

CHALFONT HEIGHTS ROADS COMMITTEE

MINUTES OF THE 21st ANNUAL GENERAL MEETING

held at the Chalfont St. Peter Cricket Club,
Chalfont Park Sports Ground, Friday, 27th
February, 1976 at 8.15 pm.

Present: The Chairman, the Committee
together with 40 residents

MINUTES

The minutes of the 20th Annual General Meeting were approved as circulated with the following amendment:

Page 6, paragraph 3b to read "Committee" and not as stated - "Roads Committee".

The Secretary apologised for misquoting Mr. Finch in this minute and the meeting wished Mr. Finch a speedy recovery from his recent illness.

CHAIRMAN'S REPORT

In expressing a warm welcome to residents, the Chairman reminded the meeting that this was the 21st Annual General Meeting of the Roads Committee. Residents were informed that the Estate was more or less complete in terms of building and that there remained very few plots to be developed. The roads had been made up with one exception, and the trees were beginning to show improvement now that they were being regularly maintained.

The Chairman thought it might be a fitting occasion to wish ourselves a happy 21st birthday.

According to custom, the Chairman introduced the members of the Committee to the meeting, and in doing so reported that it had been decided by the Committee that the term of office for the Chairman would be limited to five years. This would help to ensure a continuous flow of fresh ideas and views to the benefit of the Committee and the Heights in general.

The Committee consisted of seven members at the 1975 Annual General Meeting plus a new member appointed a few months ago to replace Mr. Davis. The Committee now stood as follows:

J.H. Luya (Chairman),	Air-Cdre. Stanley Marchbank,
Wellingham, Lincoln Road	Tarn Cottage, Lincoln Road.

Denis Bates (Secretary)	Mrs. J. Payne (Recorder),
Bochym, Lewis Lane	Knoll House, Lewis Lane.

David Brown (Treasurer)	Vic Sutton (Trustee & Secretary
Hilltop, Chiltern Hill.	to the Trustees),

Cedar Heights, Lincoln Road.

Hugh Jarvis	Eddy Wilson (Trustee),
Lyndale Cottage, Woodside	Squirrels, Winkers Close.
Hill.	

Leslie Bateman (Trustee) is an ex-officio member of the Committee

(Full names and addresses appear in Appendix I. attached to these

The Chairman informed the meeting that generally speaking, the Committee met once a month. Individual members were always available for consultation by residents on matters concerning the Heights, and problems requiring Committee consideration can always be submitted to the Secretary.

For the benefit of new residents, the Chairman outlined the terms of reference under which the Committee was formed to deal with the maintenance of the roads, trees and verges and to learn of building developments through a direct link with the Trustees. The Committee were not empowered, nor did they desire, to deal with problems falling into the broad category of a Residents Association.

The Chairman recalled that for the two previous Annual General Meetings it had been possible to stage a surprise item of interest, such as aerial photographs of the Heights and, last year, two excellent sound films dealing with environmental problems. It had been hoped to enlist the services of the County Forestry Officer or the Police Security Officer this year, both of whose subjects would have been relevant to the meeting, but this had proved impossible.

a) Roads The meeting was reminded of the long term contract in existence with the Roads Contractor, and, on balance, it was thought to be satisfactory. Although it had been planned to resurface Lewis Lane and Ellis Avenue this year, the contractor had decided that Woodside Hill needed treating in preference to Ellis Avenue. This came as a surprise to the Committee, but on taking the matter up with Messrs. Skinner and Sons it was pointed out that resurfacing all the roads at least three times during the ten year period had been undertaken and that the order of work could be safely left to the contractor's judgment at the time.

Maintaining the privacy of the Estate is causing increased concern, as each morning the roads, particularly Chiltern Hill, are being used as a fast short cut to the main road, much to the annoyance of residents. The only way to reduce this practice is to make use of the barriers, but to do this the Committee needs helpers to man the gates and chains.

In order to clarify the situation concerning the extent to which the Committee is responsible for the upkeep of roads, the Chairman outlined the position as follows:

Chiltern Hill, the level part of Sandy Rise, Lewis Lane, Winkers Lane, Half Acre, Winkers Close, Ellis Avenue, Lincoln Road and Woodside Hill are all covered. (The spur roads of Winkers Lane and Lincoln Road are not owned by the Estate). Of these roads, Sandy Rise, Winkers Close, Half Acre and Winkers Lane are not included in the main contract as they are not subjected to the same wear and tear as the main roads. However, these particular roads, together with the spurs, are looked at from time to time and, if necessary, will be the subject of special attention when the need arises.

b) Verges Residents were again asked to discourage visitors from parking vehicles on the verges. This causes much damage, particularly in the winter, and the Committee wished to remind residents that the verges constitute a footpath right of way in most cases, and the need to be able to use a footpath to avoid inconsiderate traffic is sometimes a necessity, quite apart from the fact that some people's preference is to use a footpath.

