



Nina Rickman

2 June 2020

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 June 2020 at 4:30 p.m., via Teams. Electronic invite to the meeting to follow.

Please find attached your Advisory Committee papers for the meeting on Tuesday 9 June 2020. So that we have a productive and informative meeting, can I ask that you raise any detailed questions direct with me and request any further information, or clarification of items, prior to the meeting. Finally, please can you confirm your attendance or apologies, if you are unable to make the meeting.

Nina Rickman
ADMINISTRATOR
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A G E N D A

**Page
No.**

- | | |
|---|----|
| 1. Apologies for absence: | |
| 2. Minutes of the meeting held on 10 March 2020 (previously circulated) | |
| 3. Matters arising | |
| 4. The Scheme of Management Charge 2019/2020 - Draft Annual Accounts | 2 |
| 5. The Scheme of Management Charge 2019/2020 & 2020/2021 | 4 |
| 6. Matters raised by The Dulwich Society | 8 |
| 7. Any other business | 11 |
| 8. Date of next meeting – 10 November 2020 | |

4. **The Scheme of Management Charge 2019/2020 - Draft Annual Accounts**

Attached as Schedules 1, 2 and 3 are the figures for 2019/2020. The Schedules show (in columns A - C):

- (A) Actual figures for the year ended 31 March 2020. These are draft, subject to audit, currently being undertaken by Kingston Smith LLP. However, as the audit work has been substantially completed, these figures are not expected to change; the accounts are subject to approval by the Board of Trustees of The Dulwich Estate on 4 July 2020;
- (B) Forecast for the year ended 31 March 2020, prepared in February 2020 (as reported to the Advisory Committee on 10 March 2020);
- (C) The actual results for the year ended 31 March 2019.

Management Charge: Total (Schedule 1)

The Management Charge for the year is £446,486, as compared to the forecast of £470,692, a reduction of £24,206 5.14%.

Basic Expenditure (Schedule 3)

Total Expenditure for the year was £383,151 as compared to the Forecast of £367,400 an increase of £15,751. Primarily due to increases in Solicitors - General Advice, Tree Consultant's Fees, Website costs, and Office Repairs. These have been partially offset by a decrease in Actual Staff Costs, Scheme Enforcement, and Architect fees.

Income from Freehold Licences and Registration Fees was above Forecast by £19,033, resulting in net Total Basic Expenditure of £290,926, being £4,174 below the forecast for the year.

Amenity Expenditure (Schedule 2)

Total Works Done were at a cost of £162,661 as compared to the Forecast of £182,500, a net reduction of £19,839 primarily due to:

Other Areas

Repairs - General was £10,185 below forecast, due to us being unable to proceed with redecoration of railings throughout the Estate, plus other repairs, in March as planned;

Repairs to Paths and Roads expenditure was £8,300 below forecast due to a delay in completion the final surfacing of Grove/Lovers Walk;

Garden Refuse Removal cost were below forecast due to suspension of gardening activities;

Gardening Contract due to fewer ancillary works;

The Management fee is below forecast by £2,466 in line with the reduction in expenditure, Tree Consultancy fees are down by £2,043.

Amenity Expenditure for the year was £193,464, being £24,636 – 11.3%, net, below Forecast.

Basis of Apportionment (Schedule 2)

£1,808, net, below forecast primarily due to a decrease in Surveyor's Fees.

The Management Charge 2018/2019 & 2019/2020 (Schedule 1)

The Management Charge for 2019/2020 of £446,486 is £24,961, 5.92%, above the actual Charge for 2018/2019. This increase is due [column (A) compared with column (C)] to:

Amenity Expenditure (Schedule 2) up by £2,796, 1.47% net, mainly due to increases in Repairs to Paths and Roads, Dulwich Woods Tree Works, and Other Areas Tree Works. These are partially offset by decreases in Repairs - General and Garden Refuse Removal.

Total Basic Expenditure (Schedule 3) was up by £26,097, being a 9.85% increase, primarily due to increases in Solicitors - General Advice, Tree Consultant's Fees, and Architect's Fees. These are partially offset by a decrease in Staff Costs.

The Committee is **INVITED** to **COMMENT** on the Accounts.

