

Alternatively, the ramble may be extended by keeping straight ahead and soon passing seats bequeathed to those "who have known and loved the Heath." Pause here and contemplate the sweep of Heath towards the Suburb with St. Jude's Church prominent in the middle distance. It may help us to appreciate the sentiments engraved on the seats.

After crossing Wildwood Road one passes out of the Borough of Barnet into Camden. An area of broken sandy hillocks and silver birch trees follows before the Spaniards Road is reached. Here you can either turn right to the Whitestone Pond, Heath Street and Hampstead Underground Station, or continue across the Heath to Ken Wood, Highgate Ponds and Parliament Hill, returning by bus via Highgate Road to Kentish Town Underground Station.

House Maintenance

At this stage in the life of our houses, you will probably notice one or two things beginning to happen or possibly imminent without it being realised. Your cast iron gutters could be a source of danger because the top portion of the fascia board to which the gutter brackets are screwed are by now rather soft, possibly due to the rain splashing over the years and to the difficulty of painting this portion above the gutter level but under the tile overhang. Cast iron rusts very little but the screws will have rusted and the gutter brackets and a good load of snow and ice could bring the lot down. It is wise to fix some additional repair brackets, which have the screw holes lower so that the screws bite into better wood. If a lot of the gutter does fall, you would find it cheaper to take the lot down and instal a plastic gutter and down pipes. If you do it yourself, the cost would be about £7 - £9. It is important to be liberal with gutter brackets and not to leave an end unsupported. It may look rigid when fixed but snow and ice could make nonsense of it. It is better to support the top of the ladder on the wall, not on the gutter, if cast-iron; it may fall and crash on to you. 2½" or 3" pipes are adequate for 40 feet run of gutter. A half round gutter should measure 5" or even 6" across the top.

Outside steps, if rendered (covered with cement and sand mix), are beginning to crack and break up. Flettons are not recommended for replacements as they would last about 5 years before cracking the rendering. Blue or red engineering bricks resist frost, look better and they can be topped with a simple paving slab, rougher side up to give a non slip surface.

NEWS

AND

VIEWS OF

WOODSIDE

PARK

GARDEN SUBURB

**Woodside Park
Ratepayers' and Residents' Association**

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News and Views

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WOODSIDE PARK RATEPAYERS' AND RESIDENTS'
ASSOCIATION

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EDITORIAL

Our Committee is becoming concerned about the physical state of Woodside Park Garden Suburb and from time to time we have written to the Council on individual matters and to various commercial firms who in our view allowed the appearance of their premises to fall below par.

One of our Councillors was unsuccessful in following up his own suggestion that we should have a branch Library in a shop, although we informed him at once when the Achille Serre premises became vacant and later we concerned ourselves with the corrugated iron sheets which Charringtons erected. As a motor accessories shop, the appearance is much improved. Some residents complained that this would attract undesirable elements and motor bike noise would add tumult to the traffic hazard to this busy Sussex Ring crossing.

Mr. Albert Hare, your representative on the Road Safety Committee, has told us that there seems to be a case for traffic lights and that we may soon have them. The Council Committee has deferred any action, however.

Some of our roads have been resurfaced and during this work one of the footway trees outside Mr. Bragg's house, a thorn remarkable for its spring blossom, was knocked over and later removed. The surplus tarred chippings could, we feel, be swept up by a sweeper vehicle seen in use in other parts of the country. As things are, however, everyone has chips with everything, in the Hall, on the carpets, on the feet and in the tyres.

One other matter ought to be mentioned—the condition of some gardens, badly overgrown and some houses in need of redecoration. Perhaps the owners are infirm—we have in the past offered our help with gardens in such cases. If the garden and hedge is really beyond the owner's capacity, we will try and help if he or she will let us know.

We welcome you to our Annual General Meeting on Thursday, 14th October, at Frith Manor School at 8 p.m., when officers and committee will be elected. A small increase in subscriptions will be proposed so that this Journal can appear more regularly.

