

 Executive 03 April 2019		Agenda Item No. <h1 style="text-align: center;">9</h1>
Title	Adoption of the Public Open Space SPD	
For further information about this report please contact	David Butler, Business Manager Policy & Delivery (01926 456017) David.butler@warwickdc.gov.uk	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Executive, 09 January 2019, Item 10	
Background Papers	Warwick District Local Plan 2011-2029	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	Yes
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	Yes
The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities.	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	05/03/19	Chris Elliott
Head of Service	05/03/19	Dave Barber
CMT	05/03/19	Chris Elliott/Andy Jones/Bill Hunt
Section 151 Officer	05/03/19	Mike Snow
Monitoring Officer	05/03/19	Andy Jones
Finance	05/03/19	Mike Snow
Portfolio Holder(s)	12/03/19	Cllr Alan Rhead
Consultation & Community Engagement		
The document is submitted to committee with a recommendation that it is adopted following a public consultation carried out between 28 January and 11 March 2019.		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 The Warwick District Local Plan 2011 – 2029, adopted in September 2017, contains commitments to bring forward Supplementary Planning Documents on a number of matters, including Public Open Spaces (POS).
- 1.2 The draft version of the POS SPD was subject to a period of public consultation between 28 January and 11 March 2019. This report sets out the outcome of the consultation and recommends adoption of an amended SPD.

2. **Recommendation**

- 2.1 That the Executive notes the statement of community consultation (Appendix 1) and approves the adoption of the SPD following the identified amendments set out in Appendix 1.
- 2.2 That Executive delegates authority to the Head of Development Services, in consultation with the Portfolio Holder for Development, to make any further minor amendments subsequently required as a consequence of undertaking the principal amendments set out in Appendix 1.
- 2.3 The Executive notes that the adopted POS SPD will be used in the determination of planning applications.

3. **Reasons for the Recommendation**

- 3.1 The provision of suitable and sufficient Public Open Space (POS) as a requirement of development is an integral part of ensuring that the District is a great place to live work and visit.
- 3.2 The Public Open Spaces SPD refreshes and updates the previous Open Spaces SPD adopted in 2008, ensuring that the evidence base and subsequent requirements are robust and appropriate, whilst adapting to changes in the National Planning Policy Framework (NPPF), case law and other legislation.
- 3.3 The SPD has been the result of collaborative work with the Green Spaces team to ensure that the guidance is deliverable and desirable.
- 3.4 The SPD went through an appropriate public consultation period, the representations to which are summarised and responded to in Appendix 1.
- 3.5 As a result of this, there are several minor amendments to be made in order to produce the most robust SPD possible, and these are detailed in Appendix 1.
- 3.6 Further work with colleagues in WCC Legal Services have resulted in an amended Appendix within the SPD, and this is attached to this report as Appendix 2. These changes provide a clearer framework for the appendix of the SPD, but remain consistent with the purpose of the original. It is not considered that these changes are material amendments and therefore there is no requirement to re-consult.

4. Policy Framework

4.1 Fit for the Future (FFF)

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/ productivity of local economy Increased employment and income levels
Impacts of Proposal		
The POS SPD will ensure appropriate open spaces are provided as part of development.	The POS SPD will ensure appropriate public open spaces are provided and maintained. Further, the maintenance sum has been increased to 20 years allowing for more effective maintenance	The POS SPD will ensure suitable commuted sums are secured for the maintenance of new public open spaces
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		

The SPDs will help officers in pre-application discussions and in determining applications	The POS SPD will ensure appropriate public open spaces are provided and maintained	The POS SPD will ensure suitable commuted sums are secured for the maintenance of new public open spaces
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4.2 **Supporting Strategies**

Each strand of the FFF Strategy has several supporting strategies. The Local Plan is one of the key strategies, cutting across many of the FFF strands. The Residential Design Guide ensures the delivery of high quality design enabling and supporting the growth required through the plan period.

4.3 **Changes to Existing Policies**

This document seeks to support the new policies adopted within the Local Plan and adheres to national and local policies rather than changing them. This SPD will replace the Open Spaces SPD adopted in 2008.

4.4 **Impact Assessments**

The Consultation has been undertaken in line with the Council's Statement of Community Involvement (SCI) 2016 approved by Executive in January 2016. The SCI specifically seeks to ensure that all relevant sectors of the community are consulted. The Local Plan has been subject to an equalities impact assessment which assessed the implications of consultations on equalities.

5. **Budgetary Framework**

5.1 The costs of conducting the consultations and reviewing the responses were covered within the existing budget framework.

6. **Risks**

6.1 There are no specific risks related to adopting the SPD.

7. **Alternative Option(s) considered**

7.1 The Executive could decide not to adopt the Public Open Spaces SPD, and to continue to use the previous SPD. However, this would have a detrimental affect overall on the quality of future Public Open Spaces in the district.

7.2 The Executive could decide not to accept the recommended amendments to the draft SPD. However, this would be contrary to the public consultation process.

8. **Background**

8.1 The SPD consultation ran from 28 January to 11 March 2019, and received 11 representations.

8.2 As a result of the recent public consultation, the most notable amendments can be summarised as;

- Greater detail to be included regarding the Playing Pitch Strategy
- Requirement to provide and agree a detailed Public Open Space design moved from outline to reserved/full matters stage. Where an outline permission design guidance will need to be provided and agreed
- Inclusion of recycling bin specifications