

Fernwood Parish Council

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Dear Resident,

Following persistent complaints about the overall performance of our site management agents OM, Fernwood Parish Council (PC) commissioned a report from an independent company of chartered surveyors (who are also specialists in land management). The input from discussions at our Residents' Association (FRA) OPEN meetings was also taken into consideration. The findings of the report are as follows:

Lack of communication to address ongoing problems/confusing year-end accounting information: A management committee should be formed consisting of residents from the village, OM and the developers. This conclusion was reached based on early discussions with the surveyors who were surprised that this was not already in place bearing in mind the size of the development.

The scale of the management fees levied by OM:

They are considered to be too high, and the content of the report should be used to negotiate more favourable terms. The office of the PC could be used as a collective representative of the property owners to achieve a more competitive scale of fees. It is clear that there is widespread unrest from the existing property owners which, it is felt, must be detrimental to the developers' sales progress on the wider estate.

OM engagement as the maintenance company following completion of the Fernwood development:

It is understood that the contract with OM may not be terminated until 5 years after the last property is sold. Whether this is a fair arrangement could be challenged under the Unfair Contract Terms Act (1977) – but formal legal opinion should be sought in this respect.

Some properties on the development being exempt from the service charge liability:

This is disadvantageous to those properties which have the liability as the maintenance costs for the development are borne by fewer properties. It is unlikely that this situation can be reversed as complete co-operation would be required from all property owners to make the changes. It is considered that the time and costs involved to fully investigate this would be prohibitive and would almost certainly produce a negative result.

Landscaping services & charges:

Recent visits have found the quality of maintenance ie. in regard to the general landscaping, and the apartments' communal areas, to be of a high standard and is providing value for money for the property owners.

The full report can be viewed by contacting the PC Clerk – Email: clerk@fernwood-pc.co.uk

Jim Weale

Jim Weale, Chairman Fernwood Parish Council