

KEMP TOWN ENCLOSURES LIMITED

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Minute of Annual General Meeting held on Saturday 8 April 2023 at 10.30am at EF International School, 1-2 Sussex Square, Brighton, BN2 1FJ

Those present: Board Members and 26 residents.

1. Introductions and Apologies for absence

Board members introduced themselves. Matthew Evans of Jonathan Rolls, Michael Bedingfield, Michael Osborne, Lucy Graubart, Howard Rush and Amanda Catron.

Apologies received from Board member June Mawby and residents Martin Kenig, Janine Nahapiet and Jonathan Rolls.

2. Minutes of AGM held 16 January 2022.

The Minutes were agreed as a true record.

3. Matters arising

None

4. Report of the Board for 2023-2024

Michael Osborne summarised expenditure. Pointed out that a surplus on the year should not be seen as a success but more of a failure to meet expectations, in particular relating to the gardening services provided. Only 80% of budgeted capacity was used on the gardening services provided. Questioned whether the services are being procured correctly and how this can be improved. The rebuilding of the Secret Garden was hailed as a huge success with the quality of work being first class. The total cost of the work spread over two financial years was around £67,000. £35,000 of this was funded via donations from two residents. The Board and all present were incredibly grateful for these donations particularly the one from Michael Bedingfield. Andrew Doig and Matthew Evans were thanked for their contributions towards the Secret Garden in challenging circumstances. Jeremy was commended for the planting which followed.

There is an ongoing concern about controlling entry to the gardens and Michael Osborne raised that the Board had been looking into an electric fob entry system so that when there is a rules breach access can be denied to those in breach. So far a quote had been obtained for just the 7 gates to the South Gardens of around £12,000. Alternative quotes to be sought.

Michael Osborne summarised the issue raised by the Council where they alleged water was flooding into the Reading Rooms from the Gardens. After a meeting on site with the Council representatives, it was agreed that KTE had no liability and eventually the Council accepted this view.

The sad passing Of Anne Antram, the founder of the Voles, was noted and that all users of the garden owe her a debt for the contribution she made. It has been proposed by the family that a section of the garden be named after her. There were no objections to this from those present at the meeting

The Board wished to express their gratefulness to Andrew Doig who resigned as a member this year. His tireless work was recognised and a formal vote of thanks was given from the floor.

Jeremy Mouldsdales announced that he was to retire from his position of Head Gardener at the end of June. Those present agreed that he had contributed greatly to the gardens during his time and a formal vote of thanks was expressed to Jeremy by all.

A concern was raised from the floor that with Andrew Doig resigning and Jonathan Rolls moving offices there might be a possible drop in the level of service provided by the Board. Should some of the surplus highlighted in the accounts be considered to cover this. Board members responded that this would not be the case. Michael Osborne pointed out that Jonathan Rolls office had to move on the basis that their existing office was being developed and their new office is only 10 minutes away. Matthew Evans commented that the Covid lockdown had led to a number of services being able to be carried out more remotely. For example, registering of dogs is now carried out by email and bank transfer whereas previously garden users would have to come to the office with the cash or a cheque. Matthew advised that he and his staff were regularly in the Enclosures on account of them still managing a large number of properties in the vicinity and has found that since the office move, practical matters such as distributing keys or dog tags has not been an issue.

It was suggested from the floor that there should be an online forum on the KTE website so that residents could leave comments and suggestions. It was agreed that the Board would look into this although they did notify those present that there is a Kempton secretary email address should they have any suggestions they wish to make to the Board in the meantime.

With regards to the electric fobs, a member of the floor raised concerns about due process and governance when it came to denying people access to the gardens. Particular caution should be shown in this respect. With regards access to Airbnb guests one resident suggested that it was really up to the freeholders to ensure that there are no Airbnb lettings in their buildings. It would be nigh on impossible for the Board to control such matters.