THE MANAGEMENT CHARGE

	(A) Actual Year Ended March 2020 £	(B) Forecast 2 (Feb '20) Year Ending March 2020 £	(C) Actual Year Ended March 2019 £	(D) Favourable/ (Adverse) Variance A to C £
AMENITY EXPENDITURE				
From Schedule 2	193,464	218,100	190,668	(2,796)
BASIC EXPENDITURE				
	290,926	295,100	264,829	(26,097)
TOTAL	484,390	513,200	455,497	(28,893)
BASIS OF APPORTIONMENT				
From Schedule 2	11,512	13,320	15,098	3,586
TOTAL EXPENDITURE	495,902	526,520	470,595	(25,307)
AMENITY EXPENDITURE	193,464	218,100	190,668	(2,796)
From above				
Add Basis of Apportionment costs - pro rata	4,598	5,661	6,320	1,722
	198,062	223,761	196,988	(1,074)
Percentage recoverable	75.05%	75.05%	75.09%	-0.04%
BORNE BY THE DULWICH ESTATE	(49,416)	(55,828)	(49,070)	346
AMENITY EXPENDITURE : TOTAL	148,646	167,933	147,918	(728)
BASIC EXPENDITURE	290,926	295,100	264,829	(26,097)
From above				
Add Basis of Apportionment costs - pro rata	6,914	7,659	8,778	1,864
BASIC EXPENDITURE : TOTAL	297,840	302,759	273,607	(24,233)
MANAGEMENT CHARGE : TOTAL	446,486	470,692	421,525	(24,961)

for the Accounting Period from 1 April 2019 to 31 March

2020 SUMMARY OF EXPENDITURE & INCOME**NOTES (Schedules 2 & 3) Bases of costs 2020-21 (2019-20):**

- 1 Bills received
- 2 Notional scale charge
- 3 Apportionment of premium
- 4 Time spent charged at hourly rate: Head of Department £100 (£98), Administrator cover £37 (£36) and other staff £35 (£34)
- 5 Administrator - actual costs of employment
- 6 Depreciation: computer 33.34% and other equipment 20%
- 7 Actual fees received
- 8 Provision - estimated

*The Scheme of Management***AMENITY AREAS & BASIS OF APPORTIONMENT**

		(A) Actual Year Ended March 2020	(B) Forecast (Feb '20) Year Ending March 2020	(C) Actual Year Ended March 2019	(D) Favourable/ (Adverse) Variance A to C
	Note	£	£	£	£
DULWICH WOODS					
Maintenance Contract	1	9,141	9,000	8,930	(211)
Tree Works	1	6,067	6,000	1,352	(4,715)
Repairs	1	5,255	5,500	5,131	(124)
Other	1	666	500	0	(666)
OTHER AREAS					
Gardening Contract	1	51,043	52,000	50,512	(531)
Tree Works	1	12,870	12,000	3,407	(9,463)
Repairs to Paths & Roads	1	41,700	50,000	27,742	(13,958)
Sweeping & Gully Cleaning	1	4,324	4,500	4,275	(49)
Garden Refuse Removal	1	12,285	15,000	21,004	8,719
Road Salting	1	3,567	2,500	1,673	(1,894)
Repairs - General	1	14,815	25,000	35,898	21,083
Other	1	928	500	701	(227)
TOTAL WORKS DONE		162,661	182,500	160,625	(2,036)
COST OF MANAGEMENT					
15% on total excluding VAT	2	20,334	22,800	20,079	(255)
Public Liability Insurance	3	3,332	3,600	3,552	220
Tree Consultant's Fees	1	6,457	8,500	5,722	(735)
Auditors' Fees	8	680	700	690	10
AMENITY EXPENDITURE		193,464	218,100	190,668	(2,796)
<u>BASIS OF APPORTIONMENT</u>					
Staff & Office Costs	8	3,920	3,920	3,753	(167)
Surveyor's Fees	8	6,340	8,000	10,075	3,735
Auditor's Fees	8	1,252	1,400	1,270	18
TOTAL		11,512	13,320	15,098	3,586

