



## **WILLAND PARISH COUNCIL**

Clerk to Parish Council Ms K Taylor, 40 Townlands, Willand,  
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2 October 2015

Mr Adrian Cook  
Mid Devon District Council  
Environmental Services  
Phoenix House  
Phoenix Lane  
Tiverton  
Devon  
EX16 6PP

Dear Mr Cook

### **1. Open Space and Play area Strategy 2. Play Area provision within Mid Devon**

1. In January 2014 Willand Parish Council wrote to the Chief Executive with a proposal which, if properly pursued, would have led to Willand Parish Council taking over responsibility for that portion of the Parish Field owned and 'managed' by MDDC thereby allowing MDDC to make substantial annual savings in relation to ground maintenance for the area. The proposals would have also allowed the potential of this area to be developed with additional play and exercise facilities to enhance the health and wellbeing of the local community including increased facilities adjacent to the Primary School. Initially there was no response and then when pursued further an attempt was made to coerce the Parish Council into agreeing to reduce green open space *[An MDDC commissioned report says Willand has a 64% shortfall.]* to allow the sale of some of the land for market housing. The file is quite comprehensive and yet 19 months further on the issue is still not concluded. We modestly estimate a potential annual saving to MDDC of £2,000 at least if this was managed by the Parish.

2. You will be aware that Willand Parish Council have taken a very active participation in the consultation process from when the very first enquiry by the consultants, Ethos Environmental Planning, was received in March 2014 and MDDC separate approach of 14 December 2014 was made suggesting that three of our play areas should be closed for reasons of alleged 'over provision'. Those play areas were named as:  
Worcester Close [We have a Worcester Crescent but no Close.]  
Mallow Court  
Chestnut Drive  
No sustainable credible reason has been given as to why these were chosen over any other.

3. The Parish Council have tried to obtain answers to enable them to make a positive response to the proposals and to assist with the financial position due to reduced

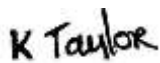
central funding being available to MDDC. It does challenge the conflicting information in the report and the lack of credible evidence to support the closure of the named areas. It seems to rely on distances between areas rather than usage and the ability of the next area along to be able to absorb any increase in numbers wishing to use the facilities. A number of other questions remain unanswered or only partially answered. In an effort to move the proposals forward Willand Parish Council has planned for the next three years in the first instance. The proposals are attached at Appendix A. It must be emphasised that this is intended to be a complete package.

4. The Parish Council wish to vigorously challenge the closure of Chestnut Drive Play area and argument for that is included at Appendix B.

5. With the exception of the field off Gables Lea the figures used are those provided by MDDC. We have not considered the 'sinking fund' figures provided as it is anticipated that replacement funding costs would be raised for any Parish owned/managed areas independently. Our proposals in the first year show a saving of 22.44% to MDDC **plus** the Parish Field saving. In addition it would be the intention to contract MDDC to carry out monthly and annual inspections which on provided figures would generate an annual income of £787.21 for the three areas to MDDC.

6. In the absence of a tangible alternative strategy other than closure and decommissioning Willand Parish Council offer a way forward with required monitory savings for MDDC. We feel that this option is a positive way forward but will not be viable if 'tinkered with'. We seek early agreement in order that the necessary arrangements can be made within the precept for the next financial year.

Yours sincerely



Kate Taylor  
Clerk to Willand Parish Council

cc Nick Sanderson, Andrew Busby, District Councillors Mrs G Doe & Messrs R Chesterton & R Evans. DC Councillor Ray Radford

## APPENDIX A

### Proposals for Transfer of Selected Willand Play Areas.

#### 1. General.

1.1 The proposed offers are put forward as a complete package for the duration of the initial arrangement [3 years].

1.2 It is offered that the identified packages of land/play areas owned by MDDC and identified in Clause 2 are transferred to Willand Parish Council on a 99 year lease for an annual peppercorn rent. *[It is appreciated that a 25 year lease has been suggested but this is not considered long enough for security of tenure to enable external funds to be attracted for improvements or replacements of equipment. It would not give sufficient time scale to justify the formation of a Charity or Trust.]*

1.3 Play equipment, surfaces, fences and other boundaries should be clearly identified as to ownership and responsibility for repair/maintenance. These items should all be in good and acceptable order and state of repair on the day of handover.

