

**MINUTES**  
**OF THE MEETING OF THE**  
**GROWTH AND DEVELOPMENT SCRUTINY GROUP**  
**WEDNESDAY, 15 JULY 2020**

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West  
Bridgford

**PRESENT:**

Councillors N Clarke (Chairman), A Brennan (Vice-Chairman), L Howitt,  
A Phillips, J Stockwood, D Viridi and L Way

**ALSO IN ATTENDANCE:**

Councillors

**OFFICERS IN ATTENDANCE:**

D Mitchell

C Evans

C Saxton

T Coop

Executive Manager - Communities

Service Manager - Transformation

Economic Growth Officer

Democratic Services Officer

**APOLOGIES:**

Councillors N Begum and J Cottee

12 **Apologies for Absence**

13 **Declarations of Interest**

There were no declarations of interest reported.

14 **Minutes of the meeting held on 7 January 2020**

The minutes of the meeting held on 7 January 2020 were approved as a true record.

15 **Open Spaces**

The Executive Manager – Communities delivered a presentation on the Future Maintenance of Public Open Space on Housing Developments, which accompanied the report already circulated with the agenda.

The Executive Manager – Communities provided a brief history to explain how housing and housing estates have developed over the years using West Bridgford as an example. Starting in the 1900's, where plots were large with generous rear gardens and the street layout was linear, and there was more often than not a large municipal park in close proximity to serve the leisure needs of its residents. Moving to the 1930's -1940's and still building on earlier principles, with front and rear gardens and largely linear in layout. From the

1950's - 60's plot sizes start to reduce as density rises and the developments move out from the centralised park. There was no local parks or open space provision in this era, although some larger areas feature a local parade of shops and small play parks. In the 1960's -70's, plot sizes continue to reduce, more cul-de-sac roads start to emerge with the loss of the linear layout, developments were either on the edge of town or on smaller infill plots. During the 1980's – 2000's, developments moved further out of towns, plots were much smaller as densities increase again. The developments during this time tended to be close to larger roads, on river floodplains and previously industrial land. The requirement for small shopping areas, community centres, parks and play areas became an integral part of the design.

The Executive Manager - Communities informed the Group that pre 2000 Rushcliffe adopted all open spaces with no funding. The period of 2000 -2010 commuted sums were introduced to address the pressure on Council budgets in order to manage and maintain open spaces on new developments. However, in some instances developers never provided the commuted sum or transferred the land to the Council resulting in issues of open spaces not being managed or maintained.

The Executive Manager – Communities explained that since 2011 the Borough has sought to address these issues and no longer adopts, maintains or inspects any open space provided as part of a new housing development. The current position is that the housing developer(s) are responsible for payments towards the maintenance of open space on Strategic Sites, Local Plan Part 2 Sites and major windfall sites. Adding, that the developers then pass the cost and responsibility onto residents of the development through a management company as a monthly/annual charge. This charge, which can typically be around £200 per annum, is then payable for the entire time that each property on the development is occupied. Based on the Borough's Local Plan and approximately 13,000 new homes being built, this could equate to £2.6m per annum paid in management fees.

The Executive Manager – Communities explained that on the Boroughs Strategic Allocations, most include large scale community areas to mitigate the harm of the development examples of these can be seen at Bingham, Cotgrave, Gamston and Newton, all having large park areas available for use by all despite being funded by residents of the new development. The Executive Manager – Communities continued to advise the Group that there could be potential issues with this approach in the long term as the developments age. Examples of concern are:

- The lack of an overall cap on management fees (not regulated)
- 'Hidden' fees for residents who come to sell their property or re-mortgage
- The lack of ability for residents to redress any dissatisfactions or shortcomings with Management Companies
- Residents don't understand the full extent of the costs they are agreeing to pay when they purchase the property
- Resident's misconception that the areas they are paying for are for their sole use creating friction with other local residents lawfully using the areas.