*The Scheme of Management***BASIC EXPENDITURE**

		(A) Actual Year Ended March 2020 £	(B) Forecast (Feb '20) Year Ending March 2020 £	(C) Actual Year Ended March 2019 £	(D) Favourable/ (Adverse) Variance A to C £
Administrator & Cover	5	128,709	135,850	127,616	(1,093)
Heads of Department	4	21,445	20,000	20,093	(1,352)
Other Staff	4 & 5	<u>25,843</u>	<u>25,000</u>	<u>44,908</u>	<u>19,065</u>
Actual Staff Costs		175,997	180,850	192,617	16,620
Premises Costs					
Notional Rent		22,903	23,000	25,000	2,097
Electricity & Gas	1	2,940	3,000	(727)	(3,667)
Rates	1	695	500	197	(498)
Cleaning	1	<u>4,533</u>	<u>4,500</u>	<u>4,581</u>	<u>48</u>
TOTAL		31,071	31,000	29,051	(2,020)
Office Costs					
Telephone & Fax	1	2,191	2,200	1,937	(254)
Photocopying	1	1,726	2,300	2,116	390
Postage	1	5,019	4,500	4,629	(390)
Printing and Stationery	1	3,007	2,800	2,537	(470)
Office Equipment Depreciation	1	7,020	8,000	7,126	106
Website	1	6,550	4,500	4,825	(1,725)
Repairs	1	4,330	3,000	3,321	(1,009)
Catering Supplies	1	350	300	482	132
Banking Costs	1	127	300	237	110
Sundry Expenses	1	<u>1,360</u>	<u>800</u>	<u>550</u>	<u>(810)</u>
TOTAL		31,680	28,700	27,760	(3,920)
Professional Fees					
Solicitors - General Advice	1	17,890	3,000	0	(17,890)
Solicitors - Debt Collection	1	0	500	0	0
Surveyors - General Advice	1	0	500	0	0
Architect's Fees	1	61,875	63,000	56,997	(4,878)
Tree Consultant's Fees	1	47,223	41,000	36,396	(10,827)
Auditors' Fees	8	<u>789</u>	<u>850</u>	<u>800</u>	<u>11</u>
TOTAL		127,777	108,850	94,193	(33,584)
Scheme Enforcement	8	<u>16,626</u>	<u>18,000</u>	<u>14,891</u>	<u>(1,735)</u>
TOTAL EXPENDITURE		383,151	367,400	358,512	(24,639)
Less INCOME					
Freehold Licences	7	(89,033)	(70,000)	(91,267)	(2,234)
Registration Fees	7	<u>(3,192)</u>	<u>(2,300)</u>	<u>(2,416)</u>	<u>776</u>
TOTAL		(92,225)	(72,300)	(93,683)	(1,458)
TOTAL BASIC EXPENDITURE		290,926	295,100	264,829	(26,097)

5. **The Scheme of Management Charge 2019/2020 & 2020/2021**

As reported under item 4, above, Gerald Eve LLP will be instructed again to make the determination for the years 2019/2020 and 2020/2021.

It is envisaged that, as usual, the next Charge will be billed in September 2020. As stated in item 5. above, the final accounts relating to the Scheme of Management Charge for 2019/2020 will be considered by the Board on 4 July 2020. In accordance with the Scheme, the draft Managers' Certificate will then be prepared, audited and circulated to members of the Advisory Committee for comment.

As an amount on account has already been collected for 2019/2020, the Charge will comprise a balancing charge in respect of 2019/2020 (the amount collected on account was based on budgeted Total Expenditure of £443,327 as compared with the actual of £446,486 and a Charge on account in respect of 2020/2021. It is proposed that the Charge on account for the current year be based, as in previous years, on the agreed Budget for 2020/2021 - Total Expenditure of £468,745.

The overall effect of the above on the billing to freeholders of the Scheme of Management Charge in September is as follows:

	2019	2020
	£	£
Billed on account based on Budget	(416,465)	£443,327
Actual Charge	421,525	£446,486
Charge	5,060	£3,159
Charge billed in September based on Budget	443,328	£468,745
Net Charge	448,388	£471,904

The increase in the Charge for 2020 as compared to that for 2019 of £23,516 (£471,904-£448,388) equates to £5.81 per freeholder (although it should be noted that the Charge is apportioned according to the Council Tax banding for a property):

Council Tax Valuation Band	On Account 2018/2019	Actual 2018/2019	On Account 2019/2020
	£	£	£
A	48.14	48.60	51.12
B	56.16	56.71	59.64
C	64.18	64.81	68.16
D	72.20	72.91	76.68
E	88.25	89.11	93.72
F	104.29	105.31	110.76
G	120.34	121.51	127.80
H	144.41	145.81	153.35

Based on the actual figures for 2019/2020, above, the Bandings shown for 2019/2020 'On Account' will increase 0.71% to arrive at the Actual Charge.