1.4 Willand Parish Council will make the necessary provision in relation to public liability insurance at their expense.

1.5 Willand Parish Council will seek an agreement for MDDC to provide monthly and annual inspections of play equipment and areas in their leased areas at an agreed annual fee paid in half yearly increments. *[It is expected that these will be in accord with figures provided in the consultation documents.]*

1.6 The preparation and completion of the relevant leases should be arranged and funded by MDDC at no cost to Willand Parish Council.

1.7 All other equipped Play Areas and their accompanying public green open spaces will be maintained and equipped by MDDC, as now, for the duration of this three year agreement after which a review will take place.

1.8 If a leased area is found to be redundant or no longer required for purpose then Willand Parish Council will offer the return of the remaining period of the lease to MDDC or jointly agree any alternative use or disposal.

#### 2. The Three Year Proposed Offer.

2.1 In the financial year 2016/2017 Willand Parish Council offer to lease and maintain the following sites/areas:

- (a) **Worcester Crescent** fenced play area and equipment;
- (b) **Mallow Court** fenced play area and equipment;
- (c) **Jubilee Parish Field** – items of play equipment owned by MDDC within the fenced play area:

(d) **Gables Lea public open space** *[Whole area with existing entrance from Gables Lea and goal posts.]*

*{MDDC commissioned report 'Open Space & Play Area Strategy 2014 – 2033 Part 2 Area Profile – Willand states at Paragraph 6 – “The priorities for Willand are: To continue the negotiations between the District and Parish to finalise the transfer of ownership of the land adjacent to Jubilee Field.}*

2.2 In the financial year 2017/2018 Willand Parish Council offer to lease the following additional sites/areas:

- (i) South View fenced play area and equipment.

2.3 In the financial year 2018/2019 Willand Parish Council would review current arrangements with MDDC and explore the possibility of leasing further area(s).

## APPENDIX B

### Argument for the Retention and Enhancement of Chestnut Drive Play Area by MDDC

1. No substantive argument has been put forward to justify this site as being classified as 'over provision'. It has been shown that it is within a certain distance of another site but little or no thought has been given as to how very young children would safely make their way to that nearest site. There are roads to cross and narrow footpaths with limited visibility for safety in case of incident. This play area is almost at the Southern most edge of the settlement area.
2. This site is a difficult one to maintain being under trees. This could be improved by thinning some of the substantive trees as although it is the subject of a blanket Tree Protection Order that needs to be reviewed. This could allow some thinning as all of the trees are of a similar age and are crowded. This would then allow the surface adjacent to the safety surface to be improved to aid maintenance.
3. The site is well used in spite of the amount of equipment having been reduced. What remains there has recently been refurbished. The added attraction to the area is that children are able to participate in imaginative play by use of the adjoining woodland. To close this area would mean that children would have to go to the next nearest area at the Jubilee Parish Field where at times demand already exceeds capacity.
4. There are a number of young families in the immediate area and a number of the properties are rented and so there appears to be a turnover of families with young children.
5. Under the emerging local plan a nearby area of land has been allocated for a further 40+ houses and a third of these are to be affordable houses. As council adopted play areas are no longer to be a part of such developments the Chestnut Drive Play Area will be ideally placed to service a play/recreation need for that development. MDDC will be able to attract monetary contributions from the developers which will enable this area to be enhanced and there is room for additional equipment.
6. The loss of this site would have an adverse impact on the safety, health and wellbeing of the children living in this area. There is local support for its retention.
7. MDDC commissioned report 'Open Space & Play Area Strategy 2014 – 2033 Part 2 Area Profile – Willand states at Paragraph 6 – “The priorities for Willand are: **To improve the play area at Chestnut Drive.**” Not to retain this area would be contrary to MDDC's own report and plan.