

concerns about children in the village. For parents to support parents and us all to keep the youth in Netherne on track!
<https://www.facebook.com/groups/589788837729844/>

At A Glance

Leisure Centre Opening Hours

Monday to Friday 0630-2100 (Closed 1100-1130 & 1530-1600)

Weekends and Bank Holidays 0830- 1630 (Closed 1300-1330)

Please note the Swimming Pool will close 15mins before the Leisure Centre closes.

Village Shop Opening Hours

Monday to Thur 0700-2000

Fri and Sat 0700-2100

Sun 0800-2000.

Phone: 01737 556789



A Guide To Netherne Village and

Thank you for taking the time to read this guide, we hope it has helped answer some of your questions and make you more familiar with the village and how it works.

PLEASE KEEP THIS GUIDE FOR REFERENCE

Please note all information is correct at time of printing (July 2017)

Netherne Management Limited



relevant permission from the Councils and any other statutory authorities as appropriate.

Who should people contact if they have any questions?

For questions regarding management and maintenance of the village, residents should contact Michele Gallagher at SHW via email m.gallagher@shw.co.uk or call 020 7389 1528. Michele visits the village on a very regular basis so if you would like to arrange to meet with her, please do make contact.

If you have an accounts/service charge related query, please contact the SHW Accounts Department: Sebastian Sass – Accounts Assistant, 01273 876208, ssass@shw.co.uk. If possible please have your property reference available.

If you have an idea for something you would like to see in the village or have a question for the Directors please use one of the methods below:

- Visit the Netherne Facebook page and make a post requesting to access the “Directors of Netherne! Here to Help” page, you can then message the Directors. The Netherne Facebook page, can be found at <https://www.facebook.com/groups/188205424647693/>
- Email Michele m.gallagher@shw.co.uk and ask her to forward the email to the Directors.
- Drop a letter in at the Estate Office (in the Leisure Centre) and the Directors will collect it next time they visit.

Useful Resources:

- NML website www.nmanltd.com
- NOTHRA website www.nethernevillage.org
- Netherne Facebook Group, a great resource to ask other residents questions and get recommendations for local services. <https://www.facebook.com/groups/18825424647693/>
- Netherne Sell It Facebook Group which is the village’s equivalent to our own eBay without the inclusion fees and trips back & forth to the post office. <https://www.facebook.com/groups/560791667295523/>
- Netherne Youth Facebook Group - A forum for all parents of children in Netherne of playing out age to communicate on any issues and

no agreed payment plan in place to clear the arrears.

It is also possible to become a member of the Leisure Centre if you live in one of the Guinness Trust properties. However, you will then need to pay a monthly membership fee for Leisure Centre access - currently the membership fee is £45 per month per household (this covers anyone living at the address).

Who runs the village shop and when is it open?

The village shop is privately owned and managed, selling a wide range of products including groceries, household items, alcohol, medicines, magazines, bread freshly baked in store each day. Also in store is a collect+ service for parcels, mobile top up and bill payment. The current opening hours are: Mon – Thur 0700-2000, Fri & Sat 0700-2100, Sun 0800-2000. Phone: 01737 556789.



If I have a dispute with a neighbour regarding something such as high hedges or noise who do I contact?

NML and SHW are not responsible for resolving disputes between neighbours, so if you are experiencing problems please contact Reigate and Banstead Borough Council for assistance www.reigate-banstead.gov.uk 01737 276000.

If you feel that someone is in breach of the terms of their deed of covenant/lease then you should bring details of this breach to the attention of SHW. The Board will consider the matter and take any appropriate action.

If I want to make a change to my property such as an extension or change to fencing do I need to speak to SHW/NML?

Your deed of covenant or lease sets out your obligations in the Schedule entitled "Covenants by the Transferee". You should make yourself familiar with these obligations. If you are required to get permission from NML for any works or development, then your request should be sent to our managing agents SHW. In addition to securing NML permission, you will also need to secure any other

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This guide has been prepared by the Board of Netherne Management Limited (NML) and is intended to provide some answers on how your village works. Please note nothing contained in this document changes any obligations contained in your title deeds, your deed of covenant or your lease.

If you are new to Netherne, welcome. We hope that you will enjoy living here. As with any village, we rely on residents volunteering to help build the community. If you feel you want to volunteer, we hope that this guide will help you understand what you might do to help, be that with NML, one of the local management companies or the Residents' Association.

Introduction

Netherne on the Hill was once a large institution for psychiatric patients.



Netherne Hospital opened in 1903, but closed in 1994 following the community integration of most of its patients. In 1995, the site was purchased by a developer, M J Gleeson, who obtained planning permission to develop the site to create a new village.

