

# **KNOLE ROAD FLAT OWNERS RESIDENTS' HANDBOOK**

**2nd Edition January 2016**

**Knole Road Bexhill-on-Sea East  
Sussex TN40 1LW**



## **INTRODUCTION**

Knole Road is a lovely old building and certainly the most beautiful on the seafront at Bexhill. She is the 'beautiful old lady' of Bexhill and we who live in her are very lucky. Inevitably, given her age, she needs a great deal of looking after. This is reflected both in the fact that most of the service charges go on maintenance and that most Board meetings are dominated by discussions of maintenance issues of one kind or another. If she is to be properly looked after all who live here need to play their part and hence this handbook.

This policy handbook has been agreed by the Board of Directors of Knole Road Flat owners (Bexhill) Ltd who have been elected by the shareholders of the company and act in accordance with the authority afforded by the Company memorandum and Articles of Association.

The principal aim of the handbook is to provide helpful information and guidance for the ways the leases are interpreted for modern living and at the same time complying with changing legislation, governing the management of the building. The policy objectives are centred on the need to be fair and equitable to all parties while at the same time protecting the interest of the shareholders and lessees in their enjoyment of owning a property in this beautiful period building in its stunning location. The majority of it is common sense and none is intended to be intrusive. Some arises from the legal duties placed on the Board of Directors to ensure that, as far as is possible and reasonable, nothing is done which threatens the safety of the building and its residents.

## **KNOLE ROAD FLAT OWNERS LTD**

### **Board**

Anna Selby (Chairman) Philip Cottam, Sandra Jolly ,Dee Flower (Associate Director)

### **Company Secretary, Finance and Administrative Officer**

Geoff Howard

### **Company Office**

5A Carlton Court, Knole Road, Bexhill-on-Sea, East Sussex T40 1LG

Telephone: 01424 212940 Email:info@krfo.co.uk

### **Lawyers**

Rix and Kay LLP The Courtyard, River Way, Uckfield, East Sussex TN22 1SL

### **Accountants**

Gibbons Mannington and Phipps 20 Eversley Road, Bexhill-on-Sea, East Sussex TN40 1HE

## Table of Contents

### No Item

- 1 Access to Flats
- 2 Aerials (TV and otherwise)
- 3 Alterations to Flats by Residents
- 4 Annual General Meeting
- 5 Approved Panel Contractors
- 6 BBQs
- 7 Board of Directors
- 8 Cleaners
- 9 Coalholes
- 10 Common Areas
- 11 Communication
- 12 Company Accounts
- 13 Company Accountant
- 14 Company Office
- 15 Complaints
- 16 Damp
- 17 Debts and Debtors
- 18 Decoration, Maintenance and Cleanliness
- 19 Duplicate Keys
- 20 Emergency Contacts
- 21 Extraordinary General Meetings
- 22 Fire Safety
- 23 Floor Coverings
- 24 Gardens
- 25 Ground Rent
- 26 Insurances
- 27 Lease Extensions
- 28 Lettings
- 29 Lifts
- 30 Loan Stock
- 31 Maintenance – Management and Funding
- 32 Major Maintenance Projects
- 33 Newsletter
- 34 Noise
- 35 Parking
- 36 Pets
- 37 Rubbish
- 38 Security
- 39 Service Charges
- 40 Sale of Flats
- 41 Shares and Share Certificates
- 42 Shareholders
- 43 Tradesmen
- 44 Utilities, Taxes and Licences
- 45 Washing
- 46 Windows and Window Cleaning

## CONTENTS

1. Access to Flats. Residents are required under their leases to allow the Board of KRFO and/or its representative's access to their flats under the following circumstances. With the exception of emergencies such access will always be requested with a minimum of 48 hours notice.

