



A. Introduction

All house owners on Weymede are issued with details of the legal covenants and rules/regulations that are enforceable on all properties and all property owners on the development. However, these can be difficult to interpret due to the legal terminology used and the number of changes and amendments made over the years.

This paper endeavours to provide a simple, easy to understand guide to the development and both the legal requirements and management policies that are applicable to everyone living on Weymede.

Notwithstanding the legal situation, the most important aspect of residing on Weymede is the spirit of co-operation and good neighbourliness that makes living on this lovely, award winning development so enjoyable. Management by an elected committee of residents (as opposed to the more expensive, rigid and less friendly alternative of an external management company) helps engender this spirit and ensures that everyone has a 'say' in the day-to-day running of Weymede.

Those interested in contributing to the running of the Society by serving on, or assisting, the management team should contact the Chairman and give him/her their details.

The amenities

The beautiful landscaped surroundings of Weymede include a selection of rare and exotic trees. The wildlife includes over 50 species of birds including our swans, ducks and cormorants, not to mention the flock of parakeets which visit later in the year when they have a frenzied party in our Indian bean trees. There are two species of woodpecker and owls can be heard at night.

Not to mention a thriving community of moles!

The riverbank area is there for your enjoyment and its use by residents and their guests is encouraged. The river contains many species of fish, including barble and chubb, an indication of the quality of the water. Many have enjoyed swimming in the river over the years and it would be good if we could reinstate the beach area, albeit further along the river.

Obviously, great care should be taken to ensure children are supervised when swimming or playing near the river.

Why not visit the riverbank to enjoy a Bar B Q, swim, party or just relax with nature. All that is asked is that you show consideration to others.....and hopefully you may enjoy meeting some of your neighbours..

There are few places today blessed with ownership of such facilities, a rare and exiting outdoor environment for children to play and all to enjoy within the realms of the development.

The design principles

The design and layout of the development is largely based on the 'courtyard principle', a system of architecture that has evolved throughout the world over thousands of years, encouraging small communities within the whole.

Together with the uniformity of the properties, the layout and landscaping are carefully designed and for those reasons there is demand in certain sectors of the market for Span properties. In recent years a group of residents, 'Michael's Movement', have provided positive input and support to the Society to encourage, maintain and highlight these principles and the benefits of living here for all.

The scheme ensures that all properties are well maintained and decorated and the grounds which you jointly own are maintained, not just as a magnificent showpiece but for your pleasure and use.

In many ways, living here is no different from anywhere else; when issues arise as they do, between neighbours, you are encouraged in the first instance to try and resolve these yourselves. All members are jointly obliged to uphold the covenants, as are the management team. However, contrary to some beliefs, the management team are primarily here to manage the day to day issues of Weymede and not to interfere as a matter of course, the difference being that the covenants and rules provide support and the teeth when needed to affect resolution.



B. Overview of the Development

1. The Weymede Development; (see Appendix 1 for map)

consists of 141 houses and 148 garages (*building commenced 1966 – 1967 by Span and was designed by renowned architect Eric Lyons with landscaping by Ivor Cunningham and Preben Jakobson*) situated in more than 15 acres of beautifully landscaped parkland leading to the secure, private riverbank area alongside the River Wey.

Eric Lyons CBE, PPRIBA, FSIAD was widely known in architectural circles, particularly for his work in residential design: he received a total of 18 national awards for various Span housing schemes including, of course, Weymede. His principles of cohesive integrated design are followed by many of today's planners and architects.

The concept of Span developments is of homes set in groups within an informal parkland setting and the principles of the landscaping were based on Ivor Cunningham's and Preben Jakobson's theory of 'wall to wall landscape carpeting' or 'the landscape washing up to the buildings'

The development adjoins historic Brooklands, which was not only the world's first purpose built motor racing circuit (the Ascot of motorsport) but also an internationally renowned centre of technological and engineering excellence, earning it the soubriquet of the "Birthplace of British motor sport and British aviation".

It was here that A.V.Roe made the first flight in a British built aeroplane and Tommy Sopwith developed and flew his Pup and Camel. During World War II, both the Hawker Hurricane and the Wellington bomber were built here, followed in later years by such famous icons of flight as the Vickers Viscount and the VC10. For the icing on the cake, engineers at Brooklands also made a significant contribution to the design and manufacture of Concorde. Furthermore, it was at Brooklands that Barnes Wallis, designer of the Dambusters "bouncing bomb", also developed the largest bombs used in the war – the "Tallboy" and the "Grand Slam".

