

## **Minutes of Chalfont Heights Roads Committee AGM**

**Tuesday 8 March 2022, via ZOOM**

At 7.30pm the CHRC Chairman, Peter Gourd, welcomed attendees from 28 households, in addition to members of the Committee, and explained the format of the meeting.

Apologies were recorded from absentees.

The minutes of the 2021 AGM were approved, via a vote. 26 (88%) voted in favour, 12% abstained.

Peter Gourd then presented the Chairman's report, closely following the written report in the pre-circulated annual report. He thanked Committee members for their service.

George Eykyn reported on CHRC communications. About 90% of all households in the estate subscribe to the emails sent out. The hosting of the CHRC website had been moved during the year to a UK-based company. WhatsApp was a channel of growing popularity with some 80 residents signed up to the main "General" group. George repeated the plea for residents to put new neighbours in touch with the Committee, so they can be sent a welcome pack and offered estate communications.

Keith Quilter, Treasurer, reported on finance and referred to the accounts included in the annual report. Keith was still chasing some 15 households over payment of their subscriptions.

Jim Greaves reported on development. He reminded residents that a development fee was charged for building works. It was in recognition that development does damage the roads, and as a contribution to repair and upkeep costs. Jim said some residents had submitted planning applications to the council without consulting the Committee. CHRC's view was taken into account by planning officers so it was always quite a good idea to have a conversation beforehand, and the Committee could offer advice. Jim reiterated that the estate was an "established area of special character"; the Committee was looking to safeguard the character of the estate for everybody. For that reason CHRC liked to be consulted if residents wanted to put up fences or gates. Natural borders are a feature of the estate and if steel railings were erected shrubs should be grown through them. Jim said he had studied the plans for the nearby Winkers development, and had attended and addressed the council planning committee hearing. On balance he said the proposal was a good scheme, involving 14 dwellings and a contribution to locally available affordable housing.

Mark Simmons then spoke about road maintenance, using slides. He outlined the schedule for road repairs, and the context which was wider utility work laying cables for broadband and upgrading the gas mains. He had also dealt with Thames Water to get them to complete the sewer repair on Upway. A sink hole had appeared on Upway Spur verge; Mark was in touch with contractors to make it safe.

Mike Bird then reported on trees and verges, referring residents to his written report. CHRC had ownership, he said, of approximately 450 trees on the verges and islands, and conducts a bi-annual survey with a tree surgeon, Paul Morris, looking for diseased, damaged or dying trees. Mike receives about 40-50 requests from residents each year. Mike thanked Paul Morris and the Haywarden, Mike Stevens, for the excellent service they provide. He thanked residents for the work they do maintaining the verges outside their properties. He reminded everyone that the verges in the estate belong to the Committee, not to each individual house. Excessive planting on the verges could not be allowed; Mike asked that the Committee be consulted if residents plan to conduct any further plantings or alterations to the verges, including installing kerbing, which some wanted. It would be good if we could have a discussion first. Mike said a small number of residents needed to be reminded that parking on the verges is very strongly discouraged, partly because heavy vehicles compact the soil, damaging the roots of trees over time. New saplings had been planted around the estate and a variety of British trees had been chosen, among them some fruit trees.

George Eykyn reported on the Neighbourhood Watch scheme. More than 200 people subscribed to the NHW email alerts. George showed video and talked in detail about the theft of a car in the estate at 0400 one morning: its keyfob had been previously cloned, making the theft itself an extremely swift event. He relayed police advice to keep keyfobs at home inside a "Faraday Pouch" to stop the signal being detected and copied. George said residents were sometimes unsure when to call 101 or to call 909. Amersham police had advised: if you see something suspicious, call it in on 101. If it's very suspicious, and you think a crime is happening, call 999. And also, if you see something that's suspicious, and it's a vehicle, it really helped to note the registration number rather than just saying "a white van" was acting suspiciously in the estate. Local NHW schemes in the village were all interconnected, he said, so information could where necessary be relayed very quickly to other co-ordinators to share with their members.

#### **Votes were then held on:**

- The financial accounts, which had been independently reviewed by our accountants. Vote was in favour with 28 out of 33 attendees in favour.
- The annual subscription for the coming year, which increased in 2014 from £160 to £300 to build up cash reserves. After further work planned for during the year the residual cash reserve would be just under £100,000. It was proposed by the Committee to reduce the subscription by £50, to £250, beginning in May 2022. This was passed with 96% of votes in favour. Residents were asked to set up a Standing Order to make subscription collection as simple as possible.
- A proposal to leave the development charges unchanged for the year. Passed with 90% in favour, 6% against.
- Re-election of the Directors of CHRC Ltd, and members of the Committee. Passed, with 93% of attendees in favour. Peter Gourd thanked residents for the confidence they had shown in the work CHRC was doing.

