

TRIANGLE AMENITY LIMITED
REVISED AND ADDITIONAL REGULATIONS FOR THE SEVENTH SCHEDULE
21 January 2021

It was resolved at the meeting of the Board of Directors of Triangle Amenity Limited (the “**Board**”) on the 21st January 2021 to adopt these rules and regulations (the “**Regulations**”) pursuant to paragraph 13 of the Fifth Schedule to the Rentcharge Deed and Transfer dated the 6th day of August 1981 between The Church Commissioners for England and Triangle Amenity Limited (then called Redshott Developments Limited) (“**Rentcharge Deed**”) as a revision of and an addition to the rules and regulations appearing in the Seventh Schedule to 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 Tradesman as defined below, invited onto the Estate by a Resident.
“Managing Agent”	The person or company appointed by the Board to manage the day-to-day operation of the General Gardens and the Roadway. 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 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 resides in a Transferable Property.
“Temporary Tradesman Permit”	A Permit provided to a Tradesman who has been engaged by a Resident of 26 to 54 Clifton Gardens.
“Tradesmen”	Tradesmen, contractors or agents engaged by a Resident to maintain, improve, manage, or inspect a Transferable Property or make a delivery to a Transferable Property, and “Tradesman” shall be construed accordingly.
“Transferable Property”	any one of the properties specified in the Third Schedule to the Rentcharge Deed, being numbers 2-28 (even numbers) Randolph Crescent, numbers 29-59 (odd numbers) Randolph Avenue, and numbers 24-58 (even numbers) Clifton Gardens.
“Website”	The Triangle Amenity’s website at www.triangleamenity.com .

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

Section B: Regulations for Tradesmen Access to the General Gardens

Section C: Regulations for the Use of the Triangle Amenity Private Roadway

Triangle Amenity Rules (updated on 21 January 2021)

For Further Details Please Visit www.triangleamenity.com

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

Access

1. Access to the General Gardens is only granted to Residents, Guests and (subject to the Regulations set out in Section B below) Tradesmen. Guests must be accompanied by a Resident.
2. The Managing Agent will issue keys to the General Gardens to Residents for a £50 refundable deposit and a £10 administration fee. Proof of residence and photographic identification are required.
3. No gate or door to the General Gardens should be left open and 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.

Regulations from the 7th Schedule to the Rentcharge Deed (as revised)

- A. Not to do any act in the General Gardens or elsewhere which may annoy or interfere with the quiet use and enjoyment of the General Gardens as an ornamental pleasure garden by any person entitled to the use and enjoyment thereof.
- B. Not to obstruct or damage any part of the General Gardens and the Roadways and not to leave any articles of any description or litter in or upon any part thereof.
- C. Not to behave or permit any person residing or lodging in any Transferable Property to behave in the General Gardens (or in any Transferable Property so as to be audible in or otherwise affect the General Gardens) in a manner which is loud unreasonable noisy objectionable unruly or otherwise unneighbourly but in all matters to act in regard to the General Gardens in a courteous and responsible manner and so as to occasion no unnecessary expense for the upkeep thereof.
- D. No piano gramophone wireless loudspeaker or mechanical or other musical instrument nor any equipment nor machinery of any kind shall be played or used nor shall any singing be practised in the General Gardens (or in any Transferable Property so as to be audible in the General Gardens) nor shall any other noise be emitted in the General Gardens (or in any Transferable Property so as to be audible in the General Gardens) so as to cause annoyance to the owners lessees and occupiers of the other parts of the Estate.

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 ball games, except for children under 10 years in groups of 4 or less.
 - 5.2. Playing with leather balls or wearing boots with studs, cleats or spikes.
 - 5.3. Playing with bicycles, frisbees, model aircraft, drones, electric scooters, or skateboards, except non-motorised bicycles ridden by children under 8 years who are supervised.
 - 5.4. Playing on the ramp leading to Randolph Crescent.
 - 5.5. Climbing the trees, walls, fences, lamp posts or gates.

