

# **Brownborne Management Company Limited**

## **Guide to the Estate Covenants**

**Please note that this is a guide only and it is important that you consult your Deeds of Title for complete details of the covenants in the Scheme of Management.**

## **Introduction**

Welcome to the Brownborne Estate on Park Hill. We believe that this quiet and popular residential estate with its attractive properties, landscaped gardens, abundance of trees and nearby parks is amongst one of the most pleasant areas to live in Croydon.

The Brownborne estate, earlier known as the Selborne Road Estate, was built in the 1960's when the properties were sold leasehold with Wates Builders as the Lessor and the Covenants contained in the leases. In March 1973 a Scheme of Management was approved in the High Court under Section 19 of the Leasehold Reform Act which enabled the Lessees to purchase their individual Freeholds and over the next few years all of the leaseholders chose to do so.

All of the properties are listed in the Scheme and subject to the Covenants and Conditions of the original leases which were preserved in the Scheme. When reading the Scheme the term Lessee should be regarded as the owner, one who occupies or has an interest in the property and the Company as Brownborne Management Co Ltd.

All the common grounds etc are owned by Brownborne Management Co Ltd which is a Private Limited Company legally responsible for ensuring that the Covenants applying to the estate, and each of the 70 properties on it, are complied with. The estate comprises properties in Brownlow Road, Chichele Gardens, Langton Way, Reynolds Way, Sudbury Gardens and Willow Mount, including the communal gardens surrounding them.

The Covenants are there to ensure that the overall appearance and quality of the estate is maintained and that the value of individual properties is not adversely affected by the actions of other residents. Care of the gardens is a major duty, protection of trees and shrubs ensures that the nearly rural style of the estate, an important reason for people wishing to live here, is preserved.

When you purchased your home you will have signed a legal undertaking that you were aware of the Covenants and that you would abide by them. You also became a Shareholder in the Brownborne Management Company. The Company has a volunteer Board of Management which undertakes to ensure that the Covenants are respected by the shareholders for the benefit of each other. The Directors are residents on the estate and are elected/re-elected each year at the Annual General Meeting, held in the Autumn.

Assisting the Directors with their duties are Property Maintenance & Management Services (PMMS) who collect the annual service charge, appoint contractors, pay suppliers and ensure in conjunction with the Board that correct actions are taken should there be any breach of covenants.

The Covenants, which are set out in the property title documents, are not always brought to the attention of new owners by their solicitors at the time of purchase. As they are written in a legal manner, which can sometimes be difficult to read, this guide has been produced with the aim of explaining the owners main obligations.

Ensuring that the renovation or repair of your property conforms to the Covenants will prevent any difficulties and additional costs incurred in correcting mistakes. The Directors and PMMS carry out an annual external inspection of all properties on the estate to assess their condition and advise owners of any items that require attention. If owners fail to comply they could find themselves subject to legal action and should this become necessary the Company will seek a costs order against the owners who are not complying with the estate covenants.

## **Insurance**

Properties must be insured against fire, aircraft damage and other perils for the full value or cost of rebuilding, whichever is the greater. The shareholder, if required, must be able to produce evidence of insurance to Brownborne Management Company.

## **Washing**

No washing or articles of any description may be hung up, dried or aired in the gardens or patio areas, except in those houses with a rear enclosed garden. Washing and bedding is not to be hung from windows of the property.

## **Communal Gardens**

These are for the enjoyment of all residents on the Brownborne Estate. Playing of musical instruments, radios etc, playing of ball games, damaging trees and shrubs etc, cycling, roller skating, skateboarding etc, are not permitted.

## **Trade Use**

Properties including garages are restricted in their use to a single private residence. Any trade use, or notices applying to such, is not permitted.

## **Letting of Houses**

If you let your house you are responsible for ensuring that your tenants observe the Covenants. Please ensure that you advise the Brownborne Company Secretary and PMMS where you can be contacted.

## **Sub-Letting**

Sub-letting of a house by a tenant is not permitted.

## **Selling your House**

If you sell your house the new purchaser must enter into a Covenant with the Company, honour these obligations and not assign the title to anyone who will not undertake to honour them.

### **The Land Registry will not register the transfer until this is done.**

The Brownborne Company Secretary will provide the appropriate contract draft and arrange for the transfer of the Share Certificate in conjunction with your solicitor at the time of sale.

## **Service Charge**

The charge covers maintenance of the communal gardens and structures (walls, pathways etc), the common television aerial system and relevant insurances.

Each householder pays 1/70<sup>th</sup> of Brownborne Management Company's expenditure, by half-yearly instalments in advance on the 25<sup>th</sup> March and 29<sup>th</sup> September. PMMS carry out the charge collection and administration. Owners receive one reminder and if payment is not received within the stipulated time the matter will be referred to the Company's solicitor and the owner will be responsible for any legal costs involved.

