

Coate (Badbury Park) Residents Working Group Meeting with Remus/Fexco and Developer Representative

Date: 6 October 2026

Time: 1:00pm

Note: These minutes record the Coate (Badbury Park) Residents Working Group's (WG) understanding of the meeting. They do not necessarily represent Remus/Fexco's or the developers' understanding or agreement with every point recorded.

In Attendance Coate (Badbury Park) Residents Working Group / Residents

- Peter Eves (PE) – Redrow Coordinator
- David Hitchcock (DH) – Redrow Resident
- Martin Shilston (MS) – Redrow Resident
- Laurie Sweeney (LS) – Charles Church/Persimmon Resident
- Dave Todd (DT) – Charles Church/Persimmon Resident **Remus/Fexco**
- Niall McGann (NM) – CEO
- Helen Roberts (HR)
- Rob Chapman (RC)
- Rob Scholefield (RS)
- Matthew Haywood (MH) **Developer Representative**
- Adam Jones (AJ) – Redrow/David Wilson

Not Represented

- Persimmon Homes Ltd.

Persimmon Representation

The WG records its disappointment that Persimmon Homes was not represented at the meeting. Given Persimmon's role and responsibilities in relation to the estate, the WG had expected a representative to attend and engage directly with the matters raised. In the WG's view, Persimmon's absence limited the opportunity to obtain clear answers and make meaningful progress on a number of important outstanding issues relating specifically to Persimmon properties and responsibilities.

1. Opening Remarks

NM opened the meeting, thanked everyone for attending and stated that he wanted the meeting to establish an approach for moving the outstanding matters forward.

PE introduced the Coate (Badbury Park) Residents Working Group presentation. It was agreed that PE would deliver the presentation without interruption. Each slide had been

numbered so attendees could note the relevant slide number against any question, comment or issue they wished to raise, with those matters to be returned to at the end of the presentation.

The presentation covered the principal areas of:

- Transfer Readiness
- SuDS & Sewers
- Section 106 obligations
- Snagging
- Rentcharge
- Accounts

The presentation formed part of the meeting record, and PE agreed to provide NM with a PDF copy following the meeting.

At the conclusion of the presentation, no questions, comments or objections were raised by those present, and the meeting moved to an open discussion.

For clarity, the presentation records the WG's questions, concerns and requests for information. The absence of questions or objections at the conclusion of the presentation should not, by itself, be taken as formal agreement with any legal, contractual or technical interpretation contained within it.

2. Residents Working Group Presentation

The purpose of the presentation was to establish:

- what legal, technical and management information remained outstanding before any transfer of the Management Areas;
- what defects or liabilities remained unresolved;
- who was currently responsible for those matters; and
- what information residents should receive before being asked to assume future responsibilities or liabilities.

The WG sought clear answers supported, where appropriate, by documentary evidence, together with responsibility and timescales for outstanding matters.

2.1 Transfer Readiness

The WG requested evidence that the relevant Section 106 inspection and completion requirements had been satisfied, including the current position regarding Public Open Space, Play Areas, Allotment Land and the Landscape Management Plan.

The presentation also asked what legal, technical and management information residents would receive before transfer; how outstanding defects and liabilities would be identified; what opportunity residents would have to review the information; and the proposed timetable for any EGM, appointment of resident directors and transfer.

WG Request: Relevant Section 106 completion evidence and proposed transfer information, together with clarification of outstanding liabilities and the proposed transfer process and timetable.

Status: OPEN – written information and supporting evidence requested.

2.2 SuDS & Estate Sewers – Adoption

The WG requested clarification of which SuDS and sewer assets are intended for adoption by Thames Water (TW) or SBC and which, if any, are intended to remain with the Management Company (MC). Information was requested concerning the Section 104 adoption process, surface-water discharge arrangements, as-built drainage drawings, adoption correspondence and an asset ownership/responsibility schedule.

WG Request: Clarification of the adoption and discharge arrangements and provision of the relevant Section 104 information, drawings and asset-responsibility information.

Status: OPEN – clarification and supporting evidence requested.

