

## BAF ANNUAL GENERAL MEETING 20th Feb 2023

### MINUTES

**Present;** 8 x BAF Committee members; 2 x BAF Committee candidates: Brigitte Ascher and Paul Castignetti; 23 x representatives of BAF member Societies

1. Apologies for absence. Anna Robins (Byng Road); Maureen Roddick (New Barnet)
2. Approval of the previously circulated draft Minutes of the 2022 AGM. There were no comments on the draft and it was approved as an accurate Minute by an overwhelming show of hands and no objections. No matters arising.
3. To receive the report of the Committee

#### **Chair's Report (GK)**

Survey of Member Societies. We were delighted that all 37 societies eventually responded. Our analysis reveals some concerns highlights of which are:

- About 20% of societies do not submit ARs. These must be emailed every year in the format set out in the Headlease and they must be signed by all Trustees or Company Secretary.
- Several sites have either no Trustees, a deficient number, or think they have replaced them but not registered changes with the Land Registry. We are pleased that Chetin Malyaki of McBride Wilson has helped every society who has approached us to change Trustees for very modest costs, and we strongly encourage societies to approach him.
- LBB Engagement. We are apolitical of course but pleased that Labour won power purely because Cllr Alan Schniedermaun was so proactive in supporting our proposed BAL reforms. He teed up the Oct 21 Environment Committee pitch. He now chairs the EC and came to my Xmas drinks in December and met several of you.

#### Pointalls Allotments Limited

On 11/1/23 PAL was wound up by the High Court at the behest of the two evicted ploholders. The Official Receiver has kept the site open, which is good, but one evictee (who clearly has no right to be on site) is pretending to be in charge, parading around and putting up notices.

We expect the situation to regularise soon once the OR hands back the Headlease to LBB. LBB say they have a shortlist of professional corporate allotment managers and are undertaking a beauty parade.

Finchley Central Allotment Society

In January a small team led by Bridget Ascher set up FCAS whose objectives are expressly:

- To campaign to prevent closure of any and every allotment site in Finchley and also:
- To encourage LBB to dedicate more land as allotments given the huge demand for allotments
- To create more allotment space in response to such demand per LBB's statutory duty
- To promote the art, science and practice of horticulture.
- To promote the interests of gardeners.
- To educate in the principles and practice of horticulture.
- The thinking being that it could be used as a rescue vehicle. So far we have 30 members and some £600 in the bank account. First committee meeting this week. Please will all of you consider joining; subs are £30 per year and may reduce next year. We set it at £30 so we could, if our offer on Pointalls was accepted, have bought 2 new locks and keys and kept the site open.

### Site Management in General

We encourage all of you to share with us any thorny issues you may have. LBB have been glacial in responding to site based requests and in July we presented our "priority list" of the ten most urgent issues – especially the shocking lack of follow up to Brook Farm's request for approval to have electricity connected to their splendid but now not so new communal hut/ log cabin. We grind forwards on all these points. Wise Lane, for example has been in special measures for too long.

### New Allotment Land

Delighted to report that at West Hendon and Wise Lane substantial new land is to be added to the existing allotment land. LBB's slowness is obviously delaying things.

### Threatened Site – Whetstone Stray - Allotment Law and Plotholder Behaviour

The Chair deferred to Matthew Dove to summarise the position regarding the purchase of the entrance land at Whetstone Stray by Christine Ozone. En bref LBB are very supportive and prepared to litigate. Nonetheless this is a very serious and time-consuming issue.

Nobody in the country knows how to terminate a plotholder's tenancy on 30 days' notice in accordance with the law. We suggest you just continue as before because except for West Hendon where dissent has become infectious. Most plotholders accept these notices. We have advised one site to resolve two difficult cases with 12 month notices. These work and we can give you accepted wording. But remember that they cannot be issued between 6 April and 29 September.

We submitted proposals to the Law Commissioners for the reform of all 5 prevailing statutes:

- 1908 Smallholdings and Allotments Act
- 1919 Land Settlement Facilities Act
- 1922 Allotments Act
- 1925 Allotments Act
- 1950 Allotments Act

These statutes conflict with each other in several key areas and urgently need reform.

New Tenancy Agreement: we await notes from Justin Bissel and will then employ barrister Richard Granby at Tanfield Chambers to redraft Constitutions and TAs.

## National Allotment Society

Clueless and posturing. Defamed Pointalls and we have written threatening legal action, but nobody wants any more litigation. I've been to a couple of their London Regional Meetings and Terry is a nice guy, but we don't recommend you use them at all and I personally consider the subscription a waste because they are simply charlatans.

