



Overview and Scrutiny Task Group - Adoption of Estates

Agenda and Reports

For consideration on

Tuesday, 22nd January 2013

In Committee Room 1, Town Hall, Chorley

At 4.00 pm

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16 January 2013

Dear Colleague

**OVERVIEW AND SCRUTINY TASK GROUP - ADOPTION OF ESTATES -
TUESDAY, 22ND JANUARY 2013**

You are invited to attend a meeting of the Overview and Scrutiny Task Group - Adoption of Estates to be held in Committee Room 1, Town Hall, Chorley on Tuesday, 22nd January 2013 commencing at 4.00 pm.

AGENDA

1 **Apologies for absence**

2 **Minutes**

To confirm the minutes of the Overview and Scrutiny Task Group – Adoption of Estates meetings held on 19 December 2012 and 14 January 2013 (to follow)

3 **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

4 **Consultation with developer (Pages 1 - 2)**

A representative from Arley Homes will be attending the meeting.

A copy of the questions issued is enclosed for your information.

5 **Consultation with officers from relevant authorities**

Officers from the relevant authorities have been invited to attend the meeting to explain their role in the adoption process and answer questions of the Group:

- Chorley Council
- Lancashire County Council
- United Utilities

6 **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Gary Hall
Chief Executive

Dianne Scambler
Democratic and Member Services Officer
E-mail: dianne.scambler@chorley.gov.uk
Tel: (01257) 515034
Fax: (01257) 515150

Distribution

1. Agenda and reports to all Members of the Overview and Scrutiny Task Group - Adoption of Estates (Matthew Crow (Chair) and Jean Cronshaw, Julia Berry, June Molyneaux, Dave Rogerson, Kim Snape and County Councillor Mike Devaney (Lancashire County Council) for attendance.
2. Agenda and reports to Jamie Carson (Director of People and Places), Jennifer Moore (Head of Planning), Alex Jackson (Senior Lawyer), Carol Russell (Democratic Services Manager) and Dianne Scambler (Democratic and Member Services Officer) for attendance.
3. Agenda and reports to Councillor Steve Holgate for information.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

Overview and Scrutiny Task Group - Adoption of Estates

Monday, 14 January 2013

Present: Councillor Matthew Crow (Chair) and Jean Cronshaw, Julia Berry, June Molyneaux, Dave Rogerson, Kim Snape and County Councillor Mike Devaney

Also in attendance

Councillors: Steve Holgate

Officers: Jamie Carson (Director of People and Places), Jennifer Moore (Head of Planning), Alex Jackson (Senior Lawyer) and Dianne Scambler (Democratic and Member Services Officer)

13.TG.1 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Roy Lees.

13.TG.2 DECLARATIONS OF ANY INTERESTS

There were no declarations of any interests.

13.TG.3 CHAIR

Councillor Julia Berry took the Chair at the start of the meeting as Councillor Matthew Crow was delayed.

13.TG.4 CONSULTATION WITH DEVELOPERS

Representatives from the developers of the case studies attended the meeting to talk about their role and answer questions of the Group.

Taylor Wimpey Homes

Stewart Gower – Adoptions Co-ordinator

Mr Gower stated that a lot of work had been done recently to improve on relations in many areas in order to progress the adoption of estates more effectively. Better dialogue now existed between other developers on site and officers of the relevant agencies, although restructures in Lancashire County Council had hindered recent progress.

It was admitted that historically, the company had concentrated mainly on the construction and selling of the houses, rather than the infrastructure needed to support the development. However, lessons had been learnt and they had recognised that more needed to be done on the processes needed to ensure speedier adoption rates. Mr Gower explained that it was his specific role to co-ordinate these processes efficiently for the company.

Mr Gower was the main contact, not only for officers from the relevant agencies but for the residents on the estate. In the past a high turnover of staff in their company structures had been problematic and it was recognised that there needed to be a greater amount of stability in key areas going forward. Members commented that this had been a key issue for the residents on the Gillibrand estate, when they had been consulted recently, and it was agreed that the new contact details and an updated position on the current issues would be provided to the local groups in the area.

Mr Gower suggested that on developments that were proving more problematic, he felt that all the relevant agencies needed to work better together to improve on communication all round. This had been done recently on the Gillibrand Estate to remedy issues there and was proving to be more effective.

The company felt that there needed to be a more pragmatic way of dealing with the process of adoption going forward. Mr Gower said that the first 12 months after the build would show if structures including roads and pavements were structurally sound and that an additional 12 months maintenance/waiting period was not necessary and was one factor as to why the process was hindered. Some authorities go through the process exactly to the letter; some are more flexible in their approach and are using their common sense to address the issues concerned.

Cheshire East Council was singled out for best practice; they exercise flexibility within the processes and sometimes did not insist on entering into formal agreements if the work had been done to an adequate standard.

Another big issue was the amount at which of the bonds were set. This caused great delays in the process as they were extremely high and meant made turnover difficult and slow. It was also not ideal when agreements were had not been put in place although it was considered that this was partly the fault of the developer. Once land was purchased, the emphasis was on commencing the development and promoting sales, so the company would concentrate on getting the outline planning permissions granted as soon as possible.