To help complete the works, M J Gleeson involved a number of other developers to build sections of the village. However, M J Gleeson retained overall control of the development and was responsible for completing the infrastructure such as the community facilities and roads. A number of different forms of housing were developed, this included houses and flats. Some of the original NHS buildings were converted into flats, and there are also shared ownership properties and social housing within the village. In total, there are nearly 600 housing units within Netherne, making it one of Surrey's largest new villages.

What is NML?

NML is a Private Company Limited by Guarantee without Share Capital. Its sole objective is the management of the property belonging to NML at Netherne - on-the-Hill. The property comprises extensive areas of land (full maps are available to view online at:

<http://nmanltd.files.wordpress.com/2012/07/nml-finalcompositeplan.pdf>,

What is available at the Leisure Centre?

Netherne Leisure Centre provides a wide range of Sport and Leisure Facilities & Services to residents of Netherne Village. Facilities and services include:

- 18m Swimming Pool
- Relaxation Pool
- Sauna
- Fitness Suite
- Tennis Coaching
- Personal Training
- Resistance Machines and Free Weights Area
- Changing Rooms & Showers
- Tennis Courts x2
- Fitness Assessments
- Personal Exercise Plans
- Group Exercise Classes
- Children's Swimming Lessons
- Circuits
- Absolute Abs
- Legs, Bums & Tums
- Aqua Aerobics*
- Children's Swimming Lessons*

(*additional charges apply)

When is the Leisure Centre open?

Monday – Friday 0630-2100 (Closed 1100-1130 & 1530-1600)

Weekends and Bank Holidays 0830- 1630 (Closed 1300-1330)

Please note the Swimming Pool will close 15mins before the Leisure Centre closes.



How do I become a member of the Leisure Centre?

If you live in a house or flat where service charges are payable to NML, then you are eligible for Leisure Centre membership. The cost of your membership is included within your service charges. Simply pop into the Leisure Centre with the following documentation:

- Photo ID (Passport or drivers license)
- Proof of address (A recent Phone, Gas, Electricity or Council Tax Bill)

Once a Member of Staff has verified you meet the required criteria some paperwork and Membership forms will need to be completed. This will take about 10mins and then you will be issued with a keycard to gain access to the Leisure Centre. All new Members will need to complete an Induction Tour before using the Gym Equipment, this can be booked in at Reception.

Please note that the Board of NML reserves the right to deny access to the Leisure Centre facilities if a service charge account is not up to date and there is

What is the village hall used for?

The village hall (which used to be the recreation hall for Netherne Hospital) is used for NOTHRA social events, private hire for residents and several groups and clubs that provide services to local residents including:

- 4th Reigate (Netherne) Scout Group. Beavers Tues 1700-1815, Cubs – Tues 1845-1930, Scouts – Fri 1930-2100.
- Netherne Stay and Play – Tues 1000-1200 for under 5's and their parents/carers
- Netherne Table Tennis – Weds 1830-2030 for people and families of all ages
- Netherne Youth Club – Thurs 1930-2100 for 12-17 year olds to enjoy social and recreational activities
- Ballet Classes
- Football Coaching Classes
- Ballroom Dancing Classes



For more information and contact details for these groups and clubs please visit <http://nmanltd.com/the-village-hall/>

Can residents hire the village hall?

Yes, residents can hire the village hall for certain types of events, restrictions apply due to the location of the hall next to residential properties. To book the hall and for further information please contact Michele Gallagher at SHW who manages the bookings via email m.gallagher@shw.co.uk or call 020 7389 1528.

Who manages Netherne Leisure Centre?

Managed by Nuffield Health on behalf of NML, Netherne Leisure Centre provides a wide range of Leisure Facilities & Services for the residents of



Netherne Village. If you are new to the Village or not currently a member why not go and join up today!

including a leisure centre, a village hall and a deconsecrated cemetery. In addition NML also owns a football pitch and clubhouse, a cricket pitch and the site of a telecommunications mast but these are let to 3rd parties who have exclusive use of these facilities.



If you buy a property within Netherne and the property is covered by a deed of covenant or lease that requires you to pay a ground rent and a service charge to NML, you become a member (shareholder) of NML. NML was a company set up by MJ Gleeson to run the communal areas of the village that they had to include as part of the planning permission. Whilst the village was being developed, those who bought qualifying properties became members of NML but M J Gleeson retained overall control of the village.

From 2009 onwards, a committee from the residents association (NOTHRA) worked with M J Gleeson to secure the full transfer of NML to local management. This happened when elected resident directors were appointed to the NML Board in January 2011.

