

Modbury Parish Council Meeting. 7th December 2021. App. 5

PALM CROSS - KEY ISSUES

- The completion of the public open spaces as set out in the LEMP has not been made by Bloor in either phase one or two.
- The trigger dates, in the 106 agreements, for their completion were on occupation of 75% of open market homes.
- That's during 2018 for phase one and during 2020 for phase two.
- Implementation is three years late on Phase one. Phase two is heading in the same direction.
- SHDC were involved in this issue from the outset: First Place Making, then Planning then Legal.
- The LEMP required a Clerk of Works to be appointed to oversee this work. No such appointment was made.
- The open spaces in both phases are not just for residents but the entire Modbury community in perpetuity.
- But the residents pay a Management Company for maintenance and they made an advance deposit payment on occupation.
- The management company has, since 2018, taken from the advance deposits, the annual costs for keeping the company on the Companies House register.
- But, the maintenance company will not assume responsibility for maintenance until Bloor complies with the LEMP and brings the open spaces up to a condition that is maintainable. So the residents are paying to keep alive a company that cannot perform its function.
- The management company have given Bloor a list of what needs doing. Four years with no maintenance in Phase One means considerable work is needed.
- The residents have had enough broken promises and are now contemplating formal procedures against SHDC.