The early release of open/green space has been an issue in the past as although the designers thought that this space was ideal with which to front a development and a great selling point, it was also a good place for the builders to position their works compound. Also, the positioning of play space had been proving problematic as many buyers did not want such a facility when they had purchased their home.

All buyers were provided with the relevant information regarding adoption and the positioning of services/play/open spaces, along with a checklist that they are required to complete and sign for.

The company had found that dealing with independent management companies had its benefits, there were less hoops for them to jump through, making the processes easier.

Redrow Homes Ltd

Peter Dartnell - Technical Director
Adam Ripplingham – Engineer

Mr Dartnell talked about the relationships that they had built over the years when working with all the relevant agencies on adoption. He reported that every Local Authority work differently and that some were good and others slow.

Over the past four or five years and dependent on the size of the development the company had found it better to deal with a management company and have found that purchasers are willing to pay a nominated fee if the scheme is adequately maintained. The decision to deal with a management company was always taken up front so that purchasers were aware of the fee at the start. Most of the schemes would be transferred to a Local Authority or resident group after a ten year period and the company had never really found this an issue. Occasionally the company and continued to be the Directors but this had only happened on smaller developments.

One of the main areas of concern that Redrow had when trying to get estates adopted was the production of the remedial list from Lancashire County Council. This was a piece of work that was key to the signing off of the site for its subsequent adoption. Mr

Rippington explained that the Local Authority are supposed to complete this process within a 28 day period but are consistently told by the County Council that the officer is unavailable, this delays the process quite considerably. They also experienced further frustrations as standards were inconsistent when the remedial lists were drawn up in the first instance and extra issues were often added to at later stages. They thought this unfair, making it a never-ending process that in turn delayed the whole adoption process.

He also explained that it was often easier dealing with United Utilities and felt that this was because they were a private company and received fees so they were driven by different incentives. They also have an inspection system when checking the sewerage systems and manholes but were quite efficient in carrying out this process and drawing up a remedial list that when completed by the building company was signed off.

The amount of the bonds was another issue that held up the process of adoption. They were extremely high and worked out to a formula that set a money value that was deemed excessive. Sometimes the actual cost of rebuilding a road could be around £200,000 but the bond placed upon it could be up to three times more. There was a system in place that reduced the bond by 10% after the part 1 completion and 50% after the part 2 completion, however it was the starting position that was the real issue.

The Group explained the more flexible system that Northamptonshire County Council had implemented whereby they had delegated power to deal with the adoptions on a case by case basis. Mr Dartnell thought that this was a really good idea and could be instrumental in going forward.

The company produced detailed literature to all prospective buyers that included plans on where play areas and affordable housing would be positioned on the site. All sites have a sales journal that shows a complete picture of the information that has been provided on a wide range of topics including, lighting, plans, drainage positioning etc. and a tick list completed by the owners of each property indicating that they have received and read all the information. They are also provided with the relevant contact numbers for the company's central customer services team. On receiving a complaint/enquiry, the customer services team take all the relevant details and enter them on its central database before passing it on to the relevant officer for action. One issue that was becoming increasingly difficult for them to manage was the use of social media sites by residents who used this as a way of complaining about issues as opposed to contacting them directly.

Discussion outcomes

To conclude the Members of the Group felt that there were three main issues that needed to be addressed:

- The process of the production of the remedial/snagging lists by Lancashire County Council needed to be greatly improved upon.
- The setting of the Bonds needed to be more flexible and done on a case by case basis.
- The nomination of a key officer at both Borough and County level to drive the adoption process through, mirroring the approach that the developers have now taken.

Chair

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**Questions for developers at the Adoption of Estates Task Group meeting on Monday
14 January 2013**

1. What is your experience of working with Chorley Council and Lancashire County Council and statutory utilities organisations on the Adoptions of Estates and based on your findings what aspects have been positive and which have been the biggest barriers to overcome?
2. Do you have any examples of best practice of working with other authorities or within your own company that would enable the adoptions to proceed more efficiently?
3. Would you prefer a formalised adoptions strategy which agrees meetings and potential outcomes once permission has been granted; or a more informal ad-hoc process as issues arise and what would your preferred style look like?
4. What is your experience of dealing with the highway authority over S38 agreements and bond attached to these, would legislation making S38 agreements mandatory help with adoption delivery and would making the level of bond more proportionate to the work support quicker delivery of agreements and developments.
5. From your experience what are the main reasons for not transferring over open/green space to the Local Authority for adoption?
6. What information do you provide to potential purchasers in respect of play areas, affordable housing and the issues that can arise around drainage, roads, lighting and bus stops before estates are adopted? How do purchasers report any issues to you and how do you keep them informed of progress made? Is there any way to better inform residents about what they can do at their property?
7. How well do you think that purchasers understand the information given to them and do you feel that there is anything the Local Authority could do to improve their knowledge?
8. What experience does your company have of the success of management companies that manage areas of land or roads within your estates and any best practice principles that you are able to share and are management companies a realistic way forward for future housing land management.

Thank you

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