



AGENDA ITEM NO 8

Henbury and Southmead Neighbourhood Partnership

26th June 2012

Title: Re-submission of Parks and Green Space Strategy surplus land decision

Officer Presenting Report: Jennifer Mackley, Parks and Green Space Strategy Co-ordinator

Contact Telephone Number: 0117 352 1054

RECOMMENDATION

There are no recommendations in this report.

The Neighbourhood Committee is asked to:

a. Note the decision taken by the Cabinet in response to the request by the Henbury and Southmead Neighbourhood Partnership Committee to consider amending the incentive scheme percentage which could be retained by the NP from the sale of surplus green space **(2.1)**

a) Decide in the light of this decision whether or not the following sites are surplus to requirements for use as green space for recreation (Refer to site footprints in Appendix A)

- Fonthill Park (part of)

If the Neighbourhood Committee decides that a site is surplus to requirements, the presumption is that the site is subsequently sold to raise money to re-invest in remaining parks and green space citywide and locally.

OR

The Neighbourhood Committee is asked to:

c) Decide by what date decisions a) and b) will be made.

The significant issues in the report are:

The land identified formed part of a public consultation on Area Green Space Plans held in 2010. All public comments made during the June – October 2010 consultation period are available.

The potential financial outcome of the committee’s decision is dependent on an incentive scheme recommended by the cross party working group and subsequently adopted by Cabinet. If all sites are declared as surplus a maximum of 70% of the value of the land, if sold, will be available to the Partnership area. The remaining 30% of the land – if sold (minimum) would be held centrally to spend on green space infrastructure.

Due to the commercial sensitivity of land values, the value of each site can only be expressed to the committee within a category, with a minimum and maximum value figure.

If sites are not declared surplus, and still required for recreational purposes, it is expected they will be designated as Important Open Space in the Site Allocations and Development Management DPD

1. Background

1. The events that have led to the Neighbourhood Committee being asked to take this decision are contained within the table below:

- Feb 2008.	Council adopts green space strategy with aspirations to raise the quality of Bristol's parks. The strategy adopted the principle of selling some land to fund this.
- June to Oct 2010	Area Green Space Plans identify green space that could be declared as surplus. Public consultation is held on proposals.
16th Dec 2010	Cabinet takes the decision to declare some land as surplus, retain other land as green space and defer on remaining sites until a later date.
- June to Nov 2011	Cross party working group convenes to review green space strategy aspirations, consultation responses and Dec 2010 Cabinet decision.
22nd Nov 2011	Full Council discusses the cross party working group findings and an all party agreement is made that Neighbourhood Committees should make the final decision on land declared as surplus.

26th Jan
2012

Cabinet resolved that Neighbourhood Committees make decisions with regard to land proposed as surplus to parks requirements with a view to potential disposal for development (surplus sites)

2. Context

2.1. The Request made by the NP in March and the Cabinet decision in response is set out below:

Request from Neighbourhood Committee of 20th March 2012:

“That Fonthill Park could be considered for disposal if 70% of the money generated were retained locally, and that a small section of the Park be retained for continued use to deliver Forest School activities.”

Decision of Cabinet Meeting 31st May 2012:

That Cabinet considers whether to retain the incentive scheme recommended by the Cross Party Working Group and agreed by Cabinet in January 2012, or to implement a different incentive scheme, to give Neighbourhood Partnerships a higher percentage of the potential income from any sale of land.

Decision made by Cabinet:

- **That the incentive scheme recommended by the Cross Party Working Group, and agreed by the Cabinet in January 2012, be retained.**

The sites listed were subject to public consultation as part of the Area Green Space Plan consultation of June to October 2010. A significant response was received and major concerns raised on some sites. The number of responses received during this period is set out below and a more detailed overview provided in Appendix B

Please note there are three separate petitions to consider for this area that are not site-specific: 'Have Your Say' (127 & 267 signatories) and 'Save our Spaces' (172 signatories) all for Henbury sites (a total of 566 signatories.) These are not included in the total.