Triangle Amenity Rules (updated on 21 January 2021)

For Further Details Please Visit www.triangleamenity.com

- 5.6. Bringing or allowing dogs into the General Gardens, even on a lead.
- 5.7. Leaving or allowing children under 6 years in the General Gardens unsupervised by an adult.
- 5.8. Making noise or playing games before 8.30am on weekdays and 9.30am on weekends, or after 6pm in the winter months (between October and March) and after 7pm in the summer months.
- 5.9. Working with personal trainers or jogging on the gravel paths before 8.30am on weekdays and 9.30am on weekends, or after 6pm in the winter months (between October and March) and after 7pm in the summer months. Using the garden furniture or the trees for exercise or games is prohibited at all times.
- 5.10. Leaving litter or unattended items (unattended items may be removed without notice).
- 5.11. Lighting barbecues or fireworks or installing tents, marquees or bouncy castles.
- 5.12. Carrying on or assisting others to carry on in or from the General Garden any trade or business (whether or not for profit) involving the sale or offering for sale of any goods or property or professional or personal services of any kind whatsoever (except with the prior written authority of the Board at its absolute discretion).

Private Parties

6. The Managing Agent must be notified of any private parties comprising more than 10 people in the General Gardens at least five days in advance, and their permission obtained.
7. Residents hosting a private party must ensure that they and their Guests do not breach any of these Regulations and must not bring breakable glass into the General Gardens.

Enforcement

8. 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.
9. Breaches of these Regulations may, at the Board's discretion, result in a default charge and charges for compensation and costs. The Board also reserves the right to deny Residents or Guests access to the General Gardens if they have breached these Regulations in a material or persistent manner.
10. Freehold Owners shall make good to Triangle Amenity Limited on demand, and indemnify Triangle Amenity Limited and the Board against, all losses, damages, costs, expenses, penalties and claims arising from any breach of these Regulations by themselves, their Residents and their Guests.
11. To the fullest extent permissible by law, Triangle Amenity Limited 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 if it is necessary to the conduct of their work.
2. All Tradesmen must have read and agreed in writing to these Regulations and have permission from the Managing Agent before they enter the General Gardens.
3. No Tradesmen's vehicles are permitted to enter the General Gardens unless they have the Board's or the Managing Agent'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 Randolph Crescent. The ramp is not available for use on Wednesdays when it is required exclusively for gardeners' access.
5. Keys must be returned each day by 5pm to the Managing Agent and collected, if necessary, the next morning.
6. No gate or door to the General Gardens should be left open and unattended.

Fees

7. Access to the General Gardens by Tradesmen requires a returnable deposit and an administration fee.
8. The deposit and fee are at the Board's discretion and will be proportional to the nature of the access. Generally, the returnable deposit is £400-£750 and the fee is £100-£250.
9. These payments must be made 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 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 should only use the General Gardens for the purposes of their work and not their recreation.
 - 11.2. Tradesmen's equipment, materials or rubbish should not be left overnight in any part of the General Gardens.
 - 11.3. Tradesmen should not make noise before 8am or after 6pm on weekdays, before 8am or after 1pm on Saturday, or at any time on Sunday

Enforcement

12. Any Resident or Tradesman 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 Board's discretion, result in a default charge and charges for compensation and costs. The Board also reserves the right to deny Tradesmen access to the General Gardens if they have breached these Regulations in a material or persistent manner.
14. Freehold Owners shall make good to Triangle Amenity Limited on demand, and indemnify Triangle Amenity Limited and the Board against, all losses, damages, costs, expenses, penalties and claims arising from any breach of these Regulations by their or their Residents' Tradesmen.
15. To the fullest extent permissible by law, the Triangle Amenity accepts no liability for any damage, accident or injury or other loss sustained by Tradesmen or others on its Estate.

Section C: Regulations for the Use of the Triangle Amenity Private Roadway

Residents

1. All residents' vehicles, including motorcycles, must clearly display a valid annual Permit. See below for Fees, and note that:
 - 1.1 One non-transferable Permit is available to each self-contained dwelling in 26-54 Clifton Gardens. No other Transferable Property is entitled to a Permit.
 - 1.2 Obtaining a Permit for the first time requires proof of residency and car ownership.
2. Vehicle users are asked to adhere to the Triangle Amenity roadway conventions:
 - 2.1 Observe the one-way system.
 - 2.2 Use the building side white line as a guide for leaving a pedestrian walkway.
 - 2.3 Do not leave unattended vehicles blocking the roadway.
 - 2.4 Take the minimum amount of space for your vehicle (e.g. park motorcycles at 90° to wall).
3. Rubbish must not be left in the roadway at any time.

