

CRESCENT AMENITY LIMITED
ADDITIONAL REGULATIONS FOR THE SEVENTH SCHEDULE
31 March 2020

It was resolved at the meeting of the Board of Directors of Crescent Amenity Limited on the 5th February, 2020 to adopt these rules and regulations (the “Regulations”) pursuant to paragraph 13 of the Fifth Schedule to the Rentcharge Deed and Transfer dated the 14th day of August 1981 between The Church Commissioners for England and the Crescent Amenity (“Rentcharge Deed”) as an addition to the rules and regulations appearing in the Seventh Schedule of the Rentcharge Deed. In adopting these Regulations, the Board revokes any such previous Regulations.

The words and expressions used in these Regulations have the meanings ascribed to them by the Rentcharge Deed and Transfer. Additional definitions are as follows:

“Guest”	Someone, who is not a Tradesmen as defined below, invited onto the Estate by a Resident
“Managing Agent”	The person or company appointed by the Board of Directors to manage the day-to-day operation of the Crescent Amenity. Their contact details are available on the Website
“Parking Attendant”	A qualified person or company who ensures that all vehicles parked in the Roadway display a valid Permit and who are authorised by the Board of Directors to take action against vehicles without a valid Permit
“Permit”	A ticket that must be clearly displayed in order to park in or occupy a space on the Roadway
“Resident”	A freehold Owner or a person who legally and lawfully resides in a Crescent Property “Crescent Property” A Transferable Property as defined in the Rentcharge Deed
“Tradesmen”	Tradesmen or agents appointed by a Resident to maintain, improve, manage, or inspect a Crescent Property or make a delivery to a Crescent Property
“Tradesmen Permit”	A Permit to park in the Roadway provided to a Tradesman who has been appointed by a Resident of 2 to 22 Clifton Gardens
“Website”	The Crescent Amenity’s website at www.crescentgarden.co.uk

Section A: Regulations for the Use of the Crescent Amenity General Gardens

Section B: Regulations for Tradesmen Access to the General Gardens

Section C: Regulations for the Use of the Crescent Amenity Private Roadway (only available to those living on 2-22 Clifton Garden)

Section A: Regulations for the Use of the Crescent Amenity General Gardens

Access

1. Access to the General Gardens is only granted to Residents, Guests and Tradesmen. Guests must be accompanied by a Resident. Tradesmen must have permission from the Managing Agent before entering the General Gardens
2. The Managing Agent will issue access identification to the General Gardens to Residents for a deposit and an administration fee as determined by the board of directors from time to time. Proof of residence and photographic identification are required
3. No gate or door to the General Gardens shall be left open or unattended

Conduct Principles

4. In the General Gardens, Residents and Guests are required to conduct themselves in a way that balances their right and the rights of other Residents to the beneficial use of the General Gardens. These rights are defined by the following three "Conduct Principles":
 - 4.1. *Safety*: They must not put themselves or others at risk of harm or injury
 - 4.2. *Quiet*: They must allow other Residents to peacefully enjoy the General Gardens
 - 4.3. *Care*: They must not damage or pollute the General Gardens

Specific Bans

5. For the avoidance of doubt, the following are prohibited in the General Gardens based on, but subordinate to, the Conduct Principles:
 - 5.1. Playing games with inflatable balls, except for children under 10 years of age
 - 5.2. Playing with any hard or non-inflatable balls
 - 5.3. Playing any games or otherwise using the General Gardens while wearing boots with studs, cleats or spikes
 - 5.4. Operating drones, model aircraft or other motorized flying devices
 - 5.5. Riding pedal bicycles, skateboards, or other non-motorized vehicles; except pedal bicycles ridden by children under 10 years of age who are supervised
 - 5.6. Riding or using motorized bicycles, tricycles, scooters or other motorized vehicles;
 - 5.7. Playing on the ramp leading to Warrington Crescent.
 - 5.8. Climbing the trees, walls, fences, lamp posts or gates
 - 5.9. Leaving young children unsupervised by an adult
 - 5.10. Bringing dogs into the General Gardens without being safely controlled on a lead by its owner at all times
 - 5.11. Dog owners or those controlling the dog failing to remove and properly dispose of the dog's excrement
 - 5.12. Making excessive noise, including music, or behaving in an antisocial manner, i.e. breaching 4.2 above
 - 5.13. Leaving litter or unattended items including bicycles (unattended items may be removed without notice)
 - 5.14. Lighting barbecues or fireworks or installing tents, marquees, bouncy castles or similar items
 - 5.15. Bringing into the General Gardens any glass beverage containers or other breakable glass