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

6. **Matters raised by The Dulwich Society**

The Dulwich Society has raised the following matters (italicised), which fall within the context of the Scheme of Management; these are followed by the Managers' responses:

Previous minutes:

- a) *The previous minutes did not include a note or an explanation as to why only one Estate Trustee was present when the Scheme of Management documentation calls for four. The DE website specifically says: "The committee consists of eight people – four Scheme 'Managers', who are also trustees of The Dulwich Estate, and four people from The Dulwich Society, representing residents' interests. It meets three times a year".*

Regrettably, the three other members of the Managers were not available on the day. The chairman made a mention of their apologies at the beginning of the meeting. There is no requirement for all four representatives of the Managers to be present. Item 1. of the minutes of the meeting records the fact that apologies of absence had been received.

In the context of your question, may we also point out the following: while you quote correctly from our website, the statement on that page is actually not correct and will be changed shortly. The consultative committee does indeed comprise eight members, including four representatives of the Managers. The other members, however, shall be representatives not only from The Dulwich Society but *generally from residents or amenity societies*. As has been the practice in the past, the Managers continue to be quite content that The Dulwich Society proposes who those representatives are and who they represent. However, we suggest we clarify the statement on our website.

Scheme of Management budgets and forecasts

- b) *Awaiting sight of the figures.*

Scheme of Management operations

- c) *Please confirm:*
- *The number of applications since the last meeting*
 - *The number of approvals and rejections.*
 - *The number of breaches and the progress on resolving them*
 - *The number of arbitrations*
 - *The number of meetings held with Resident Associations*
 - *How many properties are currently on the enforcement action list and how many have been removed since the last meeting?*

Please refer to the attached Information Table (Appendix I).

Matters arising

- d) **Covid-19:** *What impact has Covid19 had on the functioning of the Scheme of Management office? Has the number of applications fallen or increased? How are Consultant Architect and tree visits being handled?*

We have adapted our processes to allow for electronic submissions and issuance of licences. Virtual site inspections are taking place either by video call or by requesting clear photographs. In some cases, additional information is requested which can't be ascertained by video call or photographs such as ground levels. It is very much business as usual.

- e) *The Society appreciates the Scheme of Management office's efforts to maintain the monthly consultations by sending the drawings online but it would be better if they could be sent in advance, as reviewing by Zoom is time consuming – and it is difficult to seek answers to queries at the time. Having the drawings sooner would allow a list of queries to be circulated in advance.*

This request can be accommodated – if we provide the drawings on the Monday before the “visit”, would that be sufficient?

- f) *What effect has Covid-19 had on other Estate services? Some 60s estates are reporting that there has been no garden maintenance or other repair work being done – although an email today (26 May) says that garden maintenance work will start on 1 June. What about other work such as post and chain and road repairs where working with social distancing is a practical option?*

Gardening work on the Scheme of Management amenity areas has been progressing for many weeks and the areas are generally in good order. Work elsewhere has been limited to essential work only, but has now recommenced. It will take some time for these areas to be brought back to a normal level of maintenance. Redecoration work to the Scheme of Management railings will recommence 1 June.

- g) **Late working on sites:** *The Government has suggested that working on site until 9pm in the evening on weekdays and Saturdays should be allowed – subject to Council approval. We assume that in Dulwich that would be to the Estate's approval and we understand that there has been a recent application for extended hours on a property in the Village. Understandably, a large number of residents who live adjacent to the site are against it. What is the Estate's view on this as it is clearly going to impact on residents' amenity?*

The Administrator has requested legal advice on this subject. Allowing an extension to working hours is not a route the Administrator is keen to take at such a sensitive time when it is felt that a greater consideration to neighbours should be provided.

