

**Subject** Closure of Portway Play Area, Holford  
**From** Murrell, Sam <S.Murrell@somersetwestandtaunton.gov.uk>  
**To** 'clerk@holford-pc.gov.uk' <clerk@holford-pc.gov.uk>  
**Cc** 'sam@falconhousing.co.uk' <sam@falconhousing.co.uk>, 'kerri@falconhousing.co.uk' <kerri@falconhousing.co.uk>  
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- S106 Agreement for 3 16 99 014.pdf (~1.6 MB)

Dear Hema

At the Area Panel Meeting on Tuesday 17<sup>th</sup> September 2019, David Talling asked for advice about the play area situated at Portway Lane, Holford, which had been closed by Falcon Rural Housing Association following a spate of vandalism. An extract from his email is below:-

There is a play area in Holford that was provided by the builders of a number of houses. We understand that part of the agreement for the development of the houses to go forward the company was required to **provide and maintain** a play area. The properties are now under the ownership of another company. The current company has closed and padlocked off the play area because of damage caused to the equipment there and have informed us they do not foresee opening the area again because of possible further damage. The planning consent was given in March 2001. **Do the new owners have a responsibility to keep the area open and correctly maintained?**

Unfortunately there are no documents to see regarding this development on the Planning website. Planning Ref. 3/16/99/014

Rebecca Miller, the Principal Planning Specialist advised that there was little action SWT could take to enforce the Housing Association to re-open the area, as the requirements of the S106 were being met. It was agreed at the meeting, that Falcon Rural would be contacted by a representative of SWT to see if a solution could be found.

I contacted Falcon Rural and spoke to Kerri Debens who is the Housing Officer responsible for the Portway development. She said that Falcon Rural were keen to work with partners in an effort to resolve the situation and would welcome dialogue with Holford Parish Council. They have been subjected to stringent rental controls and decreases in government grant, which has meant that the austerity agenda has hit their budgets hard. As such their spending priorities have to be towards providing homes for local people.

Falcon are genuinely looking for help with applying and bidding for grants and funds. I have made tentative enquiries myself with the Somerset Community Foundation to see if there was a chance of Hinkley Mitigation money, but this fell short as I would have to demonstrate how the play area itself would alleviate the effect of the Hinkley building works. I was also informed that a sizeable amount of grant funding had already been allocated to cover capital projects in the village. In short I was drawing a blank!

A site visit took place on the 24<sup>th</sup> October 2019 at Portway, with Samantha Southam (Managing Director of FRH), Kerri Debens (Housing Officer) and myself. It was agreed that both the MUGA and the play area look very tired and unkempt. Falcon however said that since the play area was closed in April, they have not had one enquiry from residents or other agencies regarding the closure and or when the park was due to be re-opened. In light of this information, the question

was asked whether there is an actual need for this amenity in the village? Have Holford Parish Council received any enquiries or ideas about a way forward? Are there other ways this area could be brought back into use for community benefit?

I would suggest that a good starting point would be for representatives from Falcon Rural to meet with the Holford Parish Council, and come to a mutually beneficial solution. If as a result, there was a requirement to change the S106 Agreement, this would have to be referred back to SWT as the Planning Authority for approval, and legal costs would be incurred.

The email address for Samantha Southam is [sam@falconhousing.co.uk](mailto:sam@falconhousing.co.uk). She would welcome open dialogue on this matter.

On a side note, whilst visiting the site, it was observed that a car “fly-parked” in the resident only parking area. It parked on the hatched parking bay, which is prohibited parking. The owner of the vehicle was asked to leave, which they did, but the tenants of Portway said that this is a regular occurrence. Falcon will be doing a leaflet drop to neighbouring houses, politely asking those residents to refrain from using the Portway parking area as it is for their tenant’s only. It would be helpful if the Parish Council could politely reinforce this message; especially with the subject of fly-parking and relevant enforcement being so topical at the moment in the Quantock Vale area.

The next Area Panel meeting for Watchet, Williton and Quantock Vale will be taking place on the 3<sup>rd</sup> December, and Agendas will be circulated in due course. Please let me know if I can be of further assistance.

Kind regards

Samantha Murrell  
Localities Engagement Lead (Coastal and Exmoor)  
Somerset West and Taunton Council

[s.murrell@somersetwestandtaunton.gov.uk](mailto:s.murrell@somersetwestandtaunton.gov.uk)

Tel: 01984 600167

[www.somersetwestandtaunton.gov.uk](http://www.somersetwestandtaunton.gov.uk)

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