2.3 SuDS & Estate Sewers – Responsibility

The WG sought clarification of who is responsible for maintaining, repairing and managing the SuDS, land drains and Estate Sewers before transfer and/or formal adoption.

The presentation also asked which liabilities would cease or continue following transfer and whether drainage or sewer expenditure had been charged to residents where responsibility remained with a developer.

WG Request: Clarification of current and future responsibility for the SuDS, land drains and Estate Sewers and identification of any relevant expenditure charged to residents.

Status: OPEN – written clarification requested.

2.4 Section 106 Contributions

The WG requested evidence concerning the Play Area and Public Open Space contributions, including whether payments had been made, the amounts, dates, recipients, relevant calculations and proof of payment.

Clarification was also requested as to whether any contribution or certification obligations remained outstanding before transfer.

WG Request: Documentary evidence concerning the relevant Section 106 contributions and identification of any outstanding obligations.

Status: OPEN – evidence requested.

2.5 Outstanding Snagging

The presentation referred to the Remus letter dated 31 October 2022, which recorded that developers remained responsible for outstanding snagging, including SuDS/drainage matters. The WG requested the full snagging schedule, identification of completed and outstanding items, responsibility for each outstanding defect and evidence of completion.

Clarification was also sought as to whether expenditure relating to developer snagging or defects had been passed to residents through estate charges.

WG Request: The current snagging schedule, completion status and responsibility for outstanding items, together with clarification of whether any developer-related costs have been charged to residents.

Status: OPEN – snagging schedule and supporting evidence requested.

2.6 Rentcharge

The WG requested confirmation of who currently satisfies the definition of Rentcharge Owner under the TP1, the documentary basis for that position and the legal/contractual authority under which Remus/Fexco issues Rentcharge demands.

The presentation also sought confirmation as to whether the Management Areas had transferred to the MC, the date and evidence of any transfer and the effect of transfer upon the respective liabilities of the developers and MC.

WG Request: Written clarification and supporting documentation concerning the Rentcharge Owner, authority for demands, transfer status and the effect of transfer upon liabilities.

Status: OPEN – documentary and contractual clarification requested.

2.7 Accounts

The WG highlighted the following material overspends:

- Gardening – £10,474.84
- Play Equipment Maintenance – £9,455.58
- Surface Water Drain Maintenance – £1,770.24

Supporting invoices, cost breakdowns, approvals and explanations were requested.

The WG also sought clarification as to whether expenditure described as improvement, remedial or unforeseen works represented normal resident-funded maintenance or related to developer defects or outstanding snagging.

WG Request: Explanations and supporting financial information for the material variances, together with clarification of whether any expenditure related to developer responsibilities.

Status: OPEN – financial evidence and clarification requested.

2.8 Overall Presentation Request

The final slide sought to establish a clear owner, required evidence/action and due date for each unresolved matter, principally covering Transfer Readiness, SuDS adoption/responsibility, Snagging, Rentcharge and Accounts.

No completed action owners or due dates were recorded on the closing slide. **WG**

Request: The relevant parties to confirm what information and evidence will be provided, by whom and by when, before residents are asked to accept transfer.

Status: OPEN.

3. Open Discussion and Q&A

Following completion of the presentation, the meeting moved to an open discussion.

3.1 SuDS Design, Ownership and Thames Water Drawings

RS explained the basic SuDS design as comprising pipework, attenuation basins and headwalls.

Clarification was sought as to who owns and is responsible for the surface-water drainage infrastructure and which assets Remus/Fexco took responsibility for in 2022.

It was stated during the discussion that Thames Water is responsible for the pipework, while Remus/Fexco is responsible for the attenuation basins and associated infrastructure. RS advised that he had met with Thames Water's technical department and had obtained a number of drainage drawings relating to Badbury Park.

Agreed Action: Fexco/RS to seek to obtain and share the available estate drainage plans with the WG, subject to copyright or other permission allowing their release.

Status: OPEN – drainage plans awaited.

3.2 Section 106 and SuDS Certification

The WG asked whether the SuDS had been signed off in accordance with the relevant Section 106 requirements, the SuDS Manual CIRIA C753 and SBC requirements.

