

Rabley Wood View

Summary – This report asks Members to consider the transfer of public open space, a play area and multi-use games area (MUGA) at Rabley Wood View from Green Square Homes (GSH) to Marlborough Town Council (MTC). Also, to consider a commuted sum for ongoing maintenance and agreement to the Heads of Terms document.

1. Background

This is an extract from the minutes of the Full Council meeting of 2 March 2020:

499/19 RABLEY WOOD VIEW

Members noted a report by the Town Clerk and considered a proposal that the Town Council take on the ownership and management of the play area, multi-use games area (MUGA) and public open space at the proposed GreenSquare development at Rabley Wood View. The discussion included:

- There would be a nominal transfer fee to the Town Council of £1
- Long term maintenance costs were not yet known although the Grounds Manager had put forward some preliminary estimates
- That a commuted sum from the developers should be part of any handover for maintenance and capital replacement costs
- Whether future drainage costs would be incurred – amended plans were expected to be released soon incorporating advice from Wiltshire Council's drainage engineer, which, it was understood, Thames Water, was willing to adopt
- That the proposed access would need to be widened to allow a tractor into the area set aside for public open space
- Whether there would be liability and risk related to any future contamination of the River Og
- That the land did not extend as far as the riverbank of the Og as this was owned by another landowner
- Whether residents would prefer the Town Council to manage this land rather than a management company appointed by the developers
- That it was too early to understand all the details at this stage but a decision in principle would allow discussions to continue

RESOLVED: (i) to agree, in principle, to the transfer from GreenSquare Homes to the Town Council of the play area, MUGA, public open space and landscaped area with trees at Rabley Wood View

RESOLVED: (ii) that negotiations and discussions continue about a commuted sum for the transfer, legal implications and any other associated issues ahead of a final decision being made by the Town Council

A map of the areas to be taken on is **Appendix 1**

Update - Since that meeting Cllrs Cooper, Price, Heath and Ross have met with GreenSquare (GSH) to discuss a commuted sum for ongoing maintenance of the land (which is usual when land is passed over by a developer to a local authority). Guidance has been given by Wiltshire Council officers on how to calculate figures for a commuted sum for maintenance of public open space (POS) and play areas/MUGAs. Normally this is set out in a S106 Agreement. Unfortunately, there was no S106 agreement set as part of the sale from WC to GSH and so the latter has no budget for a commuted sum. MTC has no budget for dealing with the ongoing maintenance of this land. However, GSH and MTC have nonetheless been discussing a figure to cover some maintenance costs.

ITEM 5

If the Town Council decides not to take it on, maintenance will be passed to a Management Company with the cost being met by residents of the new development.

At the Full Council meeting of 20 July, the following resolution was made:

<p>RESOLVED: that the agreed figures in terms of a commuted sum and questions about the Heads of Terms document are passed onto the landowners.</p>
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Following the Full Town Council meeting, the Town Clerk passed the proposed figures to GSH together with questions relating to the Heads of Terms document. The Town Clerk will verbally update the meeting with the GSH response.

Town Clerk's Recommendation

The Town Clerk recommends that Members consider whether to go ahead with the transfer of public open space, a play area and multi-use games area at Rabley Wood View from Green Square Homes to Marlborough Town Council.

Town Clerk

23 July 2020

ITEM 5 Appendix 1

Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect before proceeding.
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REVISIONS:

A	02.05.19	Layout amended following project mtg 01.05.19	RS
B	07.05.19	Layout amended following PHG comments 03.05.19	RS
C	05.06.19	Plots 8, 26-27, 35-31 mirrored	RS
D	06.05.19	Plot 8 mirrored	RS
E	19.06.19	Redline amended	RS
F	07.08.19	Layout amended	CAB
G	23.08.19	Gable windows added. Plot 12 mirrored. Pit 28 garage and parking re-arranged. Pit 36-39 bin storage revised. Pit 15-21 access routes changed. Meander path in trees updated per WHL proposal.	CAB
H	28.08.19	Sample play area indicated.	CAB
J	03.09.19	Pit 2 garage position adjusted. Minor landscape update to reflect drawing no. SL102G. Boundary hedge/trees updated in line with arboriculturalist information. Garden decking and bin storage indicated.	CAB
K	31.10.19	Revisions further to engineering and urban designer comments.	CAB
L	19.11.19	Visitor spaces and footpath in wood land area revised.	CAB
M	03.12.19	AR units increased to 85% NDSS Pit 19-21, 33-39. Road layout, car parking amended. Footpath to Compensatory Open Space to be hogging. Ped route NW corner amended as NC comments	RS
N	12.12.19	layout amended following mtg with Planners 04.12.19	RS

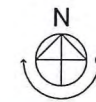
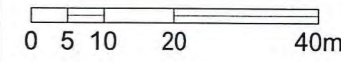
BAT & BIRD BOXES

- Bt** Built in Schwegler Bat Box
16no total
- Bd** Built in Schwegler Bird Box
36no total
12no Type 24 tits/sparrows
12no Type 25 Swift
12no House Martin Nest

HOUSETYPES LEGEND

○	Chedworth	1B/2P	4no
●	Cricklade	2B/4P	3no
●	Coate	2B/4P	3no
●	Everleigh	3B/5P	2no
●	Enford	3B/5P	3no
●	Fyfield	3B/5P	1no
●	Foxham	3B/5P	3no
●	Clifton	4B/6P	1no
●	Milton	4B/6P	7no
●	Neston	4B/6P	6no
●	Holt	4B/6P	6no
	Total		39no

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Project
**Land at Rabley Wood View
Marlborough**

Drawing Title
Site Layout

File Location: S:\TEAM ASSET MANAGEMENT\2018 PROJECTS

Date	10.04.19	Status	Planning
Scale	1:500 @ A1	Drawn by	RS
Project No.	18-038	Checked by	-
		Project No.	18-038
		Drawing No.	PISL100
		Revision	/ N

