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Exemption applied: None

Review date for release N/A

Cranbrook Stewardship - Management of Suitable Alternative Natural Greenspace – Preferred Approach

Report summary:

In the context of the Stewardship Report (presented to EDDC Cabinet on 30th July) this report sets out the proposed approach to the management of 78Ha of Suitable Alternative Natural Greenspace (SANG) which will be delivered across the four Cranbrook expansion areas.

It is proposed that the preferred approach for the appointment of the '*Responsible Organisation*' for adoption and future management of SANG in these expansion phases of Cranbrook is agreed with the Developers in accordance with an order of priority which aligns with other public open spaces and community assets within Cranbrook – with the aim of providing a consistent approach to management of public open spaces across the community.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That members of Cranbrook Placemaking Group note Cabinet's resolution (30th July 2025) regarding Stewardship of Public Amenities, and in particular the vital role that effective stewardship of public amenities plays in supporting the establishment of sustainable communities and request that Cabinet approve the following recommendations:

1. Approve the preferred approach for the order of priority for the appointment of the '*Responsible Organisation*' for adoption and future management of Suitable Alternative Natural Greenspace (SANG) in the expansion phases of Cranbrook (in line with other public green spaces and community assets) as follows:
 - i. Cranbrook Town Council in the first instance (subject to Governance Review in relation to the area currently within Whimble Parish),
 - ii. the District Council (or future Unitary authority),
 - iii. an appropriate public body, charitable trust or CIC that is suitable for the management of SANG (e.g. Land Trust/English Estates).
2. Approve the following proposed selection criteria, which are set out as the Council's expected and consistent approach when (in conjunction with developers) determining who should be the Responsible Organisation for each phase and in future s106 agreements:
 - i. An appropriate constituted organisation in public ownership with capacity and suitability to manage SANG in-perpetuity

- ii. A suitable financial plan to ensure in-perpetuity funding, which takes a cautious/low risk approach to investment
 - iii. A clear approach to public accountability to ensure that future management of the SANG can respond to community issues/concerns
 - iv. That management costs for SANG in each phase of Cranbrook are based on an approved detailed landscape plans, specification, SANG management plan, and a cost schedule which sets out the areas/features being delivered within the SANG and the estimated timescale for their capital replacement (and costs thereof)
 - v. Consideration of how added value will be achieved (e.g. wider public health and wellbeing, education, sustainability and biodiversity benefits)
 - vi. How the organisation will contribute to achieving a consistent management of SANG within Cranbrook
3. Delegate authority to the New Community Manager and Green Infrastructure Project Manager to prepare a model of an outline specification and management plan which sets out the approach and requirements for SANG Management in Cranbrook.

Reason for recommendation:

To ensure that Council's preferred approach for the appointment of a Responsible Organisation for the management of SANG in the expansion phases at Cranbrook is: consistent (across the different phases); financially sustainable; supports wider health, wellbeing and environmental benefits; and supports an effective approach to community stewardship of both the SANG and wider community assets.

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Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☒ Sustainable Homes and Communities

Equalities impact Low Impact

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

Climate change Low Impact

Risk: Medium Risk; There is a risk that the Council will be unable to agree the preferred Responsible Organisation with the developer as the s106 agreements do not include an appropriate mechanism to impose our preferred choice on the developer should they disagree. Failure to appoint an appropriate 'Responsible Organisation' may result in SANG management reverting to the District Council as the competent authority in the future (without funding for in-perpetuity management), and/or a failure of the management of SANG within the expansion areas of Cranbrook being delivered in an appropriate manner

that maintains the quality and functionality of the SANG, is accountable to residents, and ensures that the wider benefits of SANG are realised by the community.

