



PAINSHAWFIELD

BATT HOUSE & BIRCHES NOOK

ESTATE

Established since 1895 under a Deed of Mutual Covenants

To: All Covenantors

22nd May 2025

Dear Covenantor,

The next meeting of the AGM will be held on **Monday 30th June 2025** at the hall at the Baptist Church, Stocksfield. I hope you will be able to attend, we value your support.

This has been another busy year with two main issues. As well as conducting the usual business of the Committee, we have been working on the recovery of the costs awarded to the EC by the Lands Tribunal as a result of the application by the owners of 21 Cadehill Road to modify the covenant.

To reiterate, following receipt of the verdict, the EC submitted an application for costs, resulting in the applicants being ordered to make an interim payment of £50,000. This money was not paid as directed, by 30 September, 2023. Following a detailed assessment by the Registrar, in June 2024, the Registrar to the Lands Tribunal made a costs order in our favour of £70,943 with any delay in payment incurring further costs at 8%. Over the last several weeks, the owners of 21 Cadehill Road, have been making payments though a small amount is outstanding. Loan moneys have now been repaid, and we are working to reimburse unused money to contributors to the litigation fund over the course of the next few weeks.

Separately, a covenantor has generously chosen not to have her loan money returned to her, and has specified that her contribution should form the basis of a separate litigation fund to be used in any future legal proceedings.

The agenda for the meeting is attached. You will see that the main areas for you to consider are:

- i. The number of applications received and the outcome (see below)
- ii. Election of EC members
- iii. An invitation to all covenantors to stand for election to the EC
- iv. Main challenges for the EC

To ensure the AGM runs smoothly, we suggest that questions are sent in advance of the meeting. This allows us to group questions into themes and avoids duplication. Please submit questions to secretary@painshawfieldestate.org by no later than 6pm on Friday 20th June 2025.

We look forward to seeing you at the forthcoming AGM. If you are unable to attend, please can you complete and return the proxy voting form to the Secretary at the above email address or to our PO BOX; Estate Committee, PO BOX 120, Prudhoe, NE43 7YS. It is important we have the views of as many Covenantors as possible.

Yours sincerely,

Helen Rae

Chair of the Estate Committee

**Annual General Meeting 2025 to be held at 19:30hrs on Monday 30th June, in the Baptist Church
Hall, Stocksfield, NE43 7DU**

Agenda

1. Introduction
2. Apologies for absence
3. Minutes of previous meeting – available on the website
4. Matters arising
5. Chair's report – H Rae
6. Treasurer's report – A Hall
7. Membership of the EC
 - To vote on the election of Neil Chamber and Dave Pern
 - To vote on the re-election of Phil Moore, Chris Smedley and Maryanne Spoor
8. Main Challenges for the EC
9. AOB

Minutes of the Annual General Meeting of the Painshawfield Estate Committee held at Stocksfield Baptist Church at 19:30hrs on Monday 22nd April 2024

Introduction

Present		
Estate Committee Members	George Petrides (<i>Chair of Meeting</i>)	Sally Harwood
Stephen Gilroy	24 Apperley Road (<i>requested name not written on the minutes</i>)	Charlie Rae
Phil Moore	T Grieveson	Mr & Mrs Burnett
Maryanne Spoor	J Kirkup	V Rooney
Helen Rae	Abby French	G Port
Tobias Zimmermann	Josie Sandford	M Cummings
Estate Committee Positions	C Gilroy	Mr & Mrs Davidson
Andrew Hall (Treasurer)	Mr Hamer	Mr & Mrs De Vere
Gemma Maughan (Secretary)	Lucy Walker Haywood	Carola Young
	Stephen Haywood	Mr & Mrs Henderson
	Mr & Mrs McGhee	Jen Adams
	B Hawksford	Martin Hughes
		Tim Grove
		I Newton
		Mr Williams

George Petrides introduced himself to the Covenantors as the independent Chair of the meeting. Everyone was welcomed to the meeting.

Apologies for absence

Apologies were presented for:

Mike & Tina Bishop	Tim Gammons	Nick Algar
Richard Maughan	Mr & Mrs Sinclair	Colin & Clare Chance
David & Caroline Elliott	Jen Vickers	Colin Harwood
Sheila & Fred Fagg		

Minutes of the previous meeting

No amendments for the 2023 AGM minutes were out forward.

