



Coventry City Council

### **Joint Cabinet Members for Business, Enterprise and Employment and Public Services**

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#### **Time and Date**

12.00 pm on Tuesday, 2nd February, 2016

#### **Place**

Committee Room 3 - Council House, Coventry

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#### **Public Business**

1. **Appointment of Chair for the Meeting**
2. **Apologies**
3. **Declarations of Interest**
4. **Acquisition of Land at Bannerbrook Park for Public Open Space** (Pages 3 - 8)  
  
Report of the Executive Director of Place
5. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved.**

#### **Private Business**

Nil

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Chris West, Executive Director of Resources, Council House, Coventry

25 January, 2016

Note: The person to contact about the agenda and documents for this meeting is Suzanne Bennett, Tele:02476 833072, [Suzanne.bennett@coventry.gov.uk](mailto:Suzanne.bennett@coventry.gov.uk)

Membership: Councillor Maton, Cabinet Member for Business, Enterprise and Employment, Councillor Lancaster, Cabinet Member for Public Services, Councillor Brown and McNicholas, Deputy Cabinet Members for Business, Enterprise and Employment

By invitation Councillor Crookes, Shadow Cabinet Member for Business, Enterprise and Employment and Councillor Lapsa, Shadow Cabinet Member for Public Services

Please note: a hearing loop is available in the committee rooms

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language please contact us.

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## Public Report Joint Cabinet Members Report

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Joint Meeting of Cabinet Member for Business, Enterprise and Employment  
and Cabinet Member for Public Services

2<sup>nd</sup> February 2016

**Name of Cabinet Members:**

Cabinet Member for Business, Enterprise and Employment - Councillor Maton  
Cabinet Member for Public Services - Councillor Lancaster

**Director Approving Submission of the report:**

Director of Place

**Ward(s) affected:**

Woodlands

**Title:**

Acquisition of Land at Bannerbrook Park for Public Open Space

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**Is this a key decision?**

No

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**Executive Summary:**

Following a long running issue in the Bannerbrook Park Development on the future provision of street cleaning and grounds maintenance between the developer Persimmon and residents, the City Council have been approached by Persimmon Homes South Midlands to manage an area of land as public open space.

The Streetpride team have estimated the future maintenance costs on this land, and have agreed the values set out below with Persimmons.

This report seeks approval to acquire approximately 4.8 acres of open space land from Persimmon Homes South Midlands to Streetscene and Greenspace Portfolio, Place Directorate. The land is shown edged red on the attached plan ("the land").

The cost of acquiring the Land will be nil consideration, however, the freehold transfer will include a maintenance bond of £127,135 to cover a 10 year period and one-off cost of £2,097 for remedial works on existing trees.

**Recommendations:**

Cabinet Member for Business, Enterprise and Employment is recommended to approve the acquisition of the land shown edged red on the attached plan to this report to Place Directorate.

Cabinet Member for Public Services is recommended to accept the said Land to be held within the portfolio of Streetscene and Greenspaces and maintained by the Council as Public Open Space on the basis set out in this report.

**List of Appendices included:**

Appendix A. Site Plan showing the land to be acquired and appropriated to Streetscene and Greenspaces portfolio edged red.

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## **Report title: Acquisition of land at Bannerbrook Park as Public Open Space.**

### **1. Context (or background)**

- 1.1 Bannerbrook Park is a large housing development in the west of Coventry. Planning permission was granted in January 2006, and development started after February 2007.
- 1.2 The developer for this site is Persimmon Homes. The maintenance of this site was originally envisaged to be managed by the developer and then handed over to a specific management company and not dedicated back to the Council as public open space as is usual practice in the case of a new development. For a number of reasons, this process hasn't been successful, and has led to a drop off in maintenance standards and disagreements between the developer and residents.
- 1.3 In order to resolve this problem, Persimmon asked the Council to take over the Land and hold as public open space and take over the maintenance responsibility in perpetuity.
- 1.4 Negotiations have taken place between Persimmon and the Council to facilitate a transfer of the Land, along with a contribution towards its future maintenance.

This report seeks approval for the Council to hold the Land along with a 10 year maintenance bond of £127,135, and a one off contribution of £2,097 to cover an existing backlog of maintenance.