Standard letters have been included in the petition count category. They are site specific and included in the total.

2.

Site	Total emails, surveys or letters.	Petition signatories	Total
Arnall Drive Open Space (North and South)	48	546 standard letters (566 non specific petition)	594
Brentry Hill	15	(566 non specific petition)	15
Crow Lane Open Space	51	1487 (566 non specific petition)	1538
Elderberry Walk	62	1651	1713
Fonthill Park	19	0	19
Tranmere Avenue Open Space	18	(566 non specific petition)	18
Trym Valley	28	0	28
Okebourne Road Open Space	45	1856 + 93 standard letters 566 non specific petition	1994
Embleton Road CPG	26	553	579

3. Impact on Standards

Henbury and Southmead does not currently meet the standards in Children's Play and formal provision, however only 4% of the NP population is more than the 400m distance from a publicly accessible open space. Neighbourhood Committees may wish to consider that by choosing not to dispose of surplus sites, this may potentially leave a gap in long term funding for improvements to Parks and Green Spaces.

Proposal if sites are retained as green spaces for recreation

4. If sites are not declared surplus, and still required for recreational purposes, it is expected they will be designated as Important Open Space in the Site Allocations and Development Management, Development Plan Document (DPD) See Appendix C for more details about the Site Allocations DPD.

Proposal if sites are declared surplus to requirement

5. If the Neighbourhood Committee declares the land as surplus, the Council will endeavour to sell the land in accordance with policy and the Local Government Act. No timetable has been set for this. Any conditions set in the Cabinet report of 2010 would continue to apply to the land. Declaring the site as surplus will not guarantee that the site will eventually be sold by the Council and income achieved. The process for land sale is laid out in Appendix D.
6. The potential financial outcome of the Neighbourhood Committee's decision is dependent on an Incentive Scheme recommended by the cross-party working group and subsequently adopted by Cabinet. If all sites are declared as surplus a maximum of 70% of the value of the land, if sold, would be ring fenced for investment in local parks. The remaining 30% (minimum) would be held centrally to spend on green space infrastructure across the city.
7. Due to the commercial sensitivity of land values, the value of each site can only be expressed to the committee within a category with a minimum and maximum value figure. The categories are:

Site Category	Value
A	Less than £100K
B	£100 to £250K
C	£250 - £600K
D	£600K - £1 million
E	more than £1 million

8. Note: Each site was last valued by the Council's Property Services in November 2010.
9. When the sites listed were first considered by Cabinet in Dec 2010, some had stated conditions to sale. These conditions still apply. Notes on the sites listed, as originally provided to Cabinet in Dec 2010, and their value category are given here:

Site	Notes	Value Category
Arnall Drive Open Space (North)	December 2010 Cabinet report approved this land for sale for disposal *	B
Arnall Drive Open Space (South)	December 2010 cabinet report approved this land for sale for disposal with the special condition that a Children's Playground is located on this site close to the development footprint.	C
Brentry Hill	December 2010 Cabinet report approved this land for sale for disposal	C
Crow Lane Open Space	December 2010 Cabinet deferred this decision for more feasibility work.	E
Elderberry Walk	December 2010 cabinet report approved this land for sale for disposal with the special condition that the footprint be reduced from the original consultation proposal.	D
Fonthill Park	December 2010 cabinet report approved this land for sale for disposal	D
Tranmere Avenue Open Space (Road)	December 2010 cabinet report approved this land for sale for disposal *	C
Trym Valley	December 2010 cabinet report approved this land for sale for disposal	C
Okebourne Road Open Space	December 2010 Cabinet made the decision to retain this space.	C
Embleton Road CPG	December 2010 Cabinet made the decision to retain this space.	B

* These sites were approved for disposal with a special condition that further work would be required to ascertain flood risk, and future developability.

To date no further definitive advice has been given.

