

## **Newhall The Edge Annual Residents Meeting: Wednesday 12<sup>th</sup> February 2020 @ 6:30pm**

### **Attendees:**

Matthew Byatt (NHP)  
Michele Gallagher (SHW)  
Laura Ritchie (SHW)

24 Residents from The Edge

### **Agenda**

#### **Introductions**

#### **Annual Service Charge Budget 2020**

#### **General Estate Matters/Maintenance**

#### **Parking**

#### **TV System**

#### **Community Interests**

#### **Telecoms Mast**

#### **Any other Business**

### **Meeting:**

MG started the meeting by introducing the various personnel. She pointed out that this was a meeting to discuss Estate Maintenance issues and not items for which the various developers are responsible. However, there will be an opportunity for a brief review of those issues.

### **Annual Estate Budget 2020**

MG advised that SHW have been working with a Shadow Board (SB), made up of several (unelected) residents who volunteered to become involved with Newhall Residents Association Ltd (NRAL). The parties meet on average once a quarter. These meetings are open to any homeowner so not just those who responded to the original invitation to participate. She explained that SHW had presented a draft budget to the SB in November 2019 and, following some considerable discussions, on the recommendation of the SB, it was deemed that the contribution to both General Repairs and the Reserve Fund should be increased. It was considered prudent to secure this increase as, as the estate ages, remedial works will be required and sensible levels of funding need to be made. The SB agreed that the expectation that the level of service charges will increase needs to be carefully managed and the sensible approach is to approve incremental increases rather than an extraordinary one in any single year. Owners also need to be mindful that Newhall Projects Ltd continues to make a significant contribution towards the service charges (£50K in 2019 and 2020) and this position will not go on indefinitely. The overall net result is an increase in the annual charge of +/-£10 per household. MG pointed out that SHW's management fee has not increased again this year.

### **Q: How do homeowners see how their monies have been spent**

MG advised that following the year end, a Statement of Expenditure is produced and sent to all homeowners. This is also posted on the Newhall website ([www.newhallresidents.co.uk](http://www.newhallresidents.co.uk)). She advised that this is a basic Statement, so not a full set of accounts, and if any homeowner requires further information or clarification on any of the figures, they should contact SHW who will provide the details. If anyone wanted to see the full complement of invoices etc., SHW can make the necessary facilities and arrangements available.

**Q: How does the contingency fund (reserves) work?**

MG advised that the reserve fund provision is intended to build up over years to make provision for major, non-annual items of repair eg replacing the knee rails around the Estate, to avoid having to increase the level of charges by an extraordinary amount in any one year.

Ultimately, it will be down to the Board of NRAL to agree budgets, manage the reserves, agree and place Contracts, etc.

**Q: When Newhall Projects withdraw their funds by how much will the service charge increase by.**

MG advised that, based on current figures and property numbers, with the NHP contribution for 2020 being £50k, it would equate to £42.73 extra per property per annum. However, there will be a fluctuation on the budget for items year on year, plus Countryside is adding units so there will be more units contributing, *but* more areas to maintain so this calculation is not an exact science.

**Q: Are there plans for development on the area across from Goldcrest Way**

MB advised that there is planning consent for 50 houses on what is known as Sector V.

**General Estate Maintenance/Management**

MG advised that SHW is aware of issues with streetlights/the green on Greenfinch Way/roads not being made good, etc all of which are Linden Homes' responsibility. MG advised that she invited a representative from Linden Homes to attend this meeting but it declined.

Progress has been made in some areas but there are still a lot of issues with which SHW is not happy and, understandably, which residents are definitely not happy with. Works to the streetlights has started and the contractors were onsite on 11 February.

MG advised that SHW continues to battle with Linden Homes. The reason SHW has not undertaken the necessary making good works directly is that it will mean the Estate Service Charge would have to finance the costs

One attendee confirmed that residents could be sympathetic but he believes there is no transparency on details of what has been handed over to SHW and what areas are still with Linden Homes. There is a general feeling of dissatisfaction with how long the issues have been outstanding.

Attendee went on to say that he understands that it is not an SHW issue but how can it expect residents to pay into a fund when there are so many areas that still need work to bring them up to an acceptable standard. Once again, MG confirmed these are Linden issues which is why Linden Homes were asked to send a representative to the meeting. MG/SHW will continue to pursue Linden but there is strength in numbers and SHW would encourage homeowners to also contact Linden about this unacceptable position (

[paul.myall@lindenhomes.co.uk](mailto:paul.myall@lindenhomes.co.uk)

[robert.church@lindenhomes.co.uk](mailto:robert.church@lindenhomes.co.uk).

**Attendee asked how do you plan to give more transparency to the residents**

MG advised that there are plans of the areas which have been handed over and these will be made available on the website.

MB advised that, as far as he is concerned, the only area of contention at the moment, is the open space on Greenfinch Way – it is not supposed to be a Green but is intended to act as a water management feature, with pipes running underneath to retain the water. However, the green needs to be top dressed/seeded and missing trees planted in accordance with the Planning requirements.

