

The (Unmade) Avenue (BR3) Road Association Limited

Company Number 11959831

Resident Update March 2023 to February 2024

1. Road Maintenance

As mentioned in our last update and from our experience with the condition of the road, we will aim to have two repairs a year early part and later in the year. This of course is subject to funds and the support of the residents.

In 2023 two road repairs have been completed, one in February the other end of November 2023.

We mentioned in our last update that we continue to keep under review the materials and mix used for the road repair and pothole filling. After much discussion with the Contractor we increased the asphalt in the planings mix for the potholes and this was used in the February repair. We were pleased with the results as the repair held up longer than previous repairs. For the November repair we used the same mix, however, although we had kept an eye on the weather conditions and agreed a date for the repair, we were disappointed with the results, as the weather condition deteriorated shortly after the repair, making an adverse impact on the road. The weather continued to deteriorate and in February the Contractor came back to do pothole repairs at no cost. As you may be aware February was the wettest month for over 100 years, and the potholes came back.

To address this we have had another meeting with the contractor, who has recommended replacing the asphalt with a Cement Bound Granular mix for the potholes. We have agreed that sometime in April we will experiment with an area where the potholes are more persistent, and closely monitor the results before we launch into a full scale repair.

We have to rethink about the timing of repairs as the right weather conditions are vital to enable the setting of pothole mix before heavy rain damages the repair. So we need to be flexible in when we do a repair rather than a set time.

On a positive note we keep Bromley Highways updated on our repairs and material used. The Assistant Director of the Highways has said that our approach is superior to others in the Borough and that the only option opens to us, other than our present ad hoc approach and localised repairs, is full-scale reconstruction of the road.

As we have confirmed before in 2010 the costs to bring the road up to adoption standard Bromley estimated £1.5 million, so today will be much more. Although the Council have no plans to adopt the road, if they did the cost would be charged back to the freeholders/leaseholders based on the frontage of their property and they would take a lien on the property if you needed time to pay.

There are other considerations about bringing the road up to some form of hard surface including maintenance and the increase in traffic, as not only is it expensive whatever the surface, it will still have to be maintained. Depending on materials it will be more expensive to maintain.

So far without success, we have attempted to find an independent civil engineer to survey the road and report to us on the efficacy of our repairing approach and whether there are better solutions to the problems we face. One of the critical problems is the lack of drainage, which is an issue that we have raised with our contractor, although yet with no clear answer

2. The Road Association – Directors

We would like to remind you, that the Resident Association is a non-profit making Company, and the Directors of the Association are four volunteer Directors with no remuneration. Therefore the Directors spend their own personal time for the benefit of the residents, to have a coordination approach to road repairs and to lessen the risk of accidents where the residents are liable. It is also more cost effective to have a coordinated approach as to have pocket of residents employing their own contractors for part of the road which can be costly.

We depend on the financial support of the residents annual payments, but often we find ourselves chasing up outstanding payments more than once which take time and effort. We face arguments, silence and sometime abuse. We feel sometimes the response or lack of it is from the outside Managing agents, so we urge you to ensure they reply in a timely basis.

It is quite simple that, if it becomes more of an uphill struggle in achieving the necessary support and funding, we will have little option other than to dissolve the Company, thus leaving residents to repair their own frontages

I would like to remind you all, the state of the road in 2010 where the Safety Forum did a report which was damning. Since regular repairs the road is in a much better and safer condition.

It is uplifting when there are those residents who support and payments are forthcoming immediately without any conditions.

We have in each update invited application to become a Director, to date we have not received any interest.

As a reminder if you would like to apply for becoming a Director of the resident Association then please email the Association on: :

info@theunmadeavenueassociationbr3.co.uk

3. Fund Raising

As you will recall from previous updates Forsythe Shades and Tern and Kingfisher Court Housing Association (A2 Dominion) have not paid any contributions since 2020, We are pleased to advise after meetings with Forsythe Shades and writing to A2 Dominion Chairman both properties have now agreed to contribute. We have already received Forsythe road contribution and waiting for A2 Dominion.

As mentioned in our last update we delayed sending out 2023 requests as we were experiencing 2022 delayed payments.. We sent out the 2023 requests/invoices for payment in August 2023. We took the opportunity to change the period of the request for payment to dove- tail with our accounting period. Therefore the period is from May 2023 to April 2024.

This also gives the management companies time to pay within their service charges timetable.

The 2023/2024 payments there are a number of properties that we are still waiting payments, but after being chased we are encouraged with the response that have confirmed the payments will be made. Those properties have until April 2024 to pay.

In May/June the request for payments will be sent out for the period May 2024 to April 2025.

During November there was a water leak in front of Lorraine Court and Thames Water attended. On completion of Thames Water repair, the Association negotiated with Thames Water a compensation of £3k to cover the damage caused by the leak.

As a reminder the accounts can be viewed on Companies House website:

<https://find-and-update.company-information.service.gov.uk/search?q=11959831>

We thank all those who have continued to support the Association and road maintenance programme through payment of their road contributions.

4. Frontagers Liabilities - Walkways

Previous updates we have given legal material to confirm residents liabilities under the 1980 Highways Act, either through freehold/leaseholder ownership. We do not propose to recap this area but we are happy to answer any questions.

Just to confirm that the Association articles only cover the maintenance of the road and not the public walkways.

What we would like to remind you it is the frontagers liabilities extend to the walkways and the trees outside your property. Recently this was again confirmed by Bromley Council when the residents of flats approached Bromley to attend to prune a tree on the walkway as it was unsafe. They were told by Bromley that it was the residents' responsibility, so the residents had to arrange for the tree to be pruned at their cost.

The Association was delighted to see the walkway area outside Olyffe Drive being cleared of much foliage and has made the area much safer for the public to walk through. We would urge other property owners to include their walkways in their garden maintenance programmes.

5. Other Issues

Developments – 76a/b The Avenue

As you may recall the developer of 76a/b after three planning rejections and two rejected appeals, on the third appeal the developer received planning for the proposed 18 flat 5 storey development. It is fair to say majority of residents did not support the development.

The developer approached the Association and representatives of the nearest flat/houses that will be directly impacted by the 5 storey development, to present an alternative development of 7 three to four storey Town Houses. After a few meetings with the Developer

and reviewing the plans, there was support for the Town House development. This proposal is much superior to the 5 storey development.

The Developer has now submitted planning application to build the Town Houses, but feels for various reasons that the planners/planning policies may not support the alternative development. The Developer has made it clear that if planning is not forthcoming for the Town House/Mews development he will build the five storey building.

You may have already received Bromley Council letter dated 28th February outlining the Town Houses development and inviting any comments you may have which have to be given within 21 days so the deadline is 20th March 2024.

Herewith is the link to the planning website where you can view all the plans and documents.

:- <https://searchapplications.bromley.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S8JN7GBTGGN00>

The Association feel the Town Houses are a far better alternative to having a 5 storey 18 flat development. The Houses will enhance The Avenue, with less cars and a much nicer development, plus much needed family houses in the area. As mentioned the Developer has received support from those properties directly impacted and from the Road Association.

Can we suggest that we do not leave it to chance as for those who support the Mews/Town Houses development and providing you are happy with the planning documents that you lodge your support on the planning website as this will help with the planning process and resident comments/support will be presented to the Planning Committee

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We understand the issues with the development having no clear boundary and the encroachment into the road is still with Bromley Council planning enforcement group.

Reminder

To communicate with the Association the email address is:

info@theunmadeavenueassociationbr3.co.uk

To view the website is:

<http://www.theunmadeavenueassociationbr3.co.uk/>