Calculations for the incentive scheme

10. The maximum that may be devolved to the Neighbourhood Committee is 70% of the overall land value. This is achieved if the Neighbourhood Committee declares as surplus all of the sites listed. The remaining 30% is held centrally and allocated to green space infrastructure across the city. Where this money will be spent has not yet been decided.

11. Incentive Scheme Example 1:

If the Neighbourhood Committee decides to retain sites that together come to 50% of the total value of all sites, then the maximum income that can be achieved is 50% of the original 70% entitlement.

Incentive Scheme Example 2:

If the Neighbourhood Committee decides to retain sites that together come to 20% of the total value of all sites, then the maximum income that can be achieved is 80% of the original 70% entitlement.

12. The impact on potential income of the Neighbourhood Committee's decision is set out for clarity in Appendix E

Consultation

Internal

The cross party working group looked at the consultation that had been carried out prior to the Strategy being agreed in February 2008 - through to the AGSP and site allocations document consultations in 2010.

External

Extensive public consultation was undertaken by the AGSP team from June - October 2010

Equalities Impact Assessment

i. A full equality impact assessment was completed with the original report that went to Cabinet in 16 December 2010.

Legal and Resource Implications

Legal Following a request from Cabinet on 26th January 2012, the Leader agreed to delegate to neighbourhood committees such powers as are necessary for them to operate within the protocol for surplus sites and in line with the details set out in the report to Cabinet dated the same day

Any decision to declare a site as surplus to requirements for use as green space for recreation must take into account the Parks and Green Space Strategy, the Area Green Space Plans and the contents of both Cabinet reports 16th December 2010 and 26th January 2012.

Legal advice given by: Shahzia Daya, Senior Solicitor (Corporate).

Revenue None

Capital Any sites, which are declared as surplus a maximum of 70% of the value of the land, if sold, will be available to the Partnership area. The remaining 30% of the land - if sold (minimum) would be held centrally to spend on green space infrastructure

Financial advice given by Mike Harding, Finance Business Partner, Neighbourhoods and City Development.

Land Bristol City Council owns all sites

Personnel N/A

Appendices: A, B, C, D and E

ACCESS TO INFORMATION

Background Papers:

2010 Cabinet report

https://www.bristol.gov.uk/committee/2010/ua/agenda/1216_1600_ua000.htm
|

2012 Cabinet report

https://www.bristol.gov.uk/committee/2012/ua/agenda/0126_1800_ua000.html

Appendix A - Site Footprints.

The following site footprints are provided separately in pdf format

- 1) Arnall Drive Open Space (North)
- 2) Arnall Drive Open Space (South)
- 3) Brentry Hill
- 4) Crow Lane Open Space
- 5) Elderberry Walk
- 6) Fonthill Park
- 7) Tranmere Avenue Open space
- 8) Trym Valley
- 9) Okebourne Road Open Space
- 10) Embleton Road CPG

Appendix B – Public Consultation response summary

Site Name: Embleton Road CPG

Themes arising from public consultation

Overall, there is a significant negative response to the proposal to dispose of and develop this site with only two or three in support.

Two petitions were submitted by the Friends of Embleton Road Park, stating:

“We, the undersigned, wish for it to remain as a play ground so the space continues to provide our children with a safe place to play”

and;

“We, the undersigned, implore the council to preserve the park in its current location”.

Key stakeholders that have made representations for this site include

- BS10 Parks and Planning Group

- Henbury Ward Councillors

1) Respondents feel that the current site acts well as a children's playground and is ideally located next to a primary school. The proposal in the AGSP to relocate the children's playground in Glencoyne Square a few yards away does not generally have support. This is because respondents feel that the space is used by young people who would 'take over' the playground. Glencoyne is not thought to be a safe site.

Comments on public consultation

Officers recognise the significant opposition to disposal on this site and have listened and understood residents concerns that Glencoyne Square may not be an ideal site for children's play.

