

# Network query responses

**Query Title:** GM0359 - Proposals by developers to use Local Management Organisations to deliver grounds maintenance - 180614

**Description:**

A member authority is considering whether to support developer's applications to set-up Local Management Organisations to deliver grounds maintenance services on new developments. We would be very grateful if you could help by answering the following questions:

- What are your experiences of maintenance carried out on new developments by Local Management Organisations? Including: standards achieved, customer satisfaction and addition costs passed on to residents.
- What policies do you have in place surrounding the response to applications from developers looking to use LMOs to deliver grounds maintenance?
- Do you have a policy in place that gives you first refusal on maintenance of land on new developments?
- Do you have a policy in place that means land comes under local authority management after a period of time?

**Name:**

**Authority:**

**Responses**

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**Date:** 18 June 2014

**Authority:** CONWY COUNTY BOROUGH COUNCIL

**Name:** Lyn Davies

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**Email:** Lyn.Davies@conwy.gov.uk

**Response:**

Our responses to your questions would be:

(i) What are your experiences of maintenance carried out on new developments by Local Management Organisations? Including: standards achieved, customer satisfaction and addition costs passed on to residents.

- On those developments that LMOs funding GM operations we have had relatively few complaints of any shortfall in service. The GM standards the Authority use have been given to the developer as a guide to the standard necessary. We have no indication as to the cost levied on each householder.

(ii) What policies do you have in place surrounding the response to applications from developers looking to use LMOs to deliver grounds maintenance

- We are, more and more, due to reduction in budgets, encouraging developers to set up management agreements for GM on new developments. We have in place a 25 year commuted sum for maintenance arrangement for those developments where we actually adopt the land.

(iii) Do you have a policy in place that gives you first refusal on maintenance of land on new developments?

- No we do not have such a policy but we indicate to developers that we would be interested in tendering for such works. To date we have not been asked to submit costs for any operations.

(iv) Do you have a policy in place that means land comes under local authority management after a period of time?

- We have a policy that allows us to adopt land if the developers pays to us a lump sum which will cover all maintenance costs for a 25 year period but obviously in year 26 the whole cost falls to the Authority.

We would be interested in seeing all replies to this query.

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**Date:** 18/06/2014

**Authority:** RUGBY BOROUGH COUNCIL

**Name:** Sean Lawson

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**Response:**

Currently we haven't experienced this, but we have a very large development coming forward and they are talking about this style of delivery.

Therefore we would be very interested to hear of others experiences and pitfalls

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**Date:** 18/06/2014

**Authority:** HARROGATE BOROUGH COUNCIL

**Name:** Patrick Kilburn

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**Response:**

I refer to the email sent out through APSE

We have done this a few times now with varying degrees of success and we are still trying to tie it down. I am assuming that you are working on a similar basis to us in that you are trying to keep down costs.

I will try to answer each of your questions but if after reading them you want something else please feel free to email or ring me.

1. What are your experiences of maintenance carried out on new developments by Local Management Organisations? Including: standards achieved, customer satisfaction and addition costs passed on to residents.

Ans: Mixed is the honest answer. Where there is open space to maintain in some instances they have done it well but if there are associated things like sports facilities etc then these have not been anything like as good. The difficulty is that we just do not then seem to have any enforcement powers to address. As you can see I am from the operational side but closely linked with planning re these agreements but it just seems to be really difficult to get the developers to sort out if they do not comply. AS a result we then get the complaints from the residents and the members.

2. What policies do you have in place surrounding the response to applications from developers looking to use LMOs to deliver grounds maintenance?

We do not have a written policy as such but what we do is offer the developer an option to transfer the open space to the Council for a commuted sum. The basis for the calculation is along the lines of a sum of money that is invested and we then use the interest to pay for each years maintenance. This means we will never run out so to speak. However as you can imagine this can be a high figure and as a result by default developers are opting for LMO's which as a service manager trying to deliver services with reducing budgets I do not mind.

3. Do you have a policy in place that gives you first refusal on maintenance of land on new developments?

No. To be honest I think if we were to do this we would have to significantly reduce the commuted sums for the maintenance part of the service which would mean it would run out and I would then have to dilute the overall service to accommodate. I think this is generally wrong so we do not encourage this.

4. Do you have a policy in place that means land comes under local authority management after a period of time?

No. To be honest not sure how effective this would be and again I am not looking to adopt and dilute service delivery to existing areas.

Hope this helps and would be interested to receive a summary of your findings.

**Date:** 19/06/2014

**Authority:** RHONDDA CYNON TAF COUNTY BC

**Name:** John Spanswick

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**Response:**

In relation to this enquiry I would respond as follows on behalf of Rhondda Cynon Taff CBC.

- What are your experiences of maintenance carried out on new developments by Local Management Organisations? Including: standards achieved, customer satisfaction and addition costs passed on to residents.

Experience has shown that in many instances these organisations do not maintain the area to a suitable standard and over a relatively short period of time the original landscaping and layout declines to a point whereby it becomes a problem and then residents complain to the local authority about it. The original developer has long moved away and is rarely interested in sorting out the issue.

- What policies do you have in place surrounding the response to applications from developers looking to use LMOs to deliver grounds maintenance?

We do not have a specific policy in place, but in response to planning applications we usually provide a maintenance cost that the developer can consider and make it clear that we would prefer to adopt the land with a commuted sum wherever possible.

- Do you have a policy in place that gives you first refusal on maintenance of land on new developments?

No

- Do you have a policy in place that means land comes under local authority management after a period of time?

No, but this could happen after a very long period of time with no trace of the original developer.

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**Date:** 19/06/2014

**Authority:** GEDLING BOROUGH COUNCIL

**Name:** Melvyn Cryer

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**Response:**

- What are your experiences of maintenance carried out on new developments by Local Management Organisations? Including: standards achieved, customer satisfaction and addition costs passed on to residents.

Recent developments have included attenuation tanks built under green space areas. Where this has occurred the Developer has favoured giving the maintenance of the land to an LMO. Grounds maintenance in these areas tends to be to a good standard. This may be due to the fact that we (GBC) ask for a 10 year maintenance contribution from the developer under normal circumstances and that in these situations the sum is passed from the Developer to the LMO to fund future maintenance.

- What policies do you have in place surrounding the response to applications from developers looking to use LMOs to deliver grounds maintenance?

Our policy states that the Developer must seek the Council's permission to appoint an LMO and approval must be given by the Council

- Do you have a policy in place that gives you first refusal on maintenance of land on new developments?

To date we have not done this, we will normally adopt the land if it is deemed suitable for handover. But I may look to draw up such a clause in the next revision of our S106 SPG.

- Do you have a policy in place that means land comes under local authority management after a period of time?

Our policy states that until the Service manager, Parks and Street Care Service approves the land as ready for adoption, transfer will not take place. Until that time the Developer will organise the maintenance of the area themselves. Equally I have worked for other authorities who delay handover as standard practice for 12 or 24 months to get over the initial establishment phase when many plants die off and need replacing.

In my experience, in practice many developers ignore the permissions required unless your planning inspectors are on their backs when trigger points are reached. I have had situations where Developers have appointed their own LMO and they have started maintaining the site and no one from the Development company bothered informing the Council. We assumed that the maintenance was of a temporary nature before handover occurred only to find that the contractor had been permanently awarded the contract without approval by the Council. Much to our annoyance.

We don't know what back room deals were done between Developer and Contractor, but lose the 10 years maintenance money as a result. That said the standard of maintenance on the whole has been OK.

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