- To enable surveyors and tradesmen contracted by the Board to carry out essential repairs and maintenance to the structure and fabric of the building.
- To enable the Board to carry out its annual maintenance inspection.
- To enable the Board to confirm that no hazard or risk has been introduced to the building that may affect the welfare and safety of other lessees, or to identify any behaviour or nuisance by lessees or their tenants that may affect the quiet enjoyment of the property by the other lessees.
- In the event of emergencies such as fire or flooding to enable the appropriate service or tradesmen to deal with the problem as quickly as possible.

In order to enable access to flats in the absence of residents, especially in the case of an emergency, a set of keys must be deposited in the company office at 5A Carlton Court. Please ensure that in the event of locks being changed an up to date copy is lodged with the office. All keys are kept in a safe and secure environment.

2. Aerials (TV and otherwise). The listed status of the building means that it is illegal to attach TV and other aerials to the fabric of the building. All aerials will be removed during the North Elevation works.

3. Alterations to Flats by Residents. The permission of the Board must be sought in writing in advance of the start of any work that involves any alterations other than normal redecoration. Plans must be submitted to the Board showing the detail of the proposed work. Where period features such as cornices, fireplaces or any other of the landlord's fixtures are involved the changes are unlikely to be approved. This is because the interior and exterior of the building has a Grade 2 Listing. Any work carried out without the Board's consent will constitute a breach of the lease covenants and the Board would then seek a

reversal of the work that has damaged the building. The Board has a legal duty to protect the listed status of the building as well as to ensure that any such work will not endanger the health and safety of other residents.

Note to Purchasers of KRFO Properties. Anyone purchasing a property in Knole is requested to check via the Company Office that there are no breach of covenant notices in force concerning unauthorized changes to the property. These could include a breach of the listing conditions, failure to request consent in writing for changes in the property and carrying out work having had consent for the proposed changes refused by KRFO.

4. Annual General Meeting (AGM). The Company AGM is usually held in May at The Mermaid, Bexhill-on-Sea. It enables the Board to report on the activities of the previous year and gives shareholders and residents the opportunity to raise matters of concern. The agenda, statements of account and minutes of the previous AGM are circulated at least 28 days in advance. Residents need to note the following matters of procedure:  The quorum

required is at least 24 members of the Company present in person or by proxy. A member of the Company is a registered shareholder.

□ Anyone wishing to bring a matter up formally under 'Any Other Business' must submit it in writing to the Company Office at least 48 hours in advance of the AGM.

□ The majority of resolutions put forward at the AGM are 'ordinary resolutions' which only require a simple majority of those members of the Company present in person or by proxy in order to be passed.

□ Although all residents – shareholders or otherwise – are encouraged to attend the AGM only shareholders in the Company are entitled to vote

5. Approved Panel Contractors. KRFO has a list of our approved panel contractors whose work has been found to be of a high standard and of reasonable value. This is a list ranging from builders and carpenters to surveyors and letting and estate agents. The company has checked the credentials of these firms but takes no responsibility for any

work carried out by them. A full list is available from the Company Office and will be distributed from time to time with the company newsletter.

6. BBQs. BBQs are not allowed on the balconies for safety reasons – principally the danger of setting fire to the building.

7. Board of Directors. The members of the Board of Directors are all unpaid volunteers. They are always looking for other residents to come and help. For some this could be by joining Board. For those not wanting to join the Board it could be by providing expertise and support in a particular area.

8. Cleaners. The Company employs two cleaners – Gill and Daryl – whose principal task is to look after the common areas. They will also remove rubbish placed outside the front doors of the flats as long as the rubbish is in plastic bags of a manageable size.

9. Coalholes. The coalholes that are under the pavement and adjacent to the basement/garden flats, if integrated into those flats, become the responsibility of the resident carrying out the conversion. The Board has no responsibility for any damp or structural difficulties that may subsequently occur.

10. Common Areas. The care of the common areas in each block is the responsibility of the Company. However, residents are requested to keep them free from obstructions because they provide the main escape routes in the event of fire. The cleaners will remove any objects that obstruct these areas.