For clarification, originally in January 2011 the resident directors of NML were only to get the use, not the ownership of, the communal facilities and amenity land. However in the period between 2009 and 2011, the negotiating team secured the transfer of:

- the freeholds of the communal facilities
- the rights to collect historic outstanding service charge debts
- areas of land that M J Gleeson had land banked for future development.

As a result NML now has full control rather than being in the control of an external company (MJ Gleeson). As we own the available development land within the village we have full control over how this will be developed. We also have property that has a value as opposed to owning nothing.

Who are M J Gleeson and why do they have an interest in people's properties as listed in the deeds of covenant/leases?

M J Gleeson were the main developers of the village so when the properties were originally sold, their name appeared on the deeds of covenant/leases. However, when the assets were transferred to local control in 2011, M J Gleeson

transferred their interests to NML, so now NML takes the place of M J Gleeson on these documents. There is no legal requirement to amend everyone's individual documents as overriding deeds have been lodged with the Land Registry recording the amendments.

Who runs NML?

Currently the NML board comprises four resident Directors. All Directors volunteer for the role and are members of NML. To qualify to be a Director, it is necessary to be up to date with ground rent and service charge payments or have an agreed payment plan in place for the payment of any historic debts.

The Directors are not paid for running the company and give their time for free. This includes:

- attending monthly directors meetings
- completing tasks arising from meetings
- dealing with emails and other correspondence
- running AGM's and EGM's
- adhoc meetings as required with our managing agent Stiles Harold Wilson (SHW), accountants and solicitors

What does NML do?

NML is responsible for providing the communal facilities in Netherne and for ensuring that they are maintained. The Company is also responsible for ensuring that the obligations of the deeds of covenant/leases are met and ensuring that the integrity of our property is maintained by taking action against those who do not have a right to use our facilities.

On a day to day basis, your interests in the communal estate are managed by the NML Board. The Board make decisions regarding:

- the maintenance of buildings and grounds both short and long term
- managing the income and expenditure of the company ensuring we remain solvent
- ensuring that we will have funds available for future large expenditure items such



Who runs the community bus service, and how does it work?

Netherne Community Bus Company Ltd was established in 2012 to provide a shuttle service to and from Coulsdon South Rail Station during morning and evening peak commute times. The Bus Company is a completely separate and unrelated company to NML, although its Board of Directors comprises the same directors as the NML Board.

The Bus Company owns its own bus, but we have outsourced the employment of our various drivers to East Surrey Rural Transport Partnership. The Bus Company does not receive any funds from NML and is a not for profit company. The initial finance for the Bus Company was provided by Section 106 funding that M J Gleeson was required to pay to fund transport in the village. The Bus Company also secured a small grant from Surrey County Council towards its operating costs. The only other income that the Bus Company receives is fare income from passengers.

As at March 2014, the adult fare for the journey is £1.50 if you buy a book of 10 tickets or £3.00 if you pay cash on the bus. The child fare (for children aged 0-18) for the journey is £0.50 if you buy a book of 10 tickets or £1.00 if you pay cash on the bus. Books of ten tickets can be purchased from the Village Shop. We encourage villagers to use the bus where possible as this will save money on petrol and parking fees and lower the environmental impact of Netherne's commuters. At the current time (March 2014) the Netherne Community Bus is not quite covering its operating costs, but we soon hope to be breaking even as more commuters start to use the service which will mean the service can be sustained longer term.

You can register for email updates including news and timetable changes about the Netherne Community Bus by emailing nethernebus@yahoo.co.uk

The NOTHRA committee is comprised of residents from all sections of the village working for the common good. NOTHRA focuses on issues that affect the community including:

- suggestions for improvements such as picnic benches and litter bins
- lobbying the Councils and NML on issues affecting all residents
- working hard organizing the social and community events that are held within the village such as the Christmas party, litter collections and quiz nights.
- Raising funds to purchase items for specific groups within the village or items to help NOTHRA with future events.

There is no charge for membership of NOTHRA, and membership is open to all households within Netherne. The AGM is held once a year and other open meetings take place as required throughout the year. More information can be found on the website <http://nethernevillage.org/nothra/>

Is there a connection between NML and NOTHRA?

There is no legal connection between the two, however at the current time two members of the NML board are also members of the NOTHRA Committee. Working with NML, NOTHRA has occasionally lobbied both Surrey County Council and Reigate and Banstead Council on local issues and sought to get them to provide services to the Village. For example, NOTHRA has recently been attempting to get the Council to fund the cost of lighting the footpath to Hooley.

