

The Formosa Garden Rules for Residents

We all know we live on the loveliest and best-tended garden in the whole of West London – dog-lovers even fight to move here so that their pets can enjoy the open space more freely than elsewhere. That sums up the ethos we are trying to create – we do have rules, but they are liberal ones and we want to keep it that way. For that to work it's important that everyone follows them responsibly so that one person's enjoyment of the Garden isn't to the detriment of his or her neighbour. Peace and harmony are the watchwords here! The Board of Directors of Formosa Amenity Limited do have sanctions against anti-social behaviour but would obviously prefer not to have to exercise them.

ACCESS

- Keys for the Garden are available from Westbourne Block Management. There is a deposit of £50 per key fob which is refunded when the fob is returned. Deposits not collected within one year will be retained. Key fobs are regularly renewed for security purposes, for which there is no charge. Up to two key fobs can be purchased per property at a cost of £50 each.
- Key fobs should not be transferred or loaned to others, including contractors.
- If a key-holder invites guests into the garden that key-holder is responsible for their behaviour at all times. This includes children of all ages.
- For security reasons, the Garden gate must be kept closed at all times. Residents, guests or contractors found propping open the gate and/or damaging the motor will be fined up to £2000, at the absolute discretion of the Board.

GENERAL CONDUCT

- Ball games are not permitted except for children under the age of 10 (in the company of adults where desired), and on the strict understanding that they do not disturb others. Remote-controlled toys, roller skates etc. and drones are forbidden.
- Children are not permitted to climb the trees, walls, fences or gates; neither should they pick the flowers or play in the beds or with garden equipment such as hoses.
- Children must not be left unsupervised in the garden.
- Users of the garden shall be responsible for removing any rubbish or other item. This includes the removal of cigarette butts by smokers.
- Personal items such as paddling pools, bicycles and children's toys must not be left out in the Garden overnight. Any such unattended items will be removed. .
- Residents must ensure that at all times noise is kept at a level which does not cause disturbance to other users of the Garden. In particular this means no loud music (and no speakers!), games or noisy animals, particularly after 8pm.
- Group commercial activities such as exercise classes are not permitted, but one-to-one sessions with personal trainers, yoga teachers etc are allowed as long as this does not disturb other residents.
- With the exception of official fireworks organised for the annual display, fireworks, even in private gardens, are strictly forbidden.
- Parties involving over 10 people (residents or guests) must have prior permission from Formosa Amenity. Applications should be submitted to the Managing Agent and agreement must also be obtained from immediate neighbours. All parties must end by 8pm. No glassware, tables or garden furniture are allowed. Folding chairs are permissible.
- Barbecues and other cooking equipment are prohibited in the Garden. Barbecues can take place on private patios or terraces where the terms of a freehold or tenancy allow.
- Residents should not install security or other exterior lighting that, when illuminated, pollutes or disturbs the peace of the Garden and its residents.
- Residents should not leave bags of rubbish on outside patios overnight prior to collection unless properly sealed as these can attract vermin.
- NOTE: Owners of leasehold property who wish to let their property for less than 90 consecutive nights and where the cumulative total of all short-term lets of their property exceeds 90 nights in any one calendar year will need planning permission, without which they are causing a breach of

planning control. If they fail to comply with an enforcement notice requiring cessation of such a use, they could face a fine of up to £20,000.

DOGS

- Dogs (including puppies) belonging to residents may be permitted to use the Garden provided they have first been registered on the 'Register your Dog' page of this website.
- Registration is free but mandatory.
- Registered dogs (including puppies) must always be accompanied by their owner or another member of the owner's family aged 10 years or older. They must be kept under proper control at all times in a manner commensurate with the age, size and breed of dog.
- Registered dogs are allowed off the lead from daybreak until 10am but *must* be kept on the lead at all other times.
- It is the responsibility of dog owners to clean up after their dog and responsibly dispose of the mess by taking it out of the Garden.
- Dog owners or handlers should do their utmost to ensure that barking does not disturb the peace of the Garden and dogs should not be left alone on private terraces.
- Dogs banned under the Dangerous Dogs Act will not be allowed access to the Garden.

ALTERATIONS

- Any external alteration of any kind will need prior permission from the Directors of Formosa Amenity Ltd. Applications should be submitted to the Managing Agent. Rules and guidelines for altering your property can be found [here](#).
- Contractors must register with the Managing Agents to enter the Garden and will be required to pay a security deposit. No vehicles are allowed into the Garden other than those belonging to contractors employed by Formosa Amenity.
- No scaffolding may be erected or dismantled over weekends and building work which will create any disturbance can be carried out only between 8am and 6pm during the week and 8am and 1pm on Saturdays. No work is permitted on Sundays.
- A copy of the regulations for tradesmen can be downloaded [here](#).
- Owners and tenants must ensure that tradesmen they engage receive a copy of these regulations and have read them and adhere to them.

WHAT HAPPENS IF YOU BREAK THE RULES?

Responsibility for complying with the rules lies ultimately with the Freehold owner. Where a property is tenanted the freeholder has a duty to ensure that all tenants have read the rules and abide by them. Any breaches on the part of a tenant will be referred to the relevant Freeholder.

In addition when buying their property all free-holders will have committed themselves to abiding by the terms of the [Rent Charge Deed](#).

Breaches of the Rules may result in a fine or charges for reparations and costs, or both. Formosa Amenity also reserves the right to deny residents or guests access to the Garden.

Freehold owners shall indemnify Formosa Amenity Ltd against all losses, damages, penalties and claims arising from any breach of the regulations.

For the avoidance of doubt and to the extent permissible by law Formosa Amenity Ltd accepts no liability for any damage, accident or injury or other loss sustained by Residents, Guests or others on its estate.

It was Resolved at the meeting of the Board of Directors of Formosa Amenity Limited at 2 Castellain Road London W9 1EZ on 9th August 2021 to make these Regulations pursuant to paragraph 13 of the Fifth Schedule to the Rentcharge Deed and Transfer dated December 1981 and made between (1) The Church Commissioners for England and (2) Formosa Amenity Limited by way of additions and amendments to the Rules and Regulations appearing in the Seventh Schedule to the said Rentcharge Deed and Transfer and to the effect that these Regulations take effect in addition to those appearing in the Seventh Schedule. A copy of these Regulations has been entered in the book maintained for the purpose by Formosa Amenity Limited.