

**To:**

**East Area Parliament 19<sup>th</sup> November 2008**

**City Executive Board 26<sup>th</sup> November 2008**

**Item No:**

**Report of: Head of City Works**

**Title of Report: Aston's Eyot – Proposed Management Agreement**

### **Summary and Recommendations**

**Purpose of report:** To advise the East Area Parliament and the City Executive Board of proposals to enter into a management agreement to sustain community involvement and improve access and maintenance of Aston's Eyot with Christ Church College.

**Key decision? No**

**Executive lead member: Councillor Bob Timbs**

**Report Approved by:**

**Finance: Andy Collett**

**Legal: Jeremy Thomas**

**Policy Framework: Improving the local environment**

**Recommendation(s):**

East Area Parliament is recommended to ask the City Executive Board to approve the development of a management plan for Aston's Eyot with Christ Church and the local community, this to include approval of a financial contribution from its revenue budget to the costs identified in Appendix A.

Subject to the comments of East Area Parliament, the City Executive Board is recommended to:

- (a) Not take a lease of any kind due to the risks and liabilities associated with the land.
- (b) Delegate authority to the Head of City Works to negotiate and develop a management agreement/plan that secures both improved community access and maintenance to Aston's Eyot, minimising liability and risks associated with safety and finance as far as reasonably practicable.
- (c) ask for a report on the outcome of negotiations and development of the Management Agreement/Plan in six months time

## **1. BACKGROUND**

**1.1** Aston's Eyot is a piece of land owned by Christ Church College Oxford and was formally leased by the city council for a period of 10 years (1974 – 1984). Christ Church have had responsibility for maintenance of the land for the last 24 years but this is cause for concern as the land is now in a poor state and is not pleasing to the eye.

**1.2** East Area Parliament wants to make the land more acceptable for public use and improve the maintenance of the land. They commissioned a report to evaluate the potential of leasing the land and associated maintenance costs to achieve the aspirations for the local community.

**1.3** In July 2008 the City Executive Board considered a report on Aston's Eyot and resolved:

(a) not to agree the East Area Parliament recommendation that a lease be agreed for Aston's Eyot with Christ Church.

(b) that officers negotiate with Christ Church College in a positive manner to try and reach a lease agreement which addresses the need for community involvement, potential construction of a cycle route linking East Oxford with the City Centre, funding arrangements for longer term maintenance and agreement with the East Area Parliament on Council funding arrangements.

(c) a report on progress be submitted in six months' time.

## **2. THE PRESENT POSITION**

**2.1** At present, the City council has no obligations or management involvement with this land. It is therefore under no direct financial, contractual maintenance or health and safety obligations.

**2.2** The Head of City Works has provisionally estimated the costs of carrying out site preparation and maintenance works to Aston's Eyot. A breakdown of the costs is attached as Appendix A. All costs are estimates for budgeting purposes and contingency sums have been included to ensure flexibility and budgetary rounding.

**2.3** Initial costs are estimated to be in the region of £20,430, which includes a condition survey of the land and a draft work programme to bring the site up to a reasonably acceptable standard.

**2.4** Ongoing costs are estimated to be in the region of £3,980 per annum for the first 3 years, reducing by approximately £500 per annum if successful eradication of Japanese Knotweed is achieved.

**2.5** The Head of City works considers that there are too many unquantifiable risks for the City Council to lease the land from Christ Church, given the fact that there are a large number of trees rooted in metres of domestic and commercial refuse from the former waste site.

**2.6** A site survey is required to establish a base line position so that a proper risk assessment can be carried out. This could cost approximately £5,000 and is included in the initial costs should Christ Church not be able to provide up to date, comprehensive information required.

**2.7** It may be that some of the costs identified above can be met by working in conjunction with the local community and Christ Church, to attract external funding from the landfill tax credit scheme. If external funding is not secured, East Area Parliament could meet these costs, supported by a budget bid, although Christ Church will be approached to provide information on their current costs and to make a contribution.

**2.8** The Head of City Works is able to allocate some limited staff time from the Countryside Team to develop and sustain community involvement for the site. However, improving access and the ongoing maintenance of Aston's Eyott, to include the eradication of Japanese knot weed, and the removal of fly tipping and litter would require a dedicated budget.

**2.9** In the longer term an agreed site management plan should be developed in partnership with the City Council, the local community and Christ Church, which would assist in generating external funding. A successful budget bid will be required from 2009/10 onwards to meet the Council's contribution to any agreed management plan.

**2.10** As landowner, Christ Church will need to approve any approach the Council and the local community take to the improved management and development of Aston's Eyot for community use. Agreement on responsibility for sharing the costs identified above will be a crucial part of this negotiation. The County Council should also be involved in the discussions with Christ Church in order to explore pedestrian and cycle routes, which may be able to be improved through public access to this land.

**2.11** In order to facilitate progress with the negotiations required, it is recommended that a report to both East Area Parliament and City Executive Board on the Management Agreement be required in six months time.

### **3. RECOMMENDATIONS**

**3.1** East Area Parliament is recommended to ask the City Executive Board to approve the development of a management plan for Aston's Eyot with Christ Church and the local community, this to include approval of a financial contribution from its revenue budget to the costs identified in Appendix A

**3.2** Subject to the comments of East Area Parliament, the City Executive Board is recommended to:

- (a)** Not take a lease of any kind due to the risks and liabilities associated with the land.
- (b)** Delegate authority to the Head of City Works to negotiate and develop a management agreement/plan that secures both improved community access and maintenance to Aston's Eyot, minimising liability and risks associated with safety and finance as far as reasonably practicable.
- (c)** ask for a report on the outcome of negotiations and development of the Management Agreement/Plan in six months time.

**Name and contact details of author:**

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**Background papers:**

**Report on Aston's Eyot to City Executive Board 23 July 2008**

**Version number: 5.**

## Appendix A

### Aston's Eyot estimated budget requirements.

#### Initial Costs

Condition survey of land	£5,000
Pollard c 25 willows along the bank of the Cherwell new cut @ £200	£5,000
Reduction or clear felling of 11 large poplars overhanging adjacent property @ £450 each	£4,950
Eradication of Japanese knotweed 3 x foliar sprayings @ £160 (Year 1 of 3 year programme)	£480
General tidy up of site and installation of signage and lifebuoy stations as necessary, expressed as a contingency sum	£5,000
<b>Total initial costs</b>	<b>£20,430</b>

#### Ongoing Costs

Path mowing 7 x per year with tractor and flail (during growing season)	£500
Weekly site visits removal of litter	£2,000
Path clearing 2 x per year	£200
Path surface maintenance	£300
Eradication of Japanese knotweed 3 x foliar sprayings @ £160 (additional programme)	£480
Contingency sum for additional cleansing & flytipping, maintenance of lifebuoy stations etc...	£500
<b>Total annual costs</b>	<b>£3,980</b>

*All costs are estimated and rounded for ease of reference. Further analysis and detailed specifications will follow as negotiations proceed and site survey completed.*

