

FORMOSA AMENITY LIMITED

Regulations applying when tradesmen have Access to the Formosa Garden

1. No freeholder, leaseholder or resident may give a garden gate key to any tradesmen or contractors in breach of this regulation.
2. Any freeholder, leaseholder or resident whose house borders the Garden (an “Owner”) who intends:
 - a) to have scaffolding erected at the rear of his house, or
 - b) to have any work carried out which will, in the sole opinion of Formosa Amenity’s board, intrude on the Gardenmust place a deposit of £1,000 with Westbourne Estates.
3. When the Owner (not the builder, contractor or scaffolder) has signed the Application Form for when Tradesmen have Access to the Garden and the deposit has been received in cleared funds, one key for the small gate on the Castellain Road side of the garden (by the corner of Sutherland Avenue) will be made available to the owner.
4. £100 of the deposit is non-refundable to cover administrative and inspection costs, but further amounts may be withheld for breaching any of the regulations detailed herein. Such amounts will be at the total discretion of Formosa Amenity’s board, and may equal or exceed the total amount of any outstanding deposit.
5. As guidance, any freeholder, leaseholder or resident found breaching these rules is likely to be fined up to £100, at the absolute discretion of Formosa Amenity Board, for each and every breach.
6. All scaffolding work must be carried out between 8am and 5:30pm Monday to Friday. For the avoidance of doubt, no scaffolders are allowed to enter the garden at weekends.
7. It is the Owner’s responsibility to ensure that their contractors have adequate public liability insurance.
8. The gate must never be left open and unattended. For the avoidance of doubt, attended means that someone is standing by the gate and making sure non-key holders are not allowed entry; unattended means everything else. Formosa Board takes breaches of this regulation very seriously – residents have suffered thefts and burglaries as a result of the gate being left open; we also consider it a major safety risk for the children in the garden.
8. No scaffolding or other material or equipment may be left overnight on any part of the Garden.
9. No motor vehicles or diggers are permitted in the garden at any time.
10. The key may only be used by the Owner and their workmen. It must not be copied or loaned to another Owner. Keys must be returned when the works have been completed.

11. If workmen are asked by
 - a) a Director of Formosa Amenity or
 - b) a member of the staff of Westbourne Estates or
 - c) the Formosa Amenity gardenersto move equipment or vehicles, or shut the gate, or leave the garden, they must do so immediately.
12. The Owner must ensure that toilet facilities are made available on their property whenever work is being carried out. No toilet facilities are permitted in the common garden areas or the pathways. Workmen must be instructed never to use the bushes as a toilet.
13. It is the Owner's responsibility to ensure that any person working for them who has access to the Garden has read the rules and regulations of the Garden.
14. Any breach of these regulations or the bye-laws and regulations of the Garden by the Owner or any person working for them may result in a penalty, the nature and extent of which will be determined by Formosa Amenity. Such penalties may be financial and may include the requirement that the key be returned immediately.
15. There is no appeal against any of the above conditions.

It was Resolved at the meeting of the Board of Directors of Formosa Amenity Limited at 30 Castellain Road, W9 on 11th day of October 2010 to make these Regulations pursuant to paragraph 13 of the Fifth Schedule to the Rentcharge Deed and Transfer dated December 1981 and made between (1) The Church Commissioners for England and (2) Formosa Amenity Limited by way of additions and amendments to the Rules and Regulations appearing in the Seventh Schedule to the said Rentcharge Deed and Transfer and to the effect that these Regulations take effect in addition to those appearing in the Seventh Schedule. A copy of these Regulations has been entered in the book maintained for the purpose by Formosa Amenity Limited.

Managing Agents: Westbourne Estates, 120 Westbourne Grove, London, W11 2RR
Telephone: 020 7229 8444

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APPLICATION FORM when Tradesmen have Access to the Garden

Contractor's details (Name of firm, name of individual, address & telephone number)

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Address where work is to be carried out

Estimated start and completion dates

Brief description of what is to be brought into the Gardens and work to be carried out

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I have read and accept the Regulations applying when Tradesmen have Access to the Garden and the bye-laws and regulations of the Garden.

I accept that it is my responsibility to ensure that any person working for me and having access to the Garden has read both these access rules, and the broader garden bye-laws and regulations, and that they adhere to them.

I confirm that I have seen my contractors' public liability insurance and consider that it provides adequate cover.

I authorise Westbourne Estates to deduct any charges from my deposit for breach of any of these rules as determined by Formosa Amenity's Board.

I authorise Westbourne Estates to add any charges to my quarterly rent charge for breach of any of these rules as determined by Formosa Amenity's Board.

SIGNATURE

NAME & ADDRESS

STATUS

(Freeholder, leaseholder, legally appointed Agent, etc)

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Cheque received for £.....

Number of key issued.....

Signed

Name (in capitals)

Date