



Welcome to Port Solent

If you are about to buy or rent a house at Port Solent we, the directors of POSOL Residents Management Company Limited, on behalf of all residents, would like to extend a very warm welcome to you. Port Solent is one of the most attractive marina developments on the South Coast and we hope that you will have a very happy time with us. If you buy a house here you will automatically become a shareholder in POSOL, on completion of all transfer formalities.



The purpose of this leaflet is to provide you with much of the reference information needed to enable you to get the most out of living at Port Solent.

A Little Bit of History

It is not impossible that, instead of the marina that Port Solent is today, Portsmouth football club could be enjoying a state of the art stadium here. Just one of the proposals back in the 1970's for this piece of scrubby foreshore ground known then as Paulsgrove Lake.

Portsmouth City Council however, whose land it was, were impressed by an imaginative scheme presented to them by the original developer, Arlington Securities and their architect Hedley Greentree, for a marina combining not only boats but housing, apartments and recreational facilities. Work began in 1986 and was finally opened officially by the Princess Royal in 1988 – it was at that time the largest development of its kind in Europe.

Higgs & Hill Homes were responsible for developing the first stage of the housing to the north of the marina and swiftly completed about 100 homes. The recession of the early 1990's slowed progress but by 2000 the housing areas were complete, some by Crest Homes, and the apartments adjacent to the lock were under construction. Meanwhile the Boardwalk, with its shops and restaurants, expanded to include a multiplex cinema and a leisure centre.



Today Port Solent continues to be a vibrant marina complex and certainly lives up to the concept first advertised in 1988- ***“Port Solent- a lifestyle inspired by a dream to create a unique waterside haven, combining the charm and excitement of a Mediterranean port with the facilities of a major town”***

POSOL Residents Management Company Limited

POSOL was created in 1988 to manage the affairs of the housing development and its residential berths. There are 423 houses and 310 berths in our marina village. The freehold owner of each house is allotted one 'A' share in the Company and the sub-underlease owner of each berth is allotted a 'B' share. 'A' share owners have voting rights at General meetings of the Company. There can be a problem with the transfer of shares in that, having completed a purchase, solicitors can take a long time (several months is not unusual) filing title with the land registry and shares cannot be transferred until this is done. It means that, although POSOL is aware that a sale is in progress, it may not know **when** it has taken place and will still have the previous owner on its register, leading to all sorts of complications. You can help here by chasing the process through to completion. After all, you will have paid for this service!

What does POSOL do?

POSOL maintains all the common landscaped areas and also plants and maintains the gardens in front of the houses, even though these are usually owned by the house owners. It maintains all the pontoons and associated equipment and manages the leasehold berths to ensure they are used correctly and in accordance with the terms of the sub-underleases. It liaises with Premier Marinas Limited on matters related to residential berth usage and periodically renegotiates the sum of money charged to POSOL for the management of the marina. It upholds the covenants every owner agrees to when a house or berth is purchased. More on these later. It manages financial affairs by producing an annual budget and levies an annual service charge on all houses and berths to pay for the running costs. The directors are elected by shareholders and must own an 'A' share themselves. The directors engage a professional company to manage the day to day affairs of POSOL.

The directors of POSOL, give their time for the benefit of residents and shareholders and in their voluntary and unpaid capacity, strive to protect and preserve those features which attracted all of us to come and live here at Port Solent.

From time to time POSOL produces a newsletter



which, combined with its website, www.posol.co.uk, serves to help build and sustain the community spirit which is such an important part of life at Port Solent. Needless to say, contributions for either are most certainly welcomed. The AGM is held in November and the directors look for as many shareholders as



possible to attend. On a day-to-day basis, feel free to bring any concerns to the attention of our Managing Agent, who will firstly try to resolve them or bring the problem to the directors' notice.

Living at Port Solent

You will be pleased to know that your investment in property at Port Solent will be protected by covenants contained in the original transfer documents from the developer and referenced in your own transfer documents.

When you buy a house, or lease a residential berth, you agree to be legally bound to comply with these covenants and the Company, POSOL, is responsible for ensuring their observance by shareholders. It is important to point out that, if you plan to let your Port Solent property, you should bear in mind that you will still be responsible for upholding the covenants.

POSOL, in turn, is bound by covenants to provide you with certain services. The covenants and guidelines should not be viewed as restrictive but are there to reinforce good neighbourliness and help enhance the quality of life for all who live here. It is very much in your best interests to make sure you fully understand the covenants you will be entering into before you agree to purchase. Ask your legal adviser to explain matters if you are unclear on any point. It is a common mistake to think that covenants on a housing development are there only to protect the developer, while the site is being completed and that, once the developer has moved off site, the covenants cease to have any meaning. In most cases this is not the case and, because all owners on the development signed up to the same covenants, any one of these could take action against any other if they believe a breach has occurred. In practice this rarely happens because individual owners are generally reluctant to take such action against a neighbour.

Fortunately, at Port Solent, you will have the protection of your own management company to uphold them and so help to preserve the value of your property and the lifestyle you chose to buy into. As a shareholder, you have a say in how POSOL operates. If you rent your property, it will be your responsibility to bring these issues to the attention of your tenants and to ensure that they will comply fully. POSOL will normally have no direct contact with tenants.

