

### **DERBY HOMES' RESPONSE TO THE PETITION FROM FREEHOLD RESIDENTS OF FINSLEY WALK, WOODROFFE WALK AND CAXTON STREET**

- 1) The statement is correct, however the residents should note that whilst some of the area streets and paths are adopted, the car parks are not. This is demonstrated in Appendix 3 and the individual deeds state that the maintenance cost is proportionate and required.
- 2) The Property Transfers state that the properties are responsible. The maxim caveat emptor applies 'for let the buyer beware'. The buyer assumes the risk in the purchase of the property. The buyer's conveyancer should have made them aware of the clause.
- 3) The deed does not stipulate what is proportionate share of the cost of the maintenance of the area is correct, however we can demonstrate a scheme breakdown and demonstrate its reasonableness.
- 4) There is no evidence to support this, we are however happy to consider a view. The car park has certain public access rights to non-residents.
- 5) The charge is reasonable and with the offer of a payment plan, charged with no interest, we can demonstrate how costs were achieved.
- 6) The Transfers state they are responsible. The offer in point 5. Demonstrates we are being reasonable.
- 7) We have not stated the works are to be procured via tender/ framework. The works are being completed by Streetpride- reverse Tekal.

Derby City Council will issue invoices, including how to make payment. All non-payments will potentially be followed with court action – where the deeds/maps will be used as evidence.

We cannot cancel the works, the works proceeded as stated. We have identified a risk and if we don't repair the area, any trips/slips, will result in a claim loss for Derby Homes.