GP asked someone to agree the minutes for accuracy, Phil Moore agreed them.

Chair's report

Helen Rae

HR gave a brief summary of the report which was posted to all Covenantors ahead of the meeting. She noted that applications to the Committee in 2023 were slightly less than that in 2022. The committee continue to meet each month. HR reminded Covenantors that all Estate Committee members are volunteers and do everything they can to keep the application progress moving in good time.

HR expressed her thanks to both Nick Algar and Tim Gammons for their time on the Committee.

The main challenge of 2023 was the Land Tribunal (LT) case involving 21 Cadehill Road. HR explained the version of events that have unfolded since the last AGM; the LT awarded in favour of the Estate Committee and a cost claim was submitted by the EC to the LT, a £50,000 interim award was given in August 2023 with a deadline for payment of 30th September 2023. The money has still not been received and in October 2023 the LT were informed of this and a detailed cost assessment was submitted by the EC and the hearing for this held in January 2024 (the outcome of this is still pending, although the EC were initially told the outcome would be given 14 days after the hearing).

A member of the meeting asked if a reason had been given for the delay which it had not.

AH gave a vote of thanks to GM for her work on the cost submission which involved lengthy spreadsheets.

A member of the meeting asked if the owners of 21CHR are selling the house to pay the costs. The EC were aware that the occupants had insinuated this in a previous email, but the house is not currently up for sale.

Treasurers Report

Andrew Hall

AH summarised the figures in the report of accounts which were provided to Covenantors prior to the meeting and highlighted some key points.

In 2023 the committee operated at a slight loss, however it was an anomaly because Barclay's had erroneously closed the committee bank accounts meaning subscriptions for the last quarter of the year were not able to be received. AH advised that Barclay's had offered compensation for this and after negotiations, the sum of £300 was accepted.

Costs have been budgeted for 2024 to recover funds from 21CHR.

Vote to elect Jen Adams onto the committee

JA introduced herself to the members of the meeting.

GP asked members of the meeting if they required any further information from the JA prior to the vote.

The vote was carried out by a show of hands (one hand per each household present).

25 for and 0 against. Taking the proxy votes into account, the final vote was 36 for and 0 against.

Covenantors were invited to put themselves forward for election on to the committee. One Covenantor asked when the date of the EC meeting is and it was confirmed that it is usually the second Wednesday in each month in the evening. No one presented themselves at the meeting for election.

Information Booklet

Historically an information booklet was provided to all new owners on the estate. HR had redrafted the booklet and presented it to the meeting.

Tim Grove commented that when he purchased his house, his solicitor had asked the EC for more information about the Covenant and an information booklet had been provided. Tim noted that it was very useful. Brief discussions were held about what previous committees had done with reference to green card booklets being made. Comments were requested on the booklet and none were presented at the meeting. HR asked Covenantors to read through the booklet and to send any comments to the Secretary.

Main Challenges to the Estate Committee in 2024

HR spoke about the challenges the Estate Committee will face in 2024. The main challenge that the committee could foresee was recovering the costs from the Land Tribunal case.

Quoracy of the committee was also highlighted. With JA elected onto the committee this meant there were 10 members, the Covenant requires 9.

The website also requires considerable work to be done to bring it up to date.

Community Event

A community event held by Mike Bishop (for objectors to the LT case) last year was successful and HR asked the meeting attendees if they would like the EC to hold a community event for all Covenantors. The room were in favour and September was suggested as a good month.

AOB

Jen Adams asked what the gardening costs were in relation to in the accounts. It was explained that it is the Estate Committees responsibility to keep the hedges and grass maintained on the common land. Also, some dead trees had to be cut down in 2023. This included the Foxtail Pine tree. The trunk is still on the common and will be made into a bench.

Lucy Walker Haywood asked if there was a conversation group for the estate linked to the EC. HR explained about the group who look after the common land and that although it didn't come under the remit of the estate committee HR would put Lucy in touch with Denise who heads up the work on the common. Abby French added that St John's church is interested in expanded their gardens so it might be good to link up.

Mr Magee complimented the upkeep of the common.

Cynthia Davidson thanked everyone on the committee for their continued work.

Josie Sanford understood that the upkeep of the walkways possibly came under the remit of the Parish Council but asked if the EC could send a letter to the Parish Council about the impassable walkways on the estate. HR to contact Anne Dale.

