

REPORT NO. 5**HARBOROUGH DISTRICT COUNCIL****REPORT TO THE CABINET MEETING OF 2nd November 2020****PUBLIC REPORT: Y****EXEMPT REPORT: N**

Report Title	Beeby Road Scruptoft – Transfer of Open Space to Scruptoft Parish Council
KEY DECISION	No
Report Author	Matthew Bills – Neighbourhood and Green Spaces Officer
Purpose of Report	To seek approval to transfer Beeby Road Scruptoft Open Space, Woodland and Grotto to Scruptoft Parish Council with commuted sum for maintenance as per the Section 106 agreement dated 2 August 2012.
Reason for Decision	To ensure that open space is effectively managed locally by the most appropriate organisation
Portfolio (holder)	Cllr Jonathan Bateman
Corporate Priorities	CO 1 Keeping the District a great place to live.
Financial Implications	None for Harborough District Council A commuted sum for maintenance will be transferred to the Parish Council by the developer.
Risk Management Implications	Failure to put in place appropriate maintenance arrangements will not deliver the optimal outcome for communities.
Environmental Implications	None. Sustainable Land Trust will manage the woodland for the benefit of the community and wildlife.
Legal Implications	None. The S106 agreement dated 2 August 2012 sets out in clause 3.1.6 the necessary details in respect of the amenity facility areas, woodland and the sports pitches subject to this transfer. These areas can be transferred to either the District Council or by agreement of the Owner and the District Council transferred to the Parish Council. The Owner and Parish Council have agreed to the transfer to the Parish Council and this report seeks cabinet approval to do this.
Equality Implications	None as part of this report.
Data Protection Implications	None as part of this report.
Consultation	Parish Council, ward members and Corporate Management Team over a period of 6 years
Options	To not approve the transfer of the POS to the Parish Council – this is considered not to be an acceptable option for the following reasons. <ol style="list-style-type: none"> 1. It is doubtful the developer has made sufficient arrangements to manage the amenity facilities at this time. 2. Management Companies can be perceived at times to lack accountability to local residents, so

	<p>transferring to a management company is not considered to be the best option.</p> <p>3. The management of the open space will be best undertaken at a local level.</p> <p>4. If transferred to HDC, the Council may incur further ongoing maintenance burdens as part of the grounds maintenance contract which may prove challenging to sustain moving forward if the amenity facilities not transferred to the Parish Council.</p>
Background Papers	None.
Recommendations	<p>1) For Cabinet to approve the transfer of the open space, sports pitch and woodland at Beeby Road Scraptoft to Scraptoft Parish Council as permitted in the agreement dated 2 August 2012.</p> <p>2) To delegate authority to the Chief Officer – Governance working with the Chief Officer - Planning and Regeneration to give effect to the transfer.</p>

1. Introduction

- 1.1 Persimmon Homes have successfully completed the landscaping arrangement at Beeby Road as part of planning permission 11/00895/OUT.
- 1.2 Finalising the landscape arrangements and ensuring the site is up to adoptable standard has taken some time and partnership working with the developer, Parish Council, ward members and Sustainable Land Trust has been valuable in achieving the good final outcome.
- 1.3 Sustainable Land Trust have agreed to manage the woodland area for the benefit of the community and wildlife. The Parish Council will make arrangements for the remainder of the open space to be maintained.

2. Key Facts

- 2.1. The Site has been delivered in accordance with application ref 11/00895/OUT.
- 2.2. The site plan can be found at Appendix A to this report.
- 2.3. The commuted sums for maintenance have been calculated in accordance with the Section 106 agreement for this site signed on 2 August 2012 and the transfer to the Parish Council is in accordance with that agreement.
- 2.4. The Commuted sums for maintenance are:

Beeby Road, Scraftoft Commuted Sums: ref 11/00895/OUT

Base index date August 2012

Base Index Figure - August 2012	223.00
Final Index Figure – Sept 2020	332.00

Name of area	Area ha	Amount per ha (2012 agreement)	Total without uplift	Inc. uplift since 2012
Sports Pitch land	0.5	£60,867.87	£30,433.94	£45,309.71
POS land inc. car park, pond and north east corner	1.273	£96,923.84	£123,384.05	£183,692.84
Woodland, Mount and Grotto	1.22	£112,000.00	£136,640.00	£203,428.16
Total	2.993		£290,457.98	£432,430.72

- 2.5. The Parish Council have agreed to transfer the open space and believe that the site can be best maintained for the benefit of residents by the most local accountable organisation.

Appendix A

EMS.2318_08-1 - Site Location Plan (18-9-12)

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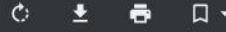
- Site Boundary (5.436 Ha)
- Land also under applicants control



Beeby Road, Scraftoft, Leicestershire - Site Location Plan

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