

EDMUND PARK SITE NEWS – JULY 2022

(To contact us please email: edmund.park.frome@outlook.com - any and all feedback is welcome.)

HANDOVER OF THE ESTATE

The ongoing reminder:

If you have any questions/issues regarding your house and what lies within your boundary you should contact Persimmon or NHBC; if anything relates to the open spaces, street lighting, play area or the estate roads, contact Remus using salisbury.admin@remus.co.uk. Remus will action these items appropriately and are still looking to put everything back to Persimmon that is their responsibility to resolve.

Now that we have a group of potential Management Company Directors plus liaison with Remus, a number of items are naturally being gathered together. The following is a document sent to Remus and their responses have been added in green text

June 2022 – Feedback to Remus for confirmation, clarification, and direction.

An Overview of the Sequence of Events for Edmund Park Estate

1. At the outset, Persimmon own everything that is within the estate.
2. As properties are sold, the ownership of what lies within a property boundary is transferred to the purchaser. If the purchaser has a problem with anything that is within that boundary, they pursue this with Persimmon directly for the first two years and then by claiming against their NHBC warranty (typically a further 8 years) .
3. A Management Company is created at the outset (registered at Companies House). In practical terms, the Management Company is set up to look after the open spaces and private roads once the development has been completed ie all that doesn't lie within property boundaries.
4. Persimmon initially control this Management Company (they are the Directors) and each purchaser of a property automatically becomes a member. At this stage the Management Company is effectively dormant.
5. Persimmon oversee the maintenance and repair of the shared areas/facilities until they handover to a Maintenance Company (in our case this is Remus).
6. Persimmon own the shared areas/facilities until all is transferred to the ownership of the Management Company ie the Property Owners, as a collective. This transfer can take a considerable length of time due to the number of parties having a vested interest.
7. The handover includes the replacement of Persimmon Directors with Property Owner Directors. Consequently Property Owners collectively own and manage the shared areas/facilities.

Where we are at the moment (this text is from Remus)

Remus management normally holds a welcome meeting to answer all of the freeholders' queries. At this meeting we would give the freeholders information of the maintenance requirements of the estate, the service charge, the future handover of the management company to residential management control and the responsibilities of the future directors.

Current issues/questions from residents -

- i. Visits by groups of travellers - *Management Company responsibility?*

The two areas of concern would be the land adjacent to the 'park' and the land by the river. Removal requires legal action and considerable expense before the added cost of tidying post departure. Does Remus have experience of this and, if so, is there a plan of action should this arise? If not is it incumbent on us to raise it and devise a plan?

This is not something that I have personal experience with so I will have to seek advice on this one. I can only think that it might be worth having a walk around the site and looking to install barriers, low level fencing large boulders etc to prohibit vehicular access to the POS areas.

ii. Strong smell of drains – Persimmon responsibility?

Wandering around at certain times the strong smell of drains can be apparent. The junction of Lichen and Bluebell is one such place where a smell was traced it to the manhole covers in the junction. It is a daily occurrence. Has the system been subject to independent inspection to ensure it has been installed to the correct standards? Has it, or is it due to be cleared through before handover?

I am still chasing Persimmon for a clearance of the drains, however the foul sewers for the estate are not to be managed by the Management Company and will rather be adopted by the local water board (Wessex Water maybe) and Persimmon will have to 'jump through some considerable hoops' in order to get these handed over to the water board as they will not accept handover of these drains unless they have been inspected and signed off by one of their engineers.

iii Blocked drains – Persimmon responsibility?

Simply walk around the estate and look down through drain grids and often you'll see earth and not water.

As above I am still chasing Persimmon on this one to have a complete gully clearance on the site.

iv. Grass cutting – Remus responsibility?

A new ground maintenance company is working but some areas have been mowed and some have not. Some have had cuttings removed others have not. Is this how it will continue? Who is giving these people their instructions/terms of engagement? The time to get it right is at the start surely.

I am due to meet with the gardeners on site shortly to have a walk around and make sure everything is up to standard or that steps are being made to bring these areas up to standard. The issue being currently as the estate required some works prior to the gardeners coming on board there has been a bit of catching up to do especially at this time of year. I am confident that once the gardeners settle into the job and learn the estate these issues will cease to occur.

v. Grass cut randomly – Remus responsibility?

