

WILTSHIRE COUNCIL**Westbury Area Board****Thursday 22 April 2010**

Adoption of public areas in Leigh Park**Purpose of the Report**

To update the Area Board on the status of the adoption process by Wiltshire Council of the public areas of Leigh Park such as roads, pavements, street lights, open spaces and play areas.

Background

Leigh Park is a development of over 1200 new homes built between the Westbury Leigh and Oldfield Park areas of Westbury. With a mix of housing, large and small, privately owned and housing association, open spaces and play areas, it forms a distinct neighbourhood community on the western side of Westbury. There is a neighbourhood centre with shops and local services and a new community centre is planned. The lead developer of the estate is Persimmon.

Eventually the roads, footways, verges, cycleways, street lights, play areas etc will be adopted by Wiltshire Council which will then be responsible for all maintenance. Currently however the site is in a process of transition with the vast majority of the above still owned by persimmon and maintained by this company.

Through the Westbury community area board issue system, Councillor Russell Hawker has asked for a report on the progress of adoption of all parts of Leigh Park by Wiltshire Council.

Process of adoption

The original outline planning permission for Leigh Park granted in 1998 was accompanied by a legal agreement (a "Section 106 Agreement") which sets out the details of the infrastructure that the developers must install. These include roads, sewers, open spaces etc.

When a road is built by a third party, such as the builders of a residential development like Leigh Park, a legal agreement is made with the council. This agreement says that the Highway Authority (Wiltshire Council) will adopt the roads if they are built to a pre-defined standard of detail and construction. A financial contribution towards future maintenance is usually included in the agreement.

Sometimes the adoption process can take a long time as all aspects of the road including street lighting, drainage and sewers have to be up to standard before the process can be complete. While the road remains unadopted, it is in the ownership

of the developer who remains responsible for the maintenance of the road/s within the development.

Adoption takes place in three stages – in Part One the road is considered safe to use and available for use by residents. In Part Two the road is finished to the satisfaction of Wiltshire Council. A 12 month adoption period then follows to ensure that the road construction is up to standard. A final inspection follows and if all is up to standard the adoption is agreed and the road becomes the responsibility of Wiltshire Council.

Council officers meet with representatives of Persimmon every 4-6 weeks for updates on progress of every road on Leigh Park. This includes updates on infrastructure works, repairs, street lighting etc.

Current position

The roads, footways, highway verges, footpaths, cycleways, bridleways and street lighting are all yet to be adopted. Currently the only road adopted by Wiltshire Council is the double mini roundabout at the junction of Westbury Leigh (the road) with Camargue Road, Laverton Road and Leigh Road. Adoption of Boulton Road, Camargue Road, Caspian Gardens and Cob Place is expected to follow shortly.

A consultation is about to be launched on a proposal for a 20 mph speed limit on roads from Gooselands roundabout to Fell Road. Once this is complete, more roads will be ready for adoption.

Wiltshire Council is currently responsible for several pieces of open land including the section known locally as Telly Tubby Island and the balancing pond to the north of the site (see attached maps for detail). Council responsibility for street sweeping, litter bins and grounds maintenance is also shown on the attached maps. The remainder of the estate remains the responsibility of the developer.

Council officers say the progress on adoption of open spaces, trees and play areas is a rolling programme but is slow. As with the adoption of roads, there has to be a 12 month maintenance period to ensure the areas concerned are up to standard – recent “snagging” lists have included details like the installation of safety buoys at the balancing pond.

Contacts

- Queries about issues on the unadopted parts of Leigh Park should be directed to Kevin Moore, who is Persimmon’s representative on the estate. He can be reached at 07711 407 789 or at kmoore.nolan@virgin.net
- For all other queries please contact Wiltshire Council through Customer Care (0300 456 0100) or Clarence on 0800 232323 or Clarence@wiltshire.gov.uk
- You can also contact your unitary councillor Russell Hawker on 01373 822275.

Environmental Impact of the Proposals

N/A

Financial Implications

There are no specific financial implications at this stage but as part of the Section 38 and Section 106 agreements, there are financial bonds agreed to ensure work is completed according to agreed standards.

Legal Implications

There are no legal implications.

HR Implications

There are no HR implications.

Equality and Diversity Implications

N/A

Recommendation

Further detailed updates should be brought to future meetings of Westbury area board.