The Executive Manager – Communities asked the Group to consider a way

forward and offered four potential options:

1. Do nothing, i.e. the status quo remains
2. the Council takes on the responsibility for some or all open spaces,
3. Parish Council's take on the responsibility for open spaces in their ward,
4. Other bodies, such as Nottinghamshire Wildlife Trust take on the responsibility of the larger open spaces.

The Chairman highlighted that the Council adopted the Management Company option post 2011 for very good reasons. The spiralling costs to manage and maintain open spaces were becoming a burden to the Council at this time.

Some Members of the Group advised that they had been contacted by residents living on these developments where a Management Company operated and provided examples of some of the unfair fees residents were expected to pay. These included, unjustified increases in the annual maintenance fee, extra charges when selling their properties, extending or adding a conservatory.

Members were alarmed by some of the issues residents had reported and were at a loss as to why this industry is not regulated. Members questioned whether there was an accreditation scheme for the Management Companies and if the Council had any influence on who the developers transfer the management and maintenance of the housing development to. In addition, Members suggested lobbying Government to look into these issues and provide some Government regulations or legislation.

The Executive Manager – Communities explained that further work is required by officers, which will be a challenge, as contracts with the Management Companies will be confidential and therefore difficult to get hold of. He suggested that Councillors in those wards where these developments exist could gather evidence from residents willing to provide it, explaining that householders would have anonymity for reporting purposes. The Executive Manager – Communities offered to pull together a summary table of items included in these agreements and provide members with a list of developments where there is a known Management Company operating for them to seek to acquire copies of any agreement in place with residents.

It was **RESOLVED** that:

- a) Council officers research in more depth the operational functions of Management Companies employed the manage and maintain open spaces on large housing developments
- b) Councillors be asked to identify examples of open space agreements in place with their wards
- c) Report back the research information to a later date of the Growth and Development Scrutiny Group.

## 16 **The Council's Wider Approach to Assisting Economic Recovery in Rushcliffe**

The Service Manager – Transformation, delivered a presentation to support the report of the Council's Wider Approach to Assisting Economic Recovery from the Covid-19 pandemic, and the Council's and Partner's plans to mitigate its impact on the local economy.

The Service Manager – Transformation, informed the Group that the D2N2 Growth Hub had carried out a survey in April 2020, asking businesses how they had been effected by Covid-19. To date they have received 780 responses and from these, 98% of businesses said Covid-19 was affecting their business, this included a decrease in sales/bookings, cash flow and staff in isolation or furloughed. Those businesses reporting the worst impact tended to be new and smaller businesses who operate in a business to consumer environment, and those that operate at a local level. The sectors experiencing the greatest impact are hospitality, arts and entertainment, recreation, wholesale and retail.

The D2N2 Survey asked businesses, what would be of most help to their business; the top answers were financial support and business planning. The respondents were also concerned about furloughed staff where in some cases this was over 50% of their employees.

The Service Manager – Transformation, provided statistics from the Midlands Engine report on the retail sector, stating that footfall had fallen to 20% of its 2019 levels and remains below 40%. A research by AL Marketing found that people were nervous about shopping again and were less willing to go to a city and therefore local town centres may benefit from the change in shopping habits.

The Economic Growth Officer continued with the presentation and provided the Group with an update of the support the Council and its Partners had provided to businesses so far.

The Economic Growth Officer informed the Group that a dedicated web page had been set up providing support and advice to local businesses, the page has seen over 12,178 visits since it was set up at the end of March. In addition, a separate page on the Rushcliffe Business Partnership (RBP) website has been created, which has seen over 3084 visits since early April. The Communications Team and Economic Growth Intern, using Social Media platforms have played an active role in promoting what information is available to help support businesses quickly. This included:

- Small business, retail and hospitality grants
- Discretionary Grant Scheme
- Virtual networking sessions with Rushcliffe Business Partnership and local trading groups
- Ask the Expert webinars
- D2N2 Growth Hub webinars

The Economic Growth Officer continued to explain what support the Council

has provided as the release of lockdown and Government guidelines have progressed. These include, the grant finding portal which has enabled businesses to search for funding and support available to them. Support for reopening of our local markets at Bingham and West Bridgford, which have opened successfully and are doing well. The Council has also provided resources on the website including signage and Covid-19 secure guidance.

