



Nina Rickman

3 July 2024

**TO ALL MEMBERS OF THE ADVISORY COMMITTEE**

(and via the Trustee Intranet, to all other members of the Board of the Incorporated Trustees of The Dulwich Estate, for information)

**NOTICE IS HEREBY GIVEN** that a meeting of the Advisory Committee will be held on Tuesday 9 July 2024 at 10:30 a.m., which will be a hybrid set up. Those wishing to attend in person, please come to the Dulwich Estate's offices where the meeting will take place in the Board Room. A Teams invite will be sent to all, shortly

Please find attached your Advisory Committee papers. So that we have a productive and informative meeting, can I ask that you raise any detailed questions directly with me and request any further information, or clarification of items, prior to the meeting. Finally, please can you confirm your attendance (and please state whether this is in person or via Teams so that I can make the necessary arrangements) or offer your apologies, if you are unable to make the meeting.

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**A G E N D A**

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3. **Matters arising**

Date of Meeting Item Raised	Details of Action	Update
19 March 2024	The planted strip outside the Picture Gallery on College Road, is in very poor condition, largely dandelions, dead wood and other weeds. The Picture Gallery is responsible for this area and the Estate will contact them to ask for this area to be tidied.	<i>9 July 2024 Complete.</i>
7 June 2022	Adrian Brace to discuss a “maintenance swap” with Southwark Council regarding posts and chains in the village.	<p>21 March 2023 Maintenance would be limited to the posts and chains, not the grassed areas contained within. Adrian Brace is yet to discuss the maintenance swap with the Southwark Council but hoped to do this in conjunction with discussion concerning the relocation of the Skateboard Park.</p> <p>21 November 2023 A meeting with the parks team will be arranged before the end of this year to discuss the possible relocation of the skate park and their proposed business plan.</p> <p>19 March 2024 Discussions are ongoing with Southwark.</p> <p><i>9 July 2024 This has not progressed any further since the last meeting and is not currently a priority. Can the Advisory Committee, and in particular the Dulwich Society, explain what it is doing to encourage / lobby Southwark Council to maintain their posts and chains in Dulwich Village and when they intend to attend to the condition of the finger posts which need maintaining around the village?</i></p>

4.

## THE MANAGEMENT CHARGE

for the Accounting Period from 1 April 2023 to 31 March 2024

### SUMMARY OF EXPENDITURE LESS INCOME & RECHARGES

	Actual 12 Month ended March 2024 £	Forecast 2 Year Ended March 2024 £	Budget Year Ending March 2024 £	Actual Year Ended March 2023 £
NET AMENITY EXPENDITURE - <i>Schedule 2</i>	250,889	211,891	228,077	267,098
NET BASIC EXPENDITURE - <i>Schedule 3</i>	335,620	398,187	468,703	361,489
<b>TOTAL MANAGEMENT CHARGE</b>	<b>586,509</b>	<b>610,078</b>	<b>696,780</b>	<b>628,587</b>

### Final Outturn Headlines

The final outturn for the financial year is 3.9% lower than the Forecast 2 presented to the Committee at its March meeting.

This will result in an average balancing credit to freeholders of £26.86

Committee members should be aware that the audit is not complete and so there may be changes to the actuals above although these are unlikely to be significant.

### Major Variances from Forecast 2

**Dulwich Woods:** Other Repairs are up c.£10,000 due to a credit to be issued in relation to London Wildlife trust initiatives, which will reduce the charge in the current financial year. Tree Works are up c.£5,000 due to increased consultancy costs. These increases are slightly off set by a reduction in Maintenance Contract costs due to an unused provision for ancillary works.

