



Nina Rickman

15 November 2023

**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 21 November 2023 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 let me know if you will be attending in person, so that I can make the necessary arrangements.

Please find attached your Advisory Committee papers for the meeting on Tuesday 21 November 2023. 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 or offer your apologies if you are unable to make the meeting.

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3. **Matters arising**

Date of Meeting Item Raised	Details of Action	Update
7 June 2022	Development of the 5-year SOM maintenance plan to include costing information and provide AC representatives a chance to comment.	<p>21 March 2023 Simon Hoare confirmed that he would reissue the draft once the market has calmed down, within the next three months.</p> <p>27 June 2023 Simon Hoare announced his retirement but still hoped to be able to issue this for comment prior to him leaving.</p> <p>21 November 2023 This work has now been handed over to Nina Rickman who will have this prepared and issued for comment before the March 2024 meeting.</p>
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>

4. **Accounts: Actual results for the six months ended 30 September 2023 and Forecast for the year ending 31 March 2024**

**SUMMARY OF EXPENDITURE LESS INCOME & RECHARGES**

	Actual 6 Month ended Sept 2023	Forecast Year Ended March 2024	Budget Year Ending March 2024	Actual Year Ended March 2023
	£	£	£	£
<b>NET AMENITY EXPENDITURE - Schedule 2</b>	103,773	229,568	228,114	267,097
<b>NET BASIC EXPENDITURE - Schedule 3</b>	212,313	470,573	468,703	337,022
<b>TOTAL MANAGEMENT CHARGE</b>	<b>316,086</b>	<b>700,141</b>	<b>696,817</b>	<b>604,119</b>

**HEADLINES**

Expenditure has slightly increased over the original budget. The significant variations in the supporting schedules are as follows: -

***Amenity – Dulwich Woods***

Expenditure has been forecast higher than budget, primarily due to a provision for higher inflationary increases expected on purchases regarding Other Repairs & Maintenance.

***Amenity – Other Areas***

Overall there is no significant change in the forecast. There is a forecast overspend on Garden Refuse Removal of £18k as the current supplier does not wish to continue to provide the service, it is anticipated that bids for a replacement provider will be significantly higher. There is also a forecast overspend of £1.5k on Salting, Sweeping & Gully Cleaning due to a provision for higher inflationary increases expected on future purchases. These increases are offset by a decrease in Other Repairs and Maintenance as the current project plan is under review.

***Other Costs and Fees***

Costs show no significant variation to Budget.

***Basic Expenditure***

Overall there is a minor increase in the basic expenditure forecast over budget.

There is a <1% increase in Staff Costs c£2k due to higher inflation rates than anticipated when the budget was prepared, Surveyors and Architect fees are up by £9k due to higher than expected Architect’s time, Scheme Enforcement costs are now forecast £14k above the budget.

These increases are mostly offset by a reduction in Utilities & Cleaning of £5k due to a lowering of Utilities costs, Office Equipment Depreciation £3k, Tree Consultants £10k, and a £5k uplift in anticipated License fee income

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

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

	<b>Actual 6 Month ended Sept 2023</b>	<b>Forecast 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	5,045	12,000	12,000	12,679
Tree Works	6,184	12,000	12,000	16,970
Other Repairs & Maintenance	1,509	9,000	8,000	3,636
<b>OTHER AMENITY AREAS</b>				
Gardening Contract	37,153	80,000	80,000	56,740
Tree Works	23	30,000	30,000	69,323
Repairs to Paths & Roads	24,737	27,500	27,500	27,602
Salting, Sweeping & Gully Cleaning	3,858	9,500	8,000	4,853
Garden Refuse Removal	18,406	30,000	12,000	11,813
Other Repairs & Maintenance	12,141	31,000	51,000	54,607
<b>TOTAL WORKS DONE</b>	<b>109,055</b>	<b>241,000</b>	<b>240,500</b>	<b>258,223</b>
<b>MANAGEMENT CHARGE - 15% (exc. VAT)</b>	<b>13,631</b>	<b>30,125</b>	<b>30,100</b>	<b>32,277</b>
<b>OTHER COSTS &amp; FEES</b>				
Public Liability Insurance	0	6,000	6,000	5,275
Tree Consultants	8,090	20,000	20,000	52,907
Auditor	2,178	2,180	1,300	1,160
Certification Costs - Share	4,349	4,437	4,747	4,539
<b>TOTAL AMENITY EXPENDITURE</b>	<b>137,303</b>	<b>303,742</b>	<b>302,647</b>	<b>354,381</b>
<b>RECHARGED TO THE DULWICH ESTATE</b>	<b>(33,530)</b>	<b>(74,174)</b>	<b>(74,533)</b>	<b>(87,284)</b>
<b>NET AMENITY EXPENDITURE</b>	<b>103,773</b>	<b>229,568</b>	<b>228,114</b>	<b>267,097</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	3,157	3,160	2,100	2,134
<b>TOTAL SHARED BETWEEN AMENITY &amp; BASIC</b>	<b>11,074</b>	<b>11,310</b>	<b>12,100</b>	<b>9,169</b>