## **TV Aerials and Satellite dishes**

As the estate covenants do not allow the use of individual television aerials a communal television aerial system connected to each property was installed in the 1970's, this continues to provide reception of Freeview digital signals except for those properties in Langton Way, Reynolds Way where an internal aerial works well. Because of their lower position houses in Chichele Gardens do need either an aerial or dish.

When the estate was built during the 1960s satellite dishes were uncommon and unnecessary for the typical television viewer but satellite television is an important medium today. Unfortunately it is not possible to provide a simple communal system for satellite reception due to both technical and commercial restrictions by the television companies.

During the 1990s all properties in Willow Mount, Sudbury Gardens and Brownlow Road were connected to what is now the Virgin Media Cable system. This gives access to most of the satellite channels provided by Sky TV and other companies **without** the need of a dish. Further the cable system can also be used for a very fast Broadband computer connection. Virgin are not presently prepared to invest in extending the system to the remaining properties on the estate.

A compromise is necessary to try to fulfil the need of those who do not have cable, cannot receive a signal from the communal aerial or wish to watch satellite television programmes whilst at the same time preserving the nature and appearance of the Brownborne Estate.

### **Installation of a satellite dish:**

Subject to prior written agreement by the Company **ONE** satellite minidish may be installed at your property and must conform to the following :

- not be motorised
- not be larger than 45 cm diameter
- be black in colour
- be mesh or transparent
- the cable that runs from the dish into the house should be black.

Dependent upon the type of property the dish must be positioned as follows :-

#### **Three storey roof-terrace houses in Reynolds Way, Langton Way & Sudbury Gardens:**

Mounted in a weighted stand which is then positioned in the well of the sun-roof terrace area, not on the adjacent roof area or -

on the side of the party wall, or on the wall housing the water tank if of sufficient strength.

#### **Three storey flat roofed houses in Brownlow Road, Chichele Gardens, Sudbury Gardens & Willow Mount**

A dish may be attached to the brick of the party wall at the rear of the property, **only if your neighbour provides written agreement.**

If reception is not possible then a free standing black dish may be installed mounted in a weighted stand positioned on the roof of the house set back from the roof edge in order that it may not be seen from the road.

## **Two storey houses with gardens**

A dish may be installed in the garden but without being visible outside the property.

### **General**

House owners/shareholders must apply to the Board for the Company's written consent prior to erecting or resiting a dish. Consent may be limited in time or subject to conditions. **An Approval Request Form is at the end of this guide.**

Owners of properties which have already installed a dish are asked to apply to the Company for consent and if this is given to re-align them in accordance with the above directions if necessary.

*In the case of **oversized dishes**, they must be removed.*

Those owners who are letting their properties are asked to ensure that this notice is passed on to their tenants for the appropriate action.

## **Maintenance of Properties**

Maintenance of properties by their owners is the single most important part of preserving the overall appearance and value of the estate. Renovation, replacement or repairs which conform to the Covenants benefit all owners.

### **Alterations to the exterior**

No additional building, shed, hut or erection on the roof (temporary or otherwise), nor any alteration to the external walls, timbers, elevations, architectural appearance, including doors, windows, fascias, fences and cladding or exterior decorations is permitted without prior agreement of the Management Company or PMMS in writing.

When replacing windows or doors please ensure that the profiles match the existing ones and they are of the same pattern and colour.

### **Fascia Boarding**

Replacement boarding should be of the following materials only.

Timber - Softwood simple design using boards of the same size and matching the original design.

Plastic - Two-storey and three-storey townhouses: **Swish uPVC Celuka Cladding 100mm SHIPLAP**

Plastic - Three-storey roof-garden townhouses: **Swish uPVC Celuka Cladding 150mm SHIPLAP**

### **Exterior Painting and Repair**

Properties including fences must be kept in good repair and regularly repainted (at least once in every four years), in accordance with these specifications:

#### **Garage doors**

**DULUX BD Range Colour 00 A 05 to BS 4800 standard.**

Obtainable from:  
C Brewer & Sons , 2 Pegasus Road, Imperial Way, Croydon  
or other suppliers where paint mixing facilities are available.

#### **Front doors**

**Houses** in Chichele Gardens and Brownlow Road.  
Nos 1,3,5,7,9,11 & 13 Sudbury Gardens.  
Nos 1,3,5,13,15,17,19 & 21 Willow Mount

any one single colour the choice of the owner.

**All other houses** - Brilliant White

**Other paintwork** all other paintwork including the side doors to garages to be Brilliant White.

## Replacement Doors & Windows

Replacement exterior doors and windows are today made from materials which were not available when the estate was first built but when replacing them it is essential that they still conform to the Covenants in respect of style, size, frame, colour etc.