**Other Amenity Areas:** Tree Works are up c.£17,000 due to outstanding grant funding, Repairs to Paths and Roads increased by c.£15,000 due to Grange Lane works, overlay and speed hump and College Road Markings

**Premises and Office costs** are down c. £6,000 due to lower utilities and postage costs

**Professional Fees** are down c. £13,000 due to lower Tree Consultant costs

**Other Costs & Fees** were c.£8,000 lower than Forecast primarily due to a decrease in Scheme Arbitrations costs.

**Freehold Licence income** was c.£31,000 higher due to an uncharacteristic continuation of robust fee income in the final quarter.

*The Scheme of Management***AMENITY AREA & CERTIFICATION COSTS**

	<b>Actual 12 Month ended March 2024</b>	<b>Forecast 2 Year Ended March 2024</b>	<b>Budget Year Ending March 2024</b>	<b>Actual Year Ended March 2023</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>AMENITY AREA COSTS</b>				
<b>DULWICH WOODS</b>				
Maintenance Contract	9,878	12,000	12,000	12,679
Tree Works	17,047	12,000	12,000	16,970
Other Repairs & Maintenance	18,589	8,500	8,000	3,636
<b>OTHER AMENITY AREAS</b>				
Gardening Contract	75,268	75,000	80,000	56,740
Tree Works	37,146	20,000	30,000	69,323
Repairs to Paths & Roads	42,368	27,500	27,500	27,602
Salting, Sweeping & Gully Cleaning	10,222	8,500	8,000	4,853
Garden Refuse Removal	37,480	30,000	12,000	11,813
Other Repairs & Maintenance	13,466	21,000	51,000	54,607
<b>TOTAL WORKS DONE</b>	<b>261,464</b>	<b>214,500</b>	<b>240,500</b>	<b>258,223</b>
<b>MANAGEMENT CHARGE - 15% (exc. VAT)</b>	32,683	26,800	30,063	32,278
<b>OTHER COSTS &amp; FEES</b>				
Public Liability Insurance	7,109	7,200	6,000	5,275
Tree Consultants	24,135	25,000	20,000	52,907
Auditor	1,592	2,180	1,300	1,160
Certification Costs - Share	4,970	4,673	4,747	4,539
<b>TOTAL AMENITY EXPENDITURE</b>	<b>331,953</b>	<b>280,353</b>	<b>302,610</b>	<b>354,382</b>
<b>RECHARGED TO THE DULWICH ESTATE</b>	(81,064)	(68,462)	(74,533)	(87,284)
<b>NET AMENITY EXPENDITURE</b>	<b>250,889</b>	<b>211,891</b>	<b>228,077</b>	<b>267,098</b>
<i>% Recovered from Residents &amp; Tenants</i>	<i>75.58%</i>	<i>75.58%</i>	<i>75.37%</i>	<i>75.37%</i>
<b>CERTIFICATION FEES &amp; COSTS</b>				
Staff & Office	5,145	5,150	5,000	4,515
Surveyor	2,772	3,000	5,000	2,520
Auditor	2,078	3,160	2,100	2,134
<b>TOTAL SHARED BETWEEN AMENITY &amp; BASIC</b>	<b>9,995</b>	<b>11,310</b>	<b>12,100</b>	<b>9,169</b>