Like the last company the new company did a very random and not a complete job of cutting the grass. We have bits that were just left. If we had a schedule for the grass being cut then cars parked too far forward could be moved back, to avoid the ride on mower not getting to those parts, but surely this could be done with a strimmer after the mower?

This is similar to the above, the gardeners are playing a bit of catch up and are learning and getting used to the site, I will look to get a visit schedule so that residents know to park their cars, giving a bit of grace to these areas

vi. Weeds in gutters and pavement areas – Remus responsibility?

No attempts are being made to clear streets and junctions of weeds. It all looks a bit shabby and this time of year it will decline rapidly if not addressed.

I will raise it with the gardeners to ensure that they are weed treating the roads, junctions, gully etc. on their visits. We do have money in the budget for a road sweep so we can look to carry this out.

vii. Needle stick injury at the park – Remus & Residents responsibility?

The response a resident received from Remus, in their request to increase checks at the park, seems rather unaccommodating. Thinking of local metal detectorists, unfortunately and understandably, there are not really any volunteers to come and scan the area to reassure residents.

Whilst I completely sympathise with the individual who suffered the needle stick injury there is really very little that we can do other than ask the gardeners to double check the areas when they are on site. However, should residents want to go down the route of engaging with a local metal

detectorist we can investigate this, however this is littered with issues, how will they be insured for this, where will they dispose of these needles? Would the residents be happy to pay for these services on the Service Charge?

viii. Footbridge over the river – Management Company responsibility?

It would seem that the money Persimmon gave for the footbridge has been swallowed up by Mendip District Council. This is a concern, especially as MDC will be no more in a year's time.

Unfortunately, this area is not management land and is between Persimmon and Mendip District Council and therefore not something that I am privy to the details of.

Postscript to the Site News received from Cllr Helen Sprawson-White, Chairman of Mendip District Council. (Cllr.Sprawson-White@mendip.gov.uk)

Just to let you know I've taken the liberty of approaching colleagues at MDC regarding monies being 'swallowed up' for the bridge.

I'm unaware of where this question came from but I've asked for an update from the chair of planning. The bridge would have been part of the travel plan, and therefore required and funds would not be swallowed up by the council for other projects.

I will come back to you with an update when I have it. I'm also more than happy for residents to contact me directly as chair of Mendip and a fellow resident. The rumour mill can be anxiety provoking and would much prefer to pass concerns to me as a representative of the council directly and I can hopefully provide swift reassurance.

Warm Wishes

Helen

Cllr Helen Sprawson-White

ix. Housing Association involvement – Management Company responsibility?

Attempts continue to try and establish a contact with Selwood to help things in the future as well as shared ownership rights, but there has not been much response so far.

I am also trying to establish a personal contact at Selwood Housing but have been unsuccessful so far. I am going to continue to try to get this contact so we can run the estate effectively.

x. Speeding – Management Company & Residents responsibility?

Speeding and inconsiderate parking, both of which can be a hazard to other drivers and pedestrians is a concern across the estate.

These are the sort of queries that I will be coming to any residential directors for their instruction on, if they would like to have speed signs put up this is absolutely something that we can facilitate. For inconsiderate parking we can obviously write out to residents individually, however these letters can be ignored. We would have to consult with residents prior to doing this but we could look to implement parking enforcement on the estate. But this would have to be democratically voted into place with the majority of the estate voting in favour of this.

xi. Roadworks – Persimmon responsibility?

Why were residents not advised that the entry road was having new tarmac and that temporary lights would be in place?

Unfortunately, I also did not know that the Persimmon were going to be undertaking these works. I had chased them regularly to get them done so would have assumed that they would let me know. Therefore, I can apologise on their behalf and assure residents that if Remus ever instruct works such as this we will be sure to notify residents; other than that there is little else I can do.

xii. Trees not planted – Persimmon responsibility?

On some roads the plans show grass & trees alongside the pavements, but both are missing in several areas. Is Persimmon allowed to be non-compliant to the approved plans?

