

**DRAFT MINUTES OF  
KEMP TOWN ENCLOSURES LIMITED  
MEETING HELD ON SATURDAY APRIL 25 2015  
AT 10.30 AM AT THE BRIGHTON STEINER SCHOOL  
ROEDEAN ROAD BRIGHTON**

**The meeting was an invitation to discuss issues raised at the last Annual General Meeting held on November 22 2014. A copy of the Agenda for the Meeting is appended to these minutes**

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**APOLOGIES FOR ABSENCE** received from Jill Sewell (4 Sussex Square/Board Member), Anthony Jellings (Chichester House) and Roger Carr (2 Lewes Crescent)

**IN ATTENDANCE :** The Board – Mark Harper (Chairman), Ian Clegg (Treasurer), Stephen Harwood, Brian Horton and Jonathan Rolls (Hon. Secretary)

**REPRESENTATIVES FROM THE FOLLOWING HOUSES IN ATTENDANCE :**

The majority being Freeholders but also a number of leaseholders

7/8 Sussex Square, 17 Sussex Square, 28 Sussex Square, 29 Sussex Square, 33 Sussex Square, 34 Sussex Square, 35 Sussex Square, 38 Sussex Square, 43 Sussex Square, 44 Sussex Square, 45 Sussex Square, 46 Sussex Square, Bristol Mansions

1 Lewes Crescent, 16 Lewes Crescent, 9 Lewes Crescent, 11 Lewes Crescent, 16 Lewes Crescent, 18 Lewes Crescent, 19 Lewes Crescent, 20, 21 22 Lewes Crescent, 24 Lewes Crescent, 28 Lewes Crescent,

2 Arundel Terrace, 5 Arundel Terrace, 6 Arundel Terrace, 9 Arundel Terrace,

1 Chichester Terrace, 2 Chichester Terrace, 3 Chichester Terrace

1 outsider and 1 attendee unidentified

In total approximately 35 Houses represented. In all approximately 52 persons signed the register on entry.

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The Chairman, Mark Harper, welcomed everybody to the meeting and his opening remarks summarised what had been achieved since the AGM. He felt that the majority of matters raised at the AGM had been dealt with. In particular, he mentioned the reintroduction of the Newsletter with the considerable help of Russell Miller, the updating of the Web Site with the help of Stuart Cooper, budget circulations/a planned proposal to be dealt with later in the meeting, completion of the Phase I railing project, ongoing and satisfactory conclusion to the concerns raised at the AGM regarding Ben Borrett's hours

MH requested Ian Clegg (Treasurer) to summarise the current financial position of Kemp Town Enclosures Limited. IC advised that the financial year had ended on March 31. He

anticipated a surplus of approximately £7,500 against the budget of £88,000 and this would be transferred to reserves. The accounts would be finalised soonest and sent to Chambers and company (Peter Chambers) the independent accountants for examination. The main reason for the surplus was due to Jeremy Mouldsdales (Head Gardener) working only a 4 day week since November 2014. However, since February Andy Bush had been employed as a part-time assistant gardener which would cancel out the reduction in Jeremy's wages and there would probably be additional contractual costs during the year.

IC tabled the budget for 2015/2016 which had been circulated with the requests to Freeholders for the annual garden subscription recently.

IC also reviewed the breakdown of the southern railings project (Phase I) which along with a 10 year Capital Plan formed part of the package of papers handed out to the meeting.

IC advised that there was approximately £94,000 funds in the Kemp Town Enclosures Bank account at the end of the financial year. Effectively only £ 32,000 were 'free funds' £38,000 was allocated to future reserves particularly railings and tractor replacement. In addition £24,000 was a provision against possible claims by the Liquidator for CWO, the initial railings contractor

IC confirmed that, all in all, he felt the funding position was satisfactory and that the proposed budget was realistic.

IC briefly dealt with the 10 year Capital Plan which was an attempt to show that, over time, there are a number of non-recurring expenses which must be foreseen, in particular, the immediate need to raise funds for the Phase II southern railings, replacement machinery for the gardeners, particularly, the tractor, the possibility of a tunnel contingency, future needs to improve toilet arrangements, paths, shed and also, possibly, irrigation.

IC asked the meeting if there were any specific questions :

- (a) Vanessa Minns expressed surprise that the southern railings cost so much money and felt that Kemp Town Society had not been advised that the costs were so great and that we were now faced with even further costs for Phase II.
- (b) Another attendee asked what the surplus income was. IC explained that this was extra donations, contributions for use of the gardens, (a film crew, garden parties and the like).
- (c) A number of other miscellaneous queries were dealt with.

MH invited Brian Horton to give the meeting an update as to the finalisation of Phase I of the southern railings and where the Board was with proceeding with Phase II - the erection of the railings and the potential costings.

BH advised that Phase I had been satisfactorily finished at a cost as per the tabled sheet of expenditure with the exception of a retention to the replacement contractors, Tilleys, of about £2,500 which will be due for payment in approximately 12 months-time. Generally, Tilleys had performed well and the extra cost over and above the original CWO estimate was in the region of £12,000 which was much lower than was usually expected when contractors went out of business mid project.

BH advised that budget figures were now in place for Phase II, the replacement railings, from Metalcraft in the sum of £186,000 including VAT, Iron Designs (a local contractor) in the sum of £150,000 inclusive of VAT. These are only budget costs and there will be some extra costings and BH felt the realistic cost of finalising the work was approximately £175,000 possibly a little more. He also pointed out that there had been some extra costs in Phase I from Frankham in handling the problems of CWO going into liquidation and stopping work and the appointment of Tilleys.