The situation was being aggravated by the deliberate blocking of verges in some cases, and in others by neglect, and residents were asked by the Chairman to see that the verges outside their property were unblocked in the interests of general safety - particularly for the sake of children.

Before leaving the subject of the roads, the Chairman pointed out to the meeting that over the past three years the Contractor had adhered to his contract price, without lowering his standards or cutting back on work. This year the proposed work will again be carried out at the price negotiated some four years ago.

c) Trees A calculated appraisal of the trees would reveal that they are either too small, too large, in the wrong place, or of the wrong type. However, the Estate employs a very experienced, if somewhat unusual, tree surgeon. He has tended the trees for some four years now and it is generally considered that he has done an excellent job of work.

As he is more concerned with the look and health of a tree, Mr. Bishop has devoted the majority of his time to repairing the damage caused by the previous firm of tree surgeons. The Chairman underlined the fact that in this day and age it is difficult to find skilled craftsmen with Mr. Bishop's dedication to the job, and because of his knowledge and care the recovery work was beginning to show results.

However, this year we were faced with two unexpected problems. In midsummer we knew we had problems with the elms - we lost twelve. Having promised to plant new trees, the Committee were faced with having to finance this and new work created by the exceptionally dry summer, instead of purchasing and planting young trees as planned.

It was decided to delay the planting programme until the autumn of 1976, thus allowing the spring to show up any further damage to be dealt with, and also to gain time to approach the Forestry County for help from their growing areas with the supply of saplings. The Chairman assured the meeting that the Committee will honour its promises to various residents in due course.

The Chairman then turned to general notices:

1. Speeding - a seemingly impossible problem. Speed hogs may care to know that by driving up Woodside Hill at 40 mph gains precisely 45 seconds. Braking to avoid an animal or a child and then accelerating away does more damage than the cost of the subscription.

Please don't do it - ask your guests not to do it - DON'T SPEED.

2. Leaves - burning leaves on the road surface melts the bitumen and weakens the surface. Holes form, with more inconvenience and expense. PLEASE BURN LEAVES IN YOUR OWN GARDEN. Better still, compost them!

3. Notice boards - Upway and Chiltern Hill have been vandalised regularly. Last year £65.00 was spent replacing two notice boards, one at Chiltern Hill and one at Woodside Hill. The Chiltern Hill board lasted one week before being uprooted.

4. The Trustees - For the benefit of new residents, the Chairman outlined the relationship between the Roads Committee and the Trustees, who are the legal representatives in respect of covenants applying to houses, and the owners of the roads, trees and verges bordering the roads on the Heights. The present Trusteeship was established in 1965 after the purchase of roads, verges, etc. by the Roads Committee. Documents can be made available for inspection with proper notice. Until recently, some doubt existed as to whether the power of the Trustees

was effective. The right of the Trustees has been upheld in two most important planning decisions recently.

Most of the covenants existing on houses on the Estate were included in the deeds, as the owners wished to make certain that the Heights continued to be a pleasant place to live. Most of the covenants are straightforward commonsense, but the particular covenant on building is the one which seems to give rise to most misunderstanding.

Building or alterations which affect the outside appearance of a property must be cleared by the Trustees. Council permission is not sufficient and will be easier to obtain if the Trustees permission is obtained before planning applications are submitted. This was clearly demonstrated by the successful case of "Green Hedges", where instead of an attractive house and garden as now, there would have been three very large and clumsy pseudo-Georgian structures on that one piece of land.

The Chairman concluded his address by thanking the Committee for all their hard work and the Cricket Club for the use of their Clubhouse for the occasion.

Lt. Col. Dickson proposed that the 1975 minutes be accepted with the amendment previously noted. Mrs. Wickham seconded the minutes and they were unanimously voted a true record.