The Economic Growth Team have also emailed many businesses in the Borough, asking whether they require any additional support with opening and these have been followed up with calls and visits from the Economic Growth Team and Environmental Health Officers.

The Borough has been allocated £106,208 from the Reopening High Streets Safely funding. Eligible activities for this funding includes support to develop an action plan for how to safely reopen local economies, communications and public information activity, business facing awareness raising activity and temporary public realm changes to ensure that reopening of high street retail can be managed successfully and safely. The Transformation Service Manager talked through some of the options currently being explored.

The Economic Growth Officer advised, that going forward the Economic Growth Team would continue to review data and listen to businesses and respond as required. The Council is also keen to develop a green economic recovery, and will be working with colleagues across the county on this.

The Chairman highlighted the area for concern in respect of potential youth unemployment, and those currently or soon to be entering the labour market who will be facing high levels of competition from people with more experience and the limited number of jobs that will be available. He also noted that young people are also over represented in the sectors of work that have been forced to close down during the Covid-19 pandemic and the impact of reduction in or closure of the furlough scheme. The Service Manager – Transformation advised that as part of the Nottinghamshire Local Resilience Forum structure, an economy cell has been set up with representatives from Nottinghamshire County Council, District Council's, DWP and the D2N2 LEP to support the initial priorities of which youth unemployment is one. In addition the Service Manager – Transformation informed the Group that the Borough Council had restarted the Employment and Skills Group and Positive Futures/YouNG had introduced its summer programme aimed at young people.

The Group asked if more could be achieved using the European Funding for Reopening the High Street Safely, and whether businesses could be supported more directly. The Service Manager – Transformation explained there were some challenges as the fund criteria is restrictive and not aimed at specific businesses.

The Group raised their concerns regarding the local Lockdown in Leicester and what the Council's plans are if we were to get a second wave. The Executive Manager – Communities advised that plans were being discussed across the County for dealing with local lockdown and public protection and would provide members of the Group with the link to the County Council webpage.

The Group expressed their appreciation on how the Council had quickly

adapted and redeployed staff to keep the Council's essential services and operations going during the pandemic, and thanked officers for their hard work throughout this unprecedented time in keeping businesses informed and supporting them opening as the lockdown is slowly released.

It was **RESOLVED** that

- a) the group note the report and the work completed by officers
- b) the Group would consider additional idea and guidance on the planned work to support the economic recovery of Rushcliffe

## 17 **Work Programme**

The Group considered its work programme and suggested potential items for future scrutiny. These included:

- Planning Enforcement, in two stages.
- Customer Services and Digital Transformation
- Cashless consultation with parishes
- Open Spaces – to bring this item back to a future meeting with an update and progress report

The Executive Manager – Communities suggested that Councillors complete a Scrutiny Matrix for items they wish to consider at future meetings, explaining that items they wish to consider would need to be approved by the Corporate Overview Group of which the Chairman and Vice Chairman attend.

It was **RESOLVED** that the Work Programme as detailed below be approved.

### **25 August 2020**

- Abbey Road Developer Presentation
- Planning Enforcement – Part 1
- Work Programme

### **14 October 2020**

- Planning Enforcement – Part 2
- Customer Services and Digital Transformation
- Work Programme

### **20 January 2021**

- Management of Open Spaces on New Developments – Part 2
- Town Centres Update - Cashless Society
- Work Programme

### **21 April 2021**

- Work Programme

## Actions

| Minute No. | Action   | Officer Responsible             |
|------------|--|---------------------------------|
| 15         | Officers to pull together a risk of actions and provide members with information on what developments in the Borough have Management Companies operating | Executive Manager - Communities |
| 16         | Members requested details of the Nottinghamshire and Districts plan for dealing with a local lockdown – Link to Nottinghamshire County Council Webpage   | Executive Manager - Communities |

The meeting closed at 8.59 pm.

CHAIRMAN