

Elm Close Estate (1980) Limited

RULES and GUIDANCE NOTES (Revised February 2009)

Background to Elm Close

Elm Close is a private estate in the centre of Amersham comprising 30 semi-detached houses for single family owner-occupation with a communal wooded centre green, wide verges and a road.

The centre green, road and grass verges, up to the laurel hedges in front of the houses, are owned and managed by Elm Close Estate (1980) Ltd.

Elm Close Estate (1980) Ltd is made up of 30 shares and each house in Elm Close holds one share. This share transfers to the next owner when the property is sold. Holding a share gives house owners the right to vote at the Annual General Meeting which typically considers matters pertaining to the running and maintenance of the jointly owned areas, the electing of the directors and social activities. It is at this meeting that the level of annual maintenance payable by each house owner is agreed.

The Company is managed by between four and six elected Directors, house owners, elected by their fellow residents as their representatives who serve for two years and appoint a Secretary and Treasurer. To be eligible for election as a Director, the house owner must be resident in the Close. Joint ownership of a property carries one share and one vote in Company affairs.

Elm Close Estate was designated as a Conservation Area by Chiltern District Council in 1991.

Over the years the Directors have established these rules to help them manage Elm Close. They are kept as limited as possible and are there to allow Elm Close to be available for the benefit and enjoyment of all the residents.

The cooperation of all residents is imperative if the Close is to retain its character and charm. Residents undertake to abide by these rules as well as the legal covenants attached to the property when they purchase a house.

Some solicitors go to great length to inform prospective purchasers of their responsibilities as owners of a property in Elm Close. Others it would seem are not so thorough. The Directors ask that any resident who is selling their property take steps to inform their prospective purchasers about the obligations of living in Elm Close.



ROAD, CENTRE GREEN and VERGES

These may be used by house owners and residents for access and for reasonable purposes agreed with the Directors. It should be noted that the land owned by the Company starts at the hedge in front of each house.

Parking

This right of access does NOT include any right to park on Elm Close road or verges.

The road in the Close is narrow and parking is a constant problem.

The most obvious danger is where parking causes obstruction to ambulances and fire engines. There has in the past been a problem when emergency vehicles, eg the fire engine, could not get into the close trying to deal with a genuine emergency.

There is also the issue of large vehicles being forced to drive onto the grass verges with the resulting damage and costs of repair.

In an attempt to deal with these problems, Elm Close has long been established as a No Parking Area. Any parking on the Close roads should be for visitors only and limited to short periods. You should always avoid parking or driving on the verges.

Special arrangements apply when building work is being carried out. Please see section on Property Alterations.

One Way System

Elm Close operates a one-way system. This is not necessarily obvious to non-residents. Please make a point of drawing this to the attention of visitors and delivery drivers. Whilst there are signs to this effect some drivers seem to ignore them and it is not the wish of the Directors or anyone else to put up even more signs in the Close.



Speeding

Drivers and cyclists should observe the signs at all times and go round the Close at no more than 5 mph for everyone's safety.

The central green is one of the attractions of Elm Close.



The corners can be dangerous and there has been one serious accident in the past.

Keep your speed down and always assume that there are children playing around the corner.

PROPERTY ALTERATIONS

As already described in the introduction, Elm Close has been designated as a Conservation Area by Chiltern District Council and is therefore subject to additional planning constraints when permission is sought to alter or extend a property. The constraints also cover maintenance issues such as removal of trees. A leaflet about this is available from the council or the Directors.

It is not the wish of Elm Close Estate to interfere unnecessarily with plans to extend or alter any residents' home, but the appearance and character of the Close and the value of other houses depend upon extensions and alterations being in keeping with the original style of the Close.

It is a requirement of the Deeds of each house that no changes may be made to the external appearance without the prior agreement of the Directors. It is therefore necessary that such proposals be submitted to the Directors in writing accompanied by the plans. These proposals can then be considered at a Directors' meeting, which are held regularly. **This should be done before submitting the plans to the local authority.**

Replacement windows, especially to the front and side must maintain the style of the existing windows. Replacement doors at the front and side must be in keeping with the appearance of the Close and the original standard door design.



BUILDING WORK

From time to time it is likely that building work is required for house repairs and extensions. Builders usually require the use of a skip and to store newly delivered building materials.