- h) **Changes to licence protocols:** *At previous meetings the Estate has said that it was considering a different method of licence operation – effectively giving permission to proceed with works but not issuing the actual licence until a final inspection has confirmed that the works are in line with the permission. What is the current position re staffing and when will the new protocol be introduced? Has a new Surveyor been appointed to carry these inspections?*

We have suspended the recruitment process due to the Covid-19 situation.

- i) **Enforcement:** *The Estate's approach to enforcement of breaches of the Scheme of Management guidelines is raised at all meetings. Pending introduction of the new licence protocols noted above, what is the Estate doing about picking up breaches elsewhere given the current difficulties over site visits – is it asking for photos, videos or what? What is the current position on the large number of breaches on the Whytefield Estate and how is the SoM office pursuing them?*

Unlicensed work is being reported to the Administrator with photographic evidence and then is investigated further. The unlicensed alterations to properties on the Whytefield Estate are all noted prominently on file; they are to be rectified at point of sale or as a condition of a future consent. Approximately 5 residents have come forward to ask how to rectify the change that has been made.

- j) **Skip licencing:** *At the last meeting the Estate confirmed that it had introduced a monthly fee for skips. The Estate's website says, under the heading of "Amenity skips and scaffold" that if the applicant's proposed works involve the use of a skip or scaffold that will be placed on Estate land, then they must obtain a licence and adhere to the terms (e.g. for how long the skip or scaffold can remain in place). The fee is then listed later as £70, but no time limit is included, and there is no mention of skips placed on private land. Please clarify the position.*

The website has been updated to take account of the changes of how the Estate deals with skip and scaffold licences. If a skip or scaffolding is on private land, then the Estate has no jurisdiction.

- k) **Japanese Knotweed:** *What is the current position on the knotweed outbreaks on the Estate? Have there been any reports of new outbreaks since the last meeting, have any existing outbreaks been eradicated, and how often do the Managers of the Scheme check the sites?*

The Scheme of Management gardening contractor has treated a number of sites, but access for treatment of other sites has been difficult during the Covid-19 lockdown. The situation is currently under review and we will report to the next meeting of the committee.

- l) **Meeting with DE Finance department to discuss reformatting the SoM accounts:** *How can this be taken forward and has a new permanent Finance Manager been appointed?*

Due to Covid we are not yet in a position to have the meeting but would hope to be able to have it sometime between August and October preferably as a physical meeting. A new permanent Finance Manager has not yet been appointed.

- m) **Advisory Group agenda and minutes:** *It was agreed at the last meeting that these would be on the Estate's website. When will this happen?*

An instruction has been given to the website designers to add this facility to our website and we hope this to be operational within the next week.

- n) **Unoccupied property in Ruskin Walk:** *Sue Badman wrote to the SoM Office last week about the longstanding empty property in Ruskin Walk and concerns by neighbours about security – side door and fencing - at the empty house. Burglars used the side gate and poor fencing to access a neighbouring property which caused distress to the residents. The police were called. Is there any news on this?*

An email has been sent to the owner, who usually does not respond but does instruct contractors. The Administrator will continue to press for action, which if not forthcoming, will result in enforcement action.

7. **Any other business**

8. **Date of next meeting** - 10 November 2020.

General Scheme of Management Information

Date of Committee Meeting	No. of Building Apps Received since last meeting	Decisions			No. of Breaches incl. date served	Enforcement			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 November 2019)	Removed from List Since Last Meeting	Added to List Since Last Meeting	No. of meetings held with RA.	New RA Registration Applications
12 November 2019	60	21	38	1	0	167	5	114	1	14	2	1	15	0
10 March 2020	52	17	37	2	0	183	20	4	0	14	0	0	14	0
09 June 2020	43	8	35	0	0	185	0	2	0	Please see response in agenda.			7	2

Minutes of the meeting of the Advisory Committee

held virtually by Teams

on Tuesday 09 June 2020

Present: Representatives of the Managers:
Andreas Köttering (Chairman)
Irene Bishop
Nicola Meredith
Russell Vaizey

Representatives of The Dulwich Society:
Ian McInnes
David Roberts
Jeremy Prescott
Irene Kimm

In attendance: Staff of The Dulwich Estate: Simone Crofton (Chief Executive); Adrian Brace (Director of Property); Andy Irvine (Financial Accountant); Simon Hoare (Principal Building Surveyor); Nina Rickman (Scheme of Management Administrator) and Dominic Joseph (Assistant Estate Surveyor)

1. Apologies for absence

None

2. Minutes of the meeting held on 10 March 2020

It was agreed to amend the minutes under item 1. to include “only one Trustee present”.

