

WRITTEN STATEMENT OF A KEY DECISION

CABINET MEMBER INFRASTRUCTURE

ITEM:	ADOPTION & MAINTENANCE OF NEW PUBLIC OPEN SPACE
Date of Decision:	24 June 2016
Exempt:	No
Confidential	No
This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county.	
A notice was served in accordance with Part 3, Section 9 (Publicity in connection with key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To approve the change to the council's guidance to developers on adoption and future maintenance of public open space associated with new development, to recognise that the council will no longer normally adopt or take on the maintenance of new public open space, play or sports facilities that form part of new developments.
Decision:	THAT: <ul style="list-style-type: none"> (a) To support local alternative and sustainable management options the council will no longer actively adopt or take on the maintenance of new public open space, play or sports facilities that form part of new developments; (b) In exceptional circumstances and if no reasonable alternative option is available the council may still adopt open space, play or sporting facilities providing that a full cost recovery 'lifetime' (minimum 60 years) commuted sum is paid by the developer in advance of any adoption taking place and any such adoption will be the subject of a cabinet member decision; and (c) this approach be reflected in all future council planning permissions, development advice and guidance notes.
Reasons for the Decision:	The council faces unprecedented financial pressures in the short and medium term. It is reviewing all of its services to reduce cost and transform the council from an organisation which has primarily seen itself as a service provider to one which acts as a strategic commissioning organisation. It is doing this in the context of ensuring it continues to fulfil its statutory

	<p>responsibilities and prioritises investment which contributes to sustaining and strengthening the local economy.</p> <p>Alternative, sustainable maintenance arrangements are available to developers – eg establishing a management company; which will in practice increase resident participation, local consideration of needs and community cohesion.</p> <p>Should the council be requested to adopt any new areas of open space, play facilities, sports facilities or Sustainable Drainage Scheme (SuDS) areas, then the future management and ownership responsibility is for the lifetime of the new development and cost neutral to the council through receipt of individually calculated commuted sum payments from the developer. This commuted sum is generally agreed in the sector as being calculated on a minimum period of 60 years.</p> <p>The recently adopted Property Strategy identifies a project to review and seek alternative management arrangements including community asset transfers and open market disposal of council owned assets. Continuing to adopt new areas of land is contradictory to this project.</p>
Options Considered:	Continue adopting new open space related to new developments. This is not recommended as it continues to increase the council's ongoing open space asset management requirements and subjects the council to increased liabilities in perpetuity.
Conflict of Interest ■ (See below):	
Date the key decision is due to take effect:	30 June 2016

COUNCILLOR P PRICE Date: 24 June 2016
Cabinet Member Infrastructure

■ a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

■ in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.