MB confirmed that all of the front gardens/hedging and other amenity land had been handed over to SHW.

**Q: Has NHP taken Linden to Court (this was mentioned at the 2019 meeting)**

MB advised that the issues are being dealt with, but they have not reached the point of going to Court. MB confirmed that Linden do have a legal obligation to get its roads adopted.

Attendee said that, two weeks ago, he wrote to Linden threatening to bring in the media and now suddenly the works are being done. MG suggested that whilst this approach may have assisted, it was not the only reason why Linden's contractors were now on site as many other approaches had been made (by SHW and others).

**Question: what is NHP doing in order to get these issues rectified.**

MB advised that legal route is on-going but obviously going to court is the last resort. Linden have taken steps since we had our legal meetings with them and have been in dialog with Essex Highway since. They have also undertaken a lot of the outstanding repairs and snagging since that first meeting. Newhall Projects are monitoring closely their actions and will pursue them further if necessary.

**Q: why can't the residents join forces and go to the media.**

MB advised that this would be a good and proactive approach and may get Linden Homes to reactive positively. This action was encouraged.

**Q: what is the next plan of action**

MG advised that she would follow up and see if we can seek to work together in lobbying Linden on all the issues that are outstanding. It will be better to stand together against Linden. The idea of setting up a smaller meeting (steering committee) whereby those interested can join together and devise and agree a strategy to move this forward was proposed. MG to progress.

**Q: Who is responsible for the Haul Road?**

MB advised that Linden Homes are back there this week whilst they carry out various items and once finished, they will be leaving the site and removing all spoils etc. He added that the road is about to be dug up as Countryside is undertaking some works.

MB advised that the ponds at located towards the back of the estate are where Estate surface water including the Church Langley run off is ultimately collected

**Attendee mentioned the fact that cars are driving over the edge of the Trim trail, churning this up, damaging the grass etc.**

MG advised that SHW have invited contractors to provide quotes to install bollards along this area. There was some discussion about whether bollards or decorative (large) rocks is the best solution but ultimately, as there are already bollards along part of the Trail, this approach should continue. Subject to availability of funds, once competitive estimates have been obtained, this work can be put under instruction.

**Q: Virgin Media have been working at the bottom of Robin Lane – and they have been parking on the grass verge and causing damage – will they be pursued to address this**

MG advised that SHW will speak to Virgin and at the end of the works Virgin will be held responsible for the necessary making good.

Attendee reported that a tree had blown down and smashed the adjacent lamppost.

MG advised that, as streetlighting remains Linden's responsibility until handover to Essex Highways, repair for this will be down to Linden Homes. The matter has been reported to Linden.

MB advised that due to the merger between Linden Homes and Bovis Homes there could be an increased energy to have works completed.

**Q: The trim trail – is this now to specification.**

MG advised that, although not built as per the original Plans, the landscaping has been taken over and the equipment signed off by ROSPA (Royal Society for the Prevention of Accidents).

**Q: Is the area at the front of the Estate office going to be built on.**

MB advised that there are various options - parking, flats over garages, leaving it as open land, but nothing definitive has been decided on.

**Q: Are the bollards going to be fitted on the trim trail all the way down Robin Lane**

MG advised that this is the plan

**Q: Will Honors be carrying this out.**

MG advised they have been invited to quote but this does not mean they will be instructed. The spread of quotations will be considered and the instruction issued to the contractor most suitable to execute the work for the right price.

**Resident: There are a couple of junctions along Robin Lane, whereby people do not stop, and it could almost cause an accident.**

MB advised that the roads have been built in line with Essex Highways and Planning requirements which does not include Give Way or Stop lines. However eventually these will become the responsibility of NRAL so consideration could be given to this proposal.

**Parking:**

MG advised that this is on the Agenda as it was brought up at the 2019 meeting, subsequent to which, a further poll of residents was undertaken by SHW. Response numbers were low with only 117, out of a possible 1045, returned – 75 were in favour and 42 opposed. This represented only 7% of the homes on Newhall and it was considered this was not an adequate number to reintroduce the parking enforcements.

**Q: Was this communicated properly to the residents:**

MG advised that this subject was included in at least three separate Newsletters, was referenced in the Minutes of meetings and was posted on the various social platforms so it was proposed that yes, it had been. The fact that so many residents disregarded or overlooked the communications is regrettable.

**Q: are there plans for yellow lines along The Chase:**

MG advised that it is understood lines will be extended all the way along High Chase once the road is adopted. MG emphasized that this is a lengthy process for which a full Planning consultation will be undertaken by the local authority.

MB advised that, over the Easter break, NHP's contractors will be dealing with construction of the build outs along High Chase. This will prevent parking outstanding the school and will provide additional traffic calming.

**Q: Can we not run another poll on parking enforcements when restrictions are included in the documentation for the houses and apartments.**

MG advised there is nothing in the documentation which requires the introduction of physical enforcement and we must defer to a democratic approach before introducing something which could in theory cause more problems for the majority of residents than it solves.