I am awaiting the most recent approved landscaping plans for the estate to double check with Persimmon to see if they need to install further trees

xiii. NEAP – Persimmon responsibility?

The Play Area surface is simply not fit for purpose, especially during periods of wet weather. Why is this not being corrected properly rather than having poor quality fixes applied?

This is something that I am monitoring on my site visits. Persimmon are aware of the issue and seem to be receptive to the proposition to rectify this at a later date if the channel for the drainage isn't effective.

xiv. Snags still not addressed – Persimmon responsibility?

John Corfield made a very comprehensive list of snags and sent it to Persimmon. Accepting that parts of the state are now up to 5 years old how can Persimmon justify using the excuse of 'wear and tear' to avoid dealing with these snags?

I would need to know what these snags are specifically, I believe that we have a quite a comprehensive snagging list agreed with Persimmon however we do need to be realistic with what we try to put back to Persimmon as the estate has been standing for 5 years or so.

TRAVEL PLAN (see www.edmundparkfrome.com/travel-plan)

The last update from Alan Muir (Somerset's Principal Travel Plan Officer), on 7th June, was: I have been chasing the TPC, who is responding to my queries with a deadline of the 18th. Unfortunately the contact at Persimmon is on leave and I have left a voicemail with them today in his absence having tried previously. I will provide an update w/c 20th as we are keen to bring this matter to a close.

As we have now passed the 24th June I've asked again for an update but have not had a response yet.

SCHOOL

Adam Boyden, the Councillor for College Ward (District) & Frome North (County/Unitary) visited our estate on 24th May and, having made enquiries, emailed on 12th June as follows:

It was very good to meet you the other week at Edmund Park, and thank you for showing me around the estate. I asked SCC officers to update everyone in the previously arranged working group in and around Frome, but I don't think they have yet, so here goes...

Since we met I asked around at SCC, MDC and FTC, and have had an update from Frances Gully and Liz Smith at Somerset County Council. The main news is that SCC have recently served notice on the landowner to start to trigger the transfer of the school site into SCC ownership. They have done this before the deadline in the Section 106 agreement (which I think was 5 years after the date of the 175th occupation on site) which would have been in 2023, so that deadline has now gone away and there is no danger that the land will revert back to the developer or landowner. So this is good news.

Secondly, they have informed me that there is no 'current case' for applying for Department for Education funding to replace the Berkley school or to expand school provision in Frome, at this site or elsewhere, at present. This is because the numbers of children requiring school places in Frome is falling, including due to a falling local birth rate. Having said that, recent planning permissions granted for housing developments around the south of Frome are increasing the projected numbers, so a review of the numbers and case is ongoing. This may be available in July. The issue of future education provision will then be reviewed in the 'pilot' Frome area Local Community Network which includes all the area's councillors including Berkley parish as well as Frome. Liz has agreed to brief the LCN meeting (this is chaired by Town cllr Max Wide) and this will probably be in July or August.

I emailed back to Adam because I'm aware of an Overage Deed (it's within the list of documents at <https://www.edmundparkfrome.com/key-documents>) which covers the scenario of the school not being built.

Adam replied on 20th to say:

I doubt that the Overage Deed is cancelled – I suspect not yet, as the school is not yet built and there are other deadlines in the S106 agreement, see clause 2.7.4 for example of the Sixth Schedule. I can ask the SCC Officers if you like.

Again, the S106 document can be found in the list of documents at <https://www.edmundpark-frome.com/key-documents>. I've asked Adam to ask the SCC Officers.

PEDESTRIAN BRIDGE OVER THE RIVER

No update since 29th April when Mike Bull, Chair of the Friends of the Somerset River Frome , stated:

We are in the process of starting applications and negotiations with Network Rail and the Environment Agency. FTC are still on the case chasing Mendip to put pressure on Persimmon to finish the path access on the Edmund Park side of the river.

LITTER BINS & DOG POO BINS ON THE ESTATE

Chris Stringer, Environment Manager within Frome Town Council, has been trying to help with the supply and emptying of bins since February. I keep chasing Chris but have still not had a reply

Best regards
John Corfield

(Note: all Newsletters and Site News are available on www.edmundparkfrome.com)