11. Communication. The Board encourages active, open and frequent communication with residents about their concerns. The quickest way to communicate is with Geoff Howard, the Finance and Administrative Officer. He can be found in the Company Office at 5A Carlton Court or contacted by email and telephone. His details are at the front of this handbook.

12. Company Accounts. A financial statement is reviewed at every Board Meeting and the company accounts are published to all residents and submitted to Companies House annually. In addition, the quarterly service charges include a detailed statement of the quarterly expenditure.

13. Company Accountant. The Company Accountant is Gibbons Mannington and Phipps at 20 Eversley Road, Bexhill-on-Sea, TN40 1HE.

14. Company Office. The Company Office is at 5A Carlton Court. The Company's Finance and Administrative Officer usually mans it at the following times: Monday, Wednesday Friday 9.30am to 5.30pm, excepting lunch 1-2pm. Please make an appointment as the office is busy especially in the mornings. If these times are inconvenient, an alternative weekday appointment can be made. The office hours may change during holiday periods, please listen to the message on the answerphone for any changes to the normal hours on 01424 212940.

15. Complaints. Any complaints that residents may have, whether about the Company or about other residents, should be directed in the first instance to the Company Finance and Administrative Officer, Mr Geoff Howard.

16. Damp. The Company is responsible for dealing with all damp arising from the external fabric of the building. The cost of repairs arising from damp caused by the actions, accidental or otherwise, of residents is their responsibility.

17. Debts and Debtors. In the unlikely event that residents fall behind with the payment of their service charges or fail to pay an agreed capital levy for major works the Company will attempt to resolve the situation amicably. However, residents need to be aware that the Company reserves the right to levy an interest charge on late payments. In the event that an amicable resolution cannot be agreed, the Company will have no hesitation in pursuing persistent debtors via the Small Claims Court, the County Court or the Leasehold Valuation Tribunal, whichever is appropriate.

18. Decoration, Maintenance and Cleanliness. As guardians of the freehold of Knole Road, and of the wider interests of all the members of the Company, the Board has the right to expect that residents will keep their flats properly decorated, clean and maintained as per their leases.

19. Duplicate Keys. Residents are required to deposit a set of duplicate keys for their flats at the Company Office in order to enable entry in their absence in the event of repairs or an emergency.

20. Emergency Contacts. The Knole Road emergency contacts are as follows:

Gas :- STS Plumbing 01 424 751751 mobile 07973148691

Electricity:- Davis Electrical 01 424 216594 mobile 07973 234925 CB  
Electrical Contractors 01 424 203535 mobile 07866 804492

21. Emergency General Meetings (EGMs). EGMs may be called by the Board or by any group of shareholders with at least 10% of the share value of the Company when there is an issue that cannot wait for the AGM and requires a meeting of the shareholders and residents.

22. Fire Safety. Knole Road is an old building and thus vulnerable to fire. In view of this residents are requested to avoid storing flammable liquids and gas containers in their flats and to ensure that the electrical installations (e.g. wiring, sockets and fuse boards) and appliances in their flats meet current safety standards. All owners who rent out their flats must give a copy of their current gas and electricity safety certificates to the Company Office.

23. Floor Coverings. The age of Knole Road means that noise can travel more easily than in modern buildings. As a result residents are expected to cover their floors with carpets or rugs in order to lessen the transmission of noise.

24. Gardens. The gardens are available for use by all but please remember to respect the privacy and the quiet of those who live directly adjacent to them. A garden company on contract to Knole Road maintains them on a regular basis.

25. Ground Rent. Ground rent is charged on every flat at a standard rate and is payable in advance with the quarterly service charges.

26. Insurances. The Company is responsible for insuring the structure and external fabric of the building. Residents are responsible for insuring their own property, fixtures and fittings, for insuring against accidental and other damage within their flats and for their own third party liability.

