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## East Area Planning Sub-Committee

10 January 2008

Report of the Director of City Strategy

### **Clifton Hospital : Outstanding Section 106 in relation to Management of the landscape.**

#### **1. Summary**

- 1.1 This report details the progress made on the outstanding Section 106 in relation to Clifton Hospital. Members are asked to note the contents of the report.

#### **2. Background**

- 2.1 A report was prepared in August 2007 with regard to the current status of the outstanding Section 106 Agreement on the old Clifton Hospital Site.
- 2.2 The report set out the current position of the main conditions of the Section 106 that were still outstanding. These related to :-
- i) The transfer of 1ha of land at the southern end of the site to the Council.
  - ii) The dedication of a public footpath from Shipton Rd to the Open Space.
  - iii) The submission of a landscape plan and five year management plan for the site by Persimmon's.
  - iv) The implementation of these plans.
  - v) The clearance and maintenance of the old sewage work site to the Council's satisfaction.
- 2.3 With regard to the Section 106 agreement, it was noted that although not yet fully implemented in formal terms, substantial progress had been made and only a few issues were still outstanding.
- 2.4 The legal aspects were awaiting implementation by the Council's Legal Section, the management plan and the reinstatement of the old sewage treatment works were awaiting further consultation with Persimmons.
- 2.5 With regard to the management plan, the main elements of the plan produced by the Countryside Officer had been carried out, although the weather had made things very difficult and ragwort has been a particular problem. Discussions on formalising this plan had not been progressed because the representative in Persimmon's dealing with this matter had left.
- 2.6 Similarly with the sewage treatment plant, no further discussions had taken place.

- 2.7 However, it was noted that Persimmons had recently appointed a replacement and a meeting had taken place just prior to the last meeting of the East Area Planning sub-committee to discuss the outstanding issues. At this meeting the main reinstatement issues for the old treatment plant were agreed. This was to clear the whole site of existing coarse vegetation this autumn and carry out a final litter clearance. The area would then be herbicide treated in the spring and the Council's Countryside Officer would source a local wildflower seed mix to reseed the area in summer 2008.
- 2.8 With regard to the management plan, Mr R. Noble of Persimmon's would review the plan prepared by the Council and set up a further meeting to discuss the matter with a view to finalising it by the end of the year.
- 2.9 It was anticipated therefore that the main elements of the Section 106 would be resolved by the end of 2007 so that it could be signed off in 2008.

### **3. Consultation**

- 3.1 No further discussion with Persimmon's has taken place..

### **4. Analysis Update Dec 2007**

- 4.1 In order to facilitate the review of the outline plan prepared by the City of York Council, a copy was passed on to Persimmon's in October 2007.
- 4.2 No work has yet been carried out to complete the reinstatement of the old sewage works site.
- 4.3 Solicitors acting for Persimmon's were contacted in early December by the Council's Legal and Rights of Way Teams with regard to the transfer of land and the creation of the Public Right of Way.
- 4.4 No response has yet been received with regard to these matters.
- 4.5 A request was made to Persimmon's in early December for a meeting to consider the draft management plan for the site. Unfortunately, because of work pressures, it has not been possible for this to take place, although a meeting has been proposed for mid to late January.

### **5. Corporate Objectives**

- 5.1 The management of this site ensures that the green separation between Clifton Without and Clifton is retained. Its management is therefore important in order to retain this separation in good condition.

### **6. Implications**

- 6.1 There are no financial implications with regard to this report.
- 6.2 There are no Equality implications.

- 6.3 Human Resources implications are limited to the time spent by the Countryside Officer in organising and supervising the management of the Clifton Hospital site.
- 6.4 There are no Legal, Crime and Disorder or IT Implications with regard to this report.
- 6.5 The property implications were dealt with within the report regarding the transfer of land to the Council in February 2006.

## 7. Risk Management

- 7.1 There are no known risks with regard to the implementation of the proposals on the Clifton Hospital site.

## 8. Recommendations

- 8.1 Members are requested to note the lack of progress made with regard to the completion of the Section 106 agreement and the ongoing work still required in order to achieve a satisfactory conclusion to this long standing case, hopefully in 2008.
- 8.2 A report be prepared in April 2008 to update members on any progress made.

Reason: To update Members on progress with the Section 106 agreement conditioned as part of the planning application for the Clifton Hospital site.

### Contact Details

**Author:**  
**Author's name** Bob Missin  
**Title** Countryside Officer  
**Dept Name** DCSD  
 Tel No. 1662

**Chief Officer Responsible for the report:**  
**Chief Officer's name** Mike Slater  
**Title** Assistant Director Planning & Sustainable Development

**Report Approved**  **Date** 02 January 2008

**Specialist Implications Officer(s)** List information for all  
 Implication ie Financial      Implication ie Legal  
 Name      Name  
 Title      Title  
 Tel No.      Tel No.

**Wards Affected:** Clifton Without

**All**  tick

**For further information please contact the author of the report**

### Background Papers:

Joint Report of the Directors of Development Services and Leisure Services to the Executive Committee 1<sup>st</sup> Feb 2006 on the Acquisition of Land at Clifton Hospital.