## The Scheme of Management

## BASIC EXPENDITURE

	Actual 6 Month ended Sept 2023 £	Forecast Year Ended March 2024 £	Budget Year Ending March 2024 £	Actual Year Ended March 2023 £
<b>STAFF COSTS</b>				
Administrator	123,879	247,000	241,450	223,241
Heads of Department	8,610	16,000	17,500	16,065
Other Staff	11,174	20,000	22,000	19,388
	<b>143,663</b>	<b>283,000</b>	<b>280,950</b>	<b>258,694</b>
<b>PREMISES &amp; OFFICE COSTS</b>				
Rent & Rates	11,434	22,900	22,900	23,528
Utilities & Cleaning	3,475	10,500	15,500	8,582
Telecommunications	2,271	4,500	5,000	4,769
Printing, Postage & Stationery	6,450	10,000	9,500	11,751
Office Equipment Depreciation	769	2,000	5,000	1,715
Website & IT Maintenance	1,249	2,500	3,000	2,499
Other Office Costs	3,732	6,800	6,600	9,366
	<b>29,381</b>	<b>59,200</b>	<b>67,500</b>	<b>62,210</b>
<b>PROFESSIONAL FEES</b>				
Solicitors	2,179	9,000	9,000	13,321
Surveyors & Architects	35,026	75,000	66,000	64,730
Tree Consultants	26,543	65,000	75,000	64,228
Auditor	1,990	2,000	1,400	1,346
	<b>65,739</b>	<b>151,000</b>	<b>151,400</b>	<b>143,625</b>
<b>OTHER COSTS &amp; FEES</b>				
Scheme Enforcement	21,503	30,000	16,000	18,579
Scheme Arbitrations	25,343	90,000	90,000	
Sustainability	720	8,000	8,000	
Certification Costs - Share	6,725	6,873	7,353	4,630
	<b>54,291</b>	<b>134,873</b>	<b>121,353</b>	<b>23,209</b>
<b>TOTAL BASIC EXPENDITURE</b>	<b>293,074</b>	<b>628,073</b>	<b>621,203</b>	<b>487,738</b>
<b>INCOME</b>				
Freehold Licences	(79,488)	(155,000)	(150,000)	(147,116)
Registration Fees	(1,273)	(2,500)	(2,500)	(3,600)
	<b>(80,761)</b>	<b>(157,500)</b>	<b>(152,500)</b>	<b>(150,716)</b>
<b>NET BASIC EXPENDITURE</b>	<b>212,313</b>	<b>470,573</b>	<b>468,703</b>	<b>337,022</b>

5. **The Scheme of Management Charge 2022/2023 & 2023/2024**

The demands for payment for the Scheme of Management Charge in respect of the years 2022/2023 (a balancing charge) and 2023/2024 (the on account estimate), were despatched in September 2023. Prior to despatch, copies of the Certificate and accompanying circular were sent to Trustees and to Advisory Committee representatives for comment.

To date, approximately 64.2% (2022/2023: 64.4%) of the total Charge has been received. Legal Charges are currently registered against 22 (2022/2023: 22) properties where the freeholders have failed to pay the Charge relating to previous periods.

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

6. **Charges for applications for works, registrations and miscellaneous services under the Scheme of Management:**

- a) At the Scheme of Management Committee meeting held on 7 November 2019 (Item 6a), the Committee agreed to increase charges every year in line with CPI. At the Scheme of Management Committee meeting held on 1 March 2022 (Item 6) the Committee agreed an additional increase that was designed to recover the costs of the Consultants fees, Applications Officer and new part time Surveyors salary together with a significant portion of the Administration teams costs. The attached Appendix I shows the charges for 2023 and the proposed increase, inline with CPI at 6.7% (rounded) for 2024.

The Committee’s **VIEWS** are **INVITED**.

- b) Charge for registration of ownership

This charge was last increased with effect from 1 January 2023 (up from £95 to £105.00). The Service Level Agreement with Thackray Williams LLP has been updated to increase the charge yearly in line with CPI. Please refer to table below which sets out the increased charge.

	<u>2024</u>	<u>2023</u>
Solicitors’ fee	£69.48	£65.12
VAT @ 20%	£13.90	£13.02
Estate’s administration charge	£28.23	£26.46
	<u>£111.61</u>	<u>£104.50</u>
	(rounded to	(rounded to
	<u>£112.00)</u>	<u>£105.00)</u>

The Committee’s **VIEWS** are **INVITED**.