NOTHRA also provides ideas to NML for improving the village such as the provision of picnic benches and additional litter bins. Where it is felt that it is a benefit to the whole community, NML will normally agree to fund these items.

Who looks after social activities?

These are organised by the hardworking volunteer members of NOTHRA as a way of enhancing life and relationships in our village. For more information or to join the social group please email social-group@nethernevillage.org

- as replacement boilers for the swimming pool
- improving and protecting the environment for everyone who lives in the village.

What is the NML AGM for?

Under NML's Articles of Association, the Company is required to hold an AGM once a year. The notice of such meetings is given to all members, although members are not obliged to attend.

The business to be transacted at the AGM includes consideration of the financial statements and the report of the Board, the election of Directors, and any resolutions requiring a member vote.

Do residents have any influence over decisions made by the Board of NML, are they entitled to vote and if so what for?

Members are entitled to vote on resolutions that are discussed at the AGM. However, in order to be eligible to vote, members must be up to date with their rent and service charges.

Examples of resolutions that would typically be put to the vote of the membership include the election of NML Directors, and any projects that require expenditure of over £15,000.

Can residents speak at the AGM?

Anyone who is a member/shareholder of NML is entitled to speak at the AGM and ask questions of the Directors.

Why do some people pay more than one ground rent and/or service charge to multiple management companies?

Within the village the houses and flats fall into several different categories and a number of properties are required to pay two ground rents and two service charges. This should have been explained to you by your legal advisor when you acquired your property, however, as a quick guide please see the table on the next page. For example owners of some houses and apartments such as in the Italian Gardens, the Villas, Lords Wood, Village Square, The Green, Tugwood Close, Bowen Way, Broadwood and Gawton Crescent (not a full list) are also members of a Local Management Company (LMC). Ground rents and/or service charges are also payable to these LMCs.

Type of property	NML Ground Rent	NML Service Charge	LMC Ground Rent	LMC Service Charge	Comments
Original NHS house (not refurbished by MJG)	No	No	No	No	
Original NHS house (refurbished by MJG)	Yes	Yes	No	No	
Original NHS property converted to flats	Yes	Yes	Possibly	Possibly	Some freehold properties also have a LMC that provides specific services to that part of the development
New build house	Yes	Yes			
New build flat	Yes	Yes	Yes	Yes	Under law, only a small amount of service charge is payable by the housing association for each property, which covers the use of the open facilities but not the leisure centre
Shared ownership property	Yes	Yes	Yes	Yes	
Social housing	No	Yes	No	No	

Depending which LMC is responsible for your property will determine what these service charge and ground rent covers for example: the upkeep of

will need to be fixed in the future and it is felt that everyone who has used the assets should contribute to the repair cost when due.

Why do NML members have to pay a fee when we re-mortgage?

Your new mortgage company requires a substantial amount of information that involves our advisors spending time collating and replying to the enquiries. This work includes receipting the Notices relating to the mortgage and issuing the Certificate of Compliance required to register the Charge at Land Registry. Under the terms of your deed of covenant/lease, which you signed when you purchased your property, you are required to meet any costs incurred by NML for such transactions.

The work has historically been carried out by the solicitors McMillan Williams but following concerns about the level of fees charged, in December 2013 the NML board took the decision to transfer the work to SHW.

Depending on your property, there may also be a charge from your Local Management Company as they will have to provide similar information in respect of their interest in your property. Your solicitor should have flagged these fees with you during conveyancing as they are part of the Deed of covenant/Lease which we all signed when moving into the village. NML does not receive any of the fees you pay.

Who are NOTHRA and what is their role?



NOTHRA (The Netherne-On-The-Hill Residents Association) was formed in 2003 to represent the views of all residents (not just NML members) to the developers and the planning authority, and to be the focal point for the development of policies affecting the community facilities.

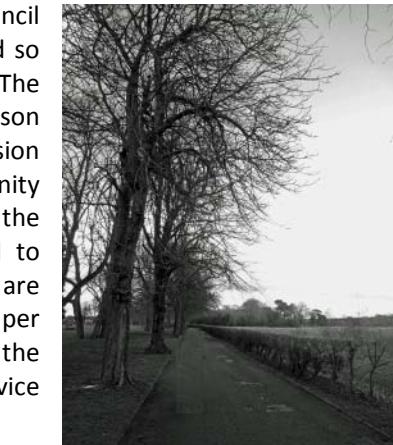
When management of NML was transferred to local control, NOTHRA reviewed their constitution as they no longer needed to represent views to the developers. Unlike NML, where only the shareholders can be involved in company business, NOTHRA is open to all residents within the village.

Why have we got a management company (NML) for our village rather than the council maintaining the landscaped and communal areas?