Guidelines

It must be emphasised that the following guidelines, although for the most part based on the covenants, are notes for your general information about living at Port Solent. You must refer to the actual Deed(s) of Covenant for the definitive position.

Many of the provisions are based on simple courtesy and commonsense:-

Fishing and swimming are not allowed in any part of the marina.

You should not cause a nuisance or annoyance to others, e.g. do show consideration by not playing music too loudly, especially when outdoors and by keeping noise to a minimum after midnight.

Car parking is at a premium so do park in your carport, on your drive or in one of the designated parking areas and not on the pavement or road.

The observance of the 15 mph advisory speed limit and special driving care are expected from all estate road users. It is imperative that all residents, including their children and grandchildren, should be safe on our roads and footpaths.

Those responsible for youngsters should ensure that children display a proper respect for the property of others and for a peaceful environment. There is a large open green playing area minutes away on the south side of the marina.

No House or Garage may be used as business premises necessitating frequent visitors, deliveries or collections.

Washing must not be visible from outside properties and that includes from the rear in the case of waterside houses.

Parking of caravans, motor homes and lorries is not allowed. Boats, if not moored, may only be kept inside garages or carports, not on drives or car parking areas.

Open areas, including carports, should be kept neat, tidy and rubbish free. There is a regular collection of refuse and recycling materials. We ask you not to put out bins earlier than the evening prior to collection day. There's a very convenient tip at the Eastern end of the site.



A gardening contractor is employed to maintain all open areas. Owners may choose to maintain their own front garden and planters but they should advise POSOL, if this is their intention, so that the contractor can be instructed not to interfere.

Attached to your deeds will be a plan showing your freehold area. This will include your driveway and in some cases hard landscaping, e.g. planter, wall or fence. These may be owned individually or with adjoining neighbours. It is always a good idea to establish from the plan which areas you own and are responsible for.

No buildings, walls or additional fences may be erected.

Further covenants and guidelines relate to Planning & Property Issues:-

There are times when residents wish to develop their property in some way, perhaps by converting the roof space to living accommodation.

No change should be made to the external appearance of a property without the express permission of POSOL, even though Local Authority Planning

Permission may have been given. To avoid disappointment and waste of money, in the first instance always advise our Managing Agents of your intentions. They will send you an application form and guidelines. It is better to consult POSOL even before you spend money on a set of architect's drawings. If you incorporate the POSOL guidelines in your brief to the architect, it is possible to save much time and money. It must be emphasised that the requirements of the planning authority are NOT the same as those of POSOL.

Serious difficulties may arise when you wish to sell your property if POSOL approval has not been obtained for any change to the external appearance. Solicitors acting for purchasers are now scrupulous in demanding to see proof, before completion, that all necessary approvals have been gained.

There is an obligation to keep the external decoration of the property in good order and maintained in the original colours. Details and specifications are available on our web site or obtainable from our Managing Agent.

Eco - Energy - if you wish to install solar panels or any other green energy device, this will involve a change of external appearance and POSOL approval must be obtained.

If your property has a residential berth, then further covenants apply:-

Because of problems which occurred when residential berths were licensed to third party boat owners, the developer changed the provisions of the berth sub-underlease on the later part of the estate to prevent berths being licensed other than in conjunction with the bona fide letting of the associated house. Be sure to check your own sub-underlease carefully.

All vessels must be registered with POSOL and be covered by a marine insurance policy at all times. POSOL will pass details to the Marina Operator and registration fees are payable to both POSOL and to Premier Marinas. The fees are payable on the initial registration of a vessel or on the issue of a non-renewable licence (where this is permitted). The maximum duration of a non-renewable licence is 364 days. Note that the registration fees are payable for each non-renewable licence, even when the same vessel is being licensed. All Vessels must be re-registered annually, at insurance renewal time, but no registration fees are charged for this.

Only one vessel should be moored on any one berth.



The use of your berth should not be the cause of nuisance or annoyance to others in the marina.

Your berth should not be used for any illegal or immoral purposes.

The boundaries of your berth are shown on the plan forming part of your Land Registry Title Land

Certificate. Most are 11m long but not in every case.

Where a boat would trespass into waters leased by the marina operator or those of a neighbour because it exceeds the size of the berth, it **may** still be possible to moor it in the berth but special approvals have to be



obtained and there can be no guarantee. If you are considering such a vessel, then you are urged to seek preliminary approval from POSOL **before** making any commitments.

Berths and pontoonery cannot be changed - there should be no alterations or additions.

Berth holders and users should not discharge any effluent, rubbish or noxious substance into the marina.

Where a berth is licensed to another boat owner, the berth holder is responsible for any contraventions by his licensee..

Conclusion

So. There it is. It may sound like a lot of “Noes” at first reading but we hope that, upon reflection, you will recognise that all these conditions are there for the sole purpose of protecting the value of your investment and preserving the Marina Village ambience which probably attracted you to Port Solent in the first place. Port Solent is a great place to live and we look forward to welcoming you amongst us.



Contact Information

For more information about POSOL and living at Port Solent, go to the web site www.posol.co.uk or contact the Managing Agent, SDL Bigwood PRS & Estate Management, on 023 8062 9823 or by e-mail to posol@sdlbigwood.co.uk