27. Lease Extensions. Lease extensions may be purchased from the Company. The cost structure is as follows and is well below the open market rate. For non-shareholders the cost is £300 for each year purchased; for shareholders £200 per year being purchased and for shareholders who have undertaken significant voluntary work in support of the company £100 per year being purchased. These costs are subject to review in the future. Legal costs for this procedure are born by the lessee. Lessees not sure of the length of their lease may obtain the information from the Company Office where a copy of the property Land Registry entry is available.

28. Lettings. Flat owners who decide to let out their flats should take note of the following:

Registration with KRFO. They must register their let with the Company including the provision of a copy of the tenancy agreement.

Letting Agents. The Company is unable to deal directly with letting agents since the contractual relationship is between lessor and lessee. Invariably the letting agent has no knowledge of the lease covenants and although usually providing a good service, are unregulated organisations.

Tenant Compliance. It is the responsibility of the flat owner to make sure that their tenant is aware of the terms of the lease and has a copy of this policy booklet. This will enable tenants to understand fully the way the building and its management functions.

Gas Safety. An annual maintenance check of gas pipe work, appliances and flues carried out by an engineer registered with the Gas Safe Register (formerly Corgi) is a legal requirement. A copy of the engineer's Gas Safety Record must be lodged with the Company Office.

Electrical Safety. A formal certificated inspection of electrical installations (e.g. wiring, fuse boards and sockets) and appliances every five years and also at the beginning of each new tenancy by a registered electrical engineer is a legal requirement. A copy of the engineer's report and the Electricity Compliance Certificate (ECC) must be lodged with the Company Office.

29. Lifts. The lifts are for the use of residents. They can be expensive to

maintain and are subject to regular inspection and servicing with an approved company. It is therefore important that they are not overloaded and that tradesmen undertaking private work in flats do not use them. In the event that a lift is damaged as a result of misuse the flat owner responsible will be required to bear the cost of the repair. An emergency telephone is installed in each lift and is connected 24 hours a day to an operator. The telephone is programmed to dial only the emergency number.

30. Loan Stock. The freehold of the building was purchased in 1990 from Messrs Matlodge Ltd and a loan of £53,000 was raised and lent to the company, Knole Road Flat Owners (Bexhill) Limited, to complete the transaction. This was funded from a number of philanthropic lessees and became the loan stock of the company. All shareholders own a share of the loan stock that has been purchased and then incrementally repaid to the previous benefactors. Under the terms of the original Loan Stock Agreement, the entire loan was due to be repaid without interest in September 2011.

At the AGM on 22nd May 2011 the shareholders agreed to postpone the payment for thirty years to 2041 with the intention that inflation would diminish the company liability. The decision taken was based on the deficit in the company's accounts that such a repayment would make and the fact that it would cause an interruption in the maintenance program which could only be rectified by a demand through the service charge account. Such an administrative procedure was deemed a waste of the company's management resources and therefore not in the long-term interests of the shareholders.

31. Maintenance – Responsibilities and Funding. The Company is responsible for the maintenance of the external fabric of the building including the roof, foundations, external walls, window frames, guttering and down pipes via a programme of preventative maintenance. The most common problem is usually damp and the Company is dependent upon being informed by residents when damp problems occur. Repair work is undertaken in as timely a manner as possible. On occasions, this may not be immediate, depending on the financial implications and other necessary works. In the first instance telephone the Finance and Administration Officer, or use the email or postal addresses contained in this booklet.

32. Major Maintenance Projects. Major projects include the conversion of the old boiler room to a flat and the restoration and repair of the

northern elevation. When possible, these are funded out of Company resources – for instance, by the sale of the new boiler room flat and 15 Stonehaven Court. It is hoped that the preventative maintenance programme being introduced will mean that major restoration projects for the north and south elevations will not be necessary in future. Should there be a major and unexpected problem after the completion of the northern elevation it will then be necessary to consider a capital levy on flat owners so that the necessary works can be completed.