7. **Programme of Repairs, Maintenance & Improvements – Programme for the years 2023/2024 & 2024/2025**

This report is in respect of expenditure recoverable from freeholders under the Scheme of Management through the annual Charge and refers to the Amenity Areas as defined in the Scheme (which includes the Woods).

a) Works for the year 2023/2024

Routine maintenance of woods and amenity areas, trees, paths and roads, fences and gates, lighting and street furniture, is proceeding as necessary. Other specific items are reported as follows:

- i) Work is continuing in Dulwich Woods in conjunction with the London Wildlife Trust;
- ii) Repointing of the York stone paving of the Old College Forecourts and repairs to the timber lawn edgings and reinstatement of the two finger posts;
- iii) Repairs have been carried out to Grange Lane Tip;
- iv) Various fencing and railing repairs have been completed or are programmed;
- v) Work has been completed for isolated repairs to the road surface in Grange Lane;
- vi) A programme of tree planting throughout the Estate will commence shortly.

At this stage, expenditure on amenity works for the financial year is forecast at £241,000, to be compared with the budget of £240,500.

b) Proposals for the year 2024/2025

These comprise of a continuation of routine maintenance of amenity areas - woods, trees, paths and roads, fences and gates, lighting and street furniture, including the following:

- i) Fence repairs throughout the Estate, including to the Grove Meadow and Old Grammar School Field boundaries;
- ii) Further repairs to Grange Lane;
- iii) Specialist cleaning of the tombstones in the Old Burial Ground;
- iv) Further work in Dulwich Woods, in conjunction with the London Wildlife Trust;
- v) Further road and footpath repairs in College Road;
- vi) Further repairs to the Old College forecourts and boundary walls;
- vii) Further tree and shrub planting throughout the Estate and re-wilding of various grassed/meadow areas.

The Committee **COMMENTS** are **INVITED**.

8. **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
10 Mar 2020	52	17	37	2	0	183	20	4	0	14	0	0	14	0	
9 Jun 2020	43	8	35	0	0	185	0	2	0	Please see response in agenda			7	2	
10 Nov 2020	70	42	28	0	0	190	5	10	0	14	0	0	10	0	
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	

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

9. **Estate Portal Update**

The Dulwich Estate switched to using an online portal named **Estate Portal** in October for resident and business property services. Business owners, leasehold and freehold residents can access a secure, easy to use internet service which provides property and Estate information and payment options in one place. As with all software and new IT introductions there were a few teething problems but we have over 2,500 residents and businesses signed up to use this new facility. Those that haven't signed up will still receive paper correspondence. Those that have advised that they find it difficult to use online systems will also receive paper correspondence and billing.

The Estate Portal is the Estate's commitment to improve communications and modernise services, reducing its carbon footprint.

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

10. **Terms of Reference**

The Terms of Reference is attached as Appendix II.

Revisions have been suggested to the Terms of Reference and these are shown in Appendix III.

The Committees **VIEW**s are **INVITED**

11. **Advisory Committee Membership 2024**

At the Advisory Committee meeting held on 8 November 2022 (item 10), the Committee agreed to the following proposal which now forms part of the Terms of Reference:

*"The Committee will comprise eight members ("the Members") appointed as follows:*

2.1 *Four Estate Trustees, as Managers of the Scheme, nominated by the Managers and one of whom will be the Chairman of the Estate Trustees.*

2.2 *Two of each of the following:*

a) *Representatives from an amenity society/amenity societies. Such amenity societies to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.*

b) *Representatives from a resident's association/residents associations. Such residents' associations to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.*

*The resident's association and amenity society representatives will each serve a four-year term. In the period 2023-2026 one resident's association representative and one amenity society representative will each only serve for two years (2023 and 2024).*

*The Chairman of the Estate Trustees may, with due cause, on one month's written notice replace any of the nominated bodies with a new representative.*

*The Chairman of the Committee shall be the Chairman of the Estate Trustees.”*

The following is to be **NOTED** regarding the Advisory Committee composition for 2024;

James Thompson to serve his last year as a Dulwich Society representative of the Advisory Committee.

Penny Stern will remain as a Dulwich Society representative until the year ending 2026.

Martyn Deane to serve his last year as a Residents Association representative of the Advisory Committee.

Lindsay Rosser will remain as a Residents Association representative until the year ending 2026.

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

Attached as Appendix IV are the queries raised by the Advisory Committee representatives, for general discussion at the meeting.

13. **Programme of meetings for 2024**

The Committee has adopted the practice of holding three meetings a year in March, June (June to be changed subject to the response to the item raised in 12 above) and November, on Tuesdays at 10.30am.

The arrangements are considered to have worked well to date, and it is proposed that these are retained for 2024, with suggested dates being:

19 March  
25 June  
19 November

The Committee's **VIEW**S are **INVITED**.

14. **Any other business**

15. **Date of next meeting**

Subject to the Committee's decision under item 13., above, the date of the next meeting is 19 March 2024.

