

**Decision under Delegated Powers**  
**To approve the adoption of public open space at land North of Barkby Road, Syston.**

**Officer Making the Decision**

Head of Cleansing and Open Spaces

**Recommendation**

That the Borough Council adopts land to North of Barkby Road, Syston – Planning Application Ref: P/01/2462/2 (see plans below, areas outlined in red).

**Reason**

To provide an appropriate mechanism for ensuring the maintenance of the open space to be adopted and to comply with the Section 106 agreement associated with the planning permission at the site P/01/2462/2

**Authority for Decision**

The Section 106 Agreement entered into by the Council and the developer contains provisions for the land to be adopted by the Council once certain conditions have been met. These conditions have been met.

**Decision and Date**

APPROVED



MATT BARFORD

HEAD OF CLEANSING AND OPEN SPACES

17.6.19.

**Background**

Under the provisions of the Corporate Plan to 2016 - 20, there is a commitment to ensure that a growth in homes and infrastructure benefits residents through improved community facilities, affordable housing and superfast broadband.

In addition the Corporate Plan makes a commitment to encourage healthy lifestyles for all our residents through physical activity programmes and the provision of sports facilities and green spaces.

Planning agreements negotiated with developers and land owners under Section 106 of the Town and Country Planning Act 1990 (as amended) provide

a vehicle for the delivery of contributions towards ongoing maintenance of public open spaces.

Under Planning Application P/01/2462/2 the land for adoption was set aside as Play Space, public open space, SuD and Structural Planting Buffer.

### **Detail**

Developers have prepared and maintained the open spaces to a standard acceptable to the Borough Council. A phased approach to the adoption of open spaces within the development has been agreed. To date the balancing lagoon, Structural planting buffer (South of Barkby Road), Amenity Open Space (Saxby Drive/Lincoln Drive) have been adopted by the Borough Council. In accordance with the Section 106 agreements, the freehold of the following lands is now to transfer to the Borough Council:

- a) Structural planting buffer (Semi Natural Open Space) – North of Barkby Road, Size 0.74 hectares;
- b) Play Area – Empingham Drive, Size 0.23 hectares;
- c) Amenity Open Space – Empingham Drive, Size 0.13 hectares
- d) Amenity Open Space – Pickwell Drive, Size 0.05 hectares;
- e) SuD (Amenity Open Space) – North of Barkby Road, Size 0.16 hectares;

Transfer from David Wilson Homes Ltd Planning Ref: P/01/2462/2.

Developers have prepared and maintained the open spaces to a standard acceptable to the Borough Council.

### **Financial Implications**

The Section 106 Agreement included provision of an index linked open spaces maintenance sum. This sum has already been received by the Borough Council from the original land owner (North and South of Barkby Road) and is currently £158,255.38; this is to cover 15 years maintenance of all Children's play areas, public open spaces, structural planting areas and the balancing lagoon on the development in its entirety. Thereafter the council's grounds maintenance budget will need to be adjusted to cover ongoing maintenance.

The annual contract maintenance cost for the five areas (as detailed in a – e above and shown outlined in red on plan below) now to be adopted (total of 1.31 hectares) is £6,410.99.

Costs are broken down as follows:

- a) Structural planting buffer (Semi Natural Open Space) 0.74ha = £2,097.90
- b) Play Area – Empingham Drive, 0.23ha = £3,023.81
- c) Amenity Open Space – Empingham Drive, 0.13ha = £492.96;
- d) Amenity Open Space – Pickwell Drive, 0.05ha = £189.60;

e) SuD (Amenity Open Space) – North of Barkby Road, 0.16ha = £606.72

In addition the Cleansing contract costs are: 13,100 sq m @ £0.05 per sq m = £655 per annum

Total cost per annum:

£6,410.99 MOS Variation cost + £655 Cleansing Contract Cost = £7,065.99

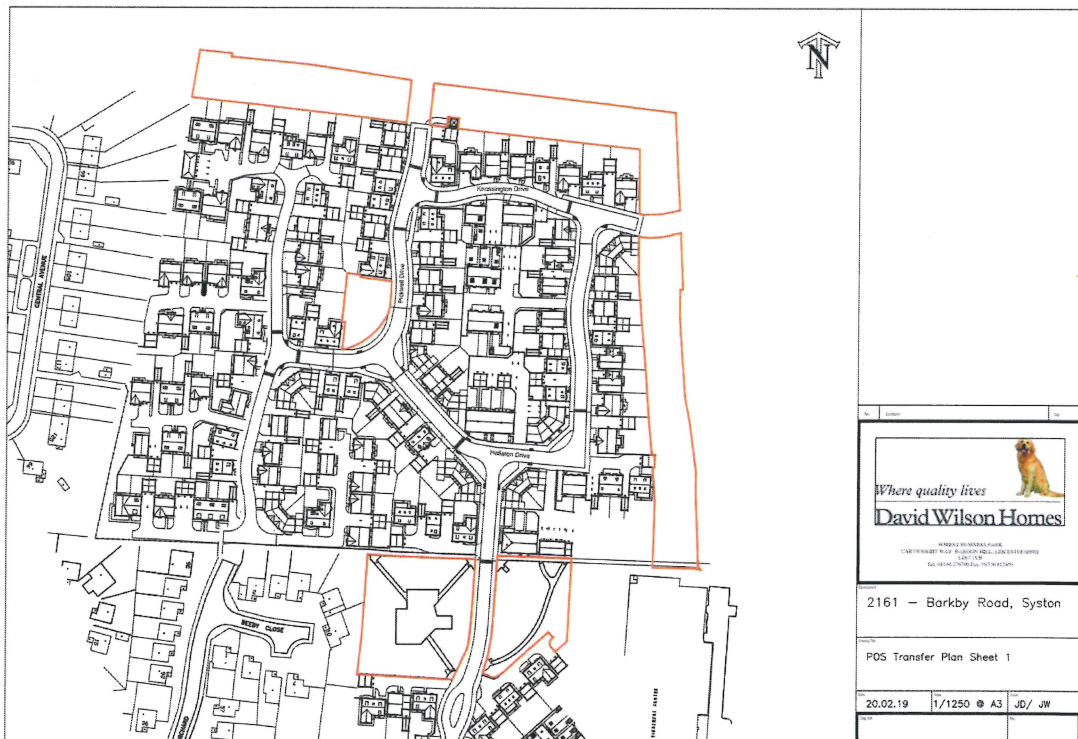
This additional cost to the Council can be met annually from L460 J0604 on an ongoing basis.

### Risk Management

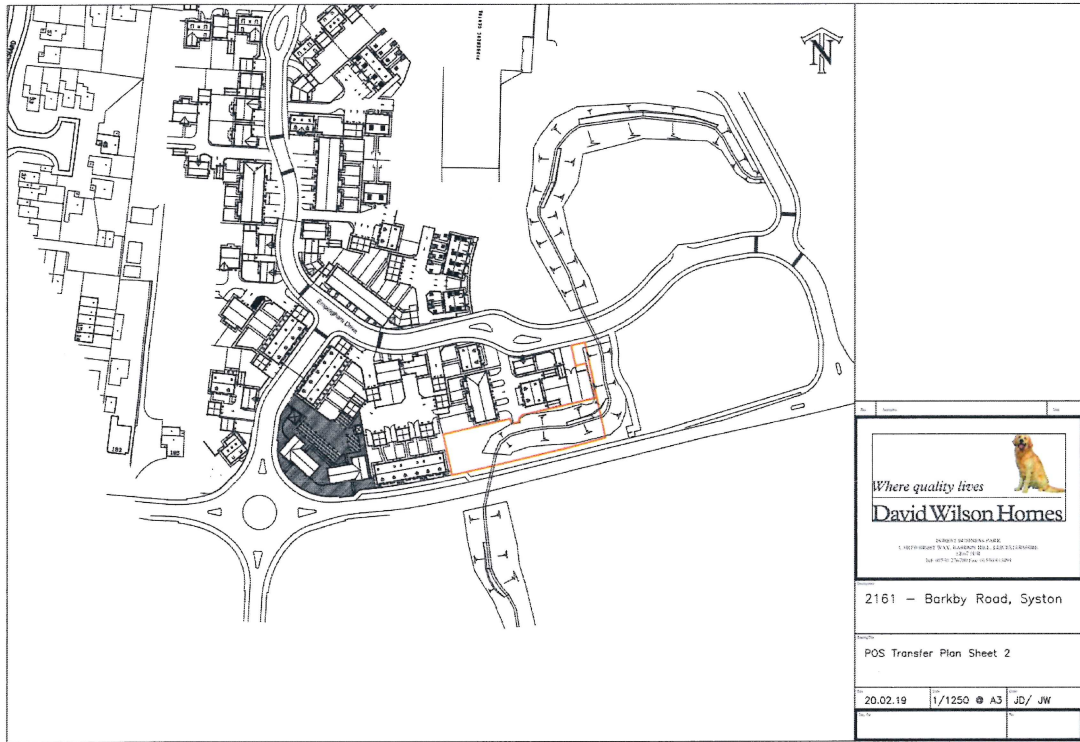
No risks have been identified

Key Decision: No  
Background Papers P/01/2462/2 Section 106 Agreement

### POS Transfer Plan Sheet 1



# POS Transfer Plan Sheet 2



2161 - Barkby Road, Syston

POS Transfer Plan Sheet 2

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