

# SUBURB NEWS



The Newspaper of the Hampstead Garden Suburb Residents Association

JULY '83

## TRUST GETS JUDGEMENT

On 16th February last Mr Justice Peter Gibson delivered a judgement approving the Trust's proposals for variable annual management charges to freeholders of the Suburb.

The scheme of management applies only to freeholders. Neither the scheme as it stands, nor the approved variation, can make leasehold properties pay their proportionate costs towards the Trust's general time and expense. In 1974 a charge was fixed for five years, to be reviewed thereafter. It was very shortly found to be grossly inadequate, and on the expiry of the first 5-year period the Trust proceeded to try and obtain a revised charge following the provision of the scheme. In fact it was found that the scheme proved 'unworkable' on this point and the Trust was forced to apply for a variation of the scheme, which it did, in the first place, in November 1980.

The essence of the

judgment on the Trust's application is that in 'the current and subsequent years each owner is obliged to pay, on demand, an amount estimated by the Trust to be the management charge for the year'. There is, however, some room for objection on the part of freeholders. So long as at least 200 freeholders, that is about 10 per cent, notify the Trust of their objections to the charge within 6 weeks of themselves being notified of the amount, a surveyor, appointed by the President of the Royal Institution of Chartered Surveyors, will act in an expert capacity and independently determine a fair charge for the year in question.

Whether the charge is initially acceptable to more than 90 per cent of free-

holders or it is ultimately determined by a surveyor, it is mandatory. Non-payment will inevitably lead to Trust time and money being spent in efforts to obtain the amount - and the costs of this will, of course, fall on residents of the Suburb.

The scheme of management benefits the Suburb as a whole even though freeholders and not leaseholders pay the management charge. In addition to managing the scheme, the Trust also acts as Ashdale's attorney in connection with leasehold properties which number over 1,000. Ashdale's management fee and contributions towards the maintenance of the Suburb have increased over the years but are still far from adequate, and the Trust has apparently been meeting its deficit in handling leaseholds out of a capital reserve. It is currently negotiating with Ashdale on

this matter.

In the opinion of Mr. Justice Gibson, the management charge imposed 'reasonable obligations' on freeholders. He deemed its method of assessment 'fair and practicable', based as it is partly on the proportion of freeholders to leaseholders - about 2:1 - and partly on the amount of time spent on the respective concerns. Last year, for example, 42 per cent of the Trust's expenses was apportioned to freeholders. He also underlined the fact that the Trust is assumed to operate the scheme in an 'economical, efficient and consistent manner', so that the charge should reflect this and not escalate out of all proportion. Finally, recourse to an independent surveyor who should bear in mind all these considerations would constitute a 'safeguard' against excessively high charges.

## CHILDRENS CENTRE A GREAT SUCCESS

In just three months Suburb residents Nicki Landau and Sue Hughes made a dream come true. It was only in February last that Nicki, a qualified teacher, and Sue, both of Chalton Drive, were despairing of the lack of an easily accessible adventure playgroup that mothers like themselves could regularly attend with their under-threes. They saw the need for a local playgroup where children could romp around and experience a different kind of environment and different types of toys and equipment from those normally found at home.

Then Sue discovered that the hall of the pavilion in Lyttleton Playing Fields was available, and from that moment on there was no stopping the two of them. On Monday April 25th the Pavilion Children's Centre opened for the first time to more children than they had even hoped for.

Since that opening, every Monday and Thursday, from 10 am to noon, about 30 bright-eyed youngsters are living proof of the success of the venture. They are any age up to three years - some of the youngest so far have been a few weeks old! Mums are in attendance and it gives them a chance to get to know each other, a golden opportunity if you're new to the Suburb.

On Monday and Thursday mornings the Pavilion hall is transformed with mattresses laid out for rough-and-tumbles climbing frame, wendy house, play barrels, bright new soft toys and books. The children enjoy safe and constructive play with mothers sitting close by, and the 50p entrance fee includes refreshments for both of them.

But launching such a venture

was no easy task. A £250 interest-free loan from the Residents' Association barely covered one quarter of the necessary equipment. To supplement this, and to pay the rent, Sue and Nicki organised a raffle, raising an impressive £500. Among prizewinners were local supporter Lira Winston of Denman Drive who attends the Centre with son Benjamin, and RA Treasurer Janet Harris.