**Scheme of Management scale of charges for applications requiring a licence  
with effect from 1 January 2024:**

	<b>2024</b>	<b>2023</b>
	<b>£</b>	<b>£</b>
Minimum application fee	134.00	126.00
Extension (minimum charge)	47m2	44m2
Loft conversion (minimum charge)	816.00	765.00
Replacement windows and doors	328.00	308.00
Change a door, a window, a gate or fence	134.00	126.00
Add dormer window	322.00	302.00
Add roof light	140.00	132.00
Add solar energy panels	134.00	126.00
New drive or hardstanding	293.00	275.00
Replacement of driveway material	134.00	126.00
Hard landscaping in rear garden	168.00	158.00
Garden building	47m2	44m2
Satellite dish	134.00	126.00
A new house or a swimming pool	47m2	44m2
Minor variations	134.00	126.00
To provide OS location plan	42.00	40.00
Reissuing/renewing lost licences	42.00	40.00
Retrospective Applications	Double scale fee	Double scale fee
Sale sign-off site inspection	232.00	218.00
Final consent inspection	117.00	110.00

**Advisory Committee (“the Committee”)****Terms of Reference****1. Purpose**

Clause 16 of the Scheme of Management states:

16. a) The rights and powers conferred on the Managers by the Scheme are conferred on the Managers for the purpose of enabling them to preserve the amenities of the Estate for the common benefit.
- b) (i) The Managers shall form a consultative committee (to be known as "The Advisory Committee") of not less than 8 persons of whom half shall be representatives of the Managers and half shall be representatives of and nominated by such residents or amenity societies as the Managers consider appropriate the number of representatives of each such society being determined by the Managers.
- (ii) The Managers shall convene meetings of The Advisory Committee not less than twice a year.
- (iii) Prompt notice of all applications made or notices served under clauses 3(a) 4 or 6(a) or (b) hereof shall be given by the Managers to every member of The Advisory Committee and the original applications or notices and any supporting documents shall be made available for their inspection. The Managers shall have regard to any representations made to them by the members of The Advisory Committee concerning such applications or notices or otherwise concerning the amenities of the Estate.

The purpose of the Committee is to:

Create a forum of exchange of views on the implementation of the Scheme of Management (“the Scheme”), for oversight of accounts, i.e. budget and expenditure to provide an opportunity to make representations concerning applications for consent under the Scheme and to make representations concerning the amenities of the Estate.

**2. Membership**

The Committee will comprise eight members (“the Members”) appointed as follows:

- 2.1 Four Estate Trustees, as Managers of the Scheme, nominated by the Managers and one of whom will be the Chairman of the Estate Trustees.
- 2.2 Two of each of the following:
- a) Representatives from an amenity society/amenity societies. Such amenity societies to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.
- b) Representatives from a residents association/residents associations. Such residents associations to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.

The residents association and amenity society representatives will each serve a four year term. In the period 2023-2026 one residents association representative and one amenity society representative will each only serve for two years (2023 and 2024).

The Chairman of the Estate Trustees may, with due cause, on one month's written notice replace any of the nominated bodies with a new representative.

The Chairman of the Committee shall be the Chairman of the Estate Trustees.

### **3. Meetings and Procedures**

3.1 There will be three ordinary meetings of the Committee in each calendar year and the formal agenda and supporting reports for each meeting of the Committee will be dispatched to all members of the Committee, normally not less than seven days before the meeting; supplementary reports will be prepared and circulated to all Members if appropriate.

3.2 At each meeting, the date of the following meeting will be confirmed.

3.3 It is open to any Member to invite the Chairman to call a further meeting or meetings.

3.4 It is open to any Member to invite the Chairman to place any item of business on the agenda. All such requests which are within the scope of the Scheme will be agreed to.

3.5 The agenda for all meetings of the Committee will include the following items:

a) Approval of the minutes of the previous meeting.

b) Matters arising (from the minutes of the previous meeting in the format of a rolling action log).

c) Matters Raised by Members of the Committee.

d) Any other business.

e) Date of next meeting.

4. The quorum for ordinary meetings shall be five Members, at least 2 of whom must be Estate Trustees.

### **5. Its activities**

The Committee's activities at ordinary meetings shall include:

5.1 Reviewing any proposals to amend or extend the scope of policy guidelines.

5.2 Commenting on any change in procedure for residents obtaining consents required under the Scheme.

5.3 Raising any issue with regards to the Scheme of Management Amenity Areas as noted in the Appendix to the Scheme.

- 5.4 Reviewing and making representations on the accounts:
- a) At its summer meeting, a report will be submitted to the Committee confirming the final figures for the net expenditure for the previous financial year.
  - b) At its autumn meeting, a report will be submitted to the Committee showing the net expenditure to the end of September and the first forecast of the financial out-turn for the full-year.
  - c) At its autumn meeting, the Committee may make representations to the Managers concerning the net expenditure for the remainder of the financial year and the preparation of the budget for the following financial year.
  - d) Ahead of the Spring meeting, the Committee will be shown a draft budget and be given the opportunity to comment.
  - e) At the spring meeting, a report will be submitted to the Committee showing the net expenditure to the end of December and the revised forecast of the financial out-turn for the full-year.
  - f) At the spring meeting, a report will be submitted to the Committee setting out the budget for the next financial year.
- 5.5 Approving the Surveyors nominated by the Managers to be appointed under the Scheme.
- 5.6 Commenting annually on the proposed fees for applications under the Scheme for alterations to the external appearance of property and for the registration of change in ownership.
- 5.7 Making representation concerning the amenities of the Estate.
- 5.8 Reviewing any proposals to amend or extend the scope of these Terms of Reference.

