

REPORT TO: Leisure Services Committee – 18 September 2000
Planning and Transportation Committee – 25 September 2000
Development Quality Committee – 25 September 2000

REPORT ON: Open Space Maintenance Costs

REPORT BY: Director of Leisure & Parks
Director of Planning and Transportation

REPORT NO: 511-2000

1. **PURPOSE OF REPORT**

1.1 To seek Committee approval for a change in policy in relation to the maintenance of open spaces within housing developments.

2. **RECOMMENDATIONS**

It is recommended that:-

2.1 In relation to capitalisation of the annual maintenance costs, that the existing policy of the option of allowing a developer to transfer formally identified public open space to the Council is amended from the current rate of 15 to a new rate of 30 times the estimated annual maintenance cost.

2.2 The Council no longer accept the transfer of incidental open space and landscaping within such developments and require any prospective developer to make full and proper arrangements for the ongoing maintenance of these areas as a condition of planning consent;

2.3 That the Developer be advised of the revised policy at pre-planning application stage.

3. **FINANCIAL IMPLICATIONS**

3.1 The new policy will help to ensure that the budget for open space maintenance is not further eroded.

4. **LOCAL AGENDA 21 IMPLICATIONS**

4.1 The recommendations of this report will not compromise the principles and themes of Local Agenda 21 and seeks to work towards a sustainable future for Dundee by incorporating social, environmental and economic goals.

5. **EQUAL OPPORTUNITIES IMPLICATIONS**

5.1 None

6. **BACKGROUND**

6.1 Reference is made to the meeting of the Parks and Cemeteries Committee of Dundee District Council, held on 28 March 1994 (Article IV refers), which approved the policy on 'Open Spaces in Private Developments'.

6.2 The policy agreed at that meeting was that the Council would accept responsibility for the ownership and ongoing maintenance of open space within private housing developments, providing the Developer paid to the Council a sum of money equivalent to 15 times the annual maintenance cost, and this policy has been incorporated into the Local Plan for Dundee, which is currently in the process of review.

6.3 The sum of money provided is invested by the Council and the interest above inflation allocated to the Leisure and Parks Department budget, to cover the maintenance cost.

6.4 Since 1994, the level of interest rates has fallen dramatically and the sums of money provided only meet a small percentage of the cost of the maintenance work involved. A revised calculation would suggest that an initial lump sum of around 30 times the annual sum would now be required. It is therefore recommended that this figure be adopted and that it should apply only where the Council agrees to accept responsibility for properly identified public open space. Such spaces will be identified through the Council's Public Open Space Strategy and the forthcoming reviewed Dundee Local Plan.

6.5 The Developers of new housing developments will in future be required to accept responsibility for making the necessary arrangements, on behalf of the new owners, to guarantee the ongoing maintenance of incidental open space and landscaping within such developments. This should be achieved through a factoring arrangement operated by the Developer, or an Agent appointed by him/her. The advantage of this approach is that the owners would have a much bigger say in the maintenance and layout of the areas of open space than is possible when Dundee City Council has responsibility.

6.6 In practice, Developers have not used the transfer option to any great extent preferring instead to make their own arrangements for the maintenance of the open space, e.g. the Scottish Greenbelt Company provides a service to developers by accepting responsibility for the ownership and long term maintenance of such land, funded through the collection of an annual management fee from house owners. Since 1994, there have been 5 transfers of land, with a total value of £72,364. The most recent being in September 1998.

6.7 The Council could provide such a factoring service where there was a clear demand from the owners for the Council to carry out such a role. Formal contracts would have to be signed to cover the interest of both parties.

7. CONSULTATION

The Chief Executive, Director of Finance, Director of Support Services and the Director of Corporate Planning have been consulted in the preparation of this report.

8. BACKGROUND PAPERS

8.1 The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), where relied on in preparing this report:-

- Dundee Local Plan 1998
- Dundee's Public Open Space Strategy – February 1999

9. SIGNATURE

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Alex Stuart, Director of Leisure and Parks

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Date

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Mike Galloway, Director of Planning and Transportation

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Date