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Saffron Loasby
Development Management Team
Cherwell District Council
Place & Growth Directorate
Bodicote House
Banbury
OX15 4AA

23 January 2024
Sent by email only

Your Ref: 19/00963/OUT
Our Ref: HC028

RE: LAND ADJOINING AND EAST OF LAST HOUSE ADJOINING AND NORTH OF BERRY HILL ROAD, ADDERBURY – DISCHARGE OF SECTION 106 OBLIGATIONS ATTACHED TO PLANNING PERMISSION 19/00963/OUT: MANAGEMENT COMPANY SCHEME

Dear Saffron,

Please find enclosed within this letter, a list of submission information to support the discharge of the S106 obligations relating to the Management Company, pursuant to Outline Planning permission 19/00963/OUT, relating to land north of Berry Hill Road in Adderbury.

This letter provides details of how the relevant S106A obligations (S106A Agreement dated 9th March 2022) have been complied with, with reference to the relevant clauses. I'd be grateful if you could please forward these details to the relevant S106 Development Monitoring Officer, for consideration. Please do not hesitate to contact me, should you require any further information.

Schedule 2, Clause 7.1.1: Management Company Structure Scheme

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| <p>7. The Owners covenant with the District Council as follows:</p> <p>7.1 That they shall:</p> <p>7.1.1 On electing to secure the maintenance and management of the Open Space and SuDS through a Management Company submit a draft Management Company Structure Scheme to the District Council for its approval.</p> |
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The "Management Company Structure Scheme" is defined as follows:

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| <p>A scheme that addresses the following in relation to the Management Company:</p> <p>1. Details of the proposed constitution of the Management Company which shall be a private company limited by shares or guarantees;</p> |
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The appointed Management Company for the development is Ground Solutions who will operate under 'Hayfield Manor (Adderbury) Management Company Limited', as evidenced by the enclosed Certificate of Incorporation. The company is limited by guarantee without share capital.

2. Proposed banking arrangements for the Management Company;

Ground Solutions operates a Client Monies account which has virtual accounts within it which are in the name of the Management Company. The System is called Barclays BMAP and further information can be found at <https://www.barclayscorporate.com/content/dam/barclayscorporate-com/documents/solutions/corporate-banking-solutions/digital-banking-services/virtual-accounts-general-article.pdf>

3. Procedures and justification that the Management Company will follow for drawing down monies by the Management Company from the ManCo Maintenance Escrow Account;

Ground Solutions will follow the clauses within the TPI to ensure the Managed Land is maintained, insured etc., and as part of this Ground Solutions will pay contractors, insurance premiums, accountants fees etc., from the Management Company account. Ground Solutions follow the RICS code, and a set of accounts are produced each year.

4. Details of and arrangements for maintenance of such insurances as shall be appropriate in respect of the use of the open space against those risks as are reasonable to insure against in the circumstances then prevailing;

Ground Solutions use a broker to find the best insurance available and are experienced in ensuring all facilities have the correct insurance cover in place.

5. Details of the mechanism together with suitable documentation to ensure the transfer of ownership (if the District Council so elects) and responsibility for management and maintenance of the open space that are in the ownership of the Management Company to the District Council or its nominee on terms to be agreed (including details of how and when such transfer and step-in mechanism shall be triggered (likely to be written petition by at least 66% of households occupying the development) settlement of outstanding management costs prior to transfer and liability for legal costs/expenses associated with the transfer).

The managed land has been transferred to the Management Company on behalf of Hayfield Homes and will be maintained in perpetuity, in accordance with the enclosed Management Proposal.

Schedule 2, Clause 7.1.2(b): Establishment of Management Company

Not Occupy or cause or permit the Occupation of any Dwellings until

7.1.2(b)

the Management Company has been established in accordance with the approved Management Company Structure Scheme and evidence thereof has been submitted to the District Council that it has been so established.

The Management Company has been established as per the Management Company Structure Scheme set out above, and as evidenced by the enclosed Certificate of Incorporation.

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Schedule 2, Clause 7.2: Management Company Service Charge

- 7.2 Not to dispose of an interest in any Dwelling without putting in place in the plot documentation for each of the Dwellings a covenant whereby the owner/occupiers of each Dwelling (and their successors in title) shall be liable to make payment to the Management Company of the Service Charge which shall be collected and ring-fenced by the Management Company as successor in title to the Owner for application for the management and maintenance of the Open Space and the SuDS.**
- 7.3 To put in place in the sale documentation for each of the Dwellings a covenant whereby each of the residents (and their successors in title) shall be liable to make payment to the Management Company of the Service Charge prior to Occupation of the relevant Dwelling.**

Prior to the occupation of each relevant dwelling, each owner/occupier will be required to make payment of the Service Charge to the Management Company, as a covenant of sale, which will be paid annually to the Management Company, as set out in the enclosed Management Proposal. This will carry with each successor in title.

- 7.4 Prior to the Occupation of any Dwelling pay to the District Council the Management Company Monitoring Payment.**

An invoice from the Council was requested on the 8 January 2024 with respect to the first occupation contributions related to this development, including the Management Company Monitoring Payment. Upon receipt of this invoice, payment will be arranged.

Yours sincerely,



Katie Christou MRTPI
Planning Manager
kchristou@hayfieldhomes.co.uk

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List of Submission Documents and Drawings

23 January 2024	Covering Letter
June 2023	Management Company: Management Proposal – Hayfield Manor, Adderbury
16 June 2023	Certificate of Incorporation of the Management Company