## **6. Minutes & Actions**

The decision of the Committee and any actions arising from the meeting are to be recorded in the minutes of each meeting and reported to all Members.

## **7. Arrangements in relation to matters not included above as coming within the scope of the ordinary meetings of the Committee, will be as follows:**

- 7.1 A list will be prepared weekly and circulated to all Members, of the following:
- a) Applications for consent under clauses 3(a), 6(a) and 6(b) of the Scheme
  - b) Notices served relating to breaches of the Scheme.
- 7.2
- a) As part of the procedure of consultation, letters are sent to the immediate neighbours of a property in respect of which an application has been submitted, informing them of the application (with a summary or description of its scope and extent) and inviting comments. A copy of the letter will be sent, at the same time, to the members who are invited to inspect the plans and make comment, if they so wish.
  - b) As part of the procedure of consultation, the Planning and Architecture Group of the

Dulwich Society is informed of applications that have been submitted, and their members are invited to comment on the applications; those comments, if any, will be reported to the Scheme of Management Committee if applicable.

- 7.3 Applications made with supporting plans and other documents (as defined in the Scheme) will be available for inspection, by contacting the Secretary in the Scheme of Management office. Copies of notices served under clauses 3(a), 4 or 6(a) or (b) with other documents (as defined in the Schemes) will be made available for inspection by Members of the Committee on request.
- 7.4 Where applicable, representations made by the Members will be reported to the Scheme of Management Committee. The Managers will have regard to all such representations, in reaching their decision.
- 7.5 A summary of decisions made by the Scheme of Management Committee will be circulated to the Members after each meeting.
- 7.6 The Managers will supply to the Committee a draft of the Managers' Certificate, which sets out the basis of the calculation of the annual Management Charge and the total amount charged to each property, and the Managers shall have regard to any representations made to them by any Members so long as such representations are made within 14 days of receipt of the draft certificate.

## **8. Confidentiality**

It is important that the Members of the Committee should feel able to discuss matters at its meetings, knowing that confidences will be respected by others present. Members are required to keep all information provided to them and the content of any discussions confidential at all times.



## Advisory Committee (“the Committee”)

### Terms of Reference

#### 1. Purpose

Clause 16 of the Scheme of Management states:

16. a) The rights and powers conferred on the Managers by the Scheme are conferred on the Managers for the purpose of enabling them to preserve the amenities of the Estate for the common benefit.
- b) (i) The Managers shall form a consultative committee (to be known as "The Advisory Committee") of not less than 8 persons of whom half shall be representatives of the Managers and half shall be representatives of and nominated by such residents or amenity societies as the Managers consider appropriate the number of representatives of each such society being determined by the Managers.
- (ii) The Managers shall convene meetings of The Advisory Committee not less than twice a year.
- (iii) Prompt notice of all applications made or notices served under clauses 3(a) 4 or 6(a) or (b) hereof shall be given by the Managers to every member of The Advisory Committee and the original applications or notices and any supporting documents shall be made available for their inspection. The Managers shall have regard to any representations made to them by the members of The Advisory Committee concerning such applications or notices or otherwise concerning the amenities of the Estate.

The purpose of the Committee is to:

Create a forum of exchange of views on ~~the implementation of the Scheme of Management (“the Scheme”), for the~~ oversight of accounts, i.e. budget and expenditure to provide an opportunity to make representations concerning applications for consent under the Scheme and to make representations concerning the amenities of the ~~Scheme of Management~~ Estate.

#### 2. Membership

The Committee will comprise eight members (“the Members”) appointed as follows:

- 2.1 Four Estate Trustees, as Managers of the Scheme, nominated by the Managers and one of whom will be the Chairman of the Estate Trustees.
- 2.2 Two of each of the following:
- a) Representatives from an amenity society/amenity societies. Such amenity societies to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.
- b) Representatives from a residents association/residents associations. Such residents associations to be nominated from time to time by the Managers. No person shall be nominated as a representative if they have been involved in a dispute in any way with the Dulwich Estate in the twelve months preceding their proposed nomination.

## APPENDIX III

The residents association and amenity society representatives will each serve a four year term. In the period 2023-2026 one residents association representative and one amenity society representative will each only serve for two years (2023 and 2024).

The Chairman of the Estate Trustees may, with due cause, on one month's written notice replace any of the nominated bodies with a new representative.

The Chairman of the Committee shall be the Chairman of the Estate Trustees.