The land within the Netherne Estate was previously a private estate owned by the NHS. The whole estate was sold to M J Gleeson, who in turn sold on certain parts such as the fields and the houses that were built. Apart from their statutory duties, Reigate and Banstead Council were not involved in the development and so have no land under their ownership. The communal areas were retained by M J Gleeson who were required by the planning permission granted to make them available for community use. Under the transfer agreed in 2011, the freehold of these assets was transferred to NML. In order to ensure that these assets are properly maintained, we are all required (as per the deeds and documents covering the purchase of our properties) to pay a service charge to maintain them.

Who grits our roads in the winter?

The Council are responsible for those roads that have been adopted. M J Gleeson remain responsible for those roads that still haven't been adopted. To date, NML have paid a private contractor to grit and plough our main roads, such as Netherne Drive. Several years ago, we were advised by Surrey County Council that we would have to stop this once they adopted the roads, however after lobbying our Councillors, we have been advised that we can continue to grit and plough as necessary. The reason we have to do this rather than the Council is because in the event of snow none of our roads will receive priority as they are not on a public bus route.



Why do NML members have to pay a fee when we sell our property?

You pay this because it is a clause contained in your deed of covenant/lease set up by MJ Gleeson. The NML Board has determined that this money, also known as an "exit fee", should be added to the sinking fund. The reason for this is that over your time in the village there has been wear and tear on the assets that

specific common parts of their buildings, buildings insurance, and maintenance of garden areas specific to that development.



For properties that do not have a LMC, the freeholder will be responsible for providing these services to their own property. Each LMC will have its own Board of Directors that has responsibility for the running of that Company. They may also have their own managing agents.

NML is not responsible for any services that the LMCs provide.

What does the NML service charge pay for?

- The maintenance and running costs for the leisure centre including: purchasing all equipment, maintaining the heating, pool cleaning and the Nuffield Health staff who run the leisure centre
- Maintenance and street lighting of Upper Lodge Way (the only road that is the responsibility of NML)
- Maintenance of the extensive grounds
- Maintenance and running costs of the village hall
- Staff costs for NML employees
- Charges for SHW services.



What does the NML ground rent pay for?

The ground rent gives you the right to use the facilities owned by NML. If we were a commercial business, the ground rent would be the property of the company and provide the return that the company would have invested to secure the property (effectively an interest payment on their money invested). However because NML is owned by you, the Board have decided that the ground rent will be ring fenced in the "sinking fund".

A "sinking fund" is a fund that is established to ensure that there are sufficient funds available in the future to replace assets that deteriorate over a period of

time. For example: chemicals used to keep the pool clean are used on a regular basis and so are covered by the service charge. However something like painting the leisure centre may occur only every few years. Such costs will be funded by the "sinking fund". Each year an amount of money is set aside from your service charge to build up the "sinking fund" as are other amounts of money such as the "exit" fees from sales of properties.



What would happen if NML ceased to exist?

NML is in a reasonably healthy financial position with a full board of Directors committed to ensuring it continues to be. However, in the unlikely event NML were to become insolvent or all the Directors decided to resign and no replacements from within the village could be found, an Administrator would have to be appointed to deal with the winding up of the Company. All members would have a liability of £1.

The appointed Administrator would run the company initially and try and sell on the business as a going concern. Any buyer would secure the rights to charge ground rents and service charges (as provided for by the deeds of covenant/leases).

Residents would no longer be shareholders of NML and the new company could make their own arrangements for the provision of the services without asking the residents but would be able to charge you for the provision of these services (as your lease/deed of covenant would still be functional).

This position would not be ideal and so it is important that everyone in the village supports NML to ensure that it continues to exist and service charges and expenditure are managed appropriately.

Why are Stiles Harold Williams (SHW) involved?



As volunteers, it is not possible for the NML Directors to spend the large amount of time required to deal with the routine property management of such a large site. NML has always used a firm of managing agents to deal with these matters, albeit to varying degrees of success. In 2011 the old managing agents withdrew from property management so the NML Board went through a tender process to find a new property management service for Netherne. SHW were appointed in May 2012 to undertake the day to day property management of the village on behalf of NML.

What do SHW do?

- Deal with residents' questions
- Collect ground rent and service charge payments
- Collect rents from our leased properties
- Provide input to Board meetings and meet with the Board on a quarterly basis
- Chase bad debts
- Manage the NML employees
- Subject to Board approval, appoint contractors for the provision of various services
- Prepare accounts
- Provide Company Secretary and Registered Office services to the Company
- Many other tasks to ensure the smooth running of the NML assets