## The Scheme of Management

## BASIC EXPENDITURE

	Actual 12 Month ended March 2024	Forecast 2 Year Ended March 2024	Budget Year Ending March 2024	Actual Year Ended March 2023
	£	£	£	£
<b>STAFF COSTS</b>				
Administrator	239,401	241,450	241,450	223,241
Heads of Department	17,955	17,500	17,500	16,065
Other Staff	20,424	22,000	22,000	19,388
	<b>277,780</b>	<b>280,950</b>	<b>280,950</b>	<b>258,694</b>
<b>PREMISES &amp; OFFICE COSTS</b>				
Rent & Rates	22,869	22,900	22,900	23,528
Utilities & Cleaning	7,635	11,500	15,500	8,582
Telecommunications	4,667	5,000	5,000	4,769
Printing, Postage & Stationery	10,682	12,000	9,500	11,751
Office Equipment Depreciation	1,538	1,800	5,000	1,715
Website & IT Maintenance	2,499	2,500	3,000	2,499
Other Office Costs	6,838	7,400	6,600	9,366
	<b>56,728</b>	<b>63,100</b>	<b>67,500</b>	<b>62,210</b>
<b>PROFESSIONAL FEES</b>				
Solicitors	14,161	10,500	9,000	13,321
Surveyors & Architects	70,074	70,000	66,000	64,730
Sustainability	3,480	8,000	8,000	491
Tree Consultants	42,840	55,000	75,000	64,228
Auditor	1,310	2,000	1,400	1,346
	<b>131,865</b>	<b>145,500</b>	<b>159,400</b>	<b>144,116</b>
<b>OTHER COSTS &amp; FEES</b>				
Scheme Enforcement	29,594	30,000	16,000	18,579
Scheme Arbitrations	28,749	35,000	90,000	23,976
Certification Costs - Share	5,025	6,637	7,353	4,630
	<b>63,368</b>	<b>71,637</b>	<b>113,353</b>	<b>47,185</b>
<b>TOTAL BASIC EXPENDITURE</b>	<b>529,741</b>	<b>561,187</b>	<b>621,203</b>	<b>512,205</b>
<b>INCOME</b>				
Freehold Licences	(190,976)	(160,000)	(150,000)	(147,116)
Registration Fees	(3,145)	(3,000)	(2,500)	(3,600)
	<b>(194,121)</b>	<b>(163,000)</b>	<b>(152,500)</b>	<b>(150,716)</b>
<b>NET BASIC EXPENDITURE</b>	<b>335,620</b>	<b>398,187</b>	<b>468,703</b>	<b>361,489</b>

The Committee is **INVITED** to **NOTE** the report.

5. **Scheme of Management Information Table**

Date of Committee Meeting	No. of building Apps Received since Last Meeting	Decisions				No. of Breaches	Enforcements			No. of Arbitrations	Japanese Knotweed			Residents Associations	
		Approved/ Approved in Principle	Still Pending	Refused			Total on Current List	Removed from List since Last Meeting	Added to List Since Last Meeting		Total on List receiving ongoing treatment (as of 5 Nov 2019)	Removed from List since Last Meeting	Added to List since Last Meeting	No. of Meetings held with RA	New RA Registration Applications
9 Mar 2021	87	51	36	0	1	187	10	7	0	14	0	0	4	0	
8 Jun 2021	70	30	39	1	1	177	13	3	0	14	0	0	8	1	
9 Nov 2021	154	103	49	2	0	180	15	5	0	13	1	0	11	1	
8 March 2022	43	20	23	1	0	185	0	5	0	13	1	0	7	1	
7 June 2022	55	26	28	1	2	187	10	12	0	22	0	9	15	0	
8 Nov 2022	83	23	59	1	3	180	15	8	0	23	0	1	18	1	
21 March 2023	48	30	18	0	4	182	5	3	1	23	0	1	15	0	
27 June 2023	31	13	18	0	3	176	6	0	1	23	0	1	17	0	
21 Nov 2023	87	22	64	1	2	169	8	1	1	To be discussed under item 12			18	0	
19 March 2024	67	11	56	0	2	165	11	6	0	4	0	0			
9 July 2024	58	7	51	0	1					8 total sites 3 Receiving ongoing treatment3	0	4	6	0	

The Committee is **INVITED** to **COMMENT**.

6. **Items raised by the Advisory Committee representatives**

Attached as Appendix I are the queries raised by the Advisory Committee representatives. The Committee is **INVITED** to **NOTE** the responses.

7. **Any Other Business**

8. **Date of Next Meeting**

Tuesday 19 November 2024

## Issues to be raised at the Advisory Committee Meeting on 9<sup>th</sup> July 2024

The first section picks up on the issues relating to finance and management:

1. Please advise when a draft letter for next year's charges will be available for the Advisory Committee to review. Is the Scheme of Management planning to change the way it advises residents of increases to charges? (There has been dissatisfaction about the way last year's charges were notified). Ian McInnes has called for a detailed breakdown of the make-up of the last management charge.

