the Yellow Directory, Centenary Programme and most go back some time. Efforts are still being made to collect some of the debts. As previously reported a process has now been put in place to try to ensure that this does not happen again.)</li> <li>• The RA’s contribution towards the removal of street clutter by the LBB is expected to cost £750 more than last year; Council agreed that the balance of the £10,000 budget which had previously been agreed for street clutter would be paid;</li> <li>• The contributions to tree planting and St Jude’s Proms will be similar to 2008.</li> </ul> <p>As a result of the above, and particularly the write-offs, the RA will probably run a deficit in 2009 of a few thousand pounds.</p> <p>In addition, the residue in the Centenary account at end 2008 will be reduced by the cost of the benefactors’ board and by the £3000 repaid to the Trust for the Gift Aid element of monies collected via the Trust for the Centenary Fund, which has since been disallowed by the Tax authorities.</p> <p>It was still uncertain whether the RA might have other tax liabilities in respect of the fund.</p> <p>Eva Jacobs raised her concern that the Centenary money be ring-fenced and not used to make up any RA deficit. John Boulter considered that this principle was acceptable but as the Centenary surplus is still unknown, no specific sum can be ring-fenced.</p> <p>Janet Elliott said that the RA must take a cautious approach to further expenditure this year as she was concerned that the total would not be covered out of 2009 annual income. Some monies from the general reserve would probably be needed. However, the prime objective must be the long-term survival of the RA.</p>	DL/ JB
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	<p>Colin Gregory said that legally, the money given to commemorate the Centenary must be used for this purpose. Derek Epstein thought that the wording in the appeal was slightly wider and gave a little more flexibility. Richard Wakefield considered that the Centenary money should only be used for specific projects and that the sum should be shown separately in the accounts. John Boulter said that the Centenary money had come from several sources, not just from the 'benefactors'. For example, commercial sponsors may have had a different expectation.</p> <p><u>Fellowship - Formula for charging for Membership Collection in 2009</u></p> <p>John Boulter explained that in recent years there had been a formula of 20% of the RA's bookkeeper's costs and 40% of the Membership costs. When the RA's costs increased in 2007, and as a result the charge to Fellowship seemed to be excessive, the average cost charged in previous years was applied.</p> <p>The proposed new formula from 2009 would be £200 plus 10% of the amount raised for Fellowship. Last year £12,500 was collected for Fellowship and £33,500 for the RA. Fellowship have confirmed that they are happy with this.</p> <p>Council agreed to apply the new method of calculation unless the situation should radically change, when it would be reconsidered.</p>	
5	<p><u>Question Time</u> There were none</p>	
6	<p><u>Procedural Issues – To receive a paper with recommendations from the EC</u></p> <p>This had been prompted by statements and emails from Andrew Botterill, responses from residents and Council members and a paper prepared and circulated by Carol Boulter.</p> <p>The two main issues to be considered are who is eligible to represent Council in various roles and the procedures adopted to ensure that contentious issues would be identified as soon as possible and for Council to be properly informed of them.</p> <p>Terry Brooks asked for an up-to-date copy of the RA's Constitution and Standing and Working Orders. Selwyn Nakan pointed out that these are available on the web site</p> <p>Eva Jacobs said that this paper is an attempt to meet specific objectives and not to rewrite the Constitution. After further discussion it was agreed to adopt the paper as working practice reinforcing the Council's normal code.</p> <p>Janet Elliott will also circulate the paper to the Chairmen of the Standing and other Committees.</p>	JE

	<p><u>Specific E-mail User Group</u> Janet Elliott told Council that Steve Morris had suggested that he could set up a closed user group for Council members and/or EC members where documents /letters and responses could be posted to all members of the group. This would help with the dissemination of information.</p> <p>Colin Gregory said that the increase in emails received would make the job of Council members more burdensome. He opposed it and only wanted to be sent important emails</p> <p>Selwyn Nakan said that we could separate matters requiring action from those merely for notification. Max Petersen and Richard Kemp also said that they did not want to receive too many emails from the RA.</p> <p>Terry Brooks suggested sending the emails 'for information only' and on the understanding that no action would be required John Boulter asked for a proposal from Steve Morris setting out his ideas. Janet Elliott agreed to talk to him on this subject and the item was deferred to a future meeting.</p>	JE/ SM
7	<p><u>HGS Trust Graduated Management Charge</u> The Trust has agreed to send out a letter from the RA with their annual demand for the Management Charge in August. The text of the letter is to be agreed between the RA and the Trust. It will say that the RA would like the views of residents on a graduated management charge. There will also be an insertion in the Suburb News. The results will be counted by the Trust. There is likely to be a statement that the respondee agrees to his/her signature also being available for use in connection with any resulting application to the LVT.</p> <p>There may be a cost for the RA for duplicating some 3500 pages but there will be no postage charge.</p> <p>Canvassing may take place to encourage participation in the questionnaire once the results have been seen.</p> <p>The draft letter will come to Council for approval in July.</p> <p>Colin Gregory asked whether long leaseholders who may wish to enfranchise could be included. Their responses would have to be accounted for separately. Richard Wakefield will check this with the Trust.</p>	RW
8	<p><u>Conversion of RA to a Company Limited by Guarantee</u> Peter Beesley had agreed to advise the RA on the understanding that the RA Council had agreed to make the change to limited liability</p> <p>Since the previous discussions in Council there has been new legislation which enables Charities to become an incorporated organisation with limited liability without requiring them to meet full</p>	

