

# Gloucester City Council

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|-------------------------|--|---------------------------------|----------------------|
| <b>Meeting:</b>         | <b>Overview and Scrutiny Committee</b>   | <b>Date:</b>                    | <b>23 March 2015</b> |
|                         | <b>Cabinet</b>   |                                 | <b>25 March 2015</b> |
| <b>Subject:</b>         | <b>Recommendations from the Overview and Scrutiny Task and Finish Group on the Management of Parcels of Unadopted Green Land</b> |                                 |                      |
| <b>Report Of:</b>       | <b>Chair of the Task and Finish Group</b>  |                                 |                      |
| <b>Wards Affected:</b>  | <b>All</b>   |                                 |                      |
| <b>Key Decision:</b>    | <b>No</b>  | <b>Budget/Policy Framework:</b> | <b>No</b>            |
| <b>Contact Officer:</b> | <b>Meyrick Brentnall, Environmental Planning Manager</b>   |                                 |                      |
|                         | <b>Sonia Tucker, Democratic Services Officer (Scrutiny Support)</b>  |                                 |                      |
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| <b>Appendices:</b>      | <b>1. Report of the Task and Finish Group</b>  |                                 |                      |

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To report the recommendations of the Overview and Scrutiny Committee Task and Finish Group on the management of parcels of unadopted green land.

### 2.0 Recommendations

- 2.1 **Overview and Scrutiny Committee** is asked to **RESOLVE** that the report be noted.
- 2.2 **Cabinet** is asked to **RESOLVE** that the recommendations of the Task and Finish Group be addressed and matters that can be actioned without the need of a further report be implemented at the earliest opportunity and matters requiring more detailed consideration be the subject of a further report to Cabinet as necessary.

### 3.0 Background and Key Issues

- 3.1 The report at Appendix 1 sets out the recommendations of the Task and Finish Group on the management of parcels of unadopted green land which was established following ratification by the Overview and Scrutiny Committee on 21 July 2014. The report details the purpose and process of the review, the Task and Finish Group's findings, and its recommendations.

#### **4.0 Alternative Options Considered**

4.1 Not applicable.

#### **5.0 Reasons for Recommendations**

5.1 Cabinet is asked to accept and implement the recommendations of the Task and Finish Group as set out in Section 6 of the Appendix.

#### **6.0 Future Work and Conclusions**

6.1 As set out in Section 6 of the Appendix.

#### **7.0 Financial Implications**

7.1 There are no direct financial implications arising from this report. However, the writing of a policy document would require staffing resources.

(Financial Services have been consulted in the preparation this report).

#### **8.0 Legal Implications**

8.1 There are a number of legal issues associated with the parcels of land referred to as 'unadopted green land' in Appendix 1, some of which are alluded to in the report. These legal issues will need to be identified and taken into account when the Policy referred to is drafted.

8.2 Examples of legal issues are firstly the time these 'unadopted green land' areas have existed in their present state, and whether or not they have been used by the public for at least 20 years giving prescriptive rights. Secondly, the legal title to the land needs to be investigated and whether or not there are any covenants by deed that place a maintenance responsibility on the title holder. Thirdly, the National Planning Policy Framework where it is possible to designate green spaces as Special Protected Areas to protect the areas from future development needs to be looked into. These are just three examples of legal issues, but there may be more.

(Legal Services have been consulted in the preparation of this report).

#### **9.0 Risk & Opportunity Management Implications**

9.1 The health and safety risks of overgrown patches of land have been considered in the report and are reflected in the Task and Finish Group's recommendations.

## **10.0 People Impact Assessment (PIA):**

10.1 The Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

## **11.0 Other Corporate Implications**

### Community Safety

11.1 There are no community safety implications arising directly from this report.

### Sustainability

11.2 There are no sustainability implications arising directly from this report.

### Staffing & Trade Union

11.3 There are no staffing or trade union implications arising directly from this report.

**Background Documents:** None