Trees

We had a tree actually fall over in Singleton Scarp, fortunately without casualties, although children were playing nearby on the green at the time. The Rev. Michael Plaskow, one of the members of your Committee, telephoned the Chairman and the Council and workmen came within half-an-hour with power saws. The Chairman took photographs, had a look at some of the other trees including those in Skaynes Link and wrote to the Council. Further trees were later removed including one of the topped and lopped trees in Skaynes Link. This demonstrates what we have maintained in the past, that when a tree is severely mutilated by topping and lopping, as this tree was in the days of the former Hendon Borough Council, it begins to die and clearly lasts about seven to eight years before it becomes a danger.

If there is no programme for the regular inspection of street trees, we believe there should be one, otherwise there is a tendency to drastic action if so much as a twig drops on someone's hat brim for fear of insurance claims. This situation arose in Holden Avenue some two years ago after a piece of dead twig had fallen on to a pram. The pram owner complained to the Council who, after a short notice left on parked cars, began to take the tops off the trees. The Chairman complained, the work was stopped pending a joint inspection with the Local Councillors, the Chairman sought the advice of an expert who deals with trees in the Royal Parks, the Council agreed to notify local residents in advance and finally the work continued.

The expert pointed out that the trees had been topped at some time in the past and that the point where the trunk had been shortened, called the crown, new growth had materialised into quite large branches which however had very little anchorage. Water tends to collect at the crown and rot sets in. High winds then tear at the foliage on these branches and sometimes quite large branches fall in this way.

There was no escaping the conclusion that the trees in question, limes, were not the type of tree to plant in a street in the first place. They grow too large. Lately there has developed a new term for trees—"forest" trees and "street" trees, differentiations akin to "town house" and "country house," "bijou" and "budget" residences. There are only trees and there are only some of these suitable for street planting. It is rather a question of scale. Trees and houses cannot be crowded together, but houses without some trees contribute simply to a concrete jungle. Lime avenues are fine, when there is plenty of room. For ordinary streets such as we have, however, limes, poplars, elms, oaks, horse chesnuts, beeches, maples and sycamores are unsuitable. Smaller growing trees such as cherries, thorns, birches, both silver and copper, laburnum, rowan are to be preferred.

Quite recently a whole street of poplars had to be removed in Brampton Grove, Hendon. Each tree was quite hollow inside for two to three feet below the pavement level—a frightening sight.

Roads

We do not yet have a white line along the centre of Lullington Garth but we have asked for something to be done on these lines. The traffic is increasing and its speed and a central white line, a solid line, would help to guide traffic coming up the hill from Sussex Ring towards Cissbury Ring junction and especially where the bus stops. Cars still tend to pass each other and the stopped bus at this slight bend in the alignment of Lullington Garth. For traffic emerging from Cissbury Ring South, the line of sight is often obstructed by this bend and by parked vans or cars on the left and in Cissbury Ring North.

There is a regrettable tendency to park business vans and sometimes quite large lorries outside residents' houses. Kerbside do-it-yourself car repairs can look very unsightly over a period of weeks and indeed alarming when you see a car gradually lose its wheels one by one finishing by balancing precariously on four piles of loose bricks. One good push and some child could be seriously hurt or even killed.

Unsightly also is the mixing of concrete on the road surface. It leaves a mess which takes the frost of years to remove and surplus cement becomes washed down the nearest road gully, where, of course, it sets and becomes eventually a cause of a blocked gully.

We would ask residents also who have trees growing in their front gardens to consider that when it rains, low branches dip lower still and become a hazard to blind people or even to sighted persons in the dark.

We believe that there may be in some boroughs an etiquette that the Borough Engineer does not make unannounced or unscheduled visits to parts of a Borough for fear of affronting his Assistants to whom work is properly delegated. We are sure that there is every possible liaison in our Borough and we shall continue to help where we can by drawing attention to matters for improvement which we, as on-the-spot observers, notice from time to time such as the unevenness of the Frith Lane carriageway and the surcharge of the surface water sewer at times of heavy rainfall, blocked road gulleys, especially near building works where mud and grit becomes washed into a gully down grade of the building site, reverse cambers at different bends, the positioning of road signs such as the No Through Road sign at the entrance to Singleton Scarp and the Stop sign at the Argyle Road/Nether Street crossover, and finally the strategic positioning of salt and grit bins when winter snows and ice are upon us.

