



Recognised Tenants Association  
Company No - 06826092  
Incorporated - 20<sup>th</sup> February 2009



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## PEEL COMMON RESIDENTS ASSOCIATION

NEWSLETTER – DECEMBER 2016

### PEEL COMMON RESIDENTS - GENERAL

#### THE ESTATE

##### Approach of winter



Peel Common had its final visit this year by the estates managing agent. He toured the open areas and was accompanied by the estates contract gardener Lightfoot Landscapes and the PCRA chairman. The tour included the preparations made by the gardener for the winter months, items

raised by residents and inspections of the major estate pathways. The general consensus of opinion is that the estate is in an excellent condition with continuing improvement to the infrastructure. Planting of shrubs is still ongoing with improvements made to borders and rose beds. Due to the high costs a budget has been set for tree surgery and a priority list is in operation. The new Service Charge year will see a commencement of some of the more important tree surgery tasks taken on.

#### SERVICE CHARGE BILLS

Unusually the Service Charge bills were delivered late this year and this caused some confusion. The PCRA contacted the managing agent who apologized for the delay citing some difficulties with the landlord. Concern was

also raised that some residents had received reminders only a few days after receiving their bills. It would appear that MLM have a system that automatically sends out reminders and it had not been adjusted to accommodate the distribution of a late bill. The PCRA have asked that a note is made of this failure in order to prevent any such future occurrence.

## **PAVEMENTS**

An inspection was made of the recent pathway repairs and residents are reminded that repairs are an ongoing task and their costs will feature in the budget for a long time to come.

## **ESTATE STREETLIGHTS**

A recent inspection of the streetlights revealed that there are yet more failures. As explained in previous newsletters it is aimed to replace all street lights with modern low cost LED lighting. The estate currently has 36% of its streetlights converted. It is now the policy of the managing agent to bring contractors onto the site to repair by replacement only. This will be done in small batches and therefore some streetlights may remain defective for longer periods.

## **GARDENERS WORLD**

Whilst accepting the main tasks of grass cutting and shrub and hedging control and clipping the gardener was asked to give a list of some of the extra work that comes with the job. See below.

Pergolas - All but one now changed for new.

Post and rail fencing repaired or changed for new where required

Additional fencing provided (mostly at the request of residents)

Year on year there has been a replacement of shrubs and roses

The last two years has seen the planting of 20,000 daffodils

The more mature trees (some 40 years old) managed and cut back

Bark chips from tree surgery used as mulch for beds and borders

Trimming of trees and shrubs in the estates woodland areas

Overgrown and old shrub beds either cut back or replaced



It is recognised Clive Lightfoot continually goes over and above the requirements of his contract which includes assistance to the managing agent on the upkeep of the pathways and lighting and helping prioritise resident's issues. The Peel Common Estate needs a resident gardener and the estate is fortunate to have the services of Lightfoot Landscapes.

## **ESTATE DRAINAGE IMPROVEMENTS**

A previously reported concern was the flooding of pathway areas when heavy rainwater caused flooding making some paths unusable. As promised a flood prevention area was selected and work carried out to put in a new drainage scheme. To date there has not been any flooding however success will not be declared until the end of the winter rains. As previously stated if successful further waterlogged areas will be selected for similar treatment.

## **MOANS AND GROANS**

**Driving on Pathways** - The pathways that follow the highway roads around the estate have been adopted by Hampshire County Council and any repair or upkeep is their responsibility. All other pathways belong to the estate and damage repair and upkeep is paid out of the Service Charge. It therefore makes sense to look after our pathways and not allow vehicles to drive over them. Major culprits are contractors carrying out work, who wish to get as close as possible to a property. Residents are requested to advise any contractor they employ to keep to the roads. The managing agent has stated that he is prepared to bill any resident whose contractor is responsible for pavement damage.

**Rubbish Dumping** - The local amenity tip at Gosport now charges for disposal of rubble though tipping gardening rubbish is still free. There have been some incidents of rubbish, mainly garden rubbish, dumped on the estates beds and borders. Again the managing agent is prepared to give a bill for clearance to any resident responsible for dumped rubbish or garden waste.