	<p>company law requirements.</p> <p>Selwyn Nakan had circulated a paper explaining why the RA should take action to limit its liability in the event of a major unforeseen occurrence. He considered that the members of the RA should have the maximum protection.</p> <p>David Littaur asked about the email from Richard Wiseman which said that individuals could still be sued and that a company limited by guarantee does not offer complete protection. Selwyn Nakan thought such an occurrence would be unlikely and the RA's insurance policy should offer the protection required.</p> <p>Colin Gregory agreed that Council members could be liable under the current Constitution and the move to incorporation means that the Constitution must be re-written. However, he did not consider that it would be necessary for 'members' of the new company to put up any money, as this would only be due if the company went into insolvency.</p> <p>The main reason why charitable status was previously turned down was that it would limit the RA on how it functions, for example it would not be able to carry out any campaigning of a 'political' nature. We could ask Peter Beesley what restraints charitable status would place on the RA in the way we operate and the implications of becoming a charity. He agreed that although the RA has been operating since 1911 in the same way the world has now changed and become more litigious.</p> <p>Eva Jacobs said that there are many unanswered questions and she would like a proper paper setting out the pros and cons. Douglas Blausten raised the major unresolved issue of membership by household.</p> <p>A Motion was proposed by Janet Elliott 'that the RA should ask Peter Beesley to advise them about the recent changes to the charity law to enable them to make a decision on whether they should become a charity in tandem with becoming a company limited by guarantee'.</p> <p>This was seconded by Max Petersen and passed unanimously Janet Elliott will report back on this in July</p>	JE
9	<p><u>Henrietta Barnett School Extension</u></p> <p><u>Decision by HGS Trust</u></p> <p>The Trust had agreed the fenestration. Max Petersen said that there had been a minor improvement to the windows following RA and other interventions. Work on internal changes to the existing fabric of the existing buildings had commenced.</p>	

	<p><u>Bricks and Brick Display Panels</u> This had not yet been agreed and the bricks and display panel are not yet available. They will not be displayed at the St Jude's Proms but will be at some point in time on display at the School.</p>	
10	<p><u>Oral Reports from RA Committees</u></p> <p><u>Trees and Open Spaces</u> Tony Ghilchick reported that the Trees Committee may need the help of the RA for a publicity campaign against insurance companies who wish to cut down trees which they consider may be causing problems to houses. There is a problem with some old oaks on the Heath extension. Janet Elliott asked that the Council be kept informed and commented that any proposal that might involve asking the RA to 'endorse' a particular insurance company should be approached with caution.</p> <p><u>Consam/Roads and Traffic</u></p> <p><u>Supermarket Display in Market Place</u> Janet Elliott had received no response from Brian Coleman to her letter. This is an issue for TFL and not LB Barnet. There had also been publicity in the Ham and High</p> <p>Gary Shaw said that the traders were very upset about the ruling and thought that it would impact on their trade.</p> <p>Colin Gregory said that perhaps the EC could consider whether the RA should revisit the issue of 'Revitalising the Market Place' which had been put on hold some years ago. The RA had previously tried to encourage the traders to get together.</p> <p>Max Petersen, a regular user of the greengrocers, pointed out that the traders knew about the restrictions when they took over their leases.</p> <p>Douglas Blausten thought that the traders should get together and take action. Council agreed it was not thought to be the job of the RA to organise this.</p> <p>Janet Elliott will write again to Brian Coleman and to Rudi Vis.</p> <p><u>Roads and Traffic Committee</u></p> <p><u>Ossulton Way Crossing</u> Richard Wakefield raised the matter of the crossing in Ossulton Way.</p> <p>Terry Brooks said that the island near Brim Hill had been removed and no pedestrian crossing had been erected. This was dangerous for school children attempting to cross the road.</p> <p>Gary Shaw /Derek Epstein agreed to take this issue up.</p>	<p>JE</p> <p>GS DE</p>

	<p><u>Parkview Cafe</u> Richard Wakefield asked whether the café in Kingsley Way had received permission for the decking. David Lewis confirmed this was the case.</p> <p><u>Henly's Corner Traffic Scheme</u> Gary Shaw said that details of the scheme have been posted on the TFL web site. He has not received any major objections to the proposed scheme. There will be disruption and some green areas will be removed but it should improve the situation for the pedestrians and for the flow of traffic.</p> <p>Richard Wakefield objected to the large gantries and Gary Shaw said that Roads and Traffic will look at this and write a letter of objection.</p>	GS
11	<p><u>Matters arising out of Executive Committee Minutes of the Meeting held on 18 May</u> Bridget Cox thought it was an excellent idea for the RA to have a display at the St Jude's Proms. Janet Elliott said that there was insufficient time to organise it for this year and it would be an expensive exercise and may not be cost effective. It would however be considered for next year.</p> <p>She also asked how to respond to complaints about the Henrietta Barnett Extension. Janet Elliott explained that the RA had taken up the question of the fenestration and brick work but there was little else that they could do. The approval of the architectural design for the extension was a matter of personal taste. Richard Wakefield referred BC to the list of professional organisations which had approved the scheme.</p>	
12	<p><u>To confirm the date of the next Meeting of the Council on Tuesday 7 July at 8.00pm at Fellowship House</u> Confirmed</p>	