



South Hams
District Council

Follaton House, Plymouth Road, Totnes, Devon TQ9 5NE
Telephone: (01803) 861234 Website: www.southhams.gov.uk
Fax: (01803) 866151 DX 300050 TOTNES 2

Please reply to: Ross Kennerley
Service: Landscape & Leisure
Direct telephone: 01803 861234 Direct fax: 01803 861478
E-Mail: ross.kennerley@southhams.gov.uk

Attn Community Spaces

Your Ref:
Our Ref: RK/CP/P/PPS/56
Date: 5th July 2010

Dear Sir/ Madam

Re: Leechwell Gardens: Totnes

I am writing to you with an update on the Leechwell Garden project.

By way of background I would reiterate the importance of this site to Totnes (being the biggest park to be brought forward in the town for over 100 years) and the long standing and productive partnership between the District Council and the local community. This garden project has been many years in the making, and we look forward to the completion of it this autumn.

Whilst the District Council and the developers have been able to bring the site forward and provide much of the key infrastructure, the community engagement in the site, as represented through the works to be delivered through the Community Spaces Bid, will produce both a level of quality and community engagement that the site warrants.

I am aware that there has been discussion with Leechwell Garden Association over the progress of the Bid, and from the District Council's perspective, I would be keen to reiterate both the District Council's support to the bid and to reassure you over the capacity to successfully deliver the scheme.

I am aware of two issues where clarification might be helpful.

1. Role of Totnes Development Trust.

The Leechwell Garden Association is an unincorporated association and we have been discussing with them the benefits of a more robust structure to enter into partnership with the District Council in the long term. The Totnes Development Trust (a long standing charitable organisation) is now prepared to enter a the formal management licence with the District Council. This is based on the proposed arrangement with the Leechwell Garden Association and would be in a full and formal partnership with the Leechwell Garden Association, but would, in the view of the District Council, add a level of certainty and robustness over the long term relationship between the community and the Council over the management of the site.



2004-2005
Promoting Sustainable Tourism
2005-2006
Affordable Housing

Chief Executive - David Incoll



INVESTOR IN PEOPLE

100% Recycled Paper

I would hope the Big Lottery would see this as a positive step forward in the evolution of the project and give greater certainty to the delivery and long term management of the site.

2. Access

I understand you have been contacted by a neighbour of the site querying the rights of access to Leechwell Garden. I would clarify that Leechwell Garden was always envisaged, designed and approved with four access points. Two of these come directly from South Hams District Council land and two come through the new housing at Heathway West (from where I believe the issue has been raised with you by one of the residents). These second two access points are also currently in SHDC ownership, until the last house is sold, and will be transferred to the Heathway West Management Company with covenants detailing the required public access

The ten properties at Heathway West immediately adjoin the garden. It is the development of these houses on the adjacent land which has brought forward the planning funds through the Section 106 Agreement that has allowed the Leechwell Garden to be made over as a public garden and provided the prime funding for the key infrastructure. The District Council is aware that some of the new incoming occupiers have raised concerns over the two points of access that come through the communal land around their properties. Whilst we have a letter of concern raised by one of the incoming owners (out of the ten) claiming to be on behalf of all owners, it is not signed by any of the other householders.

Whilst the letter to the Council indicates that the householder is considering their legal position over the access, the District Council has not received any formal legal challenge to the two access routes that come in through the Heathway West properties. At the AGM the Council confirmed the intention to open up all four access points.

Clearly the District Council takes seriously this claim by one of the householders and has reviewed the matter thoroughly. In light of this, the District Council has issued a statement available to all and I enclose a copy. In it the District Council makes clear that it believes there is no reasons why the four points of access should not be established. The District Council has also spoken to other new residents at Heathway West who are keen to work closely in partnership over access and management of the Garden

I hope this gives some reassurance.

I would also clarify that even if the two points of access through Heathway West were not achieved (and clearly that is not the Council's preferred position or view of the situation) there would still be two fully compliant DDA access points from existing South Hams District Council land. These would facilitate full and ready access to the garden and would deliver a high level of accessibility, and full public enjoyment and benefit of the Garden.

I trust this letter is of some assistance and I'd be very pleased to discuss further or meet with Big Lottery representatives to clarify the District Council's support to the Changing Spaces Bid.

If one goes back nearly 7 years now, it was the community who brought forward the case for the garden being created and who have worked over the intervening period tirelessly with the District Council, Developers and the local community to bring forward the plan. Many of those originally involved are still on the Leechwell Garden Association and successful agreement of the bid would be the culmination of many years of hard work.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ross Kennerley', with a long, sweeping horizontal stroke at the end.

Ross Kennerley
Landscape & Recreation Manager

Enc