Muriel Devere commented that the fees aren't very much but only a third of Covenantors contribute. It was suggested that a letter be sent out to those who haven't paid with a reminder of how important the fees are and what they are used for. It was noted that planning fees tend to be paid.

HR discussed the struggle with finding a suitable AGM date due to bank holidays, Easter and school holidays. HR proposed that the date of the AGM is to be held in June going forward. This was generally agreed but Tim Grove suggested that we should check the legal impact of the Covenant in terms of having a meeting every 12 months.

HR recorded a note of thanks to Mike Bishop for his help in the cost submission and referring us to one of his previous colleagues for advice.

The meeting was closed at 20:20.

Report from the Estate Committee

Planning update

During the last year the Committee has continued to deal with all planning applications we have received.

During the year ending 31 December, 2023, the decisions on decided applications were as follows:

Type of development	Pending	Approved	Refused
Resubmission		3	
New build		3	
New sheds/greenhouses/driveways	1		
Major modification		1	
Minor modification	3	6	

Workload

As usual we have continued to meet regularly to consider plans from applicants in a timely manner. Whilst the decision of the Lands Tribunal was dated 28 May, 2023, the workload resulting from the case, alongside the normal business, again resulted in a heavy workload especially for the Treasurer and the Secretary. When making a request for information, please be aware that we are all volunteers giving up our spare time to make a contribution to Estate business.

Common Land

Sadly, we had to have the much-loved foxtail pine tree cut down earlier this year. In the fullness of time, we intend to use the wood to make a bench to stand on the common land. Following several storms, we had the remaining trees surveyed with a view to ensuring they are robust and safe.

Committee members

There are currently 10 members of the EC. The Deed of Mutual Covenants requires that a minimum of nine people is needed to form a Committee. There are now over 300 properties on the estate. To work effectively, the EC needs more than 9 people, so we are again appealing to covenantors to put their names forward to join the Committee.

After a vote, our current Chair, Helen Rae, has agreed to serve another term.

Challenge to this Committee

- i. The major challenge to the Committee over the last 3 years has been the application to the Lands Tribunal brought by the owners of 21 Cadehill Road. The verdict was received in May, 2023, and we then proceeded to claim costs from the applicants. The Costs Order was received on 10 June, 2024, with 8% interest payable in the event of any delay.
- ii. We need 9 members to be quorate and we now have 10. Ideally, we would like to recruit a few more people

Finally, we would like to thank everyone for their support over the year, without this support we could not function effectively.

Members of the Estate Committee

Treasurers Report

Andrew Hall

Working Account

The Committee operated at break-even in 2024. Thank you to the 154 households who paid their subscription. This was a welcome return to above budget numbers.

With £9,390 in subscription payments, £1,800 in planning fees and £350 compensation from Barclays following their mistake last year, total income for the year was around £11,500.

Total expenditure came to around the same figure and was largely as anticipated. Legal expenditure for costs recovery from the owners of 21 Cade Hill (21CH) exceeded budget due to their continued failure to comply with costs orders.

Looking ahead to 2025, the Committee has budgeted for (and has already incurred) further legal fees in connection with the recovery of costs from 21CH. A website update to improve functionality remains budgeted, and it is hoped that time can be given to that this year.

Thanks to the efforts of one of the Committee's newest members, Jennifer Adams, there is now the option to make subscription payments through GoCardless.

Litigation Fund / 21CH Costs

For clarity and transparency, this year's accounts continue to show Litigation Fund information from both 2022 and 2023.

There was no income or expenditure from this account in 2024. The Committee did eventually receive a final costs award of £70,943 after last year's AGM, but no account activity was budgeted in 2025 due to the conduct of 21CH.

That said, the Committee's cost recovery efforts have borne fruit earlier than expected and a total of £73,161.85 has been recovered to date. A proportion of this was required to be paid towards unbilled work Muckle undertook in connection with the litigation. As all contributors should now be aware from Committee correspondence, we are now in the process of obtaining your instructions and arranging repayments (where appropriate) of the remainder.

The Committee is still owed an amount in lieu of additional accrued interest and continues to pursue this. Any further sums recovered from 21CH will be put towards the reimbursement of legal fees incurred in costs recovery to date.

I am also very pleased to announce that, due to the generosity of a number of contributors in choosing to leave their money with the Committee, they expect to be in a position to maintain an ample "fighting fund" to assist with any further legal matters that arise.