

Bristol Parks Forum statement to Bristol City Council Cabinet Meeting on Thursday 10th January 2008

Dear Councillor,

We welcome the adoption of this Strategy that will support the much needed improvement of Bristol's Parks and Green Spaces.

However we are very concerned about the failure to comply with the Executive Member's commitment to Bristol Parks Forum members to ring fence 80% of the capital raised from disposals.

We do not consider the financial aspects of the strategy, the Section 106 contributions and the proposal for ring fencing only 50% minimum of disposal income, are sufficiently robust to avoid legal challenge from developers about the level of Section 106 contributions.

The result of the reduced reinvestment from disposals and the reduction of Section 106 income will necessitate a far greater level of land disposals. We consider that the implied 100% increase in the level of land disposal is unacceptable.

Capital investment.

Whilst we welcome the commitment to ring fence capital from disposals of open space, it is clear that the level of investment proposed will not be sufficient to fund the Strategy without disposal of much greater areas of existing open space than will be compatible with the city's core aims of a high quality environment, with Bristol to be a green capital in Europe, sustainable development and meeting the needs of the residents of Bristol now and in the future.

[Bristol's Core Strategy]

The draft strategy that was the subject of the recent consultation, envisaged £30m contribution from developers and £36m from sale of green space towards the £87m capital investment required.

We regret to note that, despite concerns raised about disposal of green space, the report to Cabinet now envisages only £15m from Developers Contributions, with a corresponding increase to £51m from land sales. If the percentage contribution from land sales decreases from 80% to 50% and the contribution increases from £36m to £50m then value of land that will need to be sold off will be increased from £45,000,000 to £100,000,000 over DOUBLE the original proposal. This is a very significant change to the original proposal. A full report on the feasibility of this level of land disposal is needed before the cabinet can approve the financial provisions of the strategy.

In addition the report also envisages the £4.2m pa of life cycle costs being funded from capital contributions. This would require contributions from the land sales to the value £2.4m pa, which would necessitate further disposals. This is not acceptable.

If the council justifies the sale of public open space to raise funds to improve the quality and facilities of the remaining public open space, then the full income [with a small administration cost deduction] should be reinvested into that public open space until the strategy standards are attained. If less than the full amount is invested

directly into public open space improvements the council is indicating that this is all that is needed to meet the need for improvement. This could be used by developers to argue against the S106 contributions, further reducing the available funding for public open space improvements.

Section 106

The revised figures for Section 106 contribution rate have reduced the developers contributions from around £1300/ person to £928/ person, so there is a reduction of about 1/3 from planning obligations income.

In addition, the contribution rate has been set at 50% of the actual cost of providing the minimum standard of recreational facilities.

Circular 05/2005 sets out the requirements for Section 106 contributions from developers. There is provision in the circular for asking for a financial contribution or for asking for land to be allocated to provide open space for the development. One of the four tests sets out the requirement for a direct correlation between the amount of contribution required and the impact of the development. There is no provision within the circular for asking for less than the full cost.

At present a contribution of 50% of the cost of open space is requested from developers. The levels were set from the National Playing Field Association standards. The 50% figure was arrived at because it was considered that developer contributions would not be for new facilities but for the improvement of existing facilities, in addition it was felt that the full cost was above contribution levels from comparable local authorities and may be challenged.

Now the Parks and Green Spaces Strategy has been written, fully worked out costings have been arrived at and can be justified. The Bristol Standard costs are approximately 2/3 of the present NPFA level of full cost.

The figures used to calculate the S106 contributions use the minimum quantity standard in isolation. They do not take account of the distance standard or other constraints that mean that greater areas per capita have to be provided in practice to meet this standard. In addition, the figures are based on the provision of the minimum not the optimum quantity of open space.

The method of calculation should be reviewed to take account of these factors. To offer a reduction of 50% is no longer justifiable. The contribution should be the full cost as set out in Circular 05/2005 because there is no provision within the circular for asking for less than the full cost.

As public open space can only be sold off once, the council owes a duty to the citizens of Bristol to ensure that this income is invested in accordance with the aims of the strategy and that the legislation concerning developer contributions is used to its best effect.

We ask that the Executive Member's commitment to re-invest 80% of disposal income is reinstated by the Cabinet and that the Section 106 provisions and the capital ring fencing provisions are redrafted to reflect the council's aspirations embodied in the Parks and Green Spaces Strategy.

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Bristol Parks Forum