

POLICY ON PETS

Updated November 2023

Policy on pets kept by occupiers within flats.

The Old Hospital development consists of over 70 separate residences, which share common areas such as pathways, grassed areas and paved parking/vehicle access surfaces.

Within the service charge, owner leaseholders pay to have these areas cleaned and maintained, which creates a pleasant and tranquil environment within a busy town centre location, even though the density of occupation is quite high. In other words, we all share quite a limited space.

Accordingly, there are protective Covenants within owner leases which are designed to protect the quiet enjoyment of flats and the development generally. These Covenants require that no one is a cause of nuisance to neighbours, such as playing loud music at unsocial hours, and also deal with visual amenity such as leaving objects on balconies or terraces or types of vehicle parked in the development.

There has never been a problem with animals that remain permanently inside a flat, such as rabbits or indoor cats. However, dogs are a constant issue, with which we have struggled over several years.

One of the Covenants is that animals cannot be kept in a flat without written permission from the Managers.

In **Schedule 5 Stipulations and Restrictions, Clause 5** states:

"No dog bird cat or other animal or reptile shall be kept in the Premises except with the prior written consent of the Manager which consent may be revoked at the discretion of the Manager."

That is to say, in the past, we have previously given the benefit of doubt to individual flat owners who say that their dog is perfectly behaved, does not bark, and that they will pick up poo, and clean muddy prints off carpets and scratches to paint work in the common areas. As Managers, given that we are a Board of Directors and flat owners ourselves, we try to 'live and let live', and accept that there is always a little give and take as between neighbours.

We have also noticed that there is an unfortunate distinction as between those who own and occupy their flats, and those who own a flat and rent it out to others. Flats which rent out to others generally give rise to more aggravation for the Managers, because the occupiers may only be temporary and sometimes simply don't care about the surrounding environment, and take the attitude that since there are people employed to clean up, that they can discard litter, including cigarette ends, and treat the shared areas as if they were public places and not an extension to their own home.

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In summary, as Managers we have basically had enough of problems which dogs cause and therefore have decided that as a Policy, **we will not allow pet dogs under any circumstances, unless they are an assistance dog.**

This will include temporary 'visiting' dogs which allegedly stay only a short while, but in our experience cause just as much mess and disturbance as any other 'permanent' dog. We want to be able to say without hesitation that it is safe for adults and young children to be in the communal outside areas without fear of coming into contact with dog poo, and also re-assure our cleaners that it is NOT part of their remit to pick up discarded bags of excrement which are thrown from balconies into the common areas. This is also a serious health and safety risk, which we have identified.

If Landlords with tenants or Owner/Occupiers allow pets at the Old Hospital without consulting CSMC, this is a breach of the Covenant. Furthermore, there will also be a liability for any costs in removing/cleaning up animal waste, scratches to paintwork/woodwork, etc., caused by an animal in the internal and/or external communal areas.

In summary NO PET DOGS will be permitted to enter or stay within the estate.

In conclusion, this Policy allows owners/residents to enjoy their properties generally, but also to maintain a pleasant wider environment, and reflect the fact that we all need to get along with each other when living in shared spaces.

CSMC Ltd

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