The history of this unique centre of excellence lives on with the preservation of much of the track, the creation of the Spirit of Brooklands Museum and recently the superb Mercedes World.

2. **Ownership** - only the houses/garages and rear gardens (front gardens in the case of houses 108 to 117) are in individual ownership.

This means that the majority of Weymede is owned collectively by the householders and includes about half a mile of private roadway, together with several garage compounds, well over a mile of formal paths, numerous large mown grass open spaces and many hundreds of trees and shrubs.

The Weymede Society is responsible for its own drainage and lighting apart from that falling within the curtilage of the adopted central road, which is maintained by Surrey County Council, albeit litter and leaf clearance here is the responsibility of Woking Council with the sewer under the road coming under the control of Thames Water.

C. The Legal Situation (see Appendix 2)

1. **The Society** – the purchaser of a house on Weymede is legally obliged to become a member of the Society and, as an equal shareholder, must covenant him/herself (and his/her tenants) to observe the Regulations, Covenants and terms and conditions of the Scheme of Management.

("Forty years of experience has shown that the legally enforceable Management Scheme is an effective method of retaining coherence and the character of the place. Of equal importance is that everyone should appreciate why the obligations are significant. That is, an understanding of the value of the development; its history, architectural significance, its landscape and the cultural history and relevance today." - from 'The Spirit of Span Housing' by Dr James Strike, 2005)



2. Legal Obligations of all Householders –

The Regulations are intended to make living on Weymede as pleasant as possible whilst, at the same time, upholding the basic design principles (including those modifications that have, subsequent to the completion of Weymede, been legally approved and registered) that make this award winning development unique.

This, in turn, helps ensure continuity of standards as well as protecting the principle design features in order that future generations of residents will also benefit from them. As with listed buildings or buildings in Conservation areas, residents of Weymede do not have an automatic right to demolish or redesign external elements of their properties (e.g. bin sheds) just because they own them and nor can they replace existing features, such as fencing, with alternative types or styles.

All such replacements and alterations must conform to the basic design styles laid down by the original architects and developers.

Clearly, individuals either not willing or not wishing to uphold these legally binding obligations should not move onto Weymede. However, if they do, then they must accept that appropriate action will be taken by the management team, acting on behalf of all house owners and in accord with their legal obligations, to enforce the rules/covenants and to reclaim costs from those who breach the conditions.

3. Management of Weymede –

This is the responsibility of the Society (the collective body of householders) who are required to run Weymede in accordance with the Scheme of Management laid down under the terms of the Leasehold Reform Act 1967 as approved and registered by the High Court in 1974.

Copies of the scheme should be kept with the house deeds for each property and their contents (particularly those relating to each householder's obligations) should be made known to purchasers by their solicitors before the acquisition is completed.

The Society is responsible for implementing the terms of the scheme and will, therefore, take whatever action is necessary to enforce compliance by its members if infringements/violations take place. Obviously, however, it's to be hoped that the majority of members will be supportive of upholding the rules and will therefore help the management team to manage the development in an appropriate manner.

4. Residents' management team –

In accordance with the Society's legal obligations, a committee of residents (the management team) is elected each year at the AGM to become directors of the Society, taking responsibility for the day-to-day management of the Society. They have specific responsibilities for controlling the finances and ensuring that the Society's obligations are carried out effectively, efficiently and in the interests of all the members.

The offices consist of the Chairman, Secretary and Treasurer with other members covering areas such as gardens, painting, general maintenance etc.

In the absence of sufficient volunteers to make the management team viable then the Weymede shareholders are required by law to appoint commercial land agents to take over the formal management scheme.

This would be far more expensive than current arrangements and it would almost certainly result in considerable friction between householders and commercial managers.

5. Finance –

All residents pay a service charge to the Society, either monthly or quarterly in advance. The amount is fixed annually and advised at the Society's AGM held in November each year. The preferred method of payment is by Standing Order. (*Note: The Society has no involvement or responsibilities in respect of the ground rent payments of Leaseholders*).

The service charge covers external painting, window cleaning and upkeep of all communal parts of the development including roads, paths, lighting, drains, gardens and riverbank. In cases where services such as drains are situated within the boundaries of privately owned property then their maintenance is the responsibility of that owner.