### 3. Meetings and Procedures

- 3.1 There will be three ordinary meetings of the Committee in each calendar year and the formal agenda and supporting reports for each meeting of the Committee will be dispatched to all members of the Committee, normally not less than seven days before the meeting; supplementary reports will be prepared and circulated to all Members if appropriate.
- 3.2 At each meeting, the date of the following meeting will be confirmed.
- 3.3 It is open to any Member to invite the Chairman to call a further meeting or meetings.
- 3.4 It is open to any Member to invite the Chairman to place any item of business on the agenda. All such requests which are within the scope of the Scheme will be agreed to.
- 3.5 The agenda for all meetings of the Committee will include the following items:
  - a) Approval of the minutes of the previous meeting.
  - b) Matters arising (from the minutes of the previous meeting in the format of a rolling action log).
  - c) Matters Raised by Members of the Committee.
  - d) Any other business.
  - e) Date of next meeting.

4. The quorum for ordinary meetings shall be five Members, at least 2 of whom must be Estate Trustees.

### 5. Its activities

The Committee's activities at ordinary meetings shall include:

- 5.1 Reviewing any proposals to amend or extend the scope of policy guidelines.
- 5.2 Commenting on any change in procedure for residents obtaining consents required under the Scheme.
- 5.3 Raising any issue with regards to the Scheme of Management Amenity Areas as noted in the Appendix to the Scheme.

- 5.4 Reviewing and making representations on the accounts:
- a) At its summer meeting, a report will be submitted to the Committee confirming the final figures for the net expenditure for the previous financial year.
  - b) At its autumn meeting, a report will be submitted to the Committee showing the net expenditure to the end of September and the first forecast of the financial out-turn for the full-year.
  - c) At its autumn meeting, the Committee may make representations to the Managers concerning the net expenditure for the remainder of the financial year and the preparation of the budget for the following financial year.
  - d) Ahead of the Spring meeting, the Committee will be shown a draft budget and be given the opportunity to comment.
  - e) At the spring meeting, a report will be submitted to the Committee showing the net expenditure to the end of December and the revised forecast of the financial out-turn for the full-year.
  - f) At the spring meeting, a report will be submitted to the Committee setting out the budget for the next financial year.
- 5.5 Approving the Surveyors nominated by the Managers to be appointed under the Scheme.
- 5.6 Commenting annually on the proposed fees for applications under the Scheme for alterations to the external appearance of property and for the registration of change in ownership.
- 5.7 ~~Making representation concerning the amenities of the Estate.~~
- 5.8 Reviewing any proposals to amend or extend the scope of these Terms of Reference.

## 6. Minutes & Actions

The decision of the Committee and any actions arising from the meeting are to be recorded in the minutes of each meeting and reported to all Members.

## 7. Arrangements in relation to matters not included above as coming within the scope of the ordinary meetings of the Committee, will be as follows:

- 7.1 A list will be prepared weekly and circulated to all Members, of the following:
- a) Applications for consent under clauses 3(a), 6(a) and 6(b) of the Scheme
  - b) Notices served relating to breaches of the Scheme.
- 7.2 a) As part of the procedure of consultation, letters are sent to the immediate neighbours of a property in respect of which an application has been submitted, informing them of the application (with a summary or description of its scope and extent) and inviting comments. A copy of the letter will be sent, at the same time, to the members who are invited to inspect the plans and make comment, if they so wish.

**APPENDIX III**

- b) As part of the procedure of consultation, the Planning and Architecture Group of the Dulwich Society is informed of applications that have been submitted, and their members are invited to comment on the applications; those comments, if any, will be reported to the Scheme of Management Committee if applicable.

### APPENDIX III

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- 7.3 Applications made with supporting plans and other documents (as defined in the Scheme) will be available for inspection, by contacting the Secretary in the Scheme of Management office. Copies of notices served under clauses 3(a), 4 or 6(a) or (b) with other documents (as defined in the Schemes) will be made available for inspection by Members of the Committee on request.
- 7.4 Where applicable, representations made by the Members will be reported to the Scheme of Management Committee. The Managers will have regard to all such representations, in reaching their decision.
- 7.5 A summary of decisions made by the Scheme of Management Committee will be circulated to the Members after each meeting.
- 7.6 The Managers will supply to the Committee a draft of the Managers' Certificate, which sets out the basis of the calculation of the annual Management Charge and the total amount charged to each property, and the Managers shall have regard to any representations made to them by any Members so long as such representations are made within 14 days of receipt of the draft certificate.

### 8. Confidentiality

~~It is important that the Members of the Committee should feel able to discuss matters at its meetings, knowing that confidences will be respected by others present. Members are required to keep all information provided to them and the content of any discussions confidential at all times.~~

**Commented [NR1]:** This is the suggestion of the Advisory Committee Representatives, noted that not all are agreed on this request.