#### **Questions and answers**

A question was raised by John Williams about a letter circulated to some properties in the estate by a resident, Mr Watters. Peter Gourd explained that when the subscription rate was raised from £160 to £300, Mr Watters had decided that he would continue to pay the existing subscription rate, increasing each year by inflation. CHRC challenged this and brought the matter to the small claims court, for which the initial cost was £60. The litigation had been long and drawn out. Its continuation had been mandated at several AGMs by residents. Peter Gourd said the resident's letter had not been circulated to him, but having seen a copy he found it misleading. He illustrated his point by reading some extracts from the court judgements made. In August 2020 a judge had said it was a matter for the Committee to determine the necessary charge for the upkeep of the roads. The obligation to pay towards the road maintenance was adequately documented in the resident's deeds. The judge did not accept, on the evidence, that the increase was unreasonable. Counter-claims by the resident were also dismissed by the judge. Mr & Mrs Watters appealed against the judgement. Their appeal was rejected three times. Eventually a further appeal hearing took place. The appeal judge considered whether the judge in the first trial had concluded correctly as to whether the Watters had a prescriptive right to use the roads, and as an ancillary obligation had to pay the charges that CHRC raised. He considered that the original trial judge had not had the power to make that judgment. And so the decision of the first trial, that Mr Watters had to pay the charges that CHRC levy because of his prescriptive rights, was rescinded; the appeal judge stressing that he was not concerned with any other arguments as to whether the resident should be liable for payment. Peter Gourd said the Committee's recommendation was not to continue the litigation. Since the resident involved was a barrister, the Committee had had to employ a barrister to represent it; continuing to pursue the case would incur further significant costs.

The Chairman said he had tried to explain to residents why CHRC took the action it did, and why it was not in favour of pursuing a claim further, notwithstanding that some residents strongly felt the case should be pursued.

Alistair Graham asked about the Committee's view of steel gates. Jim Greaves said the Committee didn't take a view on such matters in isolation. The Committee had felt that a couple of the gates that have been installed on the estate were inappropriate. CHRC would not be asking for them to be taken down, but it did not want to encourage others to emulate them. Jim said if residents wanted to put up fences or gates, it was best to use timber, or if steel railings then plant a hedge to grow through them. This would preserve the special character of Chalfont Heights.

A question was raised about why the road surface on Woodside Hill was at such a high level with steep drop-offs to the gullies. Mark Simmons replied that when we resurfaced there the top existing surface was planed off. He thought contractors had probably planed off about 30 mm of tarmac and we put back 40 mm so the tarmac seemed to be about 10mm higher. Mark offered to take a close look at it.

Another resident asked about the Winkers planning application and possible demolition of the nightclub. Jim Greaves said the possibility of demolition was precisely why he attended the council planning committee. He said on the Planning portal the scheme was "minded to approve subject to legal agreement". At the committee Jim had made a specific request that a requirement for any demolition to take place before development was included as a condition on the approval. In summary, CHRC had done all it could in the matter.

A question was asked about blocked drains and when they would be cleared. Mark Simmons said gully cleaning was done on an annual basis. If it needed re-doing, that could be arranged.

An attendee asked about delivery drivers unfamiliar with the roads and in particular the danger of shooting across Chiltern Hill from Lincoln Road to Sandy Rise. Could a "STOP" sign be put there for safety? Mark Simmons said he hoped the mirror that had been erected had improved safety. On signage, the Committee would discuss this. He said white lining to mark speed bumps had also been suggested in the past. We could do this if we wanted to, but it then led on to a whole host of other issues of road safety, which, because these are private roads we don't comply with. So there was a risk of creeping regulation. Mark said if we went too far down the road people that would then expect there to be the full suite of lining and signage as you see on normal public highway. So it was a matter of judgement.

A resident raised the issue of drains on Chiltern Hill and a culvert that needed cleared as it caused flooding. Mark agreed the lower gullies were the ones that became blocked the fastest and needed to be cleared most often.

A resident questioned the quality of the resurfacing work on Woodside Hill. Its compactness higher up the road seemed not as good as on lower sections. Mark Simmons agreed to take a look.

A question was raised about CCTV cameras. Could they be expanded to other sites in the estate? George Eykyn addressed this, saying the existing cameras were regarded as very much a trial when they were installed. They were not just for Neighbourhood Watch; they were part of the CHRC's duty to protect the special character of the estate. So if people damaged the estate, we would have a record of who'd come through it. We are adhering to GDPR; we have a licence from the ICO; we don't store data. He said the intention had always been to look at siting further cameras on Woodside and Lower Chiltern Hill. Efforts on that had been paused because the issue of the spend on cameras was cited as part of the court action mentioned earlier. George suggested residents' express permission for spend would be needed. The cost would be a few thousand pounds each for

any further cameras. The Committee would look again at this, and revert to residents with a proposal of what we might do next.

A question was asked about Sandy Rise: when it gets resurfaced next year, can they also consider gullies, and the resident drew the comparison with Woodside Hill. Mark Simmons said we do maintain and empty the gullies at the bottom of Sandy Rise but they are not part of the estate. The bell mouth at the bottom is notionally Highways land, although they don't maintain it particularly. But we do look after the gullies. Mark gave the reasons why the gullies were made so pronounced on Woodside Hill, which was to do with the steepness of the hill and what happened when rainwater flowed down the hill. He did not think Sandy Rise was quite so steep, but offered to walk the road with the resident and discuss it. The resident welcomed that, pointing out rain seemed to gather at the speed bumps; he felt gullies might channel that and reduce the erosion beside the speed bumps.

A question was raised about the Queen's Platinum Jubilee, and whether there would be a street party. Peter Gourd invited any residents interested in volunteering to organise an event to contact the Committee.

There being no further questions, the 2022 AGM concluded at 8.50pm.