

Decision under Delegated Powers

**To approve the adoption of public open space off Kingfisher Road,
Mountsorrel**

Officer Requesting Decision (if necessary)

Planning Liaison Officer

Officer Making the Decision

Head of Cleansing and Open Spaces

Recommendation

That the Borough Council adopts Public Open Space at Kingfisher Road, Mountsorrel – Planning Application Ref: P/88/2081/2 (see plan below, Areas A - C outlined in red).

On adoption of the Public Open Space the freehold title and responsibility for ongoing management and maintenance of the areas will transfer to the Borough Council.

Reason

To provide an appropriate mechanism for ensuring the management and maintenance of the open space to be adopted, making it available for community use and to comply with the Section 106 agreement associated with the planning permission at the site (P/88/2081/2).

Authority for Decision

The Section 106 Agreement entered 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 on 8th June 2020



Matthew Bradford
Head of Cleansing and Open Spaces

Background

Under the provisions of the Corporate Plan 2016 - 2020, 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 protect and enhance green and open spaces and support the creation of open spaces, encouraging healthy lifestyles through the delivery and promotion of sporting and recreational facilities.

Under Planning Application P/88/2081/2 the land for adoption was set aside as public open space.

The Borough Council has completed the transfer of Public Open Space Areas D – T within the development (DD Ref: DD177 18/19). Areas A – C are now ready for adoption following a programme of remedial tree works and maintenance carried out by David Wilson Homes to ensure that the areas are of a standard acceptable to the Borough Council for adoption.

In accordance with the Section 106 agreement, the freehold of the following lands is now to transfer to the Borough Council:

Screening Bund – at Kingfisher Road, Mountsorrel:

- Area A – Size 0.52 hectares
- Area B – Size 0.57 hectares

Amenity Open Space - at Kingfisher Road, Mountsorrel:

- Area C – Size 0.06 hectares

Transfer from David Wilson Homes Ltd
Planning Ref: P/88/2081/2

Financial Implications

No open spaces maintenance sum is to be received from David Wilson Homes Ltd for future maintenance of the public open space (Areas A - C).

Prior to agreeing the adoption of POS (Areas A – C) significant tree thinning and woodland management works have been carried out by the landowner. As a result, future management of these areas will be limited to routine health and safety works. It is anticipated that it will be a significant time (10 years plus) before any routine maintenance i.e. thinning is required. Routine Health and Safety works will be met by the existing Tree Management Budget on an as and when required basis. For this reason, only Area C (Amenity Open Space) will be added to the MOS contract.

Area C –

Amenity Green Space (0.06Ha). The annual contract maintenance cost @ £0.3821 is £229.26

In addition, the Cleansing contract costs are: 600 sq. metres @ £0.06 per sq. m = £36 per annum

Total cost per annum:

£229.26 MOS Variation cost + £36 Cleansing Contract Cost = £265.26

The additional maintenance costs £265.26 (2020/21 figures) will be funded annually from S106 monies via J0604, until the balance of £1,906.44 is used up (approx. 7 years). Thereafter, the cost will be met from existing budgets and requires annual virements from L045 E0733.

Is a virement (budget transfer) required to fund this decision? Yes

Risk Management

No specific risks have been identified with this report

Key Decision: No

Background Papers: P/88/2081/2 Section 106 Agreement

POS Transfer Plan