Mr. George Pentecost

We were sorry to hear of the death of Mr. Pentecost, the Borough Engineer. He was a bachelor and gave a lot of his free time to the service of the Borough. He would give lectures on his work in the Borough to local Residents' Associations, he would advise parent

associations in building a swimming pool and would visit them during his spare time. He was a dedicated man and he will be missed. Mr. W. J. Eveleigh, from Cheltenham, has been appointed to succeed him.

Car Parking

The experiment in providing free car parking on Saturdays for thirteen weeks at Finchley Central Station was not a great success.

On most Saturdays during the period of experiment there were only about 40 cars parked. We would have liked to see a larger sign at the entrance and perhaps more publicity. It was, after all, a very good idea and a most generous one by the Council who had to pay London Transport for the hire of the car park, although perhaps rate-payers contributed in some degree. It deserved more success. If it were going to be renewed, we would suggest a larger banner stretched across the street near the car park as though advertising the Finchley Carnival or a Ball and then we might indeed have one.

There is tendency to park vans overnight in Lullington Garth in such a way that vision along Lullington Garth is obscured from the view of a motorist emerging from the side roads. A number of people have mentioned this and in the interests of safety we thought an appeal in our Journal might make someone realise the danger.

Children

Following some unpleasant incidents in Chanctonbury Way earlier this year, our Committee decided that we should put a warning in our Journal to Parents that children had been molested or offered sweets to ride in a parked car. No doubt Parents would warn their children never to accept anything from a stranger. If the child is a little distance from home and keeps his or her head and knocks at the nearest house and tells the resident what has happened, the Police could be telephoned at once. Alternatively take a note of the car number and let the Police know at once.

Council Election

Mr. Charles Macdonald of Barnet Ratepayers' and Residents' Association decided to stand for election so that he could become more fully acquainted with the Council's policies and although he polled a very good number of votes, he did not quite make it. Mr. Macdonald is the Press Secretary of the Federation of the Ratepayers and Residents' Associations of the London Borough of Barnet (FORAB).

Miss Florence Brinson

On 3rd February she was accidentally knocked down by a car in Lullington Garth while crossing the road at about 7.15 a.m. to buy a morning paper and died in hospital. She was elderly and inclined to be deaf. A very considerable shock for those within a few yards when

it happened, not least of all for the poor driver of the car which finished up on its side in one of the drive-ways.

Party Wall Procedure

You hear a tremendous amount of knocking and banging and find that your neighbour is removing the chimneybreasts on his side of the shared party wall. Cracks may appear and you are very rightly concerned if all this comes as a surprise because you have not been informed.

Whereas the loads were previously distributed over the plan area of the lower part of the wall, the removal of the chimneybreasts will mean that the loads will now be redistributed over a thickness of wall less than it was before. While there is less brickwork to support, the floor loads remain the same including those from the roof.

Individual bricks in a wall are usually stronger than they need be for two storey houses but the foundations may suffer because they are now loaded more on one side than the other creating additional and differential stresses upon the earth. In other words if you were to stand on one end of a plank in soft earth, your end would indent the earth more than the other end.

It has happened that a new resident has started to remove his chimneybreasts without knowing that his neighbour has already done this on his side. If the making good is properly done bonding in each new brick (there must surely be some?) where necessary to ensure undamaged bricks in the party wall thickness, it is likely that no great structural damage will have been done, plaster cracks apart.

It should be realised that unless the Building Owner has notified the Adjoining Owner (his neighbour) that he intends, after an interval of two months, to remove his chimneybreasts, he could be held liable at law and find himself in trouble.

Matters are, of course, made worse if the work is done surreptitiously over a weekend when the adjoining owner is away or on holiday and returns to find plaster cracks and damage all over his walls. He is rightly incensed.

If the adjoining owner is treated with consideration and courtesy, the matter can be dealt with smoothly and quickly, but suppose he objects? The London Building Acts (Amendment Act) 1939 sets out in detail the rights of building owners and adjoining owners and a method of procedure which briefly is as follows:—

1. The building owner has the right to increase the height of a party wall (including extending it downwards to form an underground store or garage for instance), a right to thicken it, to cut pockets or chases in it provided he first notifies the adjoining owner (and any tenant whose tenure of lease is greater than a period of one year) setting out precisely what his intentions are two months in advance.

