



FAO: Lucie-Anne Rhodes  
FirstPort Limited

Date 28 March 2024

**By email:** [Lucie-Anne.Rhodes@firstport.co.uk](mailto:Lucie-Anne.Rhodes@firstport.co.uk)

Dear Ms Rhodes

**Port Marine, Portishead**

I write further to my letter to your colleague Natalie Daniels of 15 January 2024 (a copy of which is enclosed) concerning issues with residents at Port Marine, Portishead regarding the Fixed Rentcharge set out in the plot transfers of the freehold properties at the development.

We have never received a formal reply to our letter of 15 January 2024 but FirstPort have now written to the residents of Port Marine to advise them that they would be willing to enter into a deed of variation to the Plot Transfers to vary the Fixed Rentcharge to £1 per annum. They have, however, stated that they would charge residents for their legal costs of doing so in the sum of £300 plus VAT and have provided a deadline (30 June 2024) by which residents must have entered into the Deed of Variation before they will revert to charging the rentcharge prescribed in the transfer (see attached letter of 2 February 2024).

We have made it clear to Ms Daniels that we do not consider it appropriate for residents to be charged at all for the proposed deed of variation bearing in mind we do not consider the Rentcharge to be valid and enforceable (for the reasons set out within our letter of 15 January 2024). It appears, however, that FirstPort remains intent on rendering those charges and are continuing to insist that, in the absence of an agreement to pay those fees, they will continue to charge the Rentcharge prescribed in the Plot Transfer.

Before the matter escalates further, I wanted to ensure that the matter was being given the attention at the appropriate level within FirstPort.

You should be aware that the Port Marine residents' MP, Sir Liam Fox, has written to us now on several occasions expressing his concerns with FirstPort's approach (the latest of which we attach) and has publicised the matter on his website (<https://www.liamfox.co.uk/campaigns/update-crest-nicholson-implementation-fixed-rent-charge-firstport-property-management/>).

We are due to meet with Sir Fox again today and would urge FirstPort to once again write to residents and confirm that they will waive their previous request for an administration fee for entering into the Deed of Variation so that the matter can be resolved without further delay. You should be aware that Crest does not intend to seek any contribution towards its own costs for entering into the Deeds of Variation. To the extent that any charges have already been rendered we would urge FirstPort to reimburse those residents.

I look forward to hearing from you as soon as possible and you should be aware that I will be sharing a copy of this letter with Sir Liam Fox's office.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Foyle', written in a cursive style.

**Mark Foyle**  
**Managing Director**  
Crest Nicholson South West  
Crest House Lime Kiln Close Stoke Gifford BS34 8ST

**Encl:** Letter 15<sup>th</sup> January 2024

**CC:** Sir Liam Fox MP  
Simon Ingham – Gateley Legal  
Peter Hoskins – Crest Nicholson South West