TRUSTEES REPORT

Mr. Sutton underlined the explanation of responsibilities of the Trustees as explained by the Chairman, adding that this year had been a reasonably quiet one insofar as the number of developments being made were small, but an important year in establishing beyond question their authority to act in matters concerning the Estate. This had been questioned strongly, but Counsel's opinion had gone in our favour.

Ten applications, mainly for minor extensions, had been received; one from each of Chiltern Hill, Sandy Rise and Lincoln Road, three in Ellis Avenue and Lewis Lane, and a further unsuccessful application from Sandy Rise.

In general, residents had consulted the Trustees before seeking Council permission to build, this resulting in the saving of time and unnecessary delays. Weekly checks are made on applications to build, and these serve to pin point those relevant to the Heights which have not received prior approval. In such cases the applicant is required to submit a full set of working drawings before proceeding with the work. In the rare cases where work has started, building has been stopped until approval or alterations have been agreed.

On the question of the "Trustees authority to act", Mr. Sutton related the facts concerning H1 and H3 plots, proposed developments which the Action Committee was set up in order to oppose. Winkers Farm was allowed to go through as a 2½-acre development and earlier this year the Trustees received a request for an opinion on the building of 12 houses on this plot, although surprise was expressed to find that we had authority over this area. The plans had been drawn up by the County Council with the approval of the Department of the Environment, who became involved this time in view of the considerable agitation over the H1, H2 and H3 developments.

The Trustees replied to the effect that 12 houses were too many and suggested 8 only; they also outlined conditions relating to the type of access road, the type of dwellings, the colour of bricks and variations of tiling, etc., together with stipulations

protecting as far as possible the interests of Mr. and Mrs. Francis, whose home would be considerably affected by this development.

Our authority to impose such conditions was challenged by the Developer and he sought Counsel's opinion. This resulted in an undeniable establishment of our right to authority over all land which carries covenants stemming from the original deeds of the Estate, and in this particular case, our right to decide the suitability and disposition of dwellings on this parcel of land.

Naturally it was of great benefit to the Trustees to have this fact confirmed, although we have always considered it to be true. As a result an amicable meeting between the Trustees, our architect and the developers resulted in an agreement to permit 9 houses after layouts for 8, 9, 11 and 12 had been tabled. The principles of staggering with different styles of dwellings, brickwork and tiling were all agreed, including protection from overlooking on Hengistbury and the establishment of other safeguards.

The Trustees had achieved their object of establishing a standard of development which although not part of the Estate, does and will affect it, and we feel that we have made some contribution towards a lesser density building which is so desirable in Chalfont St. Peter.

The next development was in Sandy Rise where the plans of a proposed bungalow did not match the guidelines laid down by the Trustees. The design will have to be changed before permission to build is finally given.

Mr. Sutton then turned to the land above "Green Hedges", which at present has not been sold, although negotiations were going on. Earlier discussions in Committee favoured the idea of a chalet bungalow on this land, mainly because it would not overlook "Green Hedges". However, a short while ago we received a plan for a house which was submitted for approval. This is still in the process of consultation.

On the subject of the Estate generally, Mr. Sutton informed the meeting that the Secretary, Denis Bates, thought it would be a good idea to compile a history of the Heights, as there appeared to be some interest about the earlier days and the connection between houses, roads and so on. Denis wrote a preliminary version which Mr. Sutton discussed with John Laurie, who has lived on the Heights for many years and who has shown a continued interest in its development.

Mr. Laurie has now taken a very enthusiastic interest in this idea by researching the subject in depth, talking to Estate Agents, Amersham Council and various libraries. This has resulted in a very informative and interesting document which is now in the course of preparation and which we hope will be published during the course of the year.

Turning to other matters, Mr. Sutton reminded the meeting of the problem expressed by residents wishing to have their drives surfaced and not being able to find suitable contractors, other than casual offers by unknown workmen who lay an odd load of material very badly for a large sum.

The Committee discussed this problem with Mr. Skinner, our Estate contractor and he has indicated that he will be pleased to carry out any such work when he is in this area, at competitive rates. Will householders who require such work to be done, please write direct to Mr. Skinner, whose name, address and telephone number appear in the appendix to these minutes.

Finally, Mr. Sutton expressed his thanks to Mrs. Clifton for her processing of the development plans on behalf of the Trustees and for her helpful professional opinions. Thanks also went to Mrs. Jo Payne for her typing services in connection with the many letters and reports during the year.