Tradesmen

4. All Tradesmen's vehicles parked in the roadway must display a valid Temporary Tradesman Permit. See below for Fees, and note that:
 - 4.1 Only Residents of a self-contained dwelling in 26-54 Clifton Gardens are entitled to a Temporary Tradesman Permit, and only for use with such dwelling.
 - 4.2 Tradesmen must provide their personal details and read and sign these regulations before they use the roadway.
 - 4.3 Tradesmen's use of the roadway whilst undertaking building works of any kind whether internal or external may, and the use of scaffolding will, require a returnable deposit and administration fee, as set out in Clause 7 below.
 - 4.4 All Temporary Tradesman Permits must be paid for and obtained in advance from the Managing Agent¹ with not less than one clear business days' notice (except in case of emergency when shorter notice may be accepted but with an additional charge as set out in Clause 7 below.
 - 4.5 Payments under Clauses 4.3 and 4.4 above must be made before a Temporary Tradesman Permit will be issued, and Tradesmen must not use the roadway for parking without first obtaining and displaying a valid Temporary Tradesman Permit.
5. Tradesmen must adhere to Clause 2 above as well as the following:
 - 5.1 **Removal vans, scaffolding lorries/vans, asphalt vehicles, skips or waste containers, regardless of size, are prohibited from entering or parking on the roadway under any circumstances**, even if they are unladen. Beneath the roadway are old vaults which could collapse if overloaded.
 - 5.2 Freehold owners will be liable for any damage to trees, residents' vehicles, roadway property, or vaults under the roadway caused by their actions and/or the actions of their tenants (including long leaseholders) and / or the actions of Tradesmen or others working at their property, and / or any vehicle belonging to or used by any such person or Tradesman.

¹ At the date of adoption of these rules, the Managing Agent is Westbourne Block Management of 9 Spring Street, London W2 3RA

- 5.3 No equipment, materials, rubble, rubbish or unwanted items should be left anywhere in the roadway overnight.
- 5.4 A Temporary Tradesman Permit must be purchased if works obstruct a parking space.
- 5.5 Tradesmen should not make noise before 8am or after 6pm on weekdays, before 8am or after 1pm on Saturdays, or any time on Sundays.
- 5.6 All WCs and other welfare facilities for the use of Tradesmen and their workmen shall be located on the scaffolding or elsewhere on the relevant Transferrable Property, and under no circumstances on the Roadway.

Building Works

- 6. Tradesmen's use of the Roadway whilst undertaking building works requires a returnable deposit and an administration fee.
- 7. The deposit and fee are at the discretion of the Board and will be proportional to the nature of the work. Generally, fees are:
 - 7.1 Building works of any kind whether internal or external with an expected or actual duration exceeding 4 weeks: Deposit: £1,000 Admin: £100.
 - 7.2 Scaffolding for any duration: Deposit: £1,000 Admin: £100.
- 8. The relevant payments must be made before the Tradesmen use the Roadway for undertaking building works or erecting scaffolding.

Fees

- 9. The following charges apply and are the responsibility of the relevant Resident or (if applicable) freehold owner:
 - 9.1 Resident's Car Permit: £100/year.
 - 9.2 Resident's Motorcycle Permit: £50/year.
 - 9.3 Temporary Tradesman Permit (planned work with required advance notice): £12/day.
 - 9.4 Temporary Tradesman Permit (one-off emergency/same day issue): £18/day.
 - 9.5 Charge for violation of heavy vehicle ban: up to £500.
- 10. Vehicles failing to display a valid permit are at risk of a parking fine issued by the parking attendant appointed by Triangle Amenity Limited. The cost of such fines is displayed in the Roadway.

Enforcement

- 11. Any person 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 Agents by phone or email or using the website.
- 12. Breaches of these regulations may, at the Board's discretion, result in charges for compensation and costs. The Triangle Amenity also reserves the right to deny or withdraw Permits (including refusing freehold owners Permits for their tenants).
- 13. Freehold owners shall make good to Triangle Amenity Limited on demand, and indemnify Triangle Amenity Limited and the Board against, all losses, damages, costs, expenses, penalties, and claims arising from any breach of these regulations by themselves, their own Tradesmen, their tenants and their tenants' Tradesmen.
- 14. To the fullest extent permissible by law, Triangle Amenity Limited accepts no liability for any damage, accident or injury or other loss sustained by residents, Tradesmen or others on its estate.