*The aim is to distribute this for comment by the middle of August but this is dependent on the audit of the accounts for the Scheme of Management Charge being completed and the draft Managers' Certificate being provided.*

2. Are Trustees attending the Advisory Committee meetings? Only one attended last time – how does this affect any quorum required?

*Yes. We have had one meeting where only one Trustee was available to attend. The Terms of Reference state "The quorum for ordinary meetings shall be five Members, at least two of whom must be Estate Trustees". Quorum is only required where decisions need to be made. The role of this Committee is advisory. Should a decision need to be made and there are not at least two Estate Trustees present, then the meeting would be postponed.*

3. We are pleased to see that the revised Scheme of Management Guidelines (sustainability update) are now available on the Dulwich Estate website. Please clarify the procedure for dealing with any comments and for keeping the Guidelines updated in future. What is the Scheme of Management doing to ensure consistent application of the Guidelines and removal of historic derogations?

*Any comments to be made in writing to Gillian John who will review and decide whether there is an immediate need to update the applicable guideline. The Guidelines are reviewed annually in December. Each application is considered upon its own merit against the current guidelines.*

4. There is concern about the number of applications to the Scheme of Management where insufficient information is supplied to enable Managers and the Dulwich Society Planning and Architecture Subcommittee to make decisions or recommendations. What action is being taken to rectify this situation?

*Applications are only consulted upon if it is felt sufficient information has provided for third parties to understand the proposal. Some additional information is requested during the consultation period but this would be minor in nature. I have reviewed the comments received by the Planning and Architecture Subcommittee and out of the 104 applications reviewed between the beginning of January and the end of June 2024 only 17 had comments*



*of insufficient information. Most of these were regarding material specification and replacement window information. Please continue to make these comments as it is helpful and supportive.*

**Amenity Points:**

5. Please provide an update on significant enforcement matters. In particular, please advise how the two stage licence approval system is working and whether this is improving the enforcement process. There are concerns that some unauthorised changes to properties are unremarked and become 'cast in stone', reducing other residents' willingness to follow the Guidelines. There are particular concerns about front garden hardstandings and structures.

*To be discussed under Item 5. We have had cases of licences not being issued due to non-compliance with the permit. These have been swiftly resolved and therefore considered to improve the enforcement process.*

6. Is an update available on the thinking regarding the existence and accounting treatment of the sinking fund for enforcement cases?

It is proposed for the 2024-2025 budget that we create a sinking fund in relation to Arbitration costs to avoid large increases to the service charge in a single year.

*This will be agreed with the Auditors at the Scheme audit in August.*

*The potential issues with holding a fund are:*

- *how much should the fund be capped at so we only hold a "reasonable" amount per freeholder?*
- *what is the fairest way to allocate these costs between current freeholders and future freeholders?*
- *does this present an obligation to release part of the sinking fund to freeholders upon completion of sale or would this need to be disclosed to a conveyancer or agreement between seller and buyer?*
- *what would be the process if the fund needed to be released? Who would be needed to agree this?*

7. Thank you for Appendix II issued at the last meeting. Please confirm that the Dulwich Estate tree planting policy in the Village is to establish an avenue of limes. Reference is made to cedars and pines – is the intention that these remain part of the tree scheme in the medium/long term?