Site Name: Trym Valley Open Space

Themes arising from public consultation

Key stakeholders that have made representations for this site include:

- BS10 Parks and Planning Group

- Avon Wildlife Trust

1) Responses raised opposition to disposal, with the focus upon the importance of the space for wildlife.

2) There was also concern raised that development would have a detrimental impact upon the recreational quality of the space for all users.

3) Disagreement that anti-social behaviour would be reduced through development was highlighted.

Comments on public consultation

1) Nature Conservation advice has not identified any known constraints to prevent development. It is not considered that development would impair the function of the site as a Wildlife Network Site.

2) Officers feel that the site will still be able to be used for recreational purposes and with development to overlook the space, the site will feel more secure and welcoming.

3) The principle of introducing development to overlook 'backland' sites was adopted in the PGSS in 2008. This is considered to be good design practice by creating an active edge to the space allowing opportunities for inter-visibility between the development & open space will enhance the security of both.

Site Name: Tranmere Avenue Open Space

Themes arising from public consultation

Key stakeholders that have made representations for this site include:

- BS10 Parks and Planning Group
- Henbury Ward Councillors
- Avon Wildlife Trust
- Highways Agency

1) Consultation has raised some support of disposal.

2) Objection to disposal focussed upon the assertion that the space is an important place for children's play

3) Other issues raised relate to delivering development, for example, being so close to the railway line.

4) Petition signatures relate to the 'Have Your Say' and 'Save Our Spaces' Petitions, which oppose development of open spaces in Henbury, rather than specifically to this site.

Comments on public consultation

1) This is in line with proposals set out for the site.

2) The proposal would mean disposal of the entire site, though the AGSP recognises the need for play in this area and would continue to recommend disposal only if a more suitable site to provide play can be found.

3) It is not anticipated that there will be any impact. This would be determined by the final scheme if one is proposed and through the planning process.

Site Name: Fonthill Park

Themes arising from public consultation

Key stakeholders that have made representations for this site include

- BS10 Parks and Planning Group
- Avon Wildlife Trust

- 1) Consultation has raised support of disposal as, due to its isolated location, it is under used.
- 2) Objection to disposal has focussed upon the assertion that the space is an important place for children's play and potential for young people.
- 3) Southmead Community sport have request extension to their playing field into this site

Comments on public consultation

- 1) This is in line with proposals set out for the site.
- 2) The site has been highlighted to have issues with anti-social behaviour, officers feel there is a potential risk if investment were made at the site. Officers feel that Pen Park Playing Fields would be a more suitable location for children's play and young people's provision.
- 3) Options for additional playing field in this area are being considered.

Site Name: Elderberry Walk Open Space

Themes arising from public consultation

A petition was submitted by the Supporters of Southmead Group oppose development of this site stating:

“We the residents of Southmead and Brentry reject any such development of the Dunmail site and surrounding fields. We reject the plans for the Travellers site and houses”.

Key stakeholders that have made representations for this site include

- BS10 Parks and Planning Group

- Avon Wildlife Trust

1) Overall, there is a significant negative response to development proposals on this site. There is no one primary theme running through responses but respondents highlight the use of the site for recreation including informal sport and play. The potential for impact on wildlife, trees and a prominent hedgerow on-site have also been raised.

2) A range of other comments relate to the impact of development on local services and houses.

Comments on public consultation

1) Officers recognise the significant opposition to disposal on this site. Considering the space in its strategic context Officers feel that the recreational function of this space can be retained on the space that will remain.

Officers consider that more of the visual amenity of the park from Charlton Road needs to be retained and so are considering a revised footprint.

Officers note that a Tree Officer report highlighted that trees along the boundary on Charlton Road and some other trees on site are potentially worthy of protection through planning.

2) The impact of this will be minimised by planning.

Site Name: Brentry Hill Open Space

Themes arising from public consultation

Key stakeholders that have made representations for this site include

- BS10 Parks and Planning Group

- Henbury Ward Councillors

1) Responses seem to be split between support of disposal and opposition. With support highlighting that the space is not well used.