Links to background information [Agenda item - Stewardship of Public Amenities - East Devon](#)

Link to [Council Plan](#)

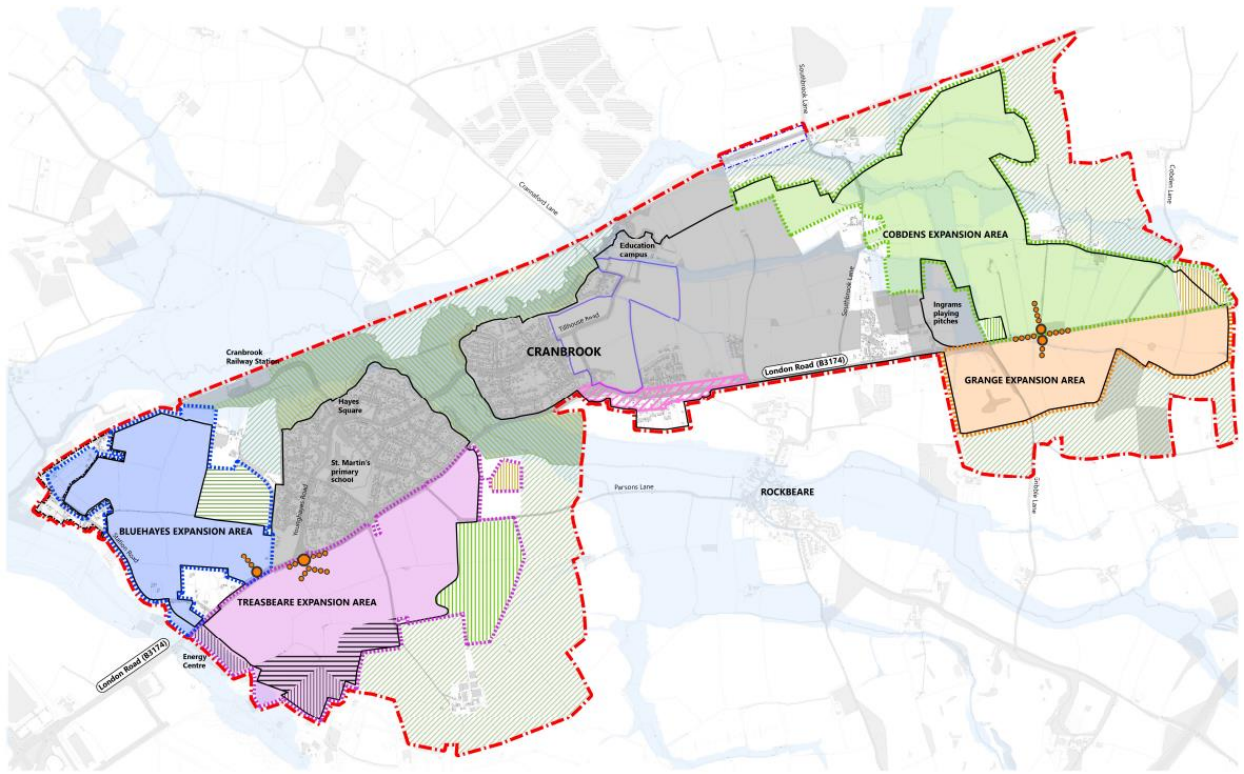
Priorities (check which apply)

- ☒ A supported and engaged community
 - ☒ Carbon neutrality and ecological recovery
 - ☐ Resilient economy that supports local business
 - ☐ Financially secure and improving quality of services
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Report in full

- 1.1 A report setting out East Devon District Council's future approach to Stewardship of Public Amenities was supported by Cabinet on July 30th 2025 (see link above). The report highlighted that the population of East Devon was increasing at more than twice the national average, driven in part by new housing developments. Prompted by financial pressures, the council took a decision around 15 years ago to stop adopting public amenities in such developments. In the intervening period a private management model has emerged, part of a wider national trend. The Competition and Markets Authority (CMA) has recently concluded that the proliferation of such models was leading to significant customer detriment.
- 1.2 The report set out the need for a new approach to the stewardship of community assets in East Devon's new housing-led developments, including strategic scale new communities, that focuses on creating social value for the lasting benefit of residents. This included:
 - A Stewardship Strategy targeted at new developments;
 - A Charter Mark for community friendly developments;
 - Annual quality of life survey in new developments
 - Establish a Place, Infrastructure and Strategic Planning Portfolio Holder Group to consider the Council's approach and report to Cabinet
- 1.3 The approach to future ownership and management of Public Open Space in Cranbrook accords with the principle of this Stewardship approach, with the priority for ownership and management of community assets such as on-site open space and allotments set out in the s106 agreements for each expansion phase. The order of priority for adoption and management of large areas of public green space used at Cranbrook (and delivered through the planning process) is as follows:
 - (i) *Whimble Parish Council or Cranbrook Town Council (depending upon which Authority's jurisdiction the site falls within at the time of transfer ...)*
 - (ii) *Another public body;*
 - (iii) *A public holding organisation or community interest company;*
 - (iv) *A Management Company*
- 1.4 The approach to the management of other proposed community assets in Cranbrook Town Centre, such as the Tillhouse – Cranbrook Town Hall, is set out in the Cranbrook Town Centre Masterplan.

