

The (Unmade) Avenue (BR3) Road Association Limited
Update December 2019

Herewith update since our last update in September 2019

Emergency Repairs

Emergency repairs were completed in September 2019 to both the Westgate and Downs Hill ends of the road. As you know this was carried out to make both entrances safe and was a temporary repair which did not take away the need to carry out major repairs to the road.

Since the repairs the weather has not been kind with severe heavy rainfalls. With previous past experiences when other temporary repairs have been made, if following the repair we have heavy rainfalls the road further erodes and some holes appear/reappear.

It is therefore imperative we keep focused on raising the funds required to carry out major repairs.

Freeholder Letters

The Freeholder/Management Companies letters were sent out during September. As advised in our last update the letter explained: history and state of the road; freeholder liabilities, Association objectives; basis of the individual property calculation; and payment request.

We have been encouraged with the responses. A number of questions were received and have been answered. Some Management Companies have shown support and will be raising the collection of funds at their yearend AGM's.

It has been evident that some absentee Freeholders have yet to confirm support and funding, particularly the bigger companies where the freehold is invested. This could be either waiting legal clarification or it is circulating within their organization.

We have currently drafted a follow up letter to those Freeholder/Management Companies that have not responded, which will be going out sometime next week.

Funds Received

Funds have been received or committed representing nearly 40% of the required amount for the repairs.

With the exception of the development at 61, from Downs Hill entrance to Magnolia Court we have received funds or agreed commitments from both sides of the road.

Beyond Magnolia Court we have received some funds, and we are either waiting for Management Companies AGM's or responses particularly from absentee Freeholders to which we will be sending follow up letters.

Road Repairs

We cannot move forward to carry out the comprehensive repairs until all the funds are raised.

If you have any concerns with the current state of the road, we would appreciate if you could first check either with your Freeholder or your Management Company to ascertain their position on the funds requested.

Insurance

We mentioned in our last update the question of insurance cover, the liabilities and the quotes received.

After obtaining and reviewing the quotes, The Association has taken out appropriate insurance cover.

However, the insurance cover taken out by The Association is designed to protect The Association and its Directors from any claims arising directly from the work The Association performs. It does not protect or absolve freeholders from their existing responsibilities who we believe in law still remain liable for any incidents that may occur across their frontage.

We therefore recommend that Freeholders talk to their Insurance companies about their own position.

Development – 61 The Avenue

We are concerned to the extent that the developer has encroached into the road with a boundary fence. The impact is going into a one lane road directly round a bend.

We are also concerned about the lock up container that has been placed on the verge outside Tern Court restricting the walkway.

The Chairman is in the process of writing to Mr Mason of Cattor Estate freeholder of the road to ascertain what authority has been given.

LBB Highways

We approached Mr Warner Director of LBB Highways to see if we can put up speed limit signs restricting to say 15/20 miles as there is concern that some speed up the unmade hill.

We have received a response which has its complications as the road is a un adopted highway and falls within the Highways legislation. However there may be other type of signs we can pursue so we will be following this up with Mr Warner.

Communication

Just a reminder that our web site link www.theunmadeavenueassociationbr3.co.uk and if you wish to communicate our email through the web site info@theunmadeavenueassociationbr3.co.uk

Directors

Mr A Phillips - Chairman
Mr D Pistor
Mr P Dow
Mrs P Finch