

MELTON PARK MANAGEMENT COMPANY LTD.

COMPANY NO 03488251

REGISTERED OFFICE: 9 The Clubhouse Clements Road, Melton, Woodbridge, England, IP12 1SZ

SELLING OR BUYING PROPERTY ON THE MELTON PARK DEVELOPMENT

General information

Melton Park is an award winning residential development created in the buildings and grounds of the former St Audry's Hospital, which closed in the early 1990s.

The site, which includes the ancient woodlands known as Hospital Grove, was purchased and developed between about 1998 and 2009 by Hopkins Homes Ltd, though the modification of some of the listed buildings was undertaken by East Anglian Contractors Ltd.

As each property was sold, restrictive covenants were imposed on owners to ensure the appearance and quality of the estate was maintained. These covenants are passed on to successive owners when properties are resold.

Large areas of the original park, most of the roads, cycle paths, paths, play areas, and the Hospital Grove, have not been transferred into individual ownership. Instead Hopkins Homes gave these to the Melton Park Management Company Limited to own and maintain for the benefit of all householders on the development.

The Melton Park Management Company Ltd was originally set up and operated by Hopkins Homes - with a Founder's vote of 600 for itself at any meeting. Since 2009, however, it has been fully managed and run by volunteers amongst the residents of Melton Park. Hopkins Homes surrendered its founder's votes and now has a vote only in respect of the properties which it has retained.

In buying a property on the development new owners are required to become a member of the Management Company as set out in the Deed of Covenant. Each property, whether jointly or solely owned, has an equal membership and one vote in the Melton Park Management Company Limited. There are currently 208 members.

All households pay an equal share of the annual maintenance budget which is set out and agreed with residents at an Annual General Meeting; usually held in October of each year. Hopkins Homes also pays its share for the 13 properties it retains.

Conveyancing of properties on the development must therefore balance the usual freehold transfer in parallel with the Deed of Covenant with the Melton Park Management Company Ltd.

What needs to be done?

Before an offer of sale is agreed a prospective buyer should be made aware of the restrictions on the use of the property and also the rights and restrictions on the use of the Landscaped Open Spaces. All these details are clearly set out in the original transfer of each property when purchased and are reproduced in the Land Registry documentation for each property.

The seller needs to ensure that the service charge is fully paid up to date. The Management Company will not agree to a transfer where there is any unpaid amount outstanding. It will be for the seller to negotiate with the buyer any adjustment which needs to be made according to the date of transfer.

The buyer should also be made aware of the need to become a member of the Melton Park Management Company Ltd, with its obligation to help maintain the wider assets of the development. Sellers will know the current Service Charge and have the recent reports of the Management Company. Further information may be obtained from the website: www.mpmcl.co.uk

The completion of a Deed of Covenant between the purchaser and the Melton Park Management Company Ltd will be required before the transfer of the property can be registered. This commits the purchaser to uphold the restrictive covenants and to meet their obligations to the Melton Park Management Company Ltd. Again, Buyers' solicitors may find the wording of the Deed of Covenant in the transfer to the original purchaser.

The buyer's solicitor should be put in touch with the Management Company solicitor: Birketts Solicitors, Providence House, 141-145 Princes Street, Ipswich, IP1 1QJ.

Key contacts are:

Kim-Rowe@birketts.co.uk

Alexandra-Farman@birketts.co.uk

It is important that the buyer's solicitor makes contact with Birketts at the earliest opportunity if delays are to be avoided.

DISCLAIMER: These notes are for general guidance and are correct as at November 2024. They are not a substitute for professional legal advice and are offered to help avoid late problems with transfers.