We have listed as examples some properties that have replacements which not only look superb but conform to all the relevant Covenants. We also provide details of the contractor who carried out the work. You can of course instruct the company of your choice provided that they agree (preferably in writing for your benefit) that all work undertaken will fully comply with the Covenants.

### Windows

Type of Property	Contractor	Example property
3 storey roof-garden	Zenith	5 Langton Way
3 storey roof-garden	Selsdon Windows	9 Langton Way 1 Reynolds Way
3 storey roof-garden	Anglian	11 Reynolds Way
3 storey townhouse	Everest	15 Brownlow Road
2 storey townhouse	Anglian	19 Sudbury Gardens

The 3 & 2 storey houses have **black reflective glass panels** as an integral part of the original windows and white is **not** acceptable. Selsdon Windows or Anglian can provide a satisfactory replacement reflecting the original appearance if other suppliers say that it is difficult to replace.

### Patio Doors

On many properties the original doors have been replaced with a two-door sliding style. Whilst matching the original is preferable sliding doors are acceptable provided that the glass is plain, not decorated and matches the design of your neighbours.

Type of Property	Contractor	Example property
3 storey roof-garden	Zenith	5 Langton Way
3 storey roof-garden	Anglian	11 Reynolds Way

## Front Doors

Replacement of the front doors and porch glazing of houses must be in accordance with the approved designs shown below:



3 storey townhouses in **Brownlow Road, Chichele Gardens, Willow Mount and Nos 1-13 Sudbury Gardens** must be of plain design with no curved or decorative glass.



Replacement door, frame and panelling to the front entrance of the **3 storey roof-garden** properties in **Sudbury Gardens, Langton Way and Reynolds Way** is obtainable from:

MPS Joinery  
Danbury Mews  
Manor Road  
Wallington  
Surrey SM6 0BY Tel 0208 773 0451



2 storey houses **7-11 Willow Mount & 15-19 Sudbury Gardens** with no curved or decorative glass.



## Garage Doors

The original design is no longer available but a suitable replacement (example 1 Reynolds Way) is available from :

Design - Cardale AEA17670SP

Supplier - Ace Garage Doors

Tel - 0808 1000694

## House Gardens and Patios

Front and rear gardens must be maintained with grass, flowers or shrubs kept in good order and free from weeds. Any trees particularly in the front gardens must be preserved, and any paved and brick flower areas maintained in good condition. When repairing the brick planters the original construction and dimensions must be adhered to. Patio areas including fences must be maintained as originally laid out and kept in a tidy condition.

**Fences must not be erected between houses with roof gardens.**

## Driveways

The same materials as the originals must be used when making repairs or replacing driveways and forecourts - the currently popular brick-style paving stones are **not** acceptable.

## Repairs to roofs & Parapets

When re-roofing your house or attached garage ensure that the material is the same colour as that being replaced and that the metallic or plastic edging strip is retained and not overlaid with felt.

## Sustainable energy

If you wish to install solar energy devices panels or photoelectrical panels to provide sustainable energy consideration must be given to the effect on the property and that of your neighbours. With such installations the power generated has to be transferred from the panel to heating or electrical grids via cables, conduits and pipes. These must be installed within the property and not attached to the outside. Before proceeding you must discuss the installation with the Brownborne board.

## Replacement of boilers

When replacing a boiler the existing exhaust flue should be retained or a replacement flue system fitted in the same passage and the outlet must **not** be installed such that it protrudes through the roof of the garages of the roof terrace houses in Reynolds Way, Sudbury Gardens and Langton Way.

## Drainage

Brownborne is responsible for maintenance of the drains that run under communal land and connect to the main drainage system. The responsibility of each householder lies with the drain from their property to where it joins the main drainage system. In order to avoid creating blockages which may affect both you and your immediate neighbours please observe the following :

Only get rid of the normal contents of your toilet, washing machine, dishwasher and kitchen sink waste through the drainage system

Hot fat must not be poured down the drain. Cooled fat or oils and other solid food matter should be put in degradable bags in the food waste bins.

Don't put cotton buds, nappies, wet wipes, female toiletries etc. down toilets. Put them in the bin.

Putting a degreasing agent into drains occasionally may help prevent the build up of any accidental fat in the drainage system

Never pour oils (like engine oil) down the drain, but get rid of them safely in containers provided at Civic Amenity sites.

Placing any material or matter that is likely to damage or block the sewer is an offence under the Water Industry Act 1991.

### **Advice on Contractors**

Although the Directors cannot be held responsible for any recommendations concerning contractors they may be able to advise you of those that have provided satisfactory service.