

---

## East Area Planning Committee

12 November 2009

Report of the Director of City Strategy

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

#### **Summary**

1. This update details the current action with regard to the outstanding Section 106 issues in relation to Clifton Hospital and provides details of the proposed Management plan for the site.

#### **2. Background**

2.1 A report was prepared in Jan 2009 to update members on the progress made in resolving the issues with regard to the long standing Section 106 agreement.

2.2 This included outlining the proposals for the management plan and the completion of works to reinstate the old sewage works site, although it was anticipated that final work would not be completed until summer 2009.

#### **3. Consultation**

3.1 No further discussions with Persimmon's have taken place, although an amended management plan proposal has been submitted to them for consideration. No response has yet been received.

3.2 The Ward Member and Clifton Parish Council have been kept informed of these issues and a response is awaited from the Parish Council with regard to the proposed management plan.

#### **4. Analysis**

##### ***Update October 2009***

4.1 With regard to the footpath, the Council's dedication procedures are currently underway. However, the formal request for dedication is still awaited from Persimmon's. The route is, however, available for use.

4.2 The dedication of the land is currently with the Council's legal section and is being progressed in conjunction with Persimmon's Solicitors.

4.3 The final reinstatement of the old sewage works site has been agreed and the Council's countryside officer has been asked to initiate the work but Persimmon's will implement it other than the seeding. A plan of the proposed

work was tabled at the meeting. It was intended that this work was to have been carried out during the summer, unfortunately due to time constraints on the part of the Council's Countryside Officer, this was not done. It is therefore proposed to carry out this work in spring 2010.

- 4.4 With regard to the management plan, an outline of the proposals had been supplied to the Council's Countryside Officer and was reported to this Committee. As a result an amended plan was returned to Persimmon's for their final approval. No response has yet been received.
- 4.5 A draft copy of this plan has also been provided to Clifton Without Parish Council asking for comment. Again no response has yet been received.
- 4.6 The proposals are as set out in the report of Feb 2009.
- 4.7 A copy of this plan is appended to this report as 'Annex 1'.
- 4.8 With regard to the possible transfer of other land at Clifton Hospital to the Council, there has been no further discussions due to time constraints upon the Countryside Officer. However, this possibility will be pursued as it is of both wildlife and community benefit. A further report will be prepared in due course should discussions prove favourable.
- 4.9 The requirements to conclude the Section 106 will be continued regardless of the possible transfer of at least some of the land to the Council.
- 4.10 Some aspects of the outstanding requirements are awaiting a response from Persimmons, notably finalisation of the management plan and the footpath creation. However, other elements are awaiting action by the Council notably with regard to land transfer and the implementation of the final reinstatement of the old sewage works.
- 4.11 With regard to the latter, these are as a result of time constraints on the Council's staff.

## **5.0 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. The site also has some Nature Conservation and Landscape value and assists in fulfilling the Council's duties with regard to the Natural Environment and Rural Communities Act (2006).

## **6.0 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.

## 7.0 Risk Management

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

## 8.0 Recommendations

- 8.1 Members are requested to note the progress made with regard to the completion of the Section 106 agreement and the work still required in order to achieve a satisfactory conclusion to this long standing case.
- 8.2 Members are requested to consider whether any enforcement action is considered necessary with regard to the uncompleted elements of the Section 106.
- 8.3 A further report will be prepared in due course when the management plan has been finalised and any details are available with regard to possible further land transfer.

Reason: To ensure that work conditioned as part of the Section 106 agreement at the Clifton Hospital site is completed.

### Contact Details

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

**Chief Officer's name :** David Warburton  
**Title:** Head of Design Conservation and Sustainable Development

**Report Approved**  **Date** 23 Oct 2009

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

**Wards Affected:** List wards or tick box to indicate all – Clifton Without

**All**  tick

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

## **Annexes**

Annex 1 – Management Plan

### **Background Papers:**

East Area Planning Committee Feb. 2009 - Clifton Hospital : Outstanding Section 106 in relation to Management of the landscape.

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.