If the shared wall is a garden brick wall it is called a party fence wall. A shared wall would be built centrally over the line of boundary between the two properties. If the brick wall has piers on one side, it is presumed, in default of information to the contrary, that the wall is part of the land on which the piers are built. In the same way, a timber boarded fence belongs to the land into which the fence posts are inserted and it is invariably accepted that the fence owner has the right, by arrangement with his neighbour, to enter upon his neighbour's land for the purpose of repairs but of course care should be taken to do fence repairs at a time when plants are dormant, such as in late winter and so minimise any likely damage.

Any intention by the building owner to do work to a party fence wall requires one month's notice in contrast to the two month's notice required for a party wall or party structure, as it is sometimes called. Similarly there are such things as party floors.

2. If, after two months, the adjoining owner has done nothing, the building owner may assume that he objects, in precise terms a "difference has arisen". The adjoining owner is entitled to appoint his own surveyor. The building owner may act as his own surveyor but unless he is well versed in the procedure he would be wise to appoint his own surveyor.

The two surveyors then nominate a third surveyor who will act as an arbitrator, within the terms of the Arbitration Act, 1950, should the two surveyors find themselves unable to agree.

The building owner pays his surveyor's fee and that of the adjoining owner, and should it be necessary to call upon his services, that of the third surveyor.

If all three surveyors cannot agree, the third surveyor may make his own Award but the two surveyors may appeal to the local authority and the courts.

3. If the adjoining owner profits by the new wall, he might be expected to pay some of the fees. The cost of the work is met by the Building Owner naturally, but should at a later date the adjoining owner make use of the wall, or his side of the new wall, he could be called upon to pay the building owner a proportion of the cost in relation to that part of the wall so used, at the cost rates of the wall when it was built.

4. The legal document which is drawn up in duplicate by the building owner's surveyor (after drafts have been exchanged between the two surveyors for amplification or amendment) is stamped and signed and dated by the two surveyors and is called the Award. It defines precisely the intention amplified by drawings, the method of payment and everything else that the two surveyors have agreed.

Stamping means registration and stamping at Somerset House and this has to be done within a certain time otherwise a fine is payable. The building owner's surveyor retains the original and the duplicate,

also stamped and called the counterpart is passed to the adjoining owner's surveyor.

Future intentions, other than those included in the Award, are left for future surveyors to negotiate.

5. If there is no difference of opinion and if the adjoining owner agrees to the building owner's proposal within the two month's notice period, then an Award is straightforward and much time is saved.

On large building works in the centre of London where time means money, there may be a temptation to the building owner to jump the gun if he is so ill-advised.

With private residents a personal approach followed up by the necessary documentation is advisable. For the purposes of the Act the "surveyor" means a qualified building surveyor, usually an Associate or a Fellow of the Royal Institution of Chartered Surveyors. There are, of course, several types of qualified surveyors within the R.I.C.S.—quantity surveyors, land surveyors, valuation surveyors and building surveyors. When a mortgage is sought, the insurance company or whatever concern is granting the mortgage sends a valuation surveyor. His job is not necessarily to act for the mortgagee in providing a structural report or a schedule of condition of the house which the mortgagee wants to purchase. The valuation surveyor merely acts for his company in assessing whether the property is worth the money should anything go wrong at a later date and the property reverts to his company.

Any option taken on a prospective property would therefore be taken on the clear understanding that it is subject to contract and survey. Any deposit paid should always be returnable if the deal falls through. It is incumbent on the prospective purchaser to satisfy himself that the property is in sound condition. There is no implied guarantee by the vendor in offering a house for sale that it is necessarily fit to live in and "caveat emptor" prevails. Let the buyer beware. It could happen therefore that if the purchaser does not ask a building surveyor for a structural report, he could find, after purchase that he has bought a pig in a poke, that the local authority serves on him a closing notice which would be withdrawn only if the purchaser carries out specified structural repairs or work to the drains. Great care therefore has to be exercised by his building surveyor who can be sued if he has missed some vital defect such as woodworm in the roof timbers.

A difficulty arises when the house which he is surveying is occupied, wall to wall carpets make it very difficult for him to take floor boards up to inspect the condition of the floor structure and he would then say in his report that "the condition of the floor could not be inspected".

If the owner is reluctant to grant facilities for having carpets taken up or furniture moved, the prospective purchaser would note this

attitude and take it into account when considering whether after all to complete the purchase.