**Issues to be raised at the Advisory Committee Meeting on 21 November 2023**

Please note that in respect of the points with a red asterisk\*, Nos 15 and 16, we don't all agree with the proposed action.

The first 7 points are about issues, mainly Scheme of Management, that need to be made more public than they currently are. Lack of information is interpreted as secrecy on the part of the Dulwich Estate.

1. Update on the Portal introduction. Summary of feedback from residents. Sign-up rates so far. Next steps including communications.
2. Summary of residents' feedback following the September fee letters and any initial learnings for next year. See also point 16 below.
3. How do you plan to distribute generic information? If via the Portal it would encourage sign-up but may exclude people outside the Scheme of Management. More immediately presented information on the website might be advantageous.
4. General update on the planned review of the Scheme of Management guidelines for sustainability, timing and process?
5. Update on Dekker Road pilots.
6. If the maintenance swap is planned (update please), is there a need to differentiate Estate v Southwark posts?
7. Regarding the matter under arbitration, are there other matters that can be disclosed publicly to local residents that have not already been communicated to them?

Amenity points

8. Update on significant enforcement matters.
9. Does the Scheme of Management have MOL issues with the application regarding Grove House?
10. Specific update on Garden Structures guideline following DS (Jeremy Prescott) comments last year.
11. Unoccupied houses. It is good that the Ruskin Walk unoccupied house will now be refurbished and sold after many years in a dilapidated state. What actions are now planned for other houses on the Estate that have been left empty?
12. Japanese Knotweed - can you provide an update on the plans to eradicate knotweed across the Estate? What progress is being made? Residents have raised concerns about knotweed spreading.
13. CPZ - any further discussions with the council on parking either on the private roads or Estate roads with public access?
14. Tree survey- update please.

Administrative points

15. \*Members of the Advisory Committee be publicly advertised on the website, excluding personal contact details.
16. \*Item 8 of the Updated terms of Reference be withdrawn from the AC ToR as inappropriate. In the last update of the ToR fairly recently, it was suggested that they be revisited fairly regularly to be re-agreed in the light of practice.
17. Any surprises, especially financial, should come with an early warning for residents. AC and DE should learn from the experience of this year to agree a policy to make a deliberate communication agreed by all responsible.
18. Considering the number of issues that can arise over nearly half a year, the gap from June to November is too long. Could the first meeting be February and the third meeting be October? Or the June meeting be moved forward to July?

## Minutes of the meeting of the Advisory Committee

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

#### on Tuesday 21 November 2023

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

Present: Representatives of the Managers:  
Irene Bishop (Chair)  
Rosemarie Jones

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), Dominic Joseph (Estate Manager), Nina Rickman (Administrator)

#### **1. Apologies for Absence**

Apologies for absence received from Caroline Price.

#### **2. Minutes of the Meeting held on 27 June 2023**

The Minutes of the meeting held on 27 June 2023 were **APPROVED** by the Committee as an accurate record to be **SIGNED** by the Chairman.

#### **3. Matters Arising**

As agenda

#### **4. Accounts: Actual results for the six months ended 30 September 2023 and Forecast for the year ending 31 March 2024**

Andy Irvine introduced the report circulated with the Agenda. The Committee **NOTED** that the costs show no significant variation to the budget.

#### **5. Scheme of Management Charge 2022/2023 & 2023/2024**

Andy Irvine introduced the report circulated with the Agenda. The Committee were informed that the payment reminder letters had not yet been sent. There is currently no increase in the number of statutory charges. The Committee were reminded of the process regarding non-payment of the Scheme charge; payment reminders are sent, then 7 day notice of solicitors letter, solicitors letter issued and then statutory charge added to property. Through the introduction of a dedicated Scheme of Management section in The Dulwich Estate Newsletter, the residents will be kept informed of any variances from the budget leading up to the September charge being issued. The Scheme of Management office had received several letters/emails from residents, expressing their concern over the increase in the charge for 2023;



this compounds the need for greater information to be provided to residents in the lead up to the charge being issued.

The Committee **NOTED** the report.

#### Post Meeting Note

Updates on the Scheme of Management budget, may be provided via the Estate Portal rather than the Newsletter – a format will be agreed in the New Year and reported to the Committee at the March meeting.

#### **6. Charges for applications for works, registration and miscellaneous services under the Scheme of Management**

- a) Agreed
- b) Agreed

#### **7. Programme of Repairs, Maintenance & Improvements – Programme for the years 2023/2024 & 2024/2025**

The Committee **NOTED** the reports (both a) and b)) with comments in particular on

- Burial grounds works – photographic records would be sensible to document the detail on the tombstones/headstones.

Adrian Brace confirmed the Diocese has agreed to the relocation of the stocks plaque.

#### **8. Scheme of Management Information Table**

Nina Rickman provided the Japanese Knotweed figures across the Estate as of April 2023; 37 total reported sites. 8 of which have evidence of Knotweed being present. 4 of the 37 sites were on Scheme of Management amenity areas and 2 of which have evidence of Knotweed being present. A contract is being put in place to treat all sites, that complies with the relevant legislation. A newsletter or Estate Portal item would help residents to identify Knotweed and make them aware of their obligations. The Estate will ensure its gardening contractors know how to identify Knotweed and how to report this.

