

Privatisation of Wey and Round Oak Roads, Weybridge

Memorandum on certain topics raised by objectors to the privatisation

1. Purpose of this paper

SCC asked owners of properties to respond as to whether they supported or rejected the proposal to privatise the roads. Some people who rejected the proposal gave reasons, which in the opinion of the proposing committee, could misinform the SCC. Below we provide clarifying details relevant to these points. We have not responded to comments made by residents of Stretton Court as none of these people will be asked to participate nor contribute to the future costs of the to be formed management company.

2. Detailed objections

- a) *No legally binding assurances over access to property assignable to future purchasers.*
We have taken provisional legal advice and will provide a legally binding solution to this matter.
- b) *EBC would no longer carry out street cleaning.*
An agreement will be reached with either EBC or an alternative provider and is budgeted as part of the running costs.
- c) *Two roads are situated on a flood plain.*
We have verbal agreement from Elmbridge council that they do not treat private and public roads differently in the event of a flood.
- d) *There was no open debate on the privatisation.*
There are minutes of meetings and forums held by the residents association sub-committee which demonstrate the many, and depth of, matters debated over a period of more than one year.
- e) *There was no proper budgeting of costs for the future.*
There is a copy of the budget drawn up from various sources including other road privatisation associations, estimates from legal and accounting persons with similar experience, information received from SCC and own experience. Revenues were based on a % of property owners buying into the project and whose initial support and payment up front was requested to ascertain whether SCC would propose the privatisation.
- f) *Liability to claims for damages by 3rd parties.*
We intend to take out adequate insurance to cover the relevant risks and this is budgeted.
- g) *Establishing ownership of the underlying ground is likely to be onerous and time consuming.*
In the event that we cannot establish the true owners we intend to take out Defective Title Insurance to cover any eventual claims.
- h) *Who will take care of the verge on the island?*
It will become the responsibility of Newco (the new management company). It is intended that the owners treat it as part of their garden and they will assume responsibility. Any exceptions will be dealt with by Newco.
- i) *Concern that the Victorian drainage system already has frequent problems.*
We have agreement with the water companies that they will remain responsible for the drain replacement and maintenance.

Weybridge – January 24, 2013

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