A copy of the updated minutes will be circulated by email in order to be approved by the Committee as an accurate record and will then be signed by the Chairman.

3. Matters arising

Andreas Köttering confirmed that the Advisory Committee Agendas and Minutes are now published on The Dulwich Estate website.

4. The Scheme of Management Charge 2019/2020 - Draft Annual Accounts

Andy Irvine introduced the report circulated with the agenda, which the Committee **NOTED**. Comments were made in relation to the following:

The increase in Tree Consultant’s fees were partially due to an increase in rate from January 2020 and an increase in time spent on Scheme of Management Amenity areas. It was noted that for the previous year the fees had been below budget.

Andreas Köttering assured the Committee that the Executive team are extremely mindful of fee increases and these are benchmarked against others offering a similar service and annual performance reviews are carried out.

The Estate will review all the work undertaken in 2019 by the Tree Consultant on the Scheme of Management Amenity areas to see if there has been any miscoding/apportionment error.

The email from Jeremy Prescott dated 8 June 2020 and the response provided by Nina Rickman were noted.

Andy Irvine provided a greater explanation on the Basis of Apportionment and it was noted that Committee members would have an opportunity to ask more detailed questions on this matter to Gerald Eve when they meet on 17 June.

5. The Scheme of Management Charge 2019/2020 & 2020/2021

Andy Irvine introduced the report circulated with the agenda. The Committee **NOTED** the report.

6. Matters raised by The Dulwich Society

The Committee **RECEIVED** and **NOTED** the report circulated with the agenda, with discussion in particular on the following:

- a) Addressed under item 2 above. Ian McInnes questioned whether it would be preferred to vary the Dulwich Society representatives. The Chairman agreed to give this question greater thought and address this at a future meeting.
- c) It was agreed to include at least two years' worth of data on the Information Table. Dominic Joseph confirmed that the RA meetings had taken place before Covid-19 restrictions were in place. RA meetings are now taking place once again, observing government guidance on social distancing. Crouchmans Close is the most recent resident's association to register with the Estate.

In response to a query raised by Irene Kimm regarding AGM's, Dominic Joseph confirmed that the ARLA guidance states September/October before they recommend residents' associations should hold their AGM's. This guidance is to be added to the Estate's website.

- e) Agreed.
- f) Simon Hoare confirmed that Scheme of Management amenity areas have been maintained throughout lockdown. Now the government has relaxed the restrictions, a greater workload will commence. Irene Kimm raised her concern that residents should not have to pay for any services they did not receive during lockdown and that information on how this will be managed by the Estate should be provided on the Estate website.
- k) Simon Hoare confirmed that contractors are mindful of checking for the spread of Japanese Knotweed and will check when they get back on site. Irene Kimm reiterated her request from the last meeting that she wishes to be included on the next visit to the Whytefield Estate to check for Japanese Knotweed.

7. Any other business

In response to a question raised by David Roberts, Simone Crofton confirmed that the Village Orchard was open during the week and watered by London Wildlife Trust volunteers.

There was a general positive feedback from the Committee that the Orchard was a very well used space. Unfortunately, this has led to an increase in refuse. Simon Hoare confirmed that he was aware and that this will be resolved.

The proposed closure of Calton Avenue was raised but not discussed in detail. Details on the proposals can be found using the link below:

<http://moderngov.southwark.gov.uk/mgIssueHistoryHome.aspx?IId=50023147&Opt=0>

Adrian Brace confirmed that he has written to all the Estates sports field occupiers on Gallery Road, Rosendale Road and the South Circular reminding them of their duties to cut back trees and hedges that overhang roads and paths to assist with social distancing.

Andreas Köttering, on behalf of the whole Committee, thanked Nicola Meredith for her contribution to the Advisory Committee as this would be her last meeting before stepping down as a Trustee after 10 years.

8. Date of next meeting

The date of the next meeting was confirmed as 10 November 2020.

12.06.2020