33. Newsletter. The Board publishes a newsletter to all residents every quarter. The purpose of the newsletter is to keep residents up to date with work that is being undertaken by the Board and any significant developments that impinge on Knole Road.

34. Noise. Residents are requested to respect the peace and privacy of others. Noise travels easily in this beautiful old building more than it would in a building of a more modern construction but less beautiful aspect. It would be helpful if residents could minimise the usage of the lifts between 11pm and 6am in the morning. If residents anticipate an unusual level of noise in their flat they are politely requested to let their neighbours know as a common courtesy.

35. Parking. Parking can be difficult because of the frequent use of Knole Road by non-residents. Please avoid parking on pavements and especially by the steps leading up to the entrances as this can damage the ceilings of the basement flats.

36. Pets. Flat owners at Knole Road (but not tenants) may keep pets but only with the formal consent of the Board and on the understanding that they do not provide a nuisance to other residents otherwise the permission of the Board may be withdrawn.



37. Rubbish. There is a rubbish area at the corner with Middlesex Road. This area is for normal household waste. Large boxes, items of furniture and so on should be taken to one of the two rubbish tips in Rother. Pebsham public refuse site is located on Bexhill Road, between Bexhill and St. Leonard's (A259) and Mountfield public refuse site is located on the A2100 road between Battle and John's Cross.

38. Security. Residents are requested to help with the security of the building by ensuring that the outer doors are properly closed. Occasionally, and usually when there is a strong wind, the door closers are not completely reliable. There is a programme underway replacing old gable entry locks with new laser cut key locks. Copies are available from the office.

39. Service Charges. Service charges are distributed together with a notice of lessees and tenants statutory rights under the Landlord and Tenant legislation a few days after the end of the company quarter days, 29th September, 29th December, 29th March and 29th June. They are accompanied by a Statement of Account showing how expenditure has been computed. They are based on the percentage that the flat occupies in the overall footprint of the building as set out in a Deed of Covenant. These percentages are likely to be adjusted downwards when they are recalculated after the sale of 15 Stonehaven Court and the new boiler room flat, 5b Carlton Court in 2012. Service charges may be paid by cheque made payable to Knole Road Flat Owners Limited or by standing order/direct debit. They must be paid within 14 days after the demand has been received and interest charges will be applied to accounts that are in arrears. The Finance and Administrative Officer will provide the details needed to set up a standing order/direct debit.

40. Sale of Flats. Although there is no obligation to do so owners are politely requested to notify the Company when they put a flat on the market. This is principally for security reasons. Owners are also politely requested to lodge the name of the purchasers of their flat and the details of their purchaser's solicitors with the Company. This is to enable effective liaison as well as a proper welcome.

41. Shares and Share Certificates. The Company issues shares and share certificates and keeps a register of all certificates issued. The shares issued are £1 each nominal value and there are currently 72 shareholders.

42. Shareholders. Shareholders become members of the Company, own a percentage of the freehold and have the right to vote at meetings of the Company. Under the Articles and Memorandum of Association no shareholder may have more than one vote even if they own more than one flat.

43. Tradesmen. When residents employ tradesmen, the tradesmen must register with the Company Office. Residents must ensure that their tradesmen have public liability insurance and a hot works permit if any soldering, cutting device using a flame or welding machines are in use. If gaining access from a flat roof, they must put down protective covering.

44. Utilities, Taxes and Licences. Residents are responsible for arranging for their own gas, water, electricity, telephone, internet and TV. They are also responsible for their own council tax and TV licence.

45. Washing. Residents are requested not to hang their washing out of windows or on balconies. This is stipulated in the leases.

46. Windows and Window Cleaning. The Company is responsible for the care, maintenance and, when necessary, replacement of all external window frames. Residents are responsible

for the glass. They are also responsible under the conditions of the lease for ensuring that their windows are cleaned regularly.