### **2.0 Options considered and recommended proposal**

Option 1 - Acquire the Land at nil consideration and include as part of the Councils land held public open space and accept future maintenance responsibilities. Whilst also accepting the maintenance bond and one off contribution to provide resources to support the future maintenance requirements.

Option 2 – Retain status-quo. If the Land is not acquired by the Council and managed by Streetscene and Greenspaces, the responsibility to maintain the open green space will remain as the responsibility of Persimmon Homes South Midlands, at the developers own cost. Should the current issues between the developer and residents not reach an amicable solution prior to the completion of the development, it is likely to lead to the future and further detrition of the maintenance standards for the area.

### **Recommendation**

Option 1

Proceed with Option 1 and acquire the Land, Streetscene and Greenspaces are already maintaining areas of public open space to Council Standards and can include this open space as part of the same programme.

### **3. Results of consultation undertaken**

- 3.1 None has been undertaken as consultation is not appropriate in this case.

### **4. Timetable for implementing this decision**

- 4.1 Subject to the approval of the Cabinet Member for Business, Enterprise and Employment and the Cabinet Member for Public Services, the acquisition and appropriation to Streetscene and Greenspaces will take immediate effect. Streetscene and Greenspaces will include the land as part of the maintenance programme immediately after the Land is transferred to the Council.

## **5. Comments from Executive Director of Resources**

### **5.1 Financial implications**

The costs associated with maintaining the land to current City Council standards have been assessed and will be funded by a contribution of £127,315 from Persimmon Homes. This will be drawn down over the agreed 10 year period (£12,713 pa). The one-off costs of dealing with the back-log of maintenance will be funded by a one-off contribution of £2,097.

### **5.2 Legal implications**

Officers within Legal Services will complete the necessary legal documentation to transfer the Land from Persimmon Homes South Midlands to the Council at nil consideration and will collect the agreed maintenance bond from Persimmon Homes South Midlands upon completion of the transfer.

After the maintenance bond paid by Persimmon Homes South Midlands has been utilised by the Council for the maintenance of the Land the future costs will need to be resourced from Council budgets.

Upon completion of the freehold transfer the Land will become the full responsibility of the Council which will include associated insurance and public liability responsibility.

## **6. Other implications**

### **6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

Local authorities have a statutory duty to keep community areas clean and safe, by including this land into the Council's grounds maintenance programme it will ensure legal responsibility remains with the Council.

### **6.2 How is risk being managed?**

If the land is not incorporated by the Council, there is a possibility the land would be unkempt and not maintained to the standards set out by the Council.

### **6.3 What is the impact on the organisation?**

The impact on the organisation will be minimal. However it will generate additional work for Legal Services in order to prepare transfer documents.

### **6.4 Equalities / EIA**

An Equality Impact Assessment has not been undertaken as no other group will be impacted.

## 6.5 Implications for (or impact on) the environment

Addition of grounds maintenance to open space areas will benefit the community, residents and surrounding wildlife.

## 6.6 Implications for partner organisations?

There are no implications for partner organisations.

### Report author(s):

Azim Walimia: Senior Asset Surveyor, Corporate Property Services  
Samantha Morris: Performance & Technical Services Manager, Streetscene & Greenspace

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**Directorate:** Place Directorate

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
Nigel Clews	AD – Property Asset Management	Place Directorate	22/01/16	22/01/16
Andrew Walster	AD Streetscene & Greenspace	Place Directorate	22/01/16	22/01/16
Graham Hood	Head of Streetpride & Greenspace	Place Directorate	22/01/16	25/01/16
Suzanne Bennett	Governance Services Co-ordinator	Resources Directorate	22/01/16	25/01/16
<b>Names of approvers for submission:</b> (officers and members)				
Finance: Cath Crosby	Lead Accountant	Resources Directorate	22/01/16	22/01/16
Legal: Julie Sprayson	Property Lawyer Place Team Legal Services	Resources Directorate	22/01/16	22/01/16
Director: Martin Yardley	Executive Director of Place	Place Directorate	25/01/16	25/01/16
Members: Cllr Kevin Maton	Cabinet Member for Business, Enterprise and Employment		25/01/16	25/01/16
Members: Cllr Rachel Lancaster	Cabinet Member for Public Services		25/01/16	25/01/16

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Appendix A

**Bannerbrook - Land South of Linear Park**



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Plan Production Date: 21/01/2016