Private Parties

6. Residents wishing to hold a private party of more than 10 people in the General Gardens must seek permission from the Managing Agent at least five days in advance of the intended party
7. Residents hosting a private party:
 - 7.1. may not cordon any area or otherwise restrict use of any area of the General Gardens for their exclusive use
 - 7.2. must ensure that they and their Guests do not breach any of these Regulations

Quiet Enjoyment Principles (Section 4.2)

8. Residents shall not make excessive noise, including playing music, from private patios, balconies and open windows
9. Residents shall not install or maintain security or other exterior lighting that, when illuminated, is excessive, misdirected, obtrusive or otherwise pollutes or disturbs the garden and its residents

Enforcement

9. Any Resident observing a breach of these Regulations is requested to either draw the breach to the attention of the offender or report it to the Managing Agent by phone or email or by using the Website
10. Breaches of these Regulations may, at the Crescent Amenity's absolute discretion, result in a penalty, charges for reparations and costs, or both. The Crescent Amenity also reserves the right to deny Residents or Guests access to the General Gardens if they are deemed to have breached these Regulations. This includes revocation of any access key(s) to the General Gardens and forfeiture of the key deposit(s).
11. Freehold Owners shall, on demand, make good to the Crescent Amenity and indemnify the Crescent Amenity against, all losses, damages, costs, expenses, penalties and claims arising from any breach of these Regulations by their Residents and their Guests
12. To the extent permissible by law, the Crescent Amenity accepts no liability for any damage, accident or injury or other loss sustained by Residents, Guests, or others on its Estate

Section B: Regulations for Tradesmen Access to the General Gardens

Access

1. Tradesmen may access the General Gardens only to obtain direct access to a Crescent Property
2. All Tradesmen must have read and agreed to these Regulations before they enter the General Gardens
3. No Tradesmen's vehicles are permitted to enter the General Gardens unless they have the Crescent Amenity's written permission

Keys and Gates

4. A key is available from the Managing Agent to open one half of the General Gardens' ramp on Warrington Crescent. The gate key is not available on Wednesdays which is reserved for access by the gardeners
5. Keys must be returned each night by 5pm to the Managing Agent and collected, if necessary, the next morning
6. No gate or door to the General Gardens shall be left open and unattended

Fees

7. Access to the Garden by Tradesmen requires a returnable deposit and an administration fee
8. The deposit and fee, which are designed to be proportional to the nature of the access, are set at the Crescent Amenity's absolute discretion.
9. Payment of deposits and fees are required before the Tradesmen can enter the General Gardens.

Conduct Principles

10. When in the General Gardens, Tradesmen must observe the following three "Conduct Principles":

- 10.1. *Safety*: They must not put themselves or others at risk of harm or injury
- 10.2. *Quiet*: They must allow other Residents to peacefully enjoy the General Gardens
- 10.3. *Care*: They must not damage or pollute the General Gardens

Specific Bans

11. For the avoidance of doubt, the following are prohibited in the General Gardens at all times based on, but subordinate to, the Conduct Principles:
 - 11.1. Tradesmen shall not use the Garden for the purposes of their work except to obtain direct access to a Crescent Property
 - 11.2. Tradesmen's equipment, materials or rubbish shall not be left at anytime in any part of the Garden
 - 11.3. Tradesmen shall not make noise before 8am or after 6pm on weekdays, before 8am or after 1pm on Saturday, or at any time on Sunday and bank holidays

Enforcement

12. Any Resident or Tradesmen observing a breach of these Regulations is requested to either draw the breach to the attention of the offender or report it to the Managing Agent by phone or email or by using the Website
13. Breaches of these Regulations may, at the Crescent Amenity's absolute discretion, result in a penalty, charges for reparations and costs, or both. The Crescent Amenity also reserves the right to deny Tradesmen access to the General Gardens if they are deemed to have breached these Regulations
14. Freehold Owners shall, on demand, make good to the Crescent Amenity and indemnify the Crescent Amenity against, all losses, damages, costs, expenses, penalties and claims arising from any breach of these Regulations by their Residents' Tradesmen.
15. To the extent permissible by law, the Crescent Amenity accepts no liability for any damage, accident or injury or other loss sustained by Tradesmen or others on its Estate