

Decision under Delegated Powers
To approve the adoption of public open space at Barkby Road and Empingham Drive, Syston

Officer Making the Decision

Head of Contracts (Leisure, Waste and Environment)

Recommendation

That the Borough Council adopts land to North of Barkby Road and Empingham Drive, Syston – Planning Application Ref: P/01/2462/2 (see plan 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.

Decision and Date

Approved 25/10/23



Matthew Bradford
Head of Contracts (Leisure, Waste and Environment)

Background

Under the provisions of the Corporate Strategy 2020 - 2024, 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/01/2462/2 the land for adoption was set aside as Public Open Space.

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 was adopted in 2015 and structural planting buffer and amenity open space South of Barkby Road in 2017.

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

- a) Swale – Size 0.27 hectares;
- b) Amenity Open Space – Size 0.39 hectares;

Transfer from William Davis Ltd Planning Ref: P/01/2462/2

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 £134,228.66; 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.

The Council's annual maintenance cost for the areas (as detailed above and shown on plan below) now to be adopted (total of 6,600 Sq. Metres) is £3,066.36.

MOS Contract:

	Area	Rate (£)	Cost
Amenity Green Space	6,600 sq. m	0.3987	£2,631.42
TOTAL			£2,631.42

Cleansing Contract:

	Area	Rate (£)	Cost
Cleansing Contract (Task 16)	6,600 sq. m	0.0659	£434.94
TOTAL			£434.94

Total cost per annum:

£2,631.42 MOS Variation Cost + £434.94 Cleansing Contract Cost = **£3,066.36**

This additional cost to the Council will be met annually from L460 J0604 until the agreed funding has been spent in full in accordance with the S106 agreement.

Risk Management

No risks have been identified

Key Decision: No

Background Papers: None

Red Line Plan

