

Open Space Management Charge – Escalation of Complaint against Bedford Borough Council

Dear Resident

As you are aware, Great Denham Parish Council (GDPC) has been challenging Bedford borough Council (BBC) in respect of the Open Space Management Charge (OMS).

The Open Space Management Charge (OMS) is an annual charge of £120 (currently) per household as specified in the transfer documents at point of purchase of properties in the newer areas of Great Denham.

GDPC's challenge to BBC on behalf of residents has sought to get clarity on the fairness of the charge across the chargeable area, whether the large play parks situated within the Country Park are appropriately funded through OMS instead of S106 monies (developer funds), how the funds collected through OMS are utilised, in terms of the value for money received by resident, and finally, the operational quality of the service provided, again in terms of value for money.

Following numerous meetings and correspondence, attendance by the Mayor and Chief Executive of BBC at a Parish Council meeting, and referral by BBC of the issue to its own complaints procedure, BBC maintain their position regarding the payment, the area covered by the payment and the inclusion of the Play Parks.

Parish Councils are not permitted to escalate a complaint to the Local Government and Social Care Ombudsman. Should any residents wish to do so, with individually or as a collective group, the Parish Council has provided the following narrative which might form the basis of any complaint; all relevant documentation (a comprehensive report of the issues raised by GDPC, the Formal Complaint report from BBC) are available on GDPC website.

COMPLAINT NARRATIVE FOR USE BY RESIDENTS

Complaint to Local Government and Social Care Ombudsman regarding Bedford Borough Council

As a resident of Great Denham I pay an annual sum directly to Bedford Borough Council (BBC) for maintenance of identified Open Spaces in Great Denham (Open Space Management Charge (OMS)). The charge was identified in transfer documents when I purchased my property.

Great Denham Parish Council (GDPC) has been raising concerns with BBC on behalf of residents regarding the levy and utilisation of this charge, in order to satisfy residents of its fairness and value for money in terms of the service BBC delivers. I would now like to escalate this issue to the Local Government and Social Care Ombudsman as I am not satisfied with the response from BBC.

In support of this I attach the following documents:

- A discussion document published by GDPC in February 2018 as an input to a meeting between GDPC, the Mayor of Bedford (Dave Hodgson) and the Chief Executive of BBC (Philip Simpkins) which summarised resident issues.

- The report of the internal complaints process conducted by BBC following their self-referral. The findings are dated May 2018.
- The minutes of the Parish Council meeting on 4th June 2018, attended by the Mayor and Chief Executive of BBC. Some 70 members of the public attended this meeting, and at the meeting officers of the Council readily admitted that staff, vehicles and equipment, supposedly ring-fenced for dedicated use within the Open Space Area, had in fact been deployed outside of that, on both grass verges within Great Denham (that remained the responsibility of the developer) and the older areas of Great Denham covered by Council Tax.

I/We write to complain about the following issues:

1. That the original decision in on the Management of the Country Park and Open Space was flawed and lacked the granularity of data to make a fair and just decision regarding the makeup of the land area covered by this charge, specifically the bundling together of 2 separate geographic areas as one single parcel of land. This has led to a completely unfair apportionment of charges between the residents of the entirely separate parishes of Great Denham and Kempston, and a direct detriment to Great Denham residents in terms of land mass/monies collected (see narrative at Section 1 and Section 3 of the GDPC Discussion Document).
2. The subsequent unfair levels of charging in Great Denham in relation to land mass covered by the charge.
3. The inclusion of maintaining the two play parks situated within the Country Park as part of the OMS area and not the Section 106 monies, and the failure of BBC to provide a satisfactorily documented legal basis for doing this. Note that the Country Park is funded via S106 monies. (See Section 4 of the GDPC discussion document).
4. That despite assurances by BBC (at their Full Meeting July 2017 and in correspondence to residents at issue of invoice), there has been a clear failure to ring-fence monies received from local residents in Great Denham under the Open Space scheme. Officers of the Council (including Paul Pace, the Mayor and the Chief Executive) have all publicly acknowledged that staff, vehicles and equipment funded through Open Space receipt have been deployed outside the Open Space area on both grass verges that remain the responsibility of the developer (in 2017) and the older parts of Great Denham (2017/18) without any apparent cross-charging back to the OMS account. (See Section 5 of GDPC Discussion Document).
5. That the overall value for money, transparency and fairness of the charge, and the quality of operational service delivered for these monies, is lacking.

Signed by the following Great Denham Residents: