

## **KEMP TOWN ENCLOSURES LIMITED**

### **Minutes of Twenty-second Annual General Meeting of the Company held at the Brighton Steiner School, Roedean Road, Brighton Saturday March 18 2017 at 10.30 am**

**PRESENT** : 17 Freehold houses were represented either by Board Members or Freeholders. A number of Leaseholders with non-voting rights also attended. There were 9 Proxys received giving the Chairman or the Company Secretary voting rights  
Attendance list held at offices of Jonathan Rolls, 244 Eastern Road, Brighton, BN2 5TA

**Board Members in Attendance** – Mark Harper, Jill Sewell, Ian Clegg, Russell Miller and Jonathan Rolls.

**1.Apologies for Absence** received from Gala Wright (Chichester House) and Stephen Harwood Board Member/20-22 Lewes Crescent.

#### **2.Chairmans Report**

The Chairman, Mark Harper, opened the meeting by welcoming all in attendance and gave a summary of his Chairman's Report which had been circulated to all in the Room. He advised that there was a 'typo' in the Agenda Item 8 which should read that the Board proposed that the garden rate be '**increased**' to £875 not '**remain**'.

Mr Harper referred to various works having been completed since the last AGM including the southern railings which had started back in 2010 and was finalised with successful work by Metalcraft in November 2016, refurbishment of the tunnel by Deacons Building Contractors under the supervision of Rick Potterton of the Gyoury Self Partnership, Structural Engineers, who certified the works as having been successfully completed. It was important to see this work completed prior to the onset of heavy vehicles linked to the Hospital redevelopment. Mr Harper referred to the repair of the eastern pathway down to the tunnel which had become a Health and Safety issue and the replacement of the old tractor plus other ancillary works.

Mr Harper also referred to the very generous support of David Morris who had part funded the cost of the southern railings and his other work in the past regarding the Arundel Terrace and Chichester Terrace railings restoration.

Mr Harper acknowledged the continuing good work by Jeremy Mousdale, the Head Gardener, his assistants and the continuing volunteers – The Voles who attended on a weekly basis.

The Chairman's written report refers to a number of other matters which took place during the 2016/2017 year.

**3.APPROVAL OF MINUTES OF THE PREVIOUS ANNUAL GENERAL MEETING – JANUARY 16 2016** Mr Harper asked the Freeholders in attendance to approve the minutes. After a short discussion the minutes were duly proposed for approval by Howard Rush and

seconded by David Morris.

- 2 -

**4.GARDENERS REPORT** Jeremy Mouldsdales gave his gardening report which had been circulated with the Agenda. Jeremy confirmed that, generally, it had been a good year because of the sunny but also, at times, wet conditions which gave good growth and the resultant good appearance of the gardens. He briefly referred to works to cut back the foliage/hedgerow in Chichester Terrace to give better access to the railings and also improve growth of planting. He also advised of the need to undertake cutting back in The Dell and removal of a dead buddleia. He confirmed that new planting was to take place. He mentioned the bench in the 'Secret Garden' being beyond repair. He wondered whether there might be a replacement via a donation from Residents.

Jeremy thanked his assistant, Andy Bush, for all his hard work and also Ben Borrett for his continued work with hedge/grass cutting and general tidying-up works. He also thanked 'The Voles' who, at present, were a particularly good team.

Jeremy invited questions on his report and David Morris raised a query over the area which had previously been used for leaf mould and now had a bench in it in the lower garden. Jeremy said he would review the needs. Questions were also raised regarding the replacement shrubbery in The Dell, particularly, bulbs. A query was raised as to whether Andy, once he qualified from Plumpton College, would take over the tree surgery rather than using outside contractors – the view, at present, was preference to use outside contractors who were insured and gave specific advice on Health and Safety issues of the trees.

A round of applause was given to Jeremy for his hard work and the excellent appearance of the gardens over the last year.

#### **5. FINANCIAL STATEMENTS OF THE YEAR ENDED MARCH 31 2015**

Ian Clegg gave a brief summary of the financial statements for Kemp Town Enclosures Limited for the year ending March 31 2016 which were attached to the Agenda paperwork. He referred to the breakdown of income as stated on Page 9 as between annual income and the levy raised during the year towards the southern railing work and also an additional donation received towards the southern railings and an amount to assist with gardeners' wages/contractual duties. He stated that outsiders' income was declining as people moved away.

Mr Clegg referred to dog fee income which had increased slightly during the year but it was still felt that there were several dog owners who did not register their pets.

He confirmed that all annual subscriptions from Freeholders for the year had been received.

It was confirmed that expenditure had been in line with the budget during the year and that increases had been in line with inflation. Savings had been made by minimising the number of

outsider contractors used. There was a 'one off' item of expenditure being a payment of £3,989 to Frankhams, the surveyors, who had assisted with the tender exercise for Phase 2 of the railings project.

- 3 -

Reference was once again made to The Voles whose assistance had also helped in keeping costs down.

Mr Clegg invited questions from the room. There were no queries and acceptance was proposed by David Morris and seconded by Donia Scott. The accounts were approved unanimously.

Mr Clegg gave a resume of the financial situation, post March 31 2016 and confirmed that, notwithstanding substantial capital expenditure, finances remained satisfactory. The balancing cost of the southern railings was £170,400. The cost of the tunnel work was approximately £17,000, the repair work to the eastern path was £4,400 and the purchase of the new tractor was £9,300.

Mr Clegg referred to the Capital Plan which was a prediction of the likely/possible cost for the future. He particularly referred to the refurbishment/painting of the railings to the north gardens which was the subject of further discussion later at the meeting and the issue of the cobbles viz-a-viz Kemp Town Enclosures' responsibility and/or the Local Authority's responsibility – again the subject of discussion later at the meeting.

#### 6. **ELECTION OF DIRECTORS**

Mark Harper drew Members attention to the fact that Steve Hardwood retired by rotation and offered himself for re-election. He had taken on much of the additional work that was required due to Brian Horton's retirement and liaised with Jonathan Rolls office over special projects and maintenance and repair. He was unanimously reappointed by the Room.

#### 7. **APPOINTMENT OF CHARTERED CERTIFIED ACCOUNTANT**

Mark Harper asked for confirmation of the appointment of Peter Chambers, of Chambers and Company, as the Companies' Chartered Certified Accountant. This was unanimously agreed.

#### 8. **GARDEN RATE**

The garden rate for the year commencing April 1 2017 was approved at £875 for Freeholders, £292 for outsiders and £262 for the cottages.

Ian Clegg explained the reasoning for this and referred to the budget. He also stated that the garden rate had been kept at £810 for the last two years in the knowledge of the need for two special levies in respect of the southern railing. He explained that the garden rate needed to be increased to reflect inflation, the need to address the issue of the cobbles with the Local Authority and the possible need for a Structural Engineer's Report.

#### 9. **ANY OTHER BUSINESS**

Michael Osborne spoke on the condition of the railings to the north gardens. His view was that repainting them whilst they were in poor condition was wasteful. They were in a

- 4 -

state of decay as were the plinths in various areas and it would be better as a project for review at the next AGM in a years' time to assess the cost of replacing the railings to the same standard as the new southern railings. It was agreed that, in liaison with Mr Morris, Mr Osborne would bring a possible proposal to the next AGM.

Likewise the ongoing dialogue on the subject of the condition of the cobbles and railings plinth on the road side of the Estate – a lengthy discussion took place and it was agreed that the Board of Management would review the proposal to employ the services of a Barrister to advise as to the legal obligations of the Council. Also to consider the appointment of an outside surveyor or engineer to advise as to the best method of replacing, whether it be renewing the original features or an asphalt approach, the attitude of the Local Planning Department/Conservation Officers, the difficulty of obtaining accurate costings and the best method of approaching the Council. The mandate given by the Room was for the Board of Management to review and report back in due course, probably, at the next AGM.

A lengthy discussion took place regarding certain owners allowing their dogs to foul in the gardens and not clearing up. Whilst Jeremy felt this situation was better it was still an issue. The Board would consider reinstating the bins that were purchased some time ago and seek to employ someone who would collect and dispose of such offending mess.

Ian Clegg raised a question that he had received from Brian Horton recently regarding the pillars along the southern frontage of the gardens adjoining Chichester Terrace and Arundel Terrace. Brian Horton had obtained a quotation for approximately £3,500 for redecorating them and, notwithstanding that the Council owned the pillars and were responsible for maintaining and repairing them, whether it would be appropriate for garden funds to be used to redecorate them as it was unlikely that the Council would, in the foreseeable future agree to meet the cost of this work. Consideration was to be given to approaching the Council on this subject. On balance it was felt that KTE should meet the cost but first seek permission from the Council and confirm that this was on a non-precedent basis.

Howard Rush briefly spoke regarding a project that one of the researchers at Sussex University was undertaking in respect of energy efficiency in Listed Buildings. The researcher had tested his property in Arundel Terrace and he invited others to consider having their properties tested. A paper was available at the front of the room for Freeholders/Leaseholders interested in taking up the opportunity to have their properties inspected. Prof Rush emphasised that this was a purely voluntary exercise but he wanted to draw the attention of the Room to the project which he felt was worthy of support.

Before the meeting closed David Morris made the point that not only the collection of dog mess was a problem, particularly for those who had children, but also general cleaning up the verges of the Estate around the railings where rubbish and other items were throw in by passer-by's

remained a problem.

There being no further matters to discuss the meeting closed at Circa 12 noon