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1935 - 2010



Ref: GSH/CJ

Date: 13 September 2010

Ms A Soubry
Member of Parliament for Broxtowe
House of Commons
London
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Dear Ms Soubry

CHETWYND BARRACKS DEVELOPMENT, CHILWELL, NOTTINGHAM

Thank you for your letter of the 6 September 2010 concerning the unadopted roads and Public Open Spaces at the Chetwynd Barracks development.

As you are aware the situation that has arisen, due to the demise of Cofton Ltd., is somewhat complex and quite difficult to resolve. Nonetheless, we have, for some months now, been in discussion with the other house builders, Broxtowe Highways and Shakespeare Putzman in an effort to deliver adopted roads and sewers.

I am pleased to be able to confirm that these discussions have gone well and summarise below the current state of affairs:-

- Quotations have been sought and received for the cleaning and CCTV surveying of the Foul and Surface Water Sewers beneath the roads in question. These sewers are subject to an S104 agreement.

This work is needed to ensure that the drains do not require any remedial works prior to the completion of the road surfacing works.

- Quotations have been sought and received for the completion of the roads, footpaths and street lighting that would have been subject to the S.38 agreement had it ever been completed.
- Discussions have taken place with Broxtowe Highways department who are keen to adopt the roads, footpaths and street lighting. The exact way in which the adoption takes place is subject to further discussion due to the complexities involved with an Administrator who controls ownership of land (on which the roads and footpaths are) but who cannot enter into a Section agreement. Ultimately we envisage that the land will need to be transferred to one of the stakeholders prior to the adoption process.

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- It is envisaged that the costs associated with delivering the adopted roads and sewers will amount to considerably more than the £133,025 that is set aside in the stakeholder account for these works. However, ourselves and the other house builders have reached an agreement that these additional costs will be borne by us all on a pro rata basis relating to the land areas that we purchased from Cofton Ltd.
- Our lawyer is in discussion with Shakespeare Putsman in an effort to obtain agreement from the Administrator that we can take it upon ourselves to progress the works and that release of the £133,025 will be forthcoming. Our lawyer will also be discussing the possibility of a land transfer from the Administrator to one of the stakeholders.
- The Public Open Space is not something that our discussions have included. We had assumed that there was a S106 agreement in place between Cofton and Broxtowe Council to cover the public open spaces and that Shakespeare Putsman/Deloitte would be dealing with Broxtowe council on the matter as a result of Cofton going in to administration. In fact, Shakespeare Putsman recently requested permission to draw down £60,250 of the £98,648 held. This was to pay an invoice raised by Broxtowe Borough Council on the 28 September 2009 for Public Open Spaces Funding (£55,000) and some additional works to bring the Public Open Space up to a maintainable standard.

In view of the above, we can only conclude that this element is proceeding as one would expect it to in these circumstances and that Broxtowe council have/will have the required monies to carry out the works that Cofton should have done.

Naturally, any request for us to agree to the draw down by Broxtowe council of the remaining £38,398 will be forthcoming on our part.

I am sure you will agree that there is a willingness amongst all parties involved to bring this matter to a speedy and satisfactory conclusion and hope that the above summary gives you confidence that the problem is a great deal closer to being resolved than perhaps your own investigations had suggested.

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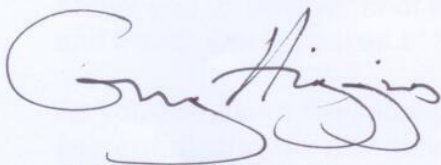
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I appreciate you giving us an opportunity to respond to you prior to the Residents' Meeting and would be pleased if you could relay this letter to all present, and also reiterate to them our own desires to conclude the matter for them as soon as is practically possible.

Should you wish to discuss the matter then please do not hesitate to contact me.

Yours sincerely

For WILLIAM DAVIS LIMITED

A handwritten signature in dark ink, appearing to read 'G S Higgins', written in a cursive style.

G S HIGGINS
MANAGING DIRECTOR