



Trustee Update 3rd March 2021

Dear Resident

We hope this Newsletter finds you in good health and spirits and free from Covid. Due to the pandemic we do not have a great deal to share with you but we hope you find the following information useful and that you will also take action if appropriate.

CWAC

You may be aware that CWAC are undertaking a Consultation on changes to Waste Removal including additional charges for some of the service. We would urge you to make contact with the Council to give your views.

The link below gives you the relevant information.

E-mail - <https://participatenow.cheshirewestandchester.gov.uk/waste-strategy-consultation>

This document has a series of questions that The Council are encouraging people to answer. This can be done on paper (via the contact addresses) or through registering on their website via the link above.

Or

Postal - Waste Strategy Consultation, Cheshire West and Chester Council, Wyvern House, The Drumber, Winsford CW7 1AH

The Closing Date for your responses is Thursday 18th March

CWAC have informed a DP resident in writing that changes to the green waste collection service will take place. The 3 options they are considering are - no green waste collection, collection only April to September or pay extra for a year-round collection service. It is clear that the current service which CWAC claim they are not obliged to provide but for which we already pay in the Council Tax will not continue.

The Trustees have written a letter which has been sent to our Councillors which outlines our very strong objection to these changes on behalf of the Park. To date no response has been received !

The trustees have been pestering CWAC for the last ten months to repair many sections of footpaths and some driveways owned by CWAC. They have been working on the Park last week and appear to have done more work than they originally informed us they would. Once they have finished the current work, we will assess it and lobby them and our councillors if further work is necessary.

Lockdown Changes

As you know the government has set out a provisional timetable for releasing lockdown. At the present time, the only facilities that we are allowed to open are the amenity lands and children's play area.

We believe that the Tennis courts will be allowed to re-open soon and hopefully the swimming pool from mid-April. It looks as if the Bar will be able to open for outdoor table service only in mid-April.

However, the detailed rules have yet to be published and experience tells us that the details won't be published until a day or two before the deadline and as always, the devil will be in those details. As soon as firm rules are published, we will put in place the necessary safeguards and let everyone know the situation.

Covenants

One of the most important legal responsibilities of the directors of DPML is ensuring that the legally binding covenant between DPML and Plot Owners is adhered to.

In various disputes with Plot Owners, covered by the covenant, we often have to deal with historical matters for which there aren't any records, or such records are ambiguous or they were lost in the club house fire. The trustees are determined to settle all such disputes as amicably as possible and in the best interests of all Plot Holders. However, there will be times when some individuals are unhappy with our decisions and whilst we will be as sympathetic as possible, we remain bound by the Covenants, Deed of Trust and Articles of DPML. These rules are effectively impossible to change. There may be times when DPML has to revert to legal means to enforce the Covenants though we would only do this as a last resort.

The area that generates most issues is that of property changes. Some Plot Owners (many no longer living on the Park) have made changes to their property or land which is in breach of the covenant and these changes have not been approved by DPML or action taken when a request from DPML to desist or reverse the property change has been ignored.

Another issue is the use of Amenity Lands. The Deed of Trust prohibits the Trustees from disposing of amenity lands and other provisions require us to maintain the Landscaping Scheme of the Park.

The current trustees will ensure the covenant is adhered to and will not hesitate to use all means at their disposal to enforce the legally binding covenant, always of course in the best interests of all Plot Owners.'

Gardening

As you will have observed there are many trees that have been felled due to disease or other reasons hence lots of stumps around The Park. These will be ground out soon and new trees planted in the spring although most likely they will be planted in different locations to those felled due to the presence of honey fungus in many roots. The gardeners are very experienced and will use their judgement when it comes to the best place for planting.

The gardeners have created a new flower bed at the corner of Hollow Oak and Cuddington Lane, to cover up the old brick one that had an overly large conifer growing out of it. They are in the process of landscaping around the new timber framed bed and will be dressing the frame with climbers and hanging baskets in due course. The plan is to landscape the area around the junction of Denehurst Parkway and Cuddington Lane within the next month or so.

Maintenance

Roof

It has been apparent for some years now that there is a problem with the Clubhouse roof leaking badly in a number of places - the buckets in the Park Room have become a common sight. The Trustees took the decision in to investigate how these leaks could be solved and whether the roof itself had a more serious structural problem.

Tony Landells volunteered at the 2019 OGM to assist the Trustees in assessing the roof requirements and evaluating a way forward. We would take this opportunity to thank Tony sincerely for all the hard work he has put in so far. Tony's preliminary survey established that the current roof tiles are incorrect both in terms of their specification and the manner of installation. The Tyvec roofing felt beneath the tiles has been incorrectly installed and the parapet guttering between the two main roof sections requires major

investigation due to the extent of the leaks into the Park Room below, indicating a more rigorous invasive inspection should be considered.

As DPML is the building owner, whenever major maintenance is required that will require small / medium scale building work we have legal duties as a 'Commercial Client' under the Construction (Design and Management) Regulations 2015 (CDM2015).

It was clear that the Trustees needed professional advice and multi-disciplined support to ensure CDM2015 compliance. With the above in mind we evaluated a number of Building and Project Consultants and appointed Jonathan Cornes and Associates (JCA) in September 2020. JCA were appointed initially to carry out an invasive roof inspection and generate a report to determine what is required. It should be noted that we did not share any of our initial findings with JCA.

We received a detailed Roof Inspection Report (RIR) from JCA in October 2020, which unfortunately confirmed what Tony had already established as areas of concern: -

(1) Roof Tiles (2) Breathable Felt (3) Parapet Gutter (4) Lead Flashing around the Air Ducts

Although the inspection brief was to identify the cause of the leaks and present remedial work options, the findings led to one very clear conclusion "the only viable option to address the water ingress is to renew the roof covering completely". The 28-page report has provided DPML with a professional evidence based justification for full roof replacement.

The best-case scenario is removal and replacement of tiles, battens and felt. However, it is not possible to assess all the timbers because the roof sections over the Pool and Bar Area have multi foil insulation beneath the felt. In the area where there is no foil insulation (Park Room) water staining is evident but again until the roof is stripped the full extent of damage will not be established.

On the basis of the report we engaged JCA in December for the next phase, appointing them as Principal Designer to produce a "Specification and Tender Document" for issue to Roofing Contractors so that costs for the repairs can be obtained and a plan for rectifying the problems agreed. We then intend to appoint a Principal Contractor and it is hoped (Covid permitting) that work can start later this year subject to finances being in place.

The Trustees will provide further progress reports to Residents as this work progresses.

Ladies Changing Room

We have had a number of complaints about the hole in the ceiling and constant drip. We understood this to be yet another roof problem and couldn't be fixed until the roof was repaired. However it has come to light that the water drip was from water tap which had never been installed correctly.

We had to extend the hole somewhat to repair the tap and have now had the ceiling repaired and a hatch fitted to allow maintenance access in the future. Of course, until we are allowed to re-open the changing rooms this will be of limited benefit but at least it will be ready when we can use the showers!

Regards

The Trustees