

## GLOUCESTER CITY COUNCIL LAND ADOPTION – GUIDANCE FOR DEVELOPERS

The City Council is committed to providing pleasant living and working environments for the residents of Gloucester. As part of development proposals, particularly for residential development, areas of green space are usually required as part of the layout, often including formal sports and play areas. These areas are usually offered to the council for adoption following the completion of the site construction.

The City Council has a standard for the provision of Public Open Space, based on 7 Acres (2.84 ha) per 1000 population. If public open space cannot be accommodated on site, a financial contribution to off-site provision will be sought. Further details of this are set out in the council's planning policy documents ([www.gloucester.gov.uk/planning](http://www.gloucester.gov.uk/planning)).

Adoption of green areas can become complex and drawn out unless areas of land are identified at the start of a development. It is also important that developers liaise regularly with Section 106 Officer, Planning Officer and Open Spaces Team during construction, so that areas of open space are brought up to the required standard before being offered for adoption. A legal agreement is likely to be required before adoption of the land.

This guidance note sets out the process for adopting green areas, including both Public Open Space and other areas of amenity land.

The following plans will be required in order for the council to adopt an area of land.

- **FOR LEGAL TRANSFER:** 1:500 or 1:1250 scale copy of a meaningful plan e.g. showing adjacent road names, property postal numbers etc., clearly identified and showing the areas for adoption edged in red. A north point and drawing scale should be clearly visible.
- **FOR MAINTENANCE TEAM:** 1:500 scale copy (preferably an electronic copy of the drawing) of a meaningful 'as built' plan which should clearly and accurately show the adoptable areas of shrubs or grass as individual items on the same plan. Shrub areas should be coloured yellow and grass areas coloured green. Additionally the square meterage of each individual area of shrub bed or grass should be identified separately and the number of vertical obstructions i.e. trees, street lights, bollards etc., within individual grass areas should also be identified on the plan.
- An up to date scaled plan indicating all underground utilities or easements crossing or bordering the open space.

**Payment of a commuted sum for the maintenance of public open spaces and amenity land will be required upon adoption. The City Council will not adopt any land without a commuted sum.**

This will be calculated to take into account:

- The estimated annual cost of maintenance
- An assumed rate of inflation
- An assumed discount rate
- The number of years the commuted sum is required for (usually 15 years).

The developer will be responsible for:

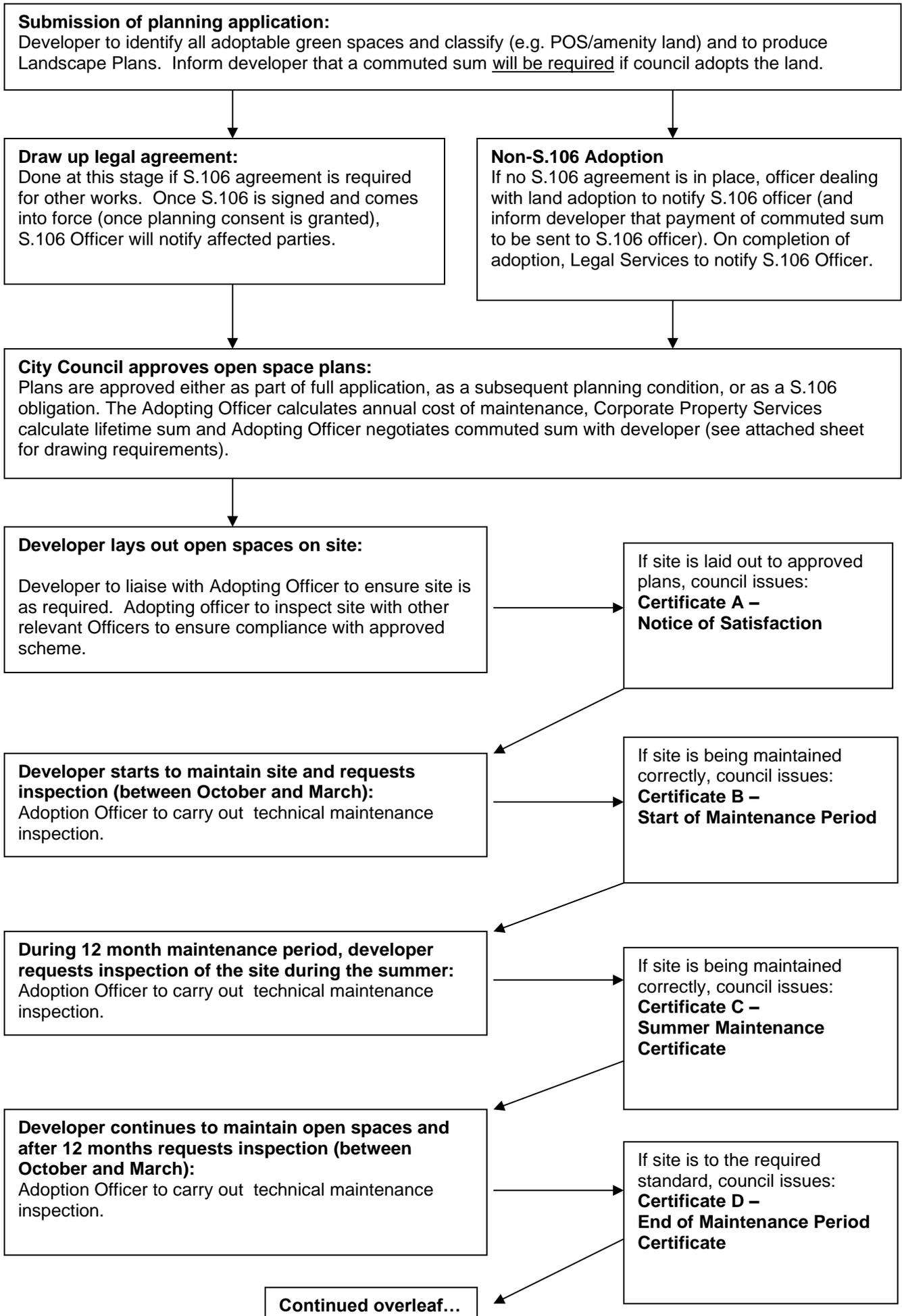
- keeping the council informed of progress on open space works,
- requesting inspections from council officers
- continuing the adoption process for the open space after the required maintenance period.

Where equipped play areas are installed by the developer, they will be responsible for the inspection and maintenance of these during the maintenance period, prior to formal adoption. Emptying of litter and dog waste bins on the open space will also be the developer's responsibility until adoption.

On adoption, the developer will be required to hand over full details, maintenance certificates, guarantees, and contact details of suppliers of any equipment. The developer must provide adequate insurance and maintenance cover for the play area/open space until the formal transfer is complete.

The following flow chart briefly illustrates the stages of the adoption process. At the end of each stage a certificate will be issued indicating whether the land is up to the required standard for adoption.

**Adoption Process Flowchart (page 1 of 2)**



**Adoption Process Flowchart (page 2 of 2)**

**Once 'Pass' Certificates A-D are issued, all plans have been submitted by the developer and a legal agreement is in place, the Council will issue Certificate E – Certificate of Completion** S.106 officer, Corporate Director of Services and Adoption Officer will instruct Legal Services to begin adoption process. Adopting officer to notify developer of plans required for formal adoption (plus any technical inspection reports for play areas, SUDS features etc.)

**The council will then start to maintain the open space from 1 April and will complete the formal adoption process. Adoption process will not be completed until commuted sum is paid via S.106 officer.**

**Notes:**

1. If any of the stages A-D are not completed satisfactorily, a **Certificate X – Notice of Remedial Works** will be issued (and a copy sent to S.106 officer). The site will not be adopted until remedial works are completed and 'Pass' Certificates A-D have been issued.
2. The above sequences may vary according to individual S.106 requirements and there may be prescribed timescales in the S.106 agreement that must be observed. The adopting officer should liaise with the S.106 officer to ensure compliance with the council's obligations.
3. Adoption of children's play areas – Before completion of adoption the council will require manufacturers details for each item of equipment, plus a post-installation inspection report by RoSPA or other approved inspector.
4. Adoption of SUDS features – Before completion of adoption, the council will require an as built survey and inspection report by a suitably qualified engineer.