MS asked whether an inspection had been undertaken and certified by a suitably qualified SuDS Engineer.

RS stated that the SuDS were the responsibility of the MC.

PE explained that the WG's understanding of the Planning Agreement was that the SuDS should be formally signed off by a suitably qualified SuDS Engineer.

HR stated that the NHBC National Council had signed them off, which AJ confirmed. PE questioned whether the stated NHBC sign-off constituted the certification required for transfer.

The WG considered the answer concerning Section 106/SuDS compliance and formal signoff to be unclear.

When documentary evidence of the inspection/sign-off was requested, the WG understood from the response that the requested documents would not be shared.

WG Request: Clarification as to who inspected and certified each of the 15 SuDS, what the stated NHBC sign-off covers and whether it satisfies the relevant Section 106, CIRIA C753 and SBC requirements.

Status: OPEN – answer unclear; supporting documentation not provided.

3.3 Section 104 and Adoption of Estate Sewers PE

referred to the Redrow TP1 wording that:

“Estate Sewers, drains and other conduits and apparatus are intended to be adopted as maintainable at the public expense.”

PE also referred to Clauses 7.1 and 7.2 and the Section 104 provisions.

The WG's understanding is that the developer is responsible for constructing the Estate Sewers to the requirements of the appropriate statutory authorities and maintaining them until formal adoption.

The WG asked whether documentary evidence existed demonstrating compliance with Section 104 and, if so, requested sight of the relevant certificate or documentation.

It was understood from the response that the requested documentation would not be shared.

WG Request: Clarification concerning the Section 104/adoption status of the Estate Sewers, including which assets have been adopted, which remain awaiting adoption and who currently has maintenance responsibility.

Status: OPEN – Section 104 supporting documentation not provided.

3.4 Rentcharge Owner and Transfer of Management Areas

PE referred to the Persimmon TP1 and asked who the Rentcharge Owner is.

HR confirmed that the Rentcharge Owner is the Management Company.

PE referred to Part 11 of the TP1 and highlighted wording stating that the Transferor's liability under Part 11 is to cease when the Management Areas have been transferred to the MC.

The WG requested clarification, including under Clause 7 of the Management Agreement, of the written authority and the point at which responsibility and liability pass from the developers to the MC.

PE stressed that residents need to be satisfied that required works, inspections, certifications, repairs and other developer obligations have been completed before the relevant liabilities transfer.

WG Request: Written clarification and supporting documentation concerning the transfer status of the Management Areas, the relevant authority and the point at which developer liabilities cease and MC responsibilities commence.

Status: OPEN – written clarification required.

3.5 Interest Charges and Remus PDC Court Action

PE asked RC for written clarification concerning Part 10, Clause 3 of the TP1, relating to payment of interest to the Rentcharge Owner.

PE specifically requested RC's written understanding of how the provision applies in relation to the Remus PDC court action.

Requested Action: RC/Remus/Fexco to provide a written response concerning Part 10, Clause 3 and its application in relation to the Remus PDC court action.

Status: OPEN – written response requested.

3.6 Accounts and Future Reporting

The WG requested greater transparency and a more detailed breakdown of estate expenditure, particularly where there are significant differences between budgeted and actual expenditure.

The discussion also considered the introduction of Key Performance Indicators (KPIs) linked to works and services undertaken.

The purpose would be to enable residents to understand not simply how much had been spent, but what work had been carried out, whether the required service had been delivered and what had been achieved for the expenditure incurred.

Remus/Fexco agreed to work towards providing improved financial information and appropriate KPIs in relation to estate-management activities.

3.7 KPIs, Service Charges and Value for Money

The WG discussed with HR and NM the need for greater transparency over service charges, budgets, actual expenditure and service performance.

The WG understood from the discussion that future reporting should provide greater visibility in the following areas: **Service Charge Transparency**

Greater detail on the proposed annual budget and previous year's actual expenditure, including itemised information and explanations for significant variances.

Resident Input into Budgets

The discussion indicated that, as the management arrangements develop, the residents' group should have an opportunity to provide appropriate input into budget priorities and the prioritisation of estate-management services and expenditure.