**Resident: Where is the transparency on this matter as perhaps residents did not appreciate/understand what was being communicated.**

MG advised that the last newsletter was abundantly clear, outlined the proposals, advised owners of the next steps, etc.

MG advised the matter of some pinch points is still being discussed with the SB and there may be some restrictions introduced to tackle those issues. One resident said that she, like others, knew what she bought into when she purchased their property and that everyone needs to adhere to the restrictive covenants.

MG advised that when there are specific parking issues flagged up, SHW does try to contact the residents/drivers involved and resolve them.

**Attendee said that it is annoying that SHW are not enforcing**

MG advised that SHW do everything it can to enforce the restrictions but there will always be those who have a blatant disregard for the regulations, showing total inconsideration for their neighbours.

**Q: If a private company was employed, where does the penalty monies go**

MG advised that these schemes are generally self-funded with no cost to residents but all penalty charges paid are retained by the contractor.

**TV System**

MG advised that the system serving The Edge has been linked to the enhanced Estate system and the number of issues with signal failure should, barring any unforeseen issues, reduce to almost nil.

**Q: If there is a TV problem who do we contact**

MG advised to contact SHW in the first instance.

**Community Interest:**

MG advised that, at the previous SB meeting, the proposal of setting up a steering committee to discuss how the role of Estate Manager/Community Manager should evolve was discussed. MG asked

if anyone in attendance had some experience in this area and was interested in becoming involved, to please her know.

**Q: What does it involve.**

MG explained that you would “work” with likeminded residents who want to bring forward ideas etc in the interest of building a strong community at Newhall. It might involve putting forward ideas to engage the youth of Newhall, provide services for our elderly residents, etc.

**Telecoms Mast**

MB asked if residents were interested in NHP pursuing the installation of a telecoms mast which would support an improved signal for mobile telephones. One resident advised that he had contacted his mobile provider and they agreed to send boosters. A resident who works in the industry agreed to explore this, but she will need contact details for residents who experience issues. Residents are encouraged to register their support/interest direct with SHW.

**AOB**

**Q: will you be doing anything about gritting the block paved roads (which are very slippery during the colder weather)**

MB advised that, as rule no councils grit the side roads so this would be the approach here.

**Q: Bunting Street – what is the update on this.**

MB advised that the legal process is still ongoing, however the road as it stands does not have planning as Linden did not renew it; the amended highway changes are now part of the Sector V planning application and will be carried out by the buyer of Sector V at the same time as they build the other 2 roads

**Q: Who is responsible for repairs to the blocked paving that has been damaged?**

MB advised that a survey identifying any issues with the block paving has been completed and this has been sent on to Linden Homes which is responsible for remedial works.

**Q: The TP1 (Transfer document for a freehold property) includes a requirement to pay an Annual Fixed Rent Charge (FRC) of £1. The non-payment of this sum could apparently mean the tenure for a property can be changed from freehold to leasehold and/or a house can be repossessed.**

The FRC is payable to Newhall Projects Ltd but, in light of the sums involved, it has no intention to ever collect this. However, solicitors acting for a purchaser in a recent transaction expressed concern that this could cause issues further down the line for homeowners. This individual, who was present at the meeting, explained the history of the charge and the fact that her solicitor had advised her to enter into a Deed of Variation (Dov) to remove this Clause as an indemnity policy was no longer being accepted by mortgagees. This individual was not buying with the aid of a mortgage but nonetheless her solicitor remained firm. Ultimately the situation was resolved by way of the DoV. MB confirmed that he understood that the easiest way around this was for NHP to give an undertaking that it has no intention now, nor will it in the future, to ever collect the £1 FRC and therefore non-payment of the sum could not result in possession proceedings being issued etc. MB assured homeowners that they should not needlessly worry themselves about this but if they continue to be concerned, then they should contact NHP/SHW who will endeavor to resolve this.

**Q: Have the swales been handed over to SHW, these were described as being wildflower areas but they appear to contain just weeds**

MG advised that the specification for these areas differed with some only having grass seed mix sown. However, there is no reason of why this cannot be done retrospectively and Honours have been asked to consider the requirement and price for the work.

**Q: Is there an opportunity of having more than one meeting a year?** MG advised that this was of course possible, and sensible, and a date of 1<sup>st</sup> September was agreed.

**Q: The Chase has been adopted but there is a deep dip in the surface.**

MB advised that this should be reported to Essex Highways. A link to report this as follows :

<https://www.essexhighways.org/transport-and-roads/tell-us/report-all-issues.aspx>

**Q: London Road – is this going to be closed off permanently**

MB advised that this is an Essex Highways issue and again an approach should be made to it for further details of proposals here.

**Q: will there be a pathway along from the reed beds to the Church Langley walkway**

MB confirmed this will be looked into.

There being no further queries or comments, the meeting closed at 20:05

**Date of Next meeting**

Tuesday 1<sup>st</sup> September 2020 @ 6:30pm (Newhall Estate Office)