The Committee **NOTED** the report.

#### **9. Estate Portal Update**

Dominic Joseph introduced the report circulated with the agenda and confirmed over 2,700 people have signed up to the portal out of 5,000 properties in total. Residents and staff are using the portal. Leasehold residents are reporting issues in their building for Estate staff to move forward with. The residents can follow the process through the portal and see updates and provide comments. There is a process in place for residents that have opted out of using the Portal. The remainder of the work is personalisation of the Portal; tailoring it to Estate portfolio. Further information on the Portal will be included in the Scheme of Management payment reminder letters informing residents of all the benefits of the portal – i.e. that it is not just for payments. A representative commented that an apology for early errors would be appreciated by residents.

#### **10. Terms of Reference**

Nina Rickman tabled a further amendment to the Terms of Reference (TOR) as follows;

*“The purpose of the Committee is to:*

*Create a forum of exchange of views on the oversight of accounts, i.e. budget and expenditure to provide an opportunity to make representations concerning applications for consent under the Scheme and to make representations concerning the Scheme of Management amenity areas.”*

It was explained that its purpose was to focus the Committee onto the Scheme of Management, specifically the elements that directly affect the accounts. Representations concerning the amenities of the Estate can be brought to the attention of the Estate CEO and Director of Property via the monthly surgeries or via email to the appropriate member of staff. The Committee confirmed the importance of the meetings being kept confidential and therefore the confidentiality clause must remain. Any information disclosed in the Minutes of the meeting can be shared outside of the Committee as these are published on the Estate’s website.

Three of the representatives objected to the change because they believe the changes proposed to be inconsistent with the Scheme.

#### **11. Advisory Committee Membership 2024**

The Committee **NOTED** the report.

#### **12. Matters raised by the Advisory Committee Representatives**

A number of the queries raised by the Representatives had been addressed within the earlier agenda items. Where the queries were not addressed in earlier agenda items a response is listed below (numbering taken from Appendix IV).

4. *General update on the planned review of the Scheme of Management guidelines for sustainability, timing and process;*  
Review of the updated guidelines will be done by early December, after which point the updates will be provided to the Advisory Committee for their comment. These updates will include previously agreed edits provided by Jeremy Prescott.
5. *Update on Dekker Road pilots;*  
The Estate are still working through its proposals and a planning application will be submitted in 2024 for sustainability improvements for properties on both sides of the road.
6. *If the maintenance swap is planned (update please), is there a need to differentiate Estate v Southwark posts?*  
If there was a maintenance agreement between Estate and Southwark to deal with their posts then it would not be necessary to differentiate between the posts.
7. *Regarding the matter under arbitration, are there other matters that can be disclosed publicly to local residents that have not already been communicated to them?*  
No.
8. *Update on significant enforcement matters;*  
Outstanding Breach on Woodward Road – awaiting the outcome of the enforcement process with Southwark Council before moving forward.
9. *Does the Scheme of Management have MOL issues with the application regarding Grove House?*  
The application will be considered against the Scheme of Management guidelines as per the normal process. No MOL issues.

11. *Unoccupied houses. It is good that the Ruskin Walk unoccupied house will now be refurbished and sold after many years in a dilapidated state. What actions are now planned for other houses on the Estate that have been left empty?*

Nina Rickman confirmed that the occupancy of the house isn't the issue under the Scheme of Management, it is the appearance of the property. Regular meetings with Southwark Empty Homes department take place.

13. *CPZ - any further discussions with the council on parking either on the private roads or Estate roads with public access?*

None.

14. *Tree survey- update please?*

3,100 mapped trees to date. Next stage is to add polygons around the Estate managed areas. There will be QR codes added to trees in the village that residents and visitors can scan to learn about the tree. A representative commented that it would be helpful for a summary of the tree policy for Estate managed to be provided to the Committee.

15. *\*Members of the Advisory Committee be publicly advertised on the website, excluding personal contact details;*

The Committee agreed not to publicly advertise the membership on the Estate website. The Minutes show who attends the meetings and this was considered to be sufficient.

18. *Considering the number of issues that can arise over nearly half a year, the gap from June to November is too long. Could the first meeting be February and the third meeting be October? Or the June meeting be moved forward to July?*

It was agreed to try and move the June meeting to July.

### **13. Programme of meetings for 2024**

The Committee agreed to move the June meeting to July. Nina Rickman to provide an alternative date.

#### Post Meeting Note

Tuesday 9<sup>th</sup> July at 10.30 is proposed to replace the 25 June meeting.

### **14. Any Other Business**

None

### **15. Date of Next Meeting**

Date of next meeting was confirmed as 19 March 2024 at 10.30am.