The use of Company land for such purposes must be arranged with the directors prior to the building work starting.

This request is sometimes overlooked. Please take the time to contact one of the directors to discuss your project and seek authorisation.

Such a request will usually be accommodated as long as skips are delivered, filled, and removed as quickly as possible to avoid unnecessary damage to the grass.

Unfortunately builders are never as careful with the grass verges as one would hope and it is the responsibility of the household employing them to ensure that the road edges and grass verges are returned to a good state of repair as soon as the building work is finished.

We have found over the years that skip lorry drivers typically cause the most damage especially to verges on the opposite side of the road to the delivery and to the road surface when they manoeuvre their lorry into position. It is requested that if possible the house owner supervises a skip delivery or at least makes the skip hirer aware of the problem.

In the case of major building works which will involve builders being on site for a long period there are many additional issues involving parking, deliveries and damage.

As soon as approval for alterations to a property has been given by the Directors and, if necessary, Chiltern District Council, or for any other reason, details of the arrangements of the works to be undertaken should be sent to the secretary of Elm Close Estate. If possible this should be at least four weeks before work begins.

The details submitted should include:

1. Date at which building works are scheduled to start
2. Expected length of time for works
3. Delivery of materials arrangements
4. Parking arrangements of builders and other vehicles
5. Skips required
6. Name and mobile phone number of person responsible during works
7. Agreement of builder/contractor to abide by the considerate contractor's scheme. (Copy attached)

A named Director will then discuss these arrangements with the property owner and provide a point of contact with the builder/contractor where necessary.

The parking of a number of builders vans can be a considerable problem. In order to keep the vehicles off of the road, it is preferable to park these on the grass verge. The builder will be requested to provide metal or wooden tracks that can be laid on the grass before a skip or van is parked there and if possible removed at the end of each day. Whilst it is acknowledged that some damage will be incurred, the tracks are to be used to avoid deep ruts in the grass in wet weather.

It is also suggested that residents request that deliveries are made, where possible, in small to medium vehicles because of the narrowness of the road and the sharp corners.

Damage to any part of Company land or property must be repaired or re-instated as soon as building works are completed or, where feasible, before the work is completed.

CHILDREN

There are lots of young children living in Elm Close and we want them to be as safe as possible whilst enjoying the freedom of the Close.

To do this, we do ask that parents supervise their children and ensure that they:

1. realise that traffic goes around the centre green and that they must stop and look both ways before leaving the green,
2. take care when cycling on the roads, both of traffic and older residents,
3. follow the one-way system,
4. do not climb the trees or push through the hedges as this may cause damage to both child and tree.



CARAVANS and BOATS

Unless residents are able to use their normal drive access to park these and the like completely out of sight at the rear of their property, they may not be brought into Elm Close. It is not acceptable for them to be kept or parked anywhere in the front garden, on the drive or visible in any way from the front.

MULTIPLE OCCUPATION

The houses in Elm Close are for single family occupation only and may not be divided for multiple occupation.

MAINTENANCE of ELM CLOSE

To keep costs to a minimum, residents are asked to help by taking part in the Spring and Autumn 'Close Clean-up' and 'Leaf Sweep' weekends.

Notices are sent out of these dates to residents via a newsletter.

Residents are also asked to cut the grass in the centre of the green by rota during the summer months and to be responsible for cutting the grass verges in front of their own houses. Posts can be removed to do this and replaced afterwards. There is a power mower available for these tasks.

HEDGES

No hedges or part of a hedge may be removed without the prior approval of the Directors. The height of the hedge should also be in keeping with neighbouring properties and should not be less than five foot high.

BONFIRES and RUBBISH

Bonfires may not be lit on Elm Close land. Residents are particularly asked not to deposit rubbish or other litter anywhere in the Close; rather to make their own arrangements for its disposal.

DOGS

Should you have a dog, please do not let it roam free to foul in the Close.

Residents are asked not to use the verges or centre green as walking areas for their dogs. If a non-resident is seen exercising a dog in the Close, they should be asked to leave.

FOR SALE BOARDS, POSTERS and NOTICES

None of these may be put up in Elm Close.

Please note:

Nothing in these guidance notes contravenes the covenants contained in the deeds of each house