

Appendix C - Open Spaces Strategy Consultation- Residents Meeting

1 December 2020 4:00pm till 5:45pm – MS Teams

Attendees:

Harborough District Council (HDC) - Matt Bills (MB), Lesley Aspinall (LA)

The Environment Partnership (TEP) - Rebecca Martin (RM)

Residents

Notes:

All welcomed and introductions were made. Welcome input at this stage and will be fed back to HDC and considered as part of the Strategy. Council is facing financial pressures and ultimately it will be for Councillors to decide on approach to Public Open Space (POS).

TEP commissioned in early 2020 to carry out Open Spaces Strategy which will eventually replace the current strategy. Will establish robust evidence base, assessing the quality, quantity and accessibility of open space across the district and set standards for future provision.

Planning policy review section already complete along with audit of sites. In addition to this meeting, 3 consultations already undertaken:

- Public questionnaire (over 200 responses)
- Key stakeholders (parish councils, councillors and community groups)
- Developers (given that adoption of open space is an issue)

1. Residents raised lack of a country park. There is focus on Welland Park but there nothing on a strategic scale.
2. In relation to Farndon Fields, flooding was raised as a recurrent problem in the use and enjoyment of the open spaces with the development. Nothing has been done to address the issue. Remedial action needed to address what is essentially a surface water run-off issue.
3. Broughton Astley (BA) fortunate to have a lot of open space which is well maintained by the Parish Council (PC) with good facilities, particularly the recreation ground. HDC open space, while not having many facilities, is well maintained.
4. Open space on Jelson site in BA was not transferred to HDC and was auctioned off to private individuals. Purchasers may have believed it could be developed. Having failed to get planning permission owner/s don't maintain the POS and it is left unkempt/overgrown, presenting growing driver and pedestrian safety issues.
5. Acknowledgement that Jelson site is a problem. It was Jelson decision to sell the open spaces. HDC don't have enforcement powers in this case as the land is not considered 'dilapidated'. Generally need to look into enforcement issues going forward and working with a range of partners given that not all POS is owned by HDC.
6. The lack of consistency in approach to owning/managing POS creates a confusing picture for residents. This is exacerbated where there are several developers on a development site.
7. Residents raised the possibility of including some sort of model landscape/maintenance manual or schedule in the Open Spaces Strategy (OSS) to encourage a consistent

- approach. Developers/management companies could then be sign-posted to this to see what is expected by way of maintaining POS.
8. Possibility of including an indicative draft maintenance schedule as an appendix to the OSS to be considered. Also HDC to look at enforcement of landscape plans given they are a condition of the planning permission.
 9. Residents had perception that that there was no enforcement. Once landscaping is signed off at Management Company (ManCo) managed POS it is a matter for residents and ManCo.
 10. There was a feeling that while it may be possible to clarify approach going forward, it doesn't help sort out problems in relation to POS as being experienced on Jelson site (BA).
 11. HDC acknowledged that it has limited powers where POS is privately owned. Where owned by HDC there is accountability.
 12. Regarding play areas, residents felt that it was better to have fewer, larger play areas. Anecdotal evidence that a significant part of charge goes on maintaining small playgrounds. They are expensive for residents.
 13. Off-site contributions to existing (possibly larger) playgrounds may be a better option. Accessibility criteria will be reviewed as part of OSS.
 14. It was noted that Farndon Fields play areas are well used despite relatively close proximity to Welland Park.
 15. Playgrounds in BA considered to be well-positioned and well-used, with provision being good and well-maintained by the PC.
 16. Potential to tap into PC's more and encourage them to take more of an active role. Management is best done locally. There was recognition that this is not an option in Market Harborough as there is no town/parish council.
 17. The importance of open areas as places to just sit in was raised. This has become particularly apparent through lockdown. Important to consider how open space is used by adults as well as children. It is a very important balance and open spaces are needed for a range of users as part of new development.
 18. Residents recognised not all POS is owned and managed by HDC.
 19. Residents felt that new POS should, by default, be transferred to the Council for maintenance.
 20. Management Companies should be a last resort for maintaining POS.
 21. A mechanism to be adopted by HDC to, at least, encourage developers to transfer to Council or, at best, force developers to transfer to HDC.
 22. HDC should recognise that motivation for directors of resident management companies may decrease over time and therefore residents affected may be further exposed to issues as part of POS maintenance.
 23. The task of running a residents management company is a thankless one for resident directors. There has been no help from the Council in terms of legal advice or contract advice or for setting up a residents management company. Residents clearly wanted more assistance from HDC with regards to this but it is not something that can be readily included in the Open Spaces Strategy. MB will feed this back to the Council.
 24. Better communications were needed between HDC, Residents and ManCos as part of POS maintenance.
 25. Residents were unhappy that when the POS had been transferred to ManCo then the Council was not interested in issues residents were facing
 26. Residents suggested that householders should be included in the sign off process for POS, especially if it is being transferred to a ManCo.
 27. Residents considered that the enforcement of POS maintenance should be better. Residents were concerned that the enforcement by HDC officers was ineffective. MB