The surveyor should arrange for a drain test, electrical circuit tests and so on and we might, perhaps, develop this aspect of house purchase in a later issue of the Journal.

Architects are called surveyors under the Act, but, as has been mentioned already, the building owner (reverting to party wall matters) can act as his own surveyor.

If there is a dispute about rights of light, the party wall Award must be made first and the rights of light dealt with later. The third surveyor cannot hold up an Award until rights of light have been agreed.

If, in Woodside Park, the adjoining owner objects absolutely to any work whatsoever being done to the party wall by the building owner, the building owner is best advised to consult his solicitor.

In any event a Schedule of Condition should be prepared, agreed, signed, dated and copies exchanged between both owners or their surveyors before any work starts. The schedule would describe the condition of the adjoining owners side of the wall and would include a note of any cracks in the plaster of the ceilings and walls, or any hollow or loose plaster patches. The Award would carry a clause by which the building owner undertakes to make good any damage seen to have been caused by his works. For instance, if a new crack were to appear extending right through expensive wallpaper or paint which had been there for a year or two, the adjoining owner would have been well advised to insist in the Award that the whole room should be repapered or repainted to a condition not less than existed before the damage.

This brings us to the right of support. There is a natural right of support between land and land in its natural state. It does not require the passing of twenty years or any other period for such a right to be acquired. Therefore, if you excavate on your land and so let your neighbours land subside, you would be liable to an action for damages at once.

A building, however, does require twenty years to pass before a right of support is acquired. If, therefore, you excavate and let your neighbour's house collapse, there would be no right of action for damages unless it could be shown that the land, without the house on it, would have subsided anyway.

Finally, if a wall has had uninterrupted use as a party wall for twenty years, then an easement has been established but limited only to the length and height of the wall so used. Similarly, twenty years uninterrupted enjoyment of a way over the land of another owner gives a *prima facie* right of way over that land. F.K.

A Footpath Walk to Hampstead Heath by "Rambler"

In an age when the ever increasing demand for building land threatens to engulf our open spaces, we are fortunate that the area to the west of Woodside Park is shown on the map as a significant blank.

This area, criss-crossed by footpaths, offers a variety of pleasant walks in the immediate vicinity of our homes. It may not be so generally known that one can follow a footpath south via the Dollis Brook and Mutton Brook, Little Wood and Big Wood to reach Hampstead Heath with a negligible amount of road walking. The distance is about five miles.

Enter the Brookside Walk at the foot of Lullington Garth and, with the Dollis Brook on the left, cross Fursby Avenue, through allotments to enter the wood beyond. Keep close to the Brook with the Finchley Golf Course on the right.

Cross Lovers' Walk and follow the paved path until it enters a fine avenue of trees marking the old entrance to the Golf Course. Turn right down this avenue, cross the bridge on the right of which is a pleasant pond and a small island.

Follow the Brook path to Dollis Road and turn right under the Viaduct. Go over the footbridge at the end of Thornfield Avenue and turn right immediately. Ignoring all crossing paths, you will soon pass a children's playground bequeathed by Mary E. Legge, M.B.E., in memory of her son, F/O Kenneth C. S. Legge, one of the "few".

Cross Waverley Grove and Hendon Lane, pass under the Great North Way and later, just before the path enters Bridge Lane, turn left with Mutton Brook on the right.

Pass under the North Circular Road, cross Finchley Road to the path opposite, over the bridge and continue with the Brook on the left. Where the path enters Addison Way turn left and opposite its junction with Falloden Way right across the footpath through Little Wood passing the open air theatre on the right.

Leave Little Wood and continue straight along Denman Drive North and Denman Drive South directly to Big Wood. At the first crossing path, turn right and leave the Wood. Turn left at Erskine Hill and proceed along North Square, Central Square and South Square, passing the Free Church, Institute building and the Church of St. Jude, all designed by Sir Edwin Lutyens. This is the highest ground on the Hampstead Garden Suburb founded in 1907 by Dame Henrietta Barnett. Edwin Lutyens, Barry Parker and Dr. Raymond Unwin were responsible for much of the layout and the house designs.

Continue along Heathgate, over Meadway and enter the Hampstead Heath extension. The return journey may be made by bus from Golders Green Station reached to the right, through the Suburb.