2) Objection to disposal focussed upon the assertion that the space is an important community space

3) The proximity of the dual carriageway would prevent development.

4) Petition signatures relate to the 'Have Your Say' and 'Save Our Spaces' Petitions, which oppose development of open spaces in Henbury, rather than specifically to this site.

Comment son public consultation

- 1) This is in line with proposals set out for the site.
- 2) The proposal would mean disposal of the entire site, though the AGSP recognises the need for open space in this area. Some open spaces are not recognised by the PGSS but used by residents in this area.
- 3) It is not anticipated that there will be any impact. This would be determined by the final scheme if one is proposed and through the planning process.

Site Name: Okebourne Road Open Space

Themes arising from public consultation

1) Key stakeholders that have made representations for this site include

- BS10 Parks and Planning Group
- Avon Wildlife Trust
- Highways Agency
- Henbury Ward Councillors

A petition submitted by the Friends of Okebourne Road, stating:

“I wish to object to the proposal to sale part of the Okebourne Greenfield site for purposes of housing development.

This green space needs to be fully preserved in its current form and only developed in its entirety as an open green space”

The non-specific petition (566 signatures) relates to the 'Have Your Say' and 'Save Our Spaces' Petitions, which oppose development of open spaces in Henbury, rather than specifically to this site.

- 2) Main points arising from the consultation relate to the negative impact development would have on the current views from the site.
- 3) Concern has also been raised that the disposal area would mean the loss of the only flat and accessible part of the space.
- 4) The Highways Agency have concerns over all disposal sites in Henbury and Southmead due to the proximity of Junction 17 of the M5.

Comments on public consultation

1) Officers recognise the strong opposition against disposal by local residents.

Officers still feel that disposal might be more beneficial in the long term. A large open space would remain at the site that would provide a great deal of space for recreational purposes.

The site is considered to be a 'backland' site as established in the PGSS. It is good design practice have houses facing on to open space to increase feelings of safety and security and create a more welcoming environment.

2) Officers feel that views would be retained from the site if disposal were to go ahead. Officers feel that the overall footprint identified for disposal can be reduced. Furthermore, through investment into the site, seating areas will be provided to enhance enjoyment of the views.

3) Officers feel that substantial flat area of the site will remain to the south west corner and along the eastern boundary. This disposal of land will not impair the function of these areas. A further site visit from parks officers and members of a disability advisor group suggest there are no access issues to consider.

4) This would be determined by the planning process, however, initial discussions have indicated that development is achievable.

Site Name: Crow Lane Open Space

Themes arising from public consultation

1) Key stakeholders that have made representations for this site include:

- Avon Wildlife Trust
- Highways Agency
- Henbury Ward Councillors

Standard letters oppose development on Crow Lane Open Space

The non-specific petition (566 signatures) relates to the 'Have Your Say' and 'Save Our Spaces' Petitions, which oppose development of open spaces in Henbury, rather than specifically to this site.

2) There are a number of key themes arising from consultation. There is an overriding negative response to development proposals with one or two positive. There are few comments that relate to a specific recreational activity on the site.

3) The impact of new housing on local services and infrastructure, existing residents, local community and housing are highlighted.

4) The potential impact on wildlife and the loss of 'open, green recreational area' are also highlights. There is some scepticism expressed that development would act to help reduce ASB, a key aim.

5) Less prominent comments relate to flood risk on this space and the potential for impact on the Conservation Area.

Comments on public consultation

1 & 2) Officers recognise the general opposition to disposal by local residents. However, it is felt that the history of antisocial behaviour combined with the need for the site to cater for the widest range of users means that some development is justified in line with the Backland Policy set out in the PGSS.

In response to the consultation, officers feel that the benefits of development can be achieved with a smaller footprint. In addition, this would complement the contribution this site makes to a Strategic Green Infrastructure route. To note: the initial proposal set out in the Area Green Space Plan was not objected to by Strategic Planning on grounds of Strategic Green Infrastructure.