The Chairman then thanked Mr. Sutton for the considerable amount of time given to this work. As Secretary to the Trustees, besides being a Trustee himself, Mr. Sutton's work in connection with the Heights demands a great deal of personal contact, telephone calls and correspondence, all of which takes up his valuable spare time, which to all of us is precious, but to Mr. Sutton, who travels the world in his job, is just that bit more of a sacrifice.

Thanks were due to Mr. Sutton not only for his work this year, but for the past ten years, during which, had it not been for his effort, some appalling building might have taken place on the Heights. The meeting warmly applauded Mr. Sutton and his colleagues.

TREASURERS REPORT

The Treasurer, David Brown, reminded the meeting that the accounts were available for inspection at the rear of the Hall and then briefly reviewed the various items. The main point was that instead of a projected deficit, the accounts showed a profit of some £400.00. The reason for this was explained in detail.

In referring to arrears of subscriptions, the Treasurer estimated that some £200.00 was still outstanding, part due to forgetfulness and part deliberately withheld in an attempt to influence the Committee one way or another.

In explaining his forward budget for 1976, Mr. Brown outlined the sums allowed for various items, including replanting of trees, contingencies and the addition of auditor's fees, adding up to a planned deficit of about £300.00, as for 1975. The aim was quite deliberately to keep capital at the bank down to the minimum working amount, in order not to attract revenue attention. The Treasurer then recommended that the subscription for 1976 be held at: Full rate £16.00 - Part Rate £12.00.

In answer to questions from Mr. Temple, the Treasurer thought that it would be a good idea to advise Estate Agents of the upkeep subscription and to request residents who propose selling their houses to advise their legal representatives accordingly, so that new purchasers are made aware of the arrangement.

Mr. Bateman then reminded the meeting that the majority of covenants referred to the payment of an annual subscription, but no doubt the figures were out of date. New owners should be made aware of the rate at the time of purchase.

The Chairman promised that the Committee would discuss ways and means of alerting new householders of subscriptions payable to cover the roads and trees maintenance, determined annually.

Mr. Luya then expressed the Committee's thanks to Mr. Brown, who took over the accounts and successfully reorganised them, and introduced a system of forward planning which is now becoming effective. The meeting was then asked to agree the proposal.

Mr. Malindine then proposed that the subscriptions remain at the same rate as the previous year. This was seconded by Mr. Temple and the meeting carried the proposition unanimously.

receive the subscriptions as soon as possible, and thanked the 29 residents who had already paid their 1976 subscriptions since the 1st January. The meeting was reminded that the roads contractor had to be paid by the 30th June. Before leaving the accounts, the Chairman made one or two points in connection with the insurance cover, suggesting that in view of the number of awards in the courts, it might be wise to review our cover and policy with Commercial Union. Here the Chairman reminded residents that those in Sandy Rise where the unmade portion existed, were not covered by insurance and any accident or injury sustained by any persons or vehicles using the unmetalled portion of the road would not be able to claim damages from the Estate or Trustees. They would address their claims to the residents bordering on the unmade portion.

The insurers refused to include this portion of Sandy Rise in their policy because the road was not up to the same standard as the remaining roads on the Heights.

The Chairman referred to the unsuccessful efforts made to urge the residents of Sandy Rise to make up their road, reported in the previous minutes. Plans for doing so did not require large capital outlay, but were to be spread over three or four years. Offers were refused and that particular portion will remain unmade until the residents have a change of heart or policy. It was noted that the remainder of the Heights were subsidising residents in Sandy Rise since access to their houses was by way of the Estate roads, both for themselves and for the general services.

In an answer to a question from Mr. Temple (Sandy Rise), the Chairman affirmed that one or two residents beyond Mr. Temple's house did pay their subscriptions, which created a very unfair situation. Asking if the Committee had any objection to an individual effort to persuade the remaining residents to pay, Mr. Temple was informed that such an effort would be warmly welcomed not only by the Committee, but by all residents on the Heights.

Mr. K.G. Smith informed the meeting that the volume of traffic to the Youth Club was considerable, and increasing, and asked the rate of subscription paid by the Club. This was £16.00, and for reasons put forward by the Treasurer, this has been accepted. Nevertheless, the Committee agreed with Mr. Smith that the volume of traffic misusing the roads at 10 pm most evenings was from the Youth Club rather than the residents.

RE-ELECTION OF THE COMMITTEE

The Committee were formally re-elected en bloc following a proposal by Mr. Howes and the motion seconded by Lt. Col. Dickson.

