

APPENDIX 5
ADOPTION OF OPEN
SPACE FLOW CHART

Section 106 Agreements
Secures the on-site Open Spaces:

- **Sqm to be provided**
- **costings**
- **triggers - implementation & completion**

Developer has the choice of a Management Company or offer it for adoption to the LPA or its nominee (Parish Council)

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Developer has to offer the open space to the LPA or its nominee first (Parish Council)

Section 106 is signed by all parties / Planning Permission granted

Approved Scheme
to be Implemented by the Developer in accordance with the approved plans

First Site Visit
The LPA undertakes a site visit: is the Open Space in compliance with approved plans?

No

Remediation works
to be undertaken until acceptable

Ye

Open Space Acceptable
12 months initial maintenance by the developer commences. Is the Open Space acceptable at the end of this?

No

Remediation works
to be undertaken until acceptable

Ye

Final Certificate
(if being transferred to a PC they are welcome to visit the site with the LPA throughout the process)

Management Company

Borough Council / Parish Council

Maintenance & Management Plan
Developer to provide a maintenance & management

Resident Funded
Upon purchasing a property residents will have entered into an agreement to pay regular maintenance fees

Open Space Managed & Maintained In Perpetuity by the MC at the expense of the residents

Adoption of the open space to proceed
Areas for adoption agreed
Maintenance sum agreed
Legal representative instructed

Solicitors complete transfer
Land & associated maintenance is received

Open Space Managed & Maintained In perpetuity by the Borough or Parish Council with the received maintenance contribution