- 1.5 Each expansion phase includes provision of a significant area of Suitable Alternative Natural Greenspace (SANG). SANG are one of the measures identified through the Habitat Regulations Assessment process to mitigate the impact of residential development on the Exe Estuary and the East Devon Pebblebed Heaths Special Protection Areas (SPA's), and are required to meet Natural England guidance which requires a SANG to be large, natural spaces with a 2.3-2.5km circular walk (accessible all year) and car parking. The Habitats Regulations require that mitigation be secured for the lifetime of the development. Natural England's position is that this is 80-120 years.
- 1.6 Local planning authorities are required to meet legislative requirements when permitting housing development through the Local Plan. In relation to the delivery and management of SANG at Cranbrook, East Devon District Council are considered to be the competent authority – with legal responsibility to ensure that SANG are delivered and maintained in-perpetuity to mitigate housing development.
- 1.7 Failure to deliver SANG will mean the Council is in breach of both the Habitat Regulations Assessment to the Local Plan, and the s106 agreements which require delivery of Habitat Regulations mitigation, and would risk legal action from the developers who have paid for mitigation or 3rd parties who may be concerned about failure to deliver the mitigation strategy.
- 1.8 Cranbrook Country Park comprises a network of natural green spaces which follow the Cranny Brook through Cranbrook extending to Great Meadow to the south, Cranbrook Station to the west and the Education Campus and Town Centre to the east (shown in dark green on the Cranbrook Plan Policies Map below). SANG within future phases of Cranbrook will connect with the Country Park to provide a continuous and connected series of natural green spaces.
- 1.9 Cranbrook Town Council currently own and manage the 28Ha Cranbrook Country Park which provides approximately 15.7Ha of mitigation equivalent to SANG. The Town Council also own and manage the Younghayes Centre and a number of other public open spaces, playing fields and allotments.
- 1.10 The Country Park was initially managed by a Private Management Company, but management was taken over by the Town Council to provide more accountable and better quality management. The Town Council have appointed a full-time Ranger to coordinate management, organise community events and provide a contact with the community, have invested in the Country Park (including new tree planting delivered with volunteers and local schoolchildren, an outdoor gym and pump-bike track), and are working with adjacent landowners such as the National Trust to provide wider community benefits.



Cranbrook Plan – Policies Map

- 1.11 A further 78Ha of SANG will be delivered within the expansion areas of Cranbrook (hatched green areas on the Policies Map). The future ownership and management of these SANG is set out in the s106 agreements for each phase which state:

Before the issue of the Final Certificate the Responsible Organisation shall be agreed jointly by the Owner and the District Council (both acting reasonably and having regard to both the cost of in perpetuity maintenance and the management regime of other SANGS in the Cranbrook Plan Area with the aim of achieving a consistent approach to overall management where possible)

*Where: **Responsible Organisation** means the District Council or other such organisation as agreed ... who would be responsible for commissioning the operational management of the SANGS*

- 1.12 The developer is required to provide a financial contribution to the Responsible Organisation which is sufficient to fund the in-perpetuity management of the SANG (80 years minimum) as below:

SANGS Maintenance Contribution means the sum to be agreed between the parties once the design for the SANGS and the SANGS Specification have been finalised and costed. The contribution being appropriate to ensure that the SANGS can be suitably maintained for a minimum period of 80 years and which in the event of phased SANGS delivery and transfer is indexed to the date of payment.

