

**SHREWSBURY TOWN COUNCIL
COMMUNITIES & ENVIRONMENT COMMITTEE
3 JUNE 2026**

Officer: Helen Ball (Town Clerk)

MANAGEMENT OF LAND ON DEVELOPMENT SITES

Purpose of the Report

To set out a discussion document for Shrewsbury Town Council to consider in response to the increasing use of private estate management companies on new developments, and to recommend actions to:

- Promote greater adoption of public infrastructure
- Reduce long-term financial burdens on residents
- Strengthen the Town Council's role in planning and Section 106 negotiations
- Support national reform
- Develop a more robust stance in the consideration of major planning applications

Committee Relevance

This paper is relevant to all of the Town Council's Standing Committees in the following way

Policy & Resources – development of policy, budgetary implications of changes to commuted sums calculation, s106

Community & Environment – community concerns about paying twice

Operations – operational implications

Planning – local plan development, SPD creation, development control

Background and Context

Across England, there has been a significant shift away from the adoption of infrastructure (roads, open space, drainage) by local authorities toward privately managed estates, clearly in response to the increasing financial pressures on local authorities.

Government evidence highlights that:

- Amenities such as roads, drainage and green spaces are increasingly left unadopted and managed privately
- This creates “unfair charges, poor transparency and limited homeowner rights”
- Residents often experience high costs, poor service and little accountability

This model is commonly referred to as “fleecehold”, where freehold homeowners remain tied to ongoing estate charges with limited rights or control.

There is growing national recognition of the issue:

- The Leasehold and Freehold Reform Act 2024 introduces new rights to challenge estate charges and improve transparency
- Government consultations (2025–26) are actively exploring mandatory adoption and reform of estate management arrangements

The Local Issue in Shrewsbury

Town Councillors have raised concerns that:

- Developers are routinely opting for private management companies rather than adoption of open space by the Local Authority/Town Council
- Residents face open-ended and escalating service charges
- There is a strong perception of “paying twice” (council tax + estate charges)
- The Town Council currently has limited formal influence over these arrangements

These concerns are consistent with national evidence, including cases where residents describe charges as equivalent to a “second council tax” (e.g. Waterside Gardens, Leicestershire).

Whilst Telford & Wrekin Council has a policy of non-adoption, Shropshire Council remains silent, but through the local plan process Planners have encouraged developers to discuss open space adoption with the Town Council. Since 2009 the Town Council has adopted a number of sites and is a co-signatory to a number of s106 agreements

Key Policy Issues

Declining Adoption of Infrastructure

Research indicates that Developers have financial incentives to avoid adoption. Many of the large development sites in the town have ceased constructions yet the developer is reluctant to finalise adoption. A number have failed to meet their planning conditions on open space management and sites have not been inspected and defaults rectified. Shropshire Star is currently running an article on the failure of adoption of Weir Hill Phase 1&2 whilst outline permission has been submitted for Phase 3.

Weak frameworks and inconsistent standards contribute to the trend. Often the s106 lacks clarity in responsibility for the process.

Lack of Transparency and Accountability

Private management arrangements Operate through contractual mechanisms with limited statutory oversight and provide minimal ability for residents to challenge charges.

Inequity and Public Value

Residents are often required to fund Infrastructure that is publicly accessible; these are assets that would historically have been maintained by local authorities. This creates a fundamental issue of fairness and equity.

Examples of Practice from Other Areas

There are a number of examples across the country where Local Authorities have formalised arrangements for adoption

Wiltshire Council (Chippenham) – Open Space Adoption Policy

Wiltshire has developed a formal Public Open