



## Annual General Meeting 2022

### PROPOSED AMENDMENTS TO THE RESIDENTS ASSOCIATION CONSTITUTION

Proposal – it is proposed to set a **maximum term of two years** for the role of HHGERA Chair to ensure the widest possible participation of residents in the management of our Estate. The Houses Management Board proposes that new **service road gate keys** should in future only be issued to houses whose owners have signed a Deed of Easement formalising their relationship with Hanger Hill Garden Estate Residents Ltd (HHGER Ltd), which owns these roads. We also want to amend the service road Rules of Use to allow owners and residents to be **charged to remove rubbish** dumped on HHGER Ltd land. We propose this should initially be set at a minimum of £100 in 2022.

Background - The Hanger Hill Garden Estate Residents Association (HHGERA) works on behalf of everyone who lives on the Estate. It also manages some of the communal gardens and service roads (those that are collectively owned by the houses part of the Estate via HHGER Ltd). Both functions are governed by a Constitution that was last updated at the 2019 Annual General Meeting. We are now proposing some minor changes aimed at improving the running of the Estate.

A separate company manages the Estate's blocks of flats. It is not affected by this proposal.

Two-year term for HHGERA Chair – This important voluntary role involves co-ordinating the overall activities of the Association from day to day, with help from the officers whose appointment is approved by the Annual General Meeting each year. The Chair (currently Kate Crossland) is also the public face of our Estate – liaising with Ealing Council, other local residents' groups and Police, and responding to residents' concerns generally.

We have been fortunate to have some formidable and long serving Chairs. However, this is a demanding role and the realities of modern life mean it has been hard to find people able and willing to sacrifice their time for an indefinite period. By setting a maximum term, we aim to widen the pool of candidates. Refreshing leadership of the Association more regularly will also ensure a constant flow of new energy and ideas to improve life for everyone who lives on our Estate.

Require a Deed of Easement before issuing new service road gate keys – Currently, all houses sold after March 2019 must have a Deed of Easement to use a gated service road and they cannot purchase a gate key without one. It is now proposed to make it a requirement for all houses, whenever they were last sold, to have a Deed of Easement to purchase a service road gate key.

A Deed of Easement formalises the relationship between the owner of a house and HHGER Ltd, the company which owns the gated service roads and communal gardens for which the HHGERA Houses Management Board is the managing agent. It formally grants: the right of access to garages and rear gardens via the gated service roads; the right to purchase keys to the service road gates; the right to purchase a service road skip licence allowing the placement of skips on the service road, and

the right to place wheelie bins in the service road on the day of collection. In return the owner agrees to pay the Annual Service Charge and contribute to the cost of repairs to the relevant service road.

The process of setting up a Deed of Easement used to be time consuming and expensive, requiring the services of solicitors, and was only viable at the time the house was being sold. It has now been brought in-house and can be completed in a few hours at no cost to either party. The annual service charge collection rate is 100% for houses with a Deed of Easement but is under 80% for houses without a Deed of Easement. Having a higher overall collection rate reduces the amount we need to charge each house. This proposal will accelerate the rate at which Deeds of Easement are taken out.

Charging for removal of rubbish dumped on Residents Association land – The installation of gates at the entrances to service roads owned by HHGER Ltd did much to reduce fly tipping and abandoned cars on Residents Association land. However, a small number of houses continue to leave old furniture and other rubbish for someone else to take away. That someone else is not Ealing Council, which will not remove bulky waste from private land. So it falls to the Residents Association.

Wherever possible, we engage directly with the residents, owners, agents and builders – and in many cases they can be persuaded to take the rubbish away. But every now and then, we have to hire a skip and have accumulated rubbish taken away. £350 has been allowed in the 2022 Budget to pay for one in the current year. This is unfair on other residents and takes up Association officers' time that could be spent on more productive things! We therefore propose to add a power in the service roads Rules of Use, to levy a charge on house owners (when we can identify them) for removing rubbish.

The cost of the charge will be set at the Houses Management Board AGM (ie this meeting) and we propose it should initially be set at a minimum £100 to cover the cost and nuisance caused, and be a realistic deterrent. A bulky waste collection booked with Ealing Council, by comparison, costs £40 for up to eight items, or £25 per fridge or freezer.

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New wording proposed – the changes proposed are shown below. A full text of the Constitution can be downloaded at [www.hhgera.com/constitution](http://www.hhgera.com/constitution).

#### CONSTITUTION – PARA 7 (Officers)

If the HHGERA Chair is a House Resident then the Vice Chair must be a Flat Resident, and vice versa. The position of HHGERA Chair can only be held for a maximum of two years in a row after which a break of at least one year must be taken before being eligible to stand again.

#### ANNEX C – HHGER LTD SERVICE ROADS RULES OF USE

**Rubbish** – It is not permitted to leave, tip or store refuse, garden waste or building material in the service roads (other than in wheelie bins on the day of collection). A fly tipping charge may be levied on house owners and residents to remove refuse left on the service roads. The cost of the fly tipping charge will be agreed at the AGM.

#### ANNEX D - DEEDS OF EASEMENT (for gated service roads owned by HHGER Ltd)

##### **Service road gates**

From the 25<sup>th</sup> March 2022 all houses will require a Deed of Easement to be eligible to apply for a key to the service road gates.

Annex D will also be aligned with updated information at [www.hhgera.com/selling-your-house](http://www.hhgera.com/selling-your-house) on the process for creating and registering a Deed of Easement.