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## Policy and Finance Committee

**Date:** 23 August 2021

**Title:** Public Open Space Adoption Update

**Purpose of the Report:**

To seek Member endorsement in respects of the land transfer of Public Open Space to the Town Council.

**Contact Officer:**

Ian Haynes, Head of Grounds and Environmental Services

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<b>Corporate Objective/s</b>	LLTC Five Year Plan – Aim 3 – “To provide great public open spaces, varied opportunities for sport and leisure and to exceed expectations in delivering cemetery and allotment services.”	
<b>Implications:</b>		
<b>Financial</b>	Yes	Commuted sum of £249,364.68
<b>Human Resources</b>	No	
<b>Operational/Service delivery</b>	Yes	Future operational delivery costs will need to be included within future revenue budgets.
<b>Procedural/Legal</b>	No	
<b>Risk/Health and Safety</b>	No	
<b>Environmental Aims</b>	No	

### 1 RECOMMENDATION/S

Should members be minded, the proposals are:

- 1.1 To note the report.
- 1.2 To consider adding to the original recommendation to Council made by Grounds and Environment Committee in December 2019 that: should Council be minded to approve the adoption of land, that careful consideration be given to the use of the commuted sum to ensure adequate resources to manage and maintain the additional sites.

## 2. BACKGROUND

- 2.1 As Members are minded, there is a legal obligation that a commensurate level of open space be made available as part of any development of a qualifying size. In this case, Land South of Leighton Buzzard development is the qualifying development. To this end, an approach has been made by a consortium of Persimmon/Taylor Wimpey asking if the Town Council would be interested in adopting fifteen areas of open space (see **attached** plans).
- 2.2 On Thursday, 27 June 2019, a meeting took place between representatives of the consortium and the Town Clerk and the Head of Grounds and Environmental Services to discuss the potential or otherwise of a possible adoption of land by the Town Council.
- 2.3 Concerns were raised regarding the current condition of some of the sites and reassurances were given in regard to the sites being of an adoptable standard and in good repair at time of transfer.
- 2.4 The calculated commuted sums are based upon the following rates;
- Hedges - £21 per linear meter
  - Grass - £1.60 per square meter
  - Shrubs - £1.30 per square meter
- 2.5 Based upon site(s) visits and review of drawings submitted, the calculated commuted sum is considered to be correct for fifteen parcels of land, including two play areas.
- 2.6 At its meeting held 2 December 2019, the Grounds and Environmental Services Committee resolved that;
- (i) to note the report
  - (ii) to endorse and recommend to Council the adoption of land as set out in the attached map and accept the financial sum of £249,364.68.
  - (iii) to delegate authority to the Town Clerk to deal with all matters involved in this adoption
  - (iv) in accordance with a resolution made under Standing Order 23(b), recommend to Council the nominated two members of the Council (to be named in the resolution), to sign, on behalf of the Council, any document required by law and the Proper Officer shall witness their signatures in relations to this transfer.
- 2.7 The recommendation above has yet to be endorsed by Council, but it is understood that actions relating to 2.3 above are progressing well and therefore this is likely to go to Council soon.

### **3. CONSIDERATIONS**

- 3.1 Matters have changed since the original consideration and it is felt that the original operational service delivery position whereby all of the operational delivery costs will be included within existing revenue budgets needs to be revisited.
- 3.2 It is felt that the potential provision of the commuted sum of £249,364.68, needs to be used to increase the operational headcount and/or the introduction of contractors to undertake some time-consuming tasks during our busiest times.
- 3.3 The Town Clerk and the Head of Grounds and Environmental Services have a duty of care to make the elected Members aware of their responsibility if the land is transferred. Therefore if the adoption of play areas and amenity land is considered, Officers would like to possibility of the commuted sums being used for an additional member of staff to be employed, based on our current workload.
- 3.4 The Town Council is currently awaiting a response from the consortium regarding matters involved in this adoption.

### **4. CONCLUSION**

- 4.1 This change in position is considered appropriate. In the Officer's opinion, it should be allowed to ensure that the Town Council continues to provide great public open spaces, varied opportunities for sport and leisure, and exceed expectations in delivering cemetery and allotment services.

End.