Private-Road Charges

The WG requested details of any additional charges applying specifically to residents of private roads, including what those charges cover and a breakdown of relevant budgeted and actual expenditure.

The WG understands that these additional private-road charges currently relate to Persimmon properties, but this requires confirmation.

These matters are intended to address the fundamental question:

“How do residents know that they are receiving value for money?”

The discussion also considered the need for greater transparency regarding the standards against which Remus/Fexco and its contractors assess service delivery.

The WG requested details of the relevant operational services, service standards and KPIs, together with appropriate performance reporting used to assess the quality and effectiveness of estate-management activities.

This information would enable residents to understand not only what services they are paying for but how performance against those services is measured and reported.

This addresses the second fundamental question:

“How do we know that the services we are paying for are being delivered to an appropriate standard?”

LS explained that appropriate KPIs would provide a practical means for Remus/Fexco to demonstrate what work had actually been undertaken and what had been achieved for the expenditure incurred, rather than the accounts simply recording a total cost.

Examples identified by the WG included:

- **Gardening:** scheduled visits versus completed visits, areas maintained, missed visits and remedial visits.
- **Play Areas:** inspections undertaken, defects identified, repairs completed and outstanding repairs.
- **SuDS/Drainage:** inspections and maintenance visits undertaken, defects or blockages identified, works completed and outstanding issues.
- **Resident Enquiries:** enquiries received, response times and unresolved matters.
- **Contractor Performance:** works scheduled versus works completed and whether the required service standard was achieved.
- **Budget Performance:** budgeted versus actual expenditure, with explanations for material variances.

Agreed Action: Fexco to provide improved detail in future financial reporting and introduce appropriate KPIs in relation to works and services undertaken.

Status: ONGOING – to be reflected in future reporting.

3.8 Estate Manager – Anthony Eyles

It was agreed that Remus/Fexco would arrange an introduction to and meeting with Anthony Eyles, Estate Manager, to assist with ongoing estate-management matters and communication with the WG.

Agreed Action: Remus/Fexco to arrange an introduction and meeting between Anthony Eyles and the WG.

Status: OPEN – meeting to be arranged.

3.9 Summary of Responses to Key Questions

For clarity, the WG records its understanding of the outcome of the principal questions raised during the open discussion as follows:

- The question as to whether the SuDS had been signed off in accordance with the relevant Section 106 requirements, CIRIA C753 and SBC requirements was not clearly answered.
- In response to requests for documentary evidence of inspection/certification by a suitably qualified SuDS Engineer and documentary evidence relating to Section 104 compliance, the WG understood that the requested documents would not be shared.
- In relation to responsibility for the surface-water drainage infrastructure, the response given at the meeting was that Thames Water was responsible for the pipework and Remus/Fexco for the attenuation basins and associated infrastructure.

- Fexco agreed to seek to obtain and share the available estate drainage plans, subject to copyright/permission.
- It was agreed that future financial reporting would contain better supporting detail, together with appropriate KPIs relating to works and services carried out.
- It was agreed that Remus/Fexco would arrange a future introduction to and meeting with Estate Manager Anthony Eyles.

4. Agreed Actions

For clarity, the following actions were specifically agreed, or commitments were given, during the meeting:

- 1. Drainage Plans** – Fexco/RS to seek to obtain and share the available estate drainage plans with the WG, subject to any applicable copyright or permission requirements.
- 2. Future Accounts and Financial Reporting** – Fexco to provide greater detail concerning estate expenditure, particularly where there are material variances between budgeted and actual expenditure.
- 3. Key Performance Indicators** – Fexco to introduce appropriate KPIs relating to works and services undertaken, giving residents greater visibility of service delivery, performance and the expenditure incurred.
- 4. Estate Manager** – Remus/Fexco to arrange an introduction to and meeting with Anthony Eyles, Estate Manager.

Status: These agreed actions are to be followed up with Remus/Fexco.

5. Working Group Requests and Matters Remaining Outstanding

For clarity, the following matters were raised by the WG but were not resolved, agreed as completed or supported by the requested documentary evidence at the meeting.

