

# Overview and Scrutiny Task Group - Adoption of Estates

**Tuesday, 19 March 2013**

**Present:** Councillor Matthew Crow (Chair) and Jean Cronshaw, Julia Berry and Kim Snape

**Also in attendance**

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

**13.TG.16 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors June Molyneux and Dave Rogerson.

**13.TG.17 DECLARATIONS OF ANY INTERESTS**

No declarations of interest were declared.

**13.TG.18 DRAFT FINAL REPORT OF THE OVERVIEW AND SCRUTINY TASK GROUP - ADOPTION OF ESTATES**

The Chair, Councillor Matthew Crow, presented the draft final report of the Adoption of Estates review. The report gave some background information and outlined the methods of investigation that the Task Group had undertaken.

The Group had carried out the review after very many requests by residents across the borough to address the growing number of estate and open space adoption issues.

The representations that were received have proved extremely invaluable and enabled the Group to produce a set of recommendations that would improve the present procedures and policies to better serve the residents in their experience of adoption processes.

The Group **AGEED** for the following recommendations to be considered by the Executive Cabinet:

1. **That the Executive Cabinet asks Lancashire County Council to consider building on existing work with local planning authorities to put in place arrangements to ensure the consideration of road and highways adoption issues commences at the planning application stage of the planning process, including:**
  - **Designing developments to provide separate access routes for residential and construction traffic**
  - **Phased implementation of larger development**
  - **Laying out and construction of roads to adoptable standards**

- 2. That the Executive Cabinet be asked to approve the use of a draft set of national planning conditions seeking pre-commencement on adoption matters, drawn up by the Department of Transport to be trialled by our planning service.**
- 3. That the Executive Cabinet be requested to commission a study of the existing adoptions 'caseload' in the Borough, to provide a full picture of all completed and partially completed agreements, including section 38's and 106's.**
- 4. That the Executive Cabinet request Lancashire County Council to consider adopting a more flexible approach to the setting of bonds with developers, that are required before a section 38 Agreement is made to enable the level of a bond to be set on a site-by-site basis that reflects the actual cost of completing the road concerned to the required state of adoption.**
- 5. That the Executive Cabinet agrees to make representations to the National House-Building Council (NHBC) urging it to encourage developers to recognise potential benefits to them of the introduction of a mandatory requirement relating to section 38 Agreements.**
- 6. That Lancashire County Council review their operational practices and resources to ensure a more timely response for developers to secure adoption.**
- 7. That both Chorley and Lancashire County Council consider developing a more co-ordinated approach to the process of adoption and that regular reports on the current status of adoptions across the borough be reported to the Neighbourhood Area Meetings of the Council.**
- 8. That Lancashire County Council considers the introduction of a pre-application service with associated fees that would not only generate additional income and focus service delivery but would also benefit the early identification of estates for adoption.**
- 9. That a policy be adopted by the parks and Open Spaces Team which provides for a risk based approach for the exercise of officer discretion when deciding whether or not to complete adoptions of open spaces; such policy to attach significant weight to outstanding maintenance issues likely to raise public liability issue and less weight if the maintenance issues are minor and relate for example to soft landscaping.**
- 10. That the Executive Cabinet considers putting into place arrangements for the development of a map based system to be accessed on or via the Council's website to show information about the status of roads in the borough for use by the community. For example, an area specifically relating to "would you like to live in Chorley" be developed that could potentially be**

linked to the County's website. Individual roads to be tagged according to status and actively used by Contact Chorley for the provision of information to residents.

11. That a list of Frequently Asked Questions (FAQ's) about the adoption of estates be published on the Council's website.
12. That Chorley Council considers a pilot for the introduction of Development and or Site Exit meetings with developers, to identify new sites coming on to stream.
13. That the Executive Cabinet agrees to make representations to the Law society and the Council for Licensed Conveyancers urging them to consider whether conveyancers provide clients with sufficient information about the estates adoption process and how they will be affected by the status of the roads serving a property.
14. That developers be encouraged to nominate a dedicated officer that would proactively work with officers of both borough and county Councils on adoption processes and be asked to consider reviewing their complaints procedures to improve relations with residents on their developments.

Chair