6. Letting and sub-letting –

If an owner wishes to lease his property then he/she can only do so on the basis that the whole house is let on a furnished tenancy for a period not exceeding three years in any four-year period. Tenants cannot sub-let and houses on Weymede can only be used as private dwellings in one single-family occupation. The owner is solely responsible for the actions of any tenant who is bound by the same covenants in the interest of the Society and its members.

7. Common Responsibilities (see Appendices 3 & 4) –

There is a restrictive lease covering all Weymede properties regardless of whether or not a house is leasehold or freehold. An important feature of this is the prohibition of any change to the construction or appearance of the houses, garages and common areas.

Exceptions to the above can only be allowed or introduced by the formal agreement of householders through a set legal procedure. For example, as a result of a referendum held in 1990, the Society now permits the replacement of wooden windows and doors to match the originals with UPVc on the condition that only authorised profiles, materials and colours are used.

Failure to use specified styles and materials could render the householder liable for violation of the lease agreement, leading to enforcement action which could be very expensive, so it pays to make sure that changes conform to the correct specification.

8. Garages –

These can only be transferred or sold to other householders on Weymede. They are painted every three years in accordance with the painting cycle but the garage owner is responsible for keeping it in a state of good repair. Failure to do so can result in the Society instigating the necessary works and reclaiming the costs from the owner. No alteration to either the construction or appearance of the garage is allowable and, therefore, replacement doors must match the style and design of the originals. Where items of value are stored in garages then owners/occupiers are advised to fit additional security measures.

D. Specific Issues

Buildings etc.,

1. External Painting (see Appendix 3) –

Currently, this is carried out on a three-year cycle with a third of the houses and garages being painted each spring/summer. Householders are notified in advance and a contractor appointed by the Management team, after inviting tenders from several firms, carries out the work. It's the owner's responsibility to ensure that the woodwork is in good condition and that rotted timber (including gates, fencing and garage doors) is replaced prior to the painter commencing work. For an extra payment by the householder, the contractor will normally be prepared to burn off the old paint but this needs to be arranged in advance. Failure to maintain premises in good repair can result in the appropriate action being arranged by the Society at the owner's expense.

2. Window Cleaning –

This is carried out monthly and a slip is put through the door each time the windows are cleaned in order that problems can be raised with the appropriate management team member

3. Gutters and skylight windows –

These are cleaned annually as part of the maintenance cycle.

4. Replacement Windows/Doors (see section C6 & Appendix 4) –

In the nineties it was agreed that rotting wooden frames etc could be replaced by UPVC subject to clearly defined design criteria.

Appropriate drawings are included in the Appendices and the covenants clearly state that the glass must either be of the same type as the original or of a type approved in writing by WRS.



5. **Television and external fixtures** –

It is not permitted for TV aerials, satellite dishes or other fittings to be attached to the walls of houses above fence height. All houses on the development are served by Virgin Cable; an arrangement agreed by referendum and negotiated by the Society some years ago as a replacement for the central aerial system, which had ceased to function effectively.

6. **External Security Lights** –

In recent years, a blind eye has been turned to the erection of sensor controlled security lighting above wall height. Unfortunately, this has led to a Pandora's Box of often unsightly and inappropriate fittings with little conformity in design terms. Therefore, the management team are looking to formalise this by passing an appropriate resolution at an AGM and then issuing guidelines as to style, type and colour of installation acceptable.

7. **Refuse/Wheelie Bins** –

The Woking Council contractor calls on Wednesdays. Black lidded bins are provided for domestic refuse and blue lidded ones for recycling waste etc., and each colour bin is emptied on a two-week cycle.

It is the householder's responsibility to store the bins within the curtilage of his/her property and they must not be left in communal areas other than on collection day. The management team will arrange for the removal of bins that are repeatedly left in communal areas and householders will then have to find alternative means of handling their refuse disposal.

Council road sweeping is carried out at 10-week intervals on the spine road only. All other roads are the responsibility of the Society.

Roads, Drains, Lighting etc.,

8. **Roads, Paths, Lights and Drains** –

The main spine road (but not the adjoining footpath and verges) running from the entrance as far as house 60 is adopted and maintained by the council. All other roads, paths and garage forecourt areas plus the lighting, sewers, drains and gulleys are the responsibility of the Society apart from those (especially drains) within the curtilage of an individual property, which are the responsibility of the householders concerned. It's absolutely vital to ensure that manholes are easily located and readily accessible at all times. In particular, they should never be paved or concreted over unless adequate provision is made for easy access in times of emergency. For example, recessed manhole covers and frames can be used to replace the original standard flush fit versions thus allowing for inserts of blocks, bricks, stone slabs or concrete to match surrounding areas (ideal for patios). Rodding chambers and their lifting keyholes/handles must not be obscured and should be easily accessible at all times.