1. SuDS Certification

Clarification remains required as to who inspected and certified each of the 15 SuDS, what the stated NHBC sign-off covers and whether it satisfies the relevant Section 106, CIRIA C753 and SBC requirements.

2. SuDS Inspection/Certification Documents

The WG requested documentary evidence of the inspection and certification by a suitably qualified SuDS Engineer.

The WG understood from the response at the meeting that the requested documents would not be shared.

3. Section 104 – Estate Sewers

Confirmation remains required as to which Estate Sewers have been formally adopted, which remain awaiting adoption and who currently has responsibility for their maintenance.

The requested supporting Section 104 documentation was not provided.

4. Section 106 Evidence

Documentary evidence relating to relevant inspection, completion, certification and contribution obligations remains outstanding.

5. Outstanding Snagging

The WG continues to request the current snagging schedule, identification of completed and outstanding items, responsibility for outstanding defects and evidence of completion.

6. Developer Costs

Clarification remains required as to whether any costs properly attributable to developer defects, remedial works or outstanding snagging have been charged to residents.

7. Management Areas / Transfer Status

Documentary evidence confirming whether and when the Management Areas have transferred remains requested, together with clarification of the effect of any transfer upon developer and MC liabilities.

8. Rentcharge

Written clarification and supporting documentation concerning the Rentcharge Owner, authority for Rentcharge demands and the relevant contractual arrangements remain requested.

9. Part 10, Clause 3 / PDC Court Action

RC/Remus/Fexco were asked to provide a written explanation of Part 10, Clause 3 of the TP1 and its application in relation to the Remus PDC court action.

10. Account Variances

Supporting information and explanations remain requested in relation to the material account variances identified in the presentation, including clarification as to whether any expenditure related to developer responsibilities rather than normal resident-funded estate maintenance.

Status: OPEN – these matters remain subject to clarification, written response and/or supporting evidence.

11. Graffiti – M4 and A419 Boundary Fencing

The WG raised concerns regarding graffiti on the estate boundary fencing adjacent to the M4 and A419. Rob Scholefield (RS) agreed to consider the issue and provide the WG with advice on the available options for addressing and managing the graffiti.

Agreed Action: RS to provide the WG with advice and options for dealing with the graffiti affecting the estate boundary fencing adjacent to the M4 and A419.

Status: OPEN – advice/options awaited.

6. Closing Position

The WG's position remains that residents should be provided with sufficient information and documentary evidence to understand the condition of the estate and the responsibilities and liabilities associated with it before they are asked to assume responsibility through any transfer of the Management Areas.

In particular, the WG continues to seek clarity and supporting evidence concerning:

- SuDS certification, ownership and responsibility;
- sewer adoption and maintenance responsibility;
- Section 106 obligations;
- outstanding snagging and developer defects;
- Rentcharge arrangements;
- the transfer status of the Management Areas; and
- any costs which may properly remain the responsibility of the developers.

Where matters remain unresolved, the WG requests written responses and supporting documentary evidence rather than relying solely upon verbal assurances.

Overall Status: OPEN – agreed actions, written responses and supporting evidence remain outstanding.

Record of Meeting

These minutes have been reviewed by the Working Group and are considered to be an accurate record of the WG's understanding of the meeting.

If Remus/Fexco, the developer representative or any other party represented at the meeting has a different understanding of any material point, the WG requests that this is identified in writing, together with any proposed correction or supporting information, so that it can be considered and, where appropriate, reflected in the record.



7 Oct 26

Dear Helen,

Thank you for your email, and please extend our thanks to the wider Fexco team for their time and contribution to yesterday's meeting. The Working Group found the Fexco team extremely cooperative and knowledgeable, particularly in relation to the issues discussed and the proposed solutions and actions to address them. We felt there was a clear understanding of the matters raised and a constructive approach to resolving them. Overall, the Working Group found the meeting very positive and encouraging, and we look forward to building on the discussions and working together to make progress on the actions identified.

We appreciate your commitment to setting out the next steps and look forward to receiving these in due course and we look forward to working with the Green Space Manager.

Kind regards,

Peter

Coate (Badbury Park) Residents Working Group Coordinator

Attached: Presentation.pdf