

12. MAINTENANCE AND ADOPTION OF OPEN SPACE WITHIN PRIVATE HOUSING AREAS

The Council Executive considered a report (copies of which had been circulated) by the Head of Operational Services which advised of the positive progress made to ensure that open spaces within private residential estates was maintained in a manner compliant with planning requirements, of the requirement to review the council's existing open space adoption policy criteria and the outcome of discussions with a number of social enterprise agencies with regard to the future maintenance of open space within private residential estates.

The Head of Operational Services advised that the provision of a good quality of finish to all open spaces within a development was a crucial step in providing an attractive environment for the new residents of a housing development.

The report continued that where the council's enforcement service became aware of deficiencies in open space provision the developer was required to rectify the original failings.

However the Council along with most councils offered developers and formally constituted residents groups an open space adoption service where aspects of the management and maintenance of communal open space was permanently transferred to the council on receipt of a commuted sum equivalent to ten times the annual maintenance costs.

However it had become increasingly apparent that with rising costs and low interest rates the council's commuted sum calculation was no longer financially viable and therefore it was suggested that this be increased from ten to thirty times the annual maintenance costs plus compounded interest.

The proposed revision would have an impact upon a number of residents groups who were currently exploring the possibility of signing an adoption agreement with the council, details of which were outlined in Appendix 1 to the report. And whilst it was understood that the revised calculation criterion would likely make it more difficult for the residents groups it must be balanced with the need to ensure that any arrangements entered into were financially viable for the council.

The Head of Operational Services continued to advise on discussions that had taken place with a number of social enterprise agencies to explore options to provide an alternative means of providing developers, factors and residents groups with grounds maintenance services, details of which were outlined in Appendix 2 to the report.

The report concluded that whilst the Development Management Manger had managed to address concerns raised by residents regarding the quality of open space, there remained a need for the council to offer an adoption facility but this needed to be financially viable for the council.

It was recommended that the Council Executive: -

1. Note the progress made in ensuring that the maintenance of open spaces within privately maintained residential estates was being carried out to a standard that complied with planning requirements;
2. Agree the revised open space adoption fee, increasing the current commuted sum calculation from ten times the annual maintenance costs plus annual indexation to thirty times the annual maintenance costs plus annual indexation, to ensure that future agreements were more financially viable from the council's perspective; and
3. Note the outcome of discussions with a number of social enterprise agencies.

### Motion

To approve the terms of the report.

- Moved by the Chair and seconded by Councillor Walker.

### Amendment

To maintain the existing scheme and honour the commitment made to residents where a quote had already been provided with a view to reviewing the scheme at a later date.

- Moved by Councillor Morrice and seconded by Councillor Findlay.

### Decision

Following a vote the motion was successful by 7 votes to 2 and it was agreed accordingly.