The question of outsiders was raised and should their annual subscriptions be increased. It was explained that originally outsiders were first allowed keys many years ago when there were not enough funds to cover the cost of running the gardens. However, this was not now the case and an "outsider" was simply someone that lived on the estate but did not form part of one of the freehold buildings. For example, residents in Rock Place at the rear of Chichester Terrace. There was a suggestion that the fee should increase to the same as what freehold buildings pay, but it was pointed out that each outsider was in fact an individual and paying £330.00 per annum was considered a sensible amount.

5. Accounts 31 March 2022

These were approved.

6. Budget and Garden Rates for 2023-24

It was raised by the floor whether garden rates should be increased to reflect an increase in general garden costs. Michael Osborne noted that there were circa £80,000 of surpluses and the floor agreed that proposing an increase in garden rates when there has been an under-spend the previous year would not be appropriate. The proposed budget was agreed as were the garden rates (remaining unchanged). There was a question raised by the floor about insurance cover and when the gardens were last assessed. Matthew Evans advised that the gardens were revalued within the last 12 months and this year's renewal premium had increased by 15% as a result.

7. Appointment of certified accountants

All those present agreed to continue with Chambers & Co.

8. Election of Directors

The resignation of Andrew Doig was noted. June Mawby and Lucy Graubart both stood down and were re-elected.

9. Head Gardener's report

Jeremy announced his retirement. He had enjoyed working in the garden immensely although it had come with its challenges, particular in relation to weather and climate change. He hailed the Secret Garden as a huge achievement and advised that the planting he had chosen was drought resistant. Wildflower areas had been increased and the Southern hedge had also been reduced as per suggestions made within the questionnaire sent out to all residents. It was the intention this year to reduce the number of lawn cuts and that the aim was to get the Chichester Terrace garden under control as well as the paths clear of weeds. He recognised the staffing issues that had faced him during the course of the year and thanked the Voles for their help throughout. He wanted to express a formal note of thanks to Ben who had also notified the Board that he would be leaving at the same time as Jeremy. Jeremy said that it had been a privilege and pleasure to work in the gardens and appreciated the support of all residents and the Board. It was agreed by all those present that Jeremy should be given an honorary garden key for his services to the garden and all those present at the meeting expressed their gratitude to Jeremy for all his years of service. A resident raised the issue of climate change and could the Board possibly look into water storage solutions such as underground tanks and a solar pump. Initial investigations carried out by the resident had indicated this could cost between £10,000-£15,000. Michael Osborne raised the issue of potential planning restrictions.

10. Airbnb guests and their usage of the garden

It was agreed by all those present that identifying garden users who are renting their properties through Airbnb is difficult. It was suggested that the Freeholders of the buildings in which these flats were located should be targeted. Perhaps Airbnb should be contacted direct and that an overall key change whilst painful to those involved, does tend to reset the whole system.

11. Issues to be raised by residents

The floor asked what the procedure had been for recruiting a new head gardener. Michael Bedingfield advised that this had been carried out thoroughly and with diligence. The Board had sought advice from Plumpton Agricultural College as well as the head gardener at the Brighton Pavilion. Advice had been obtained with regards to a suitable job description, wages and where the job should be

advertised. The Board informed those present that although there were a large number of applications it had been narrowed down to 4 strong candidates and they would be interviewed on the 18/19 April.

Concern was raised by the floor about games being played in the North Garden and could more signage be placed on the gates to the North garden to try and prevent this. Board members agreed that they would get this actioned as soon as possible.

Michael Osborne asked for a show of hands with regard to looking into electric fobs further. 11 of those present were in favour, 7 were against and 8 abstained. The query was raised by the floor as to why the North Garden gates were not being included. Board members said that this could be considered.

Finally, one resident asked if communication between the Board and residents could be improved as they do not use email. This was in particular reference to the AGM papers. Matthew Evans advised that these papers were hand delivered, posted and emailed dependent on contact preferences given. Details were taken from the resident in question to ensure that they had hard copies posted to them going forward.

The floor wished to raise a formal vote of thanks to the Board members for their time and commitment over the year.

Meeting closed at 12.00pm