Then, after a fight for a one-off grant of £300 from Barnet, the hard work began to pay dividends. The Centre could afford to open, and Barnet has now undertaken to spend £1,000 improving the nearby playground and making a connecting path directly from the pavilion. Also thanks to Barnet, a stair safety-gate was installed, and plans are afoot to make the extensive balcony that leads off the hall safe for play in the warmer weather.

It sounds as though everything is now set fair for the future of the Children's Centre. A date to note is their Children's Festival to be held on July 17th, and hopefully to become an annual event. But although support has

## MID TERM MEETING

The cost to the trust of the hearing and of other litigation over infringements, was blamed by Pat Tyler for an anticipated increase in the management charge to freeholders for 1982/3 to approximately £26. Some £11 more than the original assessment made in 1981.

Questioned on the need for the scheme of management when Barnet has the planning controls necessary Mr. Miller pointed out that apart from the fact that the borough has to operate within the limiting statutes of the Town and Country Planning Act, the Trust was needed to ensure the future against the vagaries of government. If the GLC goes, and whatever else it has a good record on conservation and the move to 'debureaucratise' planning in local

government gathers pace, the Trust may be left as the only legally empowered guardian of the Suburb.

In a report on the proceedings of the joint RA/Trust Working Party the Trust Chairman Ian Hodgson said that he expects an Estate Manager to be appointed within three months, thus freeing the managing architect, Christopher Gotch, to spend more time dealing with infringements and planning applications.

The acoustics of the Free Church, combined with some inexperience in the use of the microphone system, made it very difficult at times for the large gathering of members, including your reporter, on June 23 to hear everything that was being said.



been generous, with gifts coming from toy manufacturers, children's book publishers and even surprising sources like the Fire Brigade, more equipment is, and will increasingly become necessary. The Centre is non-profit making, with the entrance fee just covering the hall rent and insurance in addition to refreshments. Nicki and Sue feel that the only way

to ensure survival is by enlisting regular support from the RA, and they are convinced that what they have fought so hard to create is an important amenity for Suburb residents.

Further information about the Children's Centre can be obtained from Nicki (455 8256) or Sue (455 6167).

## NEW SUBURB NEWSPAPER

Welcome to the first edition of Suburb News. As successor to the popular Newsletter we are attempting to provide improved coverage of events in the Suburb and news items affecting Suburb residents.

The Suburb works well as a community because so many of us are involved in local activities. The News hopes to foster community feeling and make sure that everyone knows what's going on in the Suburb.

The editors will be happy to receive news of past and future events, especially with photographs, and suggest that you pin up our 'Whats On' column so as not to miss any of the wealth of activities available.

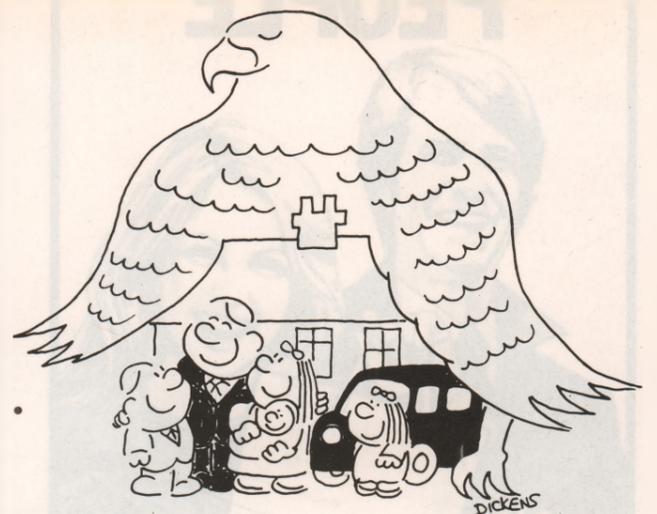
We will welcome your views in our letters column and we are running a Sales and Wants and Swaps column for residents. We hope this will be particularly useful for those of you restoring your houses

who are looking for original architectural items or who wish to obtain or pass on serviceable baby gear as your families grow.

It is apparent from the replies to the R.A. questionnaire that many residents are not clear about the different functions of the R.A. and the Trust. This is why we make no apology for our lead news item on this page being a four month old story. The more residents understand, and take part in the activities of both organisations the better our chance of conserving the structure and enhancing the life of the Suburb.

The views expressed will not necessarily be the official views of the Residents Association and the R.A. cannot accept any responsibility for opinions expressed in the News.

The Editor, 26 Hampstead Way, N.W.11.



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