A lengthy discussion ensued regarding the best way forward. Specific questions were raised by Michael Osborne in respect of the design of the replacement railings and that an amendment was necessary to reflect 'tassels' that were part of the original concept for railings around the Crescent and the Square and that these needed to be incorporated in the southern railings. This should be a simple amendment which the Planners would approve. Mixed views regarding this were expressed. BH, whilst having concerns, agreed that he would discuss the matter further with MO plus other aspects of the scheme such as whether a reduction in cost could be achieved by the vertical railings being cut in a different material and whether there was some savings in a more modern approach (a look-a-like approach). MO felt that Metalcraft who had considerable experience in re-railing Regents Park and other major Squares in London, whilst appearing more expensive, may still be the better option. BH and MO would review the situation between them.

Bill Rathbone asked how the money received from the cottage sales in David Lloyd-Jacobs time as Chairman of KTE had been allocated and what monies were left. IC advised that the bulk of our current funds was, effectively, the balance of the cottage money which greatly assisted in not only replacement railings/repairs but the general funding of the gardens.

Questions regarding the cobble stones around the perimeter of the gardens were discussed. The Board had this matter very much in mind. The general view was that the Local Authority should be persuaded that it was their responsibility not the owners of the gardens. On-going discussions would be taking place. BH felt that he had an email to support this view from one of the employees of the Highways Department of Brighton and Hove City Council but, at the moment, the principle area of concentration was the finalisation of the southern railings project.

Discussion followed on as to who would supervise Phase II. MH felt that professional supervision from Frankhams was probably needed. They had indicated a cost of £8,000 plus VAT for their services. MO and others in the room felt that this was an unnecessary cost and that the Board of Management/others could assist in supervising what was a simpler operation than the installation of the plinths and the structural features involved including ground works.

When Phase II was started it was hoped that this could be completed in less than 30 days but BH pointed out that there were *CDM* regulations, the proximity of the highway, pavement etc. It would be a very prominent project seen by the public.

A final decision as to whether supervision by the Board and locals or professional supervision remained to be decided.

MH reminded the meeting that the railings in front of Chichester Terrace and Arundel Terrace had been researched by Michael Alford (deceased) an architect who had lived in Arundel Terrace and his designs had been accepted by the Local Authority and David Morris and he had been responsible for obtaining the approval of the Local Authority, Heritage Grants and installation. This work had largely been done by volunteers and no professional fees paid.

The design of the railings was discussed. The view of the meeting was that the 'tassel' issue needed re-visiting and this was the general view albeit one attendee felt that the 'perfection was the enemy of the good'.

Stephen Harwood was asked to briefly review where the Board stood in regard to the possibility of obtaining grant aid from charitable organisation. He advised that a number of charities had been approached (Headly Trust/Sainsburys Trust, Heritage Lottery Fund, Monument Trust, Landfill Trust, Rausing Trust and Architectural Heritage) but all had turned down our approaches because the gardens were private and not for public use. There was one outstanding application to the *Garfield Weston* Trust which had to be lodged but it was unlikely that this would be successful. Vanessa Minns pointed out that her involvement over many years with the Engineerium in Hove confirmed that obtaining grant aid for private organisations was extremely difficult and unlikely.

MH advised that he would like a view from the meeting as to the proposals to raise a levy to collect necessary funds. He also advised that we had been fortunate to have received an offer of assistance from a donor of approximately £25,000 if gift aid was available.

A general discussion took place as to timing of a levy. The general feeling of the meeting was that, if possible, the southern railing project should be completed Spring 2016 and, after a show of hands it was agreed a request for a levy on the basis of two payments – one in October 2015 and one in April 2016 should be the preferred method of raising funds. The exact sum to be raised to be decided at a later date but probably in the region of £1,000 to £1,200 per house. In other words £500/£600 in October and £500/£600 in April. By way of a show of hands the meeting approved this approach. One attendee

asked whether people who made a donation would have an opportunity of having plaques or recognition of their donation. MH agreed that this would be appropriate.

Discussion took place between the Board Members and the room. The topics discussed were :

- (a) The cobblestone problems/associated drainage and whether there was anybody with expertise who could assist the Board with discussion with the Local Authority
- (b) Enquiries regarding the strength of the tunnel because of the heavy vehicles being used due to the major hospital and Marina projected. Confirmation was given that, in recent years, a structural engineer had prepared a report regarding the condition of the tunnel and its strength that, at present, there were no known worries other than perhaps some slight movement to the brickwork arch on the north end of the tunnel away from the road which had been a worry in the past of David Morris. There were no on-going concerns at present.
- (c) Discussions regarding dog issues and the fact that more owners had registered their dogs than in 2014. At present a total of 46.  
Vanessa Eden again as she did at the AGM questioned why owners had to have tags and pay a fee for registration. Her view was that this was unnecessary. A number of other attendees expressed some agreement to her concerns but others were less supportive. This would be a subject for the Board of Management to review but probably not until the next AGM. MH asked whether there were others in the room who would assist in terms of dog management. Perhaps a small sub-committee could be formed. He also reminded the room that bins for dog-poo had been purchased some while ago but had never been used because there was nobody prepared to monitor and empty them and that this was not a task for the gardeners.

A number of other items were aired. The general view of the meeting was that progress has been made since the AGM. The way forward to funding and reviewing the design of the southern railings was the major matter for progressing and completing hopefully by Spring/early Summer 2016.

The Board had addressed the issues of concern at the AGM namely staffing/contractual issues, re-introduction of the newsletter, updating the web site, budgetary information/control and the analysis of the southern railings.

MH thanked everybody for attending. A round of applause took place in appreciation of the Board's efforts.

The meeting closed at approximately 12.22 pm

APPENDED TO THIS MINUTE 10 year plan, Budget and Southern Railings Cost analysis plus Agenda to complete the record.

