

**Report to**  
**Kingston Bagpuize with Southmoor Parish Council**

**Proposed transfer of ‘Public Open Space’ and ‘Play Areas’  
on the Bloor Homes land to the east of Witney Road**

**Summary**

Outline planning permission reference P15/V1808/O was granted in June 2016 for the residential development of 280 dwellings on land to the east of Witney Road, Kingston Bagpuize, OX13 5FZ.

The Parish Council must decide whether to take some, all or none of the Public Open Space on the development.

**Background**

The development is a mix of dwellings (1 to 4 bed) with 40% affordable housing, associated infrastructure, landscaping, open space and amenity space.

There is a Planning Agreement dated 29<sup>th</sup> June 2016. The Parish Council were not a party to this agreement and are not bound by it. Paragraph 2.8 of the Fourth Schedule of the Planning Agreement explicitly envisages the Parish Council **not** taking the Public Open Space, or Parkour facility, and provides for the Management Company taking over responsibility for these, if the Parish Council chooses not to.

There is an area of land to be transferred to the Parish Council designated for community use. It is currently proposed that this land could be used for a new scout hall. The contribution towards the construction of the hall, requested by the Parish Council as part of the Planning Agreement, was refused on the grounds it was “not justified”. The funding is not yet in place for this.

The green infrastructure plan that accompanied the planning application showed different types of open space. There is a main area of open space in the centre of the site. This central area will include the Parkour facility. There is a 3.2m high bund along the north and north west boundary of the site. This is to protect the housing along the northern and north western edge from noise generated by vehicles on the A420 north of the site and the roundabout at the intersection of the A420 and A415.

**The Public Open Space**

A plan is attached showing the 'community use' site, the site for the Parkour facility and the other areas of Public Open Space.

Most of the Public Open Space is on the perimeter of the development. This means it impacts directly on the visual amenity of the village. The land through to the large area in the middle of the development does not affect the visual amenity of the village but could be a significant asset to the village.

### **Financial implications**

A maintenance contribution of £464 709 (index linked) is payable to the Parish Council (via the Vale) to assist with the ongoing maintenance of the land to be transferred. This is a generic 'Public Open Space' maintenance cost for 20 years at £26.57 m2. It has not been costed against the Landscape Management and Maintenance Plan produced by Bloor.

There is a litter picking and dog bin contribution for the Parish Council of £54 in respect of each dwelling which amounts to £15 120 index linked

**After the 20 years that the maintenance contribution is supposed to cover, the cost of maintaining everything that is transferred would fall on all the residents of Kingston Bagpuize with Southmoor via the precept (council tax).**

### **Play Areas**

There are four play areas on the development. They are all designed for younger children. If the Parish Council take on responsibility it would be free to make such changes to the play areas as it considered suitable but would have to find the money to do this.

There will need to be regular Health and Safety inspections of all the play areas and appropriate insurance in place. This has resource/financial implications. The Parish Council currently pays £640 per annum for outsourced quarterly inspections for the playground and recreation ground. Monthly inspections are carried out by councillors. Should council members be unwilling to increase the remit of their inspections to the Bloor play areas, public open space and swales these would need to be outsourced with the corresponding cost implications. Councillors should note that it currently benefits from a councillor with professional expertise in this area but that will not always be the case.

### **Parkour facility**

There is a contribution of £20 000 towards fees to design the facility which is to comprise at least five pieces of parkour. It is to be no less than 400 square metres. There is a £52 800 maintenance contribution for the facility. That sum was based on generic costing for maintenance, litter and cleansing at £6.60 sqm for 20 years.

There is to be some public art on this site and the design of this is to be agreed between Bloor and the Parish Council. Public art is defined as 'a sculpture, statue or other artistic representation or artwork including street furniture, paving, hard and soft landscaping and/or architectural detailing'. **Responsibility for overseeing this project lies with the Vale of White Horse District Council.**

### **Site for 'community use'**

This is to be provided in a 'Serviced Condition' for community use. 'Serviced' means roads, sewers, gas, water, electricity and telecommunications to the boundary of the land enabling it to be developed.

Bloor Homes made a proposal to the Parish Council for permission to use the site for parking for their contractors between July 2021 and May 2022 for which they would pay the parish council £10,000. Nothing further has been heard on this from Bloor since August.

The action group for the current proposed use of this site have submitted a planning application for the community building which includes access from Oxford Road. Funding is not yet in place and they are happy for the Parish Council to accept Bloor's offer. The planning application has not been decided and there are objections that need to be overcome.

### **Headwalls of drainage ditches**

These are a significant concern because of health and safety and flooding. The Royal Society for the Prevention of Accidents (RoSPA) has carried out a sustainable urban drainage scheme safety review which made a number of recommendations (no deadline or assignment of responsibility was given). Bloor claim the recommendations have been actioned but not all work has been completed.

A final inspection needs to be carried out by RoSPA, with both Bloor and the Parish Council in attendance. All recommended actions from that inspection will need to be carried out by Bloor before any transfer takes place. The suggested maintenance schedule supplied by Bloor is attached which sets out the recommended maintenance actions and frequency.

Bloor do not want to separate out the swales from the rest of the Public Open Space. This does not mean that the Parish Council cannot offer to take all the other land but not the swales. However, the practicalities of marking out the boundaries between the areas, and determining responsibility, could prove difficult.

### **Transfer**

The Parish Council can choose to take the Public Open Space land in one transfer when the development is completed, or it can choose not to take the Public Open Space at all. The Vale would prefer the Parish Council to take responsibility for it.

A full landscape audit will be required before taking any transfer. Any issues raised would have to be made good by Bloor prior to transfer. If Bloor do not respond to the request to make good issues raised then the Vale have confirmed they will support the Parish Council in ensuring all issues are resolved satisfactorily and in accordance with planning conditions (this includes replacing trees for up to 10 years from planting).

### **Ongoing maintenance of Public Open Space**

There are two ways to do this:

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1. Outsource to grounds maintenance contractor using procurement process in Standing Orders
2. Recruit staff directly to carry out the maintenance.

Whether it is an external contract, or directly employed staff, there are resource implications for the Parish Council. There is only one part time clerk employed by the Parish Council at present.

### **The Management Company**

The Vale of White Horse considers it to be in the long-term interests of the village for the Public Open Space to be maintained by the Parish Council. The alternative is that the Management Company takes responsibility for these areas.

The Management Company will be responsible for the roads, drains and street lighting regardless of the Parish Council's decision on the Public Open Space. **It is therefore critical that a Residents' Association formed from people who have bought houses on the new estate manage the ongoing relationship with the Management Company for all these matters.**

The Parish Council has tried to find out more about the governance of the Management Company and how the relationship with the residents would work in practice. The Parish Council has only been provided with generic templates so far.

### **Conclusion**

This report is presented to the Parish Council because a decision needs to be made as to how it wishes to proceed.

The Parish Council needs to decide whether it wishes:

1. to take on all, some, or none of the Public Open Space on the Bloor Homes development, subject to detailed negotiations on the terms, at the completion of the development.
2. to include within that transfer taking responsibility for the headwalls to the drainage ditches.

If the Parish Council decides to take the transfer of the Public Open Space (some or all) it needs to decide if it will:

1. Put out to tender a grounds maintenance contract
2. Recruit staff directly to manage the Public Open Space

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