9. **Car Parking** (see Appendix 5) –

The number of cars on Weymede has increased over the years and there are now more cars than garages. The parking bays around the development are for the use of residents and visitors. There is no allocation or priority attached to these bays. Long term and overnight parking should be in garages wherever possible and all cars on Weymede should be roadworthy, insured, have a current MOT and be in regular use.

Most importantly, they must be properly licensed and taxed or they will be removed. Cars must not be parked on grassed areas since this causes damage and is inappropriate. All drivers are urged to respect the speed limit and to be alert to children and elderly people on the roads.

10. **Garage Forecourts** –

These are part of the communally owned and managed land: they are not owned by individuals so rights of parking and other usage are the same as for all other commonly owned land on Weymede.

Water taps for cleaning cars are located in each compound but the supply is metered and so residents are asked to exercise care when using this facility.



Grounds/Gardens

11. Gardens –

Maintenance of the communal grounds, riverbank and front gardens is organised by the Society. Most houses have a small area in front (the rear of houses 108 to 117), which is also owned by the Society and is not attached to a specific property. Maintenance of these areas is the responsibility of the management team and the landscape design for the development specifies that they should be planted with a range of mostly evergreen shrubs and plants. Roses, bulbs and other flowering plants are not, therefore, appropriate and neither are plant pots, hanging baskets etc.

Householders are encouraged to discuss individual concerns with the gardens' representative on the management team.

12. Garden Compound –

A compound for garden refuse only is situated at the west edge of the development, near to House 26. Non-organic waste **must not** be dumped here and this includes plastic sacks and other containers that may be used to transport material to the compound. This facility is provided for the use of Weymede residents only! Please do not throw waste over the wall or gate but, rather, use the riverbank key to enter the compound and then place refuse in the designated area(s).

13. Riverbank –

Residents are encouraged to enjoy and make good use of the extensive area of riverbank owned by the Society, which is protected by locked gates to deter non-residents from using our private grounds as well as to provide a safety measure for children. Outgoing owners should hand on the key(s) and there is a charge for replacements, which can be acquired from the Secretary.

Community

14. Neighbourhood Watch Scheme –

This is operated through a group of householders under the auspices of Surrey Police. It's designed to foster a community spirit so that everyone can contribute to the protection of their own and their neighbours' property through mutual co-operation and communication.

15. Fishing Rights

The Society owns the freehold of the land along the west bank of the River Wey north from the Plough Road Bridges to a bend in the river where a drainage ditch enters. The stretch north of our enclosed land is rented to the Byfleet Anglers' Association as is the east bank, but Weymede residents enjoy free access to the west bank. Those wishing to fish along this stretch should ask for a free permit from the secretary since bailiffs patrol the river. Fishing along the west bank within the grounds is for the **exclusive, free** use of residents and their guests, although a rod licence is still obligatory by law. Rod licences (day or full) can be obtained from either the Post Office or on-line through the Environment Agency.

16. Play areas –

Young people must not be left to play unsupervised on the riverbank for obvious reasons since the current in the River Wey can be quite strong. The Society has passed a bye-law prohibiting ball games on any part of the grounds apart from the area of the riverbank designated for this purpose (i.e. the South end).

17. Newsletter – Website – www.weymede.co.uk

The Society circulates a Newsletter every few months and residents are invited to use this and the website to air their views etc. Furthermore, householders should feel free to contact any member of the management team on any subject that concerns their residency. Comments or questions should be put in writing. For further information email; webmaster@weymede.co.uk and let the coordinators have your contact details.

Please note: For those interested in the historical background of Span Housing Developments recommended reading is as follows:

"The Spirit of Span Housing" by Dr James Strike – ISBN 0-954 9822-0-7 Published by Strike Print
jamesstrike@blueyonder.co.uk

"Eric Lyons & Span" edited by Barbara Simms – ISBN 1 8 594 6 256 1 & 978 1 85946 256 0
(RIBA Publishing 0207 496 8300)