**Parking** - Is an ongoing problem and a major headache for some residents. Our local councilor is still involved in attempting to alleviate the school run parking problem but there is very little action forthcoming from the Hampshire education authority or the schools. The PCRA did ask for some guidance from the police and were informed that action could be taken against a visitor who's parking blocks in a resident's vehicle. Bizarrely they cannot take action if a parked vehicle prevents an owner from getting their car onto their own parking space. If in doubt or need police help phone 101. The more incidents reported the more likely there will be police action.

**THE INTERCONNECTOR IFA2** - The expected planning decision did not take place due to the delay in the receipt of important reports commissioned by Fareham Borough Council and National Grid. The reports cover an investigation into the affect of running high voltage cables along the airfield runway. There is deep concern that these cables will jeopardise the operation of the airfield and a company called Arcadis is currently in the process of providing a technical report. Residents are reminded that this is the first time the National Grid have attempted to build a high power Interconnector on the site of an airfield or close to a community. The PCRA have provided an objection along with 1200 others regarding the planning application.



The PCRA IFA2 objection can be viewed on the PCRA website  
[www.peelcommonresidents.co.uk](http://www.peelcommonresidents.co.uk)  
Go to News and select Library and download - PCRA Planning Objection

## **LEASEHOLD OR FREEHOLD**



Leasehold Reform Act 1967  
1967 CHAPTER 88

An Act to enable tenants of houses held on long leases at low rents to acquire the freehold or an extended lease; to apply the Rent Acts to premises held on long leases at a rackrent, and to bring the operation of the Landlord and Tenant Act 1954 into conformity with the Rent Acts as so amended; to make other changes in the law in relation to premises held on long leases, including amendments of the Places of Worship (Enfranchisement) Act 1920; and for purposes connected therewith.

[27th October 1967]

The Augusts Newsletter included an article that informed residents of the difference between a leaseholder and a freeholder. In a follow up article this December Newsletter now details the implications that the



purchase of freeholds has made and the affect of freehold purchase on the estate.

The planning and the commencement of building on the estate dates back to pre 1963 when there were strict laws covering leasehold properties. In 1967 the law on leasehold properties changed when parliament passed the Leasehold Reform Act of 1967. This act gave leaseholders a right to purchase their freehold thereby allowing them to take the leasehold property off the landlord stop paying rent and add changes without permission. It obviously came at a price and a formula was used to decide what compensation the landlord freeholder got for the loss of his property. The formula was based on the rent paid and the length in years of the lease. The lower the rent and the greater the length of the lease then the less the freehold purchase price. Such a rule has made the price to a Peel Common leaseholder very attractive but it is only recently that the law has been used to force a sale of the leasehold at the price used by the formula. Previous sales have been through a landlord/leaseholder agreement following negotiations.

This ability to purchase freeholds will have a major effect on the value of the estate and more importantly on its future.

#### **OPINION**

**The purchase of a freehold removes the threat of any legal action by a landlord for breaches of the lease. Due to freehold purchases, now at 43% a point will soon be reached where a landlord will no longer see this as a means of revenue. At the same time, due to the recent enfranchisement success (see next article) there is no longer any major financial value to be gained by the landlord in selling freeholds. In reality there is no financial value in the Peel Common Estate to any landlord. It is hoped that this result may open the door for the estate to be collectively owned by the residents.**

**ENFRANCHISEMENT** - In July 2015 a group of residents took part in an attempt to negotiate the purchase of their freeholds. It followed closely a previous successful attempt when 120 residents obtained an agreement with the landlord to purchase their freehold. The current enfranchisement did not initially go to plan and there was a considerable delay when the director of Honor Management (the previous beneficial owner) sold his stake in the company. The solicitor Jon Tawes of Glanvilles had to deal with a new landlord's solicitor and was forced to make the decision to use the law and go down a formal route to enfranchisement. This took some time but eventually proved

successful. The success also set a precedent in that a value was legally set where the costs were considerably diminished. It is believed that future enfranchisement costs will be substantially reduced. As a result of this action the PCRA has agreed to assist Jon Tawes of Glanvilles solicitors to form another group next year. This will only be open to PCRA members who wish to purchase their freehold. The PCRA and Glanvilles solicitor will be publishing further information closer to the date decided.

**THE PCRA WEBSITE** - **[www.peelcommonresidents.co.uk](http://www.peelcommonresidents.co.uk)**

The website contains much useful information about matters that affect the estate. The e-mail provides an easy way of reporting concerns and is given the full support of the PCRA for justified important items.

