

## **“THE COOMBE ESTATE”, KINGSTON HILL**

The Maldens & Coombe Urban District Council Act 1933 (the Act) enable the then Council to purchase the freehold title to the “Coombe Lands” and the “roads” that served the estate. The “Coombe Lands” are now the subject of leases with Coombe Hill Golf Club and Coombe Wood Golf Club. Not all of the roads on the Estate are owned by the Council. The “roads” owned by the Council are those that existed in 1933 and are listed in Schedule 1 of the Act. These are known as “Scheduled Roads” – Warren Road, George Road, Golf Club Drive, Brook Gardens, Renfrew Road, Stoke Road, Warren Cutting, Edgecombe Close and the path from Edgecombe Close to Golf Club Drive.

All of the other roads and shared accesses are known in the Act as “New Roads”. All premises served by New Roads or those without a direct frontage on to any of the Scheduled Roads are known as “Scheduled Premises”. The maintenance of New Roads is not carried out by the Council but is the responsibility of the relevant properties.

Part III, Section 11 of the Act sets out the rules and parameters by which the “Scheduled Roads” are to be managed and maintained and how the costs are to be recovered from the property owners of the Estate.

### **Status of Roads**

The Act states that the roads on the Estate are to remain “private”. This status is maintained by the signage at each entrance to the estate and by challenging users at the barrier in Warren Road, near to Coombe Lane West. A public right of way does exist, for pedestrians only, along Warren Road and George Road. Property owners and their connections have a “right of using” the Scheduled Roads.

### **Maintenance of the Scheduled Roads**

The maintenance of the roads, which consist of the carriageways, footways, margins, grass areas, shrubs and trees, within the Council’s ownership is arranged by the Council. Each year, before the 28<sup>th</sup> February, the Council is required to “publish” an estimate of the expected maintenance costs for the following financial years. Prior to being published the estimate is taken, in report form, to the Maldens & Coombe Neighbourhood Committee for initial approval. Property owners are able to “object” to the estimate, either at the Committee stage or after being “published” but before the 31<sup>st</sup> March.

If no objections are received, the estimate forms the maintenance budget for the year from 1<sup>st</sup> April to 31<sup>st</sup> March.

### **Recovery of Maintenance Costs**

The actual cost of maintaining the Scheduled Roads, for the preceding financial year plus an additional 10% contribution to the “Reserve Fund”, is usually invoiced to the properties in early June.

The amount each property pays is currently determined by the length of an assigned and/or measured “frontage”. If a property has a direct boundary on to any of the Scheduled Roads that total “frontage” is measured. If a property is a Scheduled Premise, the total perimeter of the New Road is measured and divided equally between the number of

properties served by the New Road. Some properties pay as both Frontagers and Scheduled Premises. Due to historic reasons there are some exceptions to these rules.

The invoice amount is calculated by dividing the total cost by total length of “frontages” to give a cost per metre. This is then multiplied by the “frontage” length(s) associated with a property to arrive at the amount required from that property.

N.B. It is important to note that the invoice is raised against a property and not a person. Therefore, if you start living on the estate part way through a year, you will receive an invoice in June for the total cost of maintenance. It will not be split between yourself and the previous owner/occupier. Any contribution to the cost of maintenance, by a previous owner/occupier, will need to be sorted out on the transfer of the property. It is also important to notify the Council’s Income Section (0208 547 5631) of any changes to the property address, ownership, tenancy and/or your preferred ‘charging’ address so that the invoices are sent to the responsible person at the correct address.

### **Access to Estate**

Due to the 1933 Act, the Council must keep the Estate Roads “private”. All property owners and their invitees have the “right of using” the roads. To try and control unauthorised access, a barrier has been provided in Warren Road, near its junction with Coombe Lane West. Currently the barrier is operated for part of the day by a “Gateman” who checks for unauthorised traffic. The Residents’ Association presently issue windscreen stickers to identify authorised vehicles. There is a small cost to cover administration.

The MCRA are responsible for the management and employment of the gate persons. The costs of this service were the subject of a High Court Judgement in 2008 and, as a result, are included in the Annual Roads Maintenance Charge.

### **Contacts**

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