*When Keith Macgregor has settled into his new role, he will review the Scheme of Management's tree planting policy.*

8. Please provide an outline of the policy for the mowing of grassed amenity areas and treatment of unwanted weeds.

*The gardening contract states three grass cutting profiles; A – Lower profile, B- Reduced profile and C – Rough grass areas and each grassed area has a profile allocated to it. With regards to weeding, the contract refers to the application of residual herbicides to be applied as necessary and also hand weeding of non-cultivated growth throughout the year.*

9. Please provide an update of the progress of eradicating Japanese knotweed from the Estate.

*To be discussed under Item 5.*

10. Please confirm the programme for the Hunts Slip Road works.

*We are currently talking with contractors about this job and the start date with an anticipation of commencement early July and completion of at least the main works to the College Road end section by early September at the latest.*

11. Please provide an update on the progress of the proposed maintenance swap with Southwark on post and chain.

*Addressed under item 3.*

## **Minutes of the meeting of the Advisory Committee**

**The Advisory Committee is constituted pursuant to, and held in accordance with, clause 16 of the Scheme**

### **Hybrid meeting held both virtually via TEAMS and in person in the Board Room**

#### **on Tuesday 9 July 2024**

Present: Representatives of the Managers:  
Irene Bishop (Chair)  
Helen Gough  
Caroline Price

Representatives of The Dulwich Society and Residents Associations:  
Martyn Deane (PWCWRRRA)  
Lindsay Rosser (Dulwich Village, College Road and Woodyard Lane RA)  
Penny Stern (Dulwich Society)  
James Thompson (Dulwich Society)

In attendance: Staff of The Dulwich Estate: Adrian Brace (Director of Property), Simone Crofton (Chief Executive), Andy Irvine (Financial Accountant), Nina Rickman (Administrator)

#### **1. Apologies for absence**

None.

#### **2. Minutes of the meeting held on 19 March 2024**

The Minutes of the meeting held on 19 March 2024 were **APPROVED** by the Committee as an accurate record to be **SIGNED** by the Chairman.

#### **3. Matters arising**

Adrian Brace updated the Committee regarding the one outstanding matter on the action log, concerning the posts and chains. Lindsay Rosser is meeting with Margy Newens and would raise the issue of Southwark's maintenance of the posts and chains.

#### **4. The Scheme of Management – The Management Charge for the accounting period from 1 April 2023 to 31 March 2024**

##### **The Scheme of Management – Amenity Area and Certification Costs**

Nina Rickman confirmed the increase in refuse removal was due to a change in arrangement with Southwark Council, resulting in increased costs. However the arrangement has been renegotiated and it is expected that costs would reduce to be in line with previous years. In addition there are variances to "Roads and Paths" which are dependent on the work that needs to be done at the time.

##### **The Scheme of Management – Basic Expenditure**

The portal has resulted in some reduction in postage costs. There is approximately a 20% increase in licence fee income. In the current financial year there will be a change to staff costs which relate to the employment of a Tree and Landscape Manager rather than a consultant.

The cost of the arbitration has been finalised. The viability of creating a sinking fund for arbitration costs will be discussed with the auditors in August.

The explanatory letter to accompany the Scheme of Management demand will be circulated to the Advisory Committee for comments prior to being dispatched to all Freehold residents.

James Thompson requested earlier advice on the 2025 budget, i.e. in advance of the November meeting. It is intended to distribute this with the Agenda for the meeting which will be dispatched at least a week prior to the meeting.

The Committee **NOTED** the report.

5. **Scheme of Management information table**

Nina Rickman provided the current enforcement figures – 170 total, 5 removed and 10 added. It was noted that Japanese Knotweed had been damaged by gardening contractors at the Whytefield Estate.

The Committee **NOTED** the report.

6. **Matters raised by the Advisory Committee Representatives**

The responses to the matters raised were **NOTED**.

7. **Any Other Business**

A hardstanding template for Turney Road has been agreed with Turney Road Residents Association as is published both in the Scheme of Management Guidelines and Turney Road RA's website. If the Residents Association have received feedback that they are no longer happy with the template design, they should contact Nina Rickman to discuss this further.

8. **Date of Next Meeting**

Date of next meeting was confirmed as 19 November 2023 at 10.30am.

12.08.2024