The For Sale and Wanted pages are for use by all and advertising is free to PCRA members. They are the PCRA's e-bay. Use them for items you have for sale or want. The Trades and Services page contains advertisements from local traders. This page is being updated often and more advertisements will appear on a regular basis.



If you wish to use the Market place and advertise on the Trades and Services contact Phil Adams, Web Site Manager, at **[admin@peelcommonresidents.co.uk](mailto:admin@peelcommonresidents.co.uk)** or Phone 02392 161202

**NOTES OF INTEREST**

- ❖ To contact the PCRA telephone **02392 161202** and leave a message. All messages will be responded to.
- ❖ Do you wish to report a street lighting defect? Send an e-mail to - **[admin@peelcommonresidents.co.uk](mailto:admin@peelcommonresidents.co.uk)** or phone **Peter Runham** on **01329 317936**.
- ❖ Need to contact the managing agent - visit the PCRA website - **[www.peelcommonresidents.co.uk](http://www.peelcommonresidents.co.uk)** Go to - **Estate - Estate Management** or telephone the PCRA on **02392 161202** for further advice.

- ❖ Do not have access to a computer or telephone - drop a letter into the mail box at 22 Tern Walk.

### MEMBERSHIP

The work carried out by the residents association is crucial to the wellbeing of the Peel Common Estate. Though the ownership of freeholds is increasing the open spaces are still owned by a remote landlord who still has control of its upkeep. He employs a managing agent to look after the maintenance of the estate. The landlord decides who he employs to manage the estate and he is entitled to take 10% of the Service Charge money to do this

The Peel Common Residents Association have a good relationship with the current managing agent and as a "Recognised" association regularly invoke their rights to scrutinise all service charge expenditure and make recommendations on where money is spent.

The PCRA are very aware however of the fragile situation the estate is in due to ownership by a remote landlord. We are currently building funds to be used for legal expertise should an occasion arise.

The residents association will only continue to exist with strong support and loses its "Recognition" if this support is below 60%. The membership renew date was October and there is some way yet to go to reach over and above the 60% target. Support through membership is a requirement that ultimately benefits every single owner and their property on the estate.

### Membership

**Membership renewal** - Membership runs from 1<sup>st</sup> November to 31<sup>st</sup> October annually. The fee is £10 per year. See payment details below

**Standing Order** - This is the preferred payment method. It is collected every October/November and £10 automatically renews your membership.

Do this on line - Most banks now have the facility for doing a Standing Order on line. For the PCRA bank details see Online Payment box below.

Alternatively - fill out a form and take to your bank. Forms can be downloaded from the PCRA website [www.peelcommonresidents.co.uk](http://www.peelcommonresidents.co.uk) - visit News - Library. Or use the contact detail below and a form will be delivered to your address.

**Cash or Cheque** - A payment of £10, Cheques to be made out to Peel Common Residents Association and posted to:

22 Tern Walk post box - Can be delivered by hand or sent through the post. The post box is emptied on a regular basis.

38 The Parkway to Membership Secretary Phil Adams - Can be delivered by hand or sent through the post.

**Online Payment** - Simply pay online the £10 Membership fee to the PCRA account named below:

Peel Common Residents Association

Bank Name - Barclays Branch - Fareham

Sort Code - 20-30-89

Account No - 43145832

The payment should be identified by including the first line of your address or Lease number. On receipt a membership card will be delivered to your home.

### **DO YOU HAVE AN E-MAIL ADDRESS?**

**PCRA only forward important messages and information that the situation demands. Keep up to date and e-mail**

**[admin@peelcommonresidents.co.uk](mailto:admin@peelcommonresidents.co.uk)**

**Simply provide your name and address to receive important announcements and information by e-mail**

Contact Details:

Contact the Membership Secretary.

Mr Phil Adams. 38 The Parkway

or

Contact the PCRA at 22 Tern Walk. (post box)

or

e-mail — [admin@peelcommonresidents.co.uk](mailto:admin@peelcommonresidents.co.uk)

or

Phone the PCRA on **02392 161202** (leave a message)

CHAIRMAN - R Wilkinson

SECRETARY - M Cobbett