The Chairman thanked the meeting for their confidence in re-electing the Committee.

ACTION COMMITTEE

Mr. Malindine, invited by the Committee, reviewed the work of the Action Committee and reported that it was still carefully watching for any sign of area development. The Treasurer, Mr. Morrison, reported that at present the fund had a balance of £479.14.

After much discussion, Mr. Rose proposed that the Action Committee remain in being for a further year and retain control of its funds, the subject to be reviewed again at the next Annual General Meeting. The proposal was seconded by Mr. Fowler and

ANY OTHER BUSINESS

Mr. Aubrey stated that several residents had expressed a wish to install a seat half-way up Chiltern Hill in order that people might rest a while. There would be no cost to the residents as it would be privately donated. Permission agreed.

APPENDIX I

THE RESIDENTS' TRUSTEES AND THE ROADS COMMITTEE

It is thought that the following information may be useful, particularly to new residents.

The Residents' Trustees

On behalf of the residents, the Trustees hold the freehold of the estate roads, together with the rights conferred by the covenants applying to all land on Chalfont Heights Estate. These responsibilities were taken over from the Stroud Estates in 1965.

The Trustees are thus owners of all verges and other land bordering the estate roads and all the trees thereon. The Trustees are very anxious to preserve the amenities of the estate for the benefit of all residents and before any tree is cut back, lopped or removed the Trustees (through Mr. Sutton) must be consulted.

The Trustees are also responsible for ensuring that the covenants are complied with and any proposed developments or alterations to existing buildings must be approved. Will residents please submit proposals, in the first instance, to:-

Mrs. M.E. Clifton, "Little Dormers", Chiltern Hill.

The Trustees are:-

Mr. L.C. Bateman - Wolverton, Woodside Hill.

* Mr. V.J.R. Sutton - Cedar Heights, Lincoln Road.

Mr. E.A. Wilson - Squirrels, Winkers Close.

* Secretary to the Trustees

Architect to the Trustees - Mr. H.M. Key, Gerrards Cross

Development - Guide Lines

- (a) Boundary to boundary development will not be permitted.
- (b) The nominal width of plots would be 60ft. but this obviously must be related to the shape of the particular plot under review.
- (c) For variation of covenant, where applicable and where it does not contravene the interests of the residents, a payment of £500 (or less according to circumstances) must be paid by the developer to the Roads Committee Funds.
- (d) Where relevant the opinion of neighbours will be sought before development is permitted.
- (e) By Deed of Covenant in the Chalfont Heights Estate, any development must be sanctioned by the Trustees, in addition to permission from the local Council. In the long term, time and trouble would frequently be saved if development proposals (outline only) were presented to the Trustees for approval

and comment prior to formal submission to ~~Chesham~~
District Council.

- (f) Residents are advised that "applications to build" are published in the local Library and also in the "Bucks Examiner" under "Do these affect you?"

To date there have been no cases of breach of covenant necessitating legal proceedings - a satisfactory settlement has always been worked out. In the event of any breach of covenant an injunction can be sought by a neighbour or by the Trustees. Such a course of action is obviously undesirable, both because of the ill-feeling that results and the costs incurred.

It is most desirable that any resident should thoroughly study his Deeds and discuss any development proposals with the Trustees, and with neighbours where applicable.

The Roads Committee

The Roads Committee undertake the making-up and maintenance of the estate roads on behalf of the residents. The cost of this work is covered by the annual subscription, as is the work of tree maintenance.

The Committee holds a public liability insurance policy in respect of the roads. Cover is up to £50,000 for any one occurrence and up to £100,000 in any one year. (The policy is third party only and does not cover residents).

The Roads Committee consists of:-

Mr. D.A. Bates	(Secretary)	Bochym, Lewis Lane
Mr. D.R. Brown	(Treasurer)	Hilltop, Chiltern Hill
Mr. G.H. Jarvis		Lyndale Cottage, Woodside Hill
Mr. J.H. Luya	(Chairman)	Wellingham, Lincoln Road
Air-Cdre S.J. Marchbank		Tarn Cottage, Lincoln Road
Mrs. J.K. Payne		Knoll House, Lewis Lane
* Mr. V.J.R. Sutton		Cedar Heights, Lincoln Road
Mr. E.A. Wilson		Squirrels, Winkers Close
* Secretary to the Trustees		

The Committee is subject to re-election each year at the Annual General Meeting, of which due notice is given.