## Competitions

Thanks to Isobel and all the judges and what an amazing achievement by Erica at BHAS.

## Media

Sky TV Crime series covered the tragic incident at Colindale and carried out filming which featured GK.

## BAF Appeals Process

The Chair invited Kirstie Burgin to report on her management of BAF's Appeals process. Evicted ploholders have the right to appeal red cards to BAF via their site managing society or corporate entity. KB explained that she does not accept any communications direct from ploholders, only those submitted by site management committees. There were 4 cases in the past year; 2 were processed by an independent reviewer and 2 were resolved by private advice to the relevant society/corporation. We have changed our procedures such that we now offer anonymity to the reviewer and KB welcomes offers from BAF members to act as appeal reviewers.

## Thanks

To the Committee for their efforts and thanks to Derek who stands down this year.

## BAF Constitution

Please vote on the 2 changes circulated on the agenda.

- Firstly a non- voting President to attend committee meetings
- Secondly increase committee to 9 members
- Also please vote for your new committee as we welcome Bridget Ascher and Paul Castignetti

## **Competitions And Horticultural Show Report (IE)**

Report circulated in advance with the agenda. Isobel Exell apologised for not including in her report the winner of the Ted Green Trophy which was Brook Farm North for their local community initiatives undertaken in their new communal hut.

Details of the plot and site winners were recorded in Isobel's circulated report. They are also available on the BAF website's Honours Board page. There are likely to be changes to the judging criteria and it was hoped more societies would participate in 2023.

The Horticultural Show was a success despite the extreme weather conditions last summer. There were fewer entries because of this. With better weather and more publicity it was hoped in future more societies would be encouraged to take part.

## **Communications Report (DMcM)**

Report circulated in advance with the agenda. Derek McMaster presented his report about communications including our website which went live in 2021. He explained the analysis of the data collected. There was a 29% increase in website users, but for 2022 there was a decline in the number of plot applications. This was due mainly to the multi-site option being removed. The 5 societies receiving the most applications were Colindale, West Hendon, Tudor Road, Clifford Road and East Finchley. Derek stressed the importance of societies making sure their society site overview details, on the BAF website, were correct and urged members to check these out regularly to update them. Currently 72% of emails from BAF are opened by societies. Members were asked to check their spam folders. The BAF database is comprehensive and needs to be kept up to date, so it was important to inform BAF of any changes.

#### **4. Approve The 2022 Annual Accounts (RH)**

Accounts circulated in advance with the agenda. Ruth Hendrick presented the accounts. There was a larger income figure as there had been no legal or website development costs last year. Ruth said it was wise to build up reserves though in case of future legal issues and to fund the barrister's costs (Richard Granby) of redrafting our new template society/ corporate constitutions, plotholder tenancy agreements and enforcement/ eviction process communications. The accounts were approved by an overwhelming show of hands – no objections.

#### **5. To Deal With Business Put Forward By The Committee**

- The Chair reported that Derek McMaster is standing down from the Committee and thanked him for all the time and effort he had given in his communications role, particularly in developing our website which is probably the best allotment website in the country
- Brigitte who was Communications board member at Pointalls is willing to stand to replace Derek
- Paul Castignetti who is an expert in site practicalities is also willing to stand to cover site specific practical advice
- The meeting voted on the previously circulated amendment to clause 6.2 of our constitution to allow our committee to be 7 elected plus 2 co-opted – total of 9 rather than 8 at present. Approved by an overwhelming show of hands – no objections
- The meeting voted on the previously circulated amendment and inclusion of clause 5.13 of our constitution to allow the election of a non-executive President. Approved by an overwhelming show of hands – no objections
- The meeting voted on the previously circulated proposal to increase annual subscriptions to £2.50 per plotholder from 2023. Approved by an overwhelming show of hands – no objections

#### **6. To Elect Committee Members For 2023**

The following were elected to the Committee by one vote on the slate of names by an overwhelming show of hands – no objections

- Brigitte Ascher
- Kirstie Burgin
- Paul Castignetti

- Julie Dean
  - Liz Hall
  - Ruth Hendrick
  - Gordon Kerr
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- Lola Abiola and Isobel Exell are willing to continue as co-opted members

#### **7. Any Other Business**

- No matters were put forward

Following the conclusion of the AGM, Kirstie Burgin led a discussion on the topic of Letting Plots. A paper will be circulated at a later date.