- and RM to seek meeting with Enforcement team to determine how enforcement issues can be included in the new Strategy.
28. The current HDC commuted sum for 'play areas' covers both soft and hard surfaces. As soft surfaces require almost daily raking, this results in a very high commuted sum. Given that most small development site 'play areas' have 'hard surfaces' (which require significantly fewer attendances) it is recommended by residents that the 'play area' element of the commuted sum is re-evaluated to reflect the surface type. (i.e. one for hard and one for soft surfaces).
 29. Suggestion that a template maintenance specification document should be included in the Strategy to ensure consistency of maintenance across new development.
 30. Template document may also assist enforcement of things go wrong.
 31. Some concern that 30 years commuted sum for maintenance is deterring developers transferring to HDC. A lower amount was needed
 32. Conversely, there was also some feeling the commuted sum for maintenance period did not matter as the land owner paid, not the developer.
 33. Residents felt that PCs should be encouraged to take on POS in their parishes.
 34. Recognition that this did not help in Market Harborough as this was unparished
 35. In negotiating a S106 residents felt the LPA (Local Planning Authority) should insist that commuted sums for maintenance were the default option. Only in exceptional circumstances should this be deviated from.
 36. Para 7 of the current Open Spaces Strategy deals with skills and knowledge of PCs to adopt POS. Also, robust control measures are mentioned but it is not clear what these are. In the next iteration of the OSS this needs to be cleared up so that residents, PCs and officers have clear understanding of what will be done and by whom to ensure adequate management and maintenance of POS.
 37. Residents highlighted the terminology around 'Residents Management Companies' (which generally applies to flats/lease hold properties) for which there are some regulations, a right of appeal and a professional body, as opposed to 'Landscape Management Companies' (which generally applies to freehold properties maintaining the open spaces at their development), and for which there are no regulations, right of appeal or professional body.
 38. Residents highlighted that mortgage lenders are increasingly refusing to lend on properties with uncapped service charges (Banks refuse mortgages to new builds) this will significantly impact the ability of the Developer to sell their properties, and as a consequence drive Developers back to paying the commuted sums.
 39. Suggestion from residents that HDC set up a not for profit organisation that could charge and 'at cost' fee for maintenance, paid by residents. The contractor would be accountable to officers and ultimately members. This would give residents assurance that satisfactory maintenance would be undertaken at a consistent standard across the District
 40. Residents were keen to ensure that the Open Space Strategy was as good as it can be and robust to ensure that open space issues can be effectively dealt with. Recognition by residents that if issues continue then more officer time will be taken up trying to resolve these than by delivering other parts of the service
 41. Next steps of Strategy are:
 - a. Receive draft from TEP (Dec 2020)
 - b. MB to report outcomes of Strategy to CMT (Jan 2021)
 - c. Feedback to TEP comments from CMT
 - d. Present draft Strategy to Scrutiny Panel (TEP and MB – Feb 2021)
 - e. Report to Cabinet and then Council (March 2021)

Meeting ends 5:45pm