- 1.13 A Reserved Matters planning application is expected shortly for the Cobdens expansion area which will deliver 27Ha of SANG, with the first phase (c10Ha) likely to be delivered in 2026 and opened to the public in 2027. The Responsible Organisation will therefore need to be agreed in the near future to ensure it is in place to take responsibility for the SANG when site works have been completed.

- 1.14 In order to ensure that the management of the SANG accords with the principles set out in the Stewardship Report, and a consistent approach is achieved in relation to the management of public open spaces and community spaces in Cranbrook, it is proposed that the preferred order of priority for the appointment of the Responsible Organisation for adoption and future management of Suitable Alternative Natural Greenspace (SANG) in the expansion phases of Cranbrook (in line with other public green spaces and community assets) is as follows:
- i. Cranbrook Town Council in the first instance (subject to Governance Review in relation to the area currently within Whimble Parish),
 - ii. the District Council (or future Unitary authority),
 - iii. an appropriate public body, charitable trust or CIC that is suitable for the management of SANG (e.g. Land Trust/English Estates).
- 1.15 As the management of SANG is a key requirement of the Habitat Regulations Mitigation Strategy it is considered that a Private Management Company (or similar private company) would be inappropriate to manage SANG as should the organisation fail responsibility for the SANG would revert to the District Council as the competent authority.
- 1.16 The wording of the s106 agreements requires the District Council to 'jointly agree' the Responsible Organisation with the Owner. There is no mechanism to impose a Responsible Organisation on the Owner of each phase, albeit that both parties are required to act reasonably and with consideration of cost and a consistent management approach.
- 1.17 It is therefore essential that an open and fair selection process is used to select the Responsible Organisation, based around a robust Specification and SANG Management Plan. It is therefore proposed that the following selection criteria are set out as the Council's expected and consistent approach when (in conjunction with developers) determining who should be the Responsible Organisation. These criteria should be shared with developers ahead of any tender and agreement exercise which are designed to ensure the appropriateness and quality of the 'Responsible Organisation' for the management of SANG. The agreed criteria should also where possible be included in future s106 agreements.
- i. An appropriate constituted organisation in public ownership with capacity and suitability to manage SANG in-perpetuity
 - ii. A suitable financial plan to ensure in-perpetuity funding, which takes a cautious/low risk approach to investment
 - iii. A clear approach to public accountability to ensure that future management of the SANG can respond to community issues/concerns
 - iv. That management costs for SANG in each phase of Cranbrook are based on an approved detailed landscape plans, specification, SANG management plan, and a cost schedule which sets out the areas/features being delivered within the SANG and the estimated timescale for their capital replacement (and costs thereof)
 - v. Consideration of how added value will be achieved (e.g. wider public health and wellbeing, education, sustainability and biodiversity benefits)
 - vi. How the organisation will contribute to achieving a consistent management of SANG within Cranbrook
- 1.18 To inform the selection of the Responsible Organisation and provide clarity and a consistent approach to the Developers delivering each of the Cranbrook expansion areas it is proposed that Officers will work with the Developers and Town Council to create an outline specification and management plan which sets out the approach and requirements for SANG Management in Cranbrook

- 1.19 Officers will work with the Developers of each phase to ensure that process for selecting the Responsible Organisation accords with the s106 agreements and the priority order and selection criteria set out above.
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Financial implications:

The s106 agreements for each phase of the Cranbrook expansion areas require the developer to provide land, deliver site works and a financial '*Maintenance Contribution*' to fund in-perpetuity management of the SANG by the '*Responsible Organisation*'. In the event that the maintenance contribution is insufficient or the Responsible Organisation fails the management of the SANG would revert to East Devon District Council as the competent authority, with potential impacts on revenue and capital budgets. It is therefore essential that an appropriate and cautious investment approach is taken to ensure in-perpetuity funding is available for SANG management, minimising the risk to EDDC. This principle is contained within the recommendation of the report.

Legal implications:

There are no substantive legal issues to be added to this report, each recommendation and action will need to be considered further once they are brought forward