3) This would be determined by a final scheme should one be proposed. The planning process would seek to minimise any potential impact.

4) As response to 1).

5) New information has recently come forward relating to flood risk and which may result in the site having restricted development potential

Site Name: Arnall Drive Open Space

Themes arising from public consultation

1) Key stakeholders that have made representations for this site include:

- Avon Wildlife Trust
- Henbury Ward Councillors

Standard letters oppose development on Arnall Drive Open Space

The non-specific petition (566 signatures) relates to the 'Have Your Say' and 'Save Our Spaces' Petitions, which oppose development of open spaces in Henbury, rather than specifically to this site.

2) A great deal of concern has been raised that the loss of space here will impinge on the function of the park and have a negative impact on the community as a whole.

3) Comments also relate to the impact development would have on the Henbury Conservation Area, loss of trees and the wildlife of the area.

Comments on public consultation

1 & 2) It is considered that, were the space disposed of, the remaining space would be of adequate size to retain the existing function of the park.

3) The Conservation area would continue to be protected by the planning process.

Appendix C

Site Allocations and Development Management Preferred Approach process

The Site Allocations and Development Management Preferred Approach will be consulted on between 23rd March to 18th May 2012. This consultation document will explain that all proposed allocation sites which arose from the AGSP process will be subject to a consultative and decision making process involving the Neighbourhood Partnerships and Committees. The sites will be clearly identified. However, no comments on these sites will be sought as part of the Preferred Approach consultation.

This approach provides time for the Neighbourhoods to consider the approach to AGSP sites, which can eventually be reflected with a suitable

designation or allocation in the formal Publication Version of the Site Allocations and Development Management DPD.

If it is resolved through the consultative and decision making process that AGSP sites should not be disposed, and are still required for local recreation purposes, it is expected that these would be shown as Important Open Spaces in the Site Allocations and Development Management DPD (Publication Version). The content of the DPD will be agreed by full Council before it is submitted to the Secretary of State for independent examination.

Appendix D

Corporate Property process for the sale of Parks and Green Spaces declared as surplus.

Once sites have been identified for disposal and formally declared surplus to the requirements of the Parks Service, they will pass to Corporate Property for disposal.

The process will then comprise a number of steps including: -

- Sites will need to go through the internal circulation procedure to ensure there is no other requirement for them before being disposed of.

- The Council will need to advertise its intention to dispose of the sites in the local paper under sec 123 of The Local Government Act 1972.
- Decisions will be made on which sites require a development brief to be prepared and / or planning consent for development to be obtained prior to sale.
- The timing of disposals will be phased and influenced by market conditions and decisions made regarding the approach taken to planning/ development briefs.
- Sites will be sold on the open market either individually or in groups if appropriate.

Appendix E

Worked examples and scenarios to demonstrate impact of incentive scheme on potential income.

Scenario 1

Sites Declared Surplus

% the NP would receive of the total (100%) of the value of sites sold

- Brentry Hill
- Fonthill Park **22.66%**
- Tranmere Avenue

- Trym Valley Open Space

Scenario 2

Sites Declared Surplus

% the NP would receive of the total (100%) of the value of sites sold

- Brentry Hill
- Fonthill Park
- Tranmere Avenue

15.76%

Scenario 3

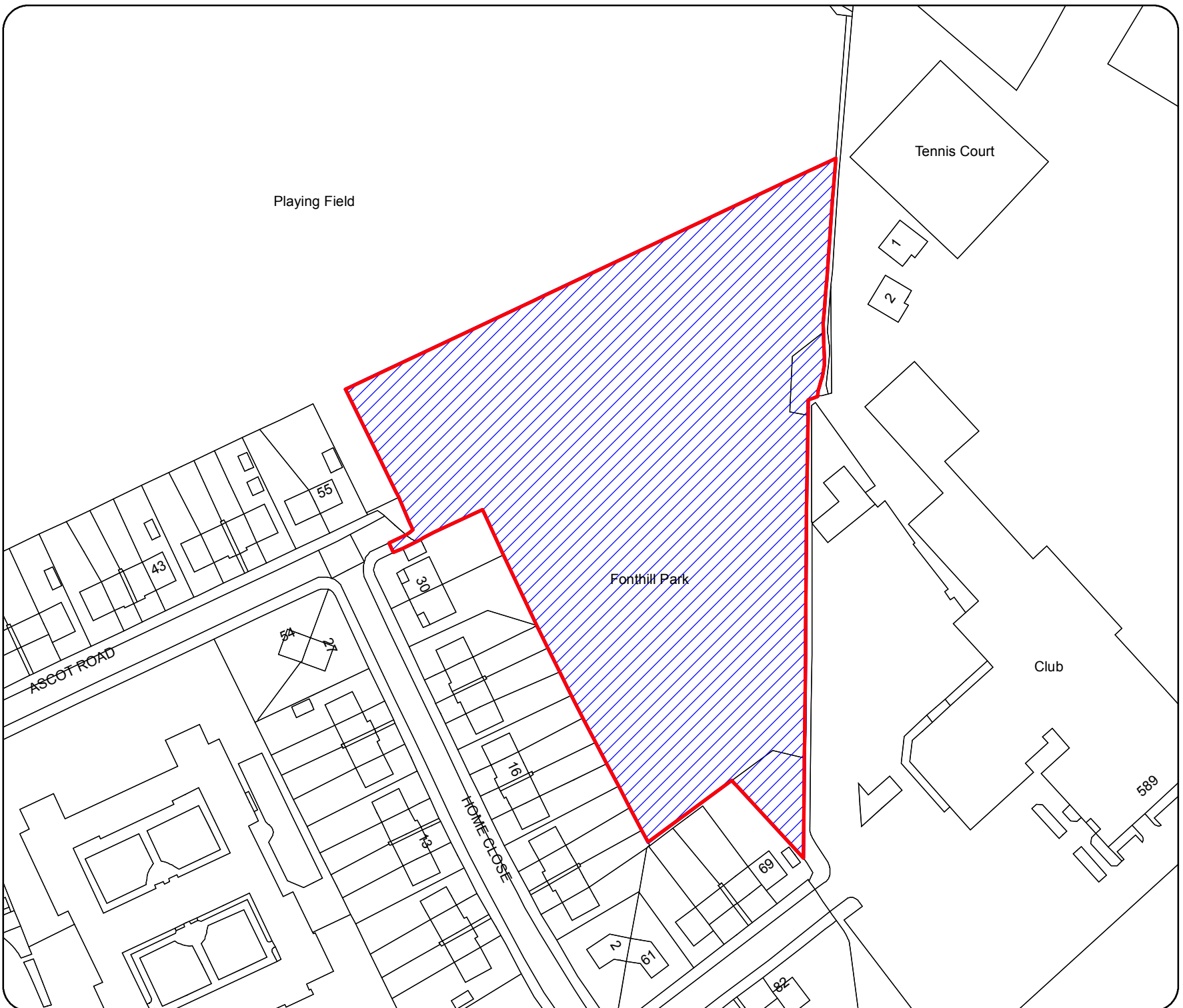
Sites Declared Surplus

% the NP would receive of the total (100%) of the value of sites sold

- Brentry Hill
- Fonthill Park



12.35%

Please note the calculations are based on all sites identified in this report – apart from Embleton Road CPG. This site was removed from consideration by Officers in advance of the Cabinet decision in October 2010 and therefore not included.




Parks & Green Space Strategy - Fonthill Park

Legend

-  Disposal area originally proposed for consultation
-  Fonthill Park

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ENVIRONMENT & LEISURE

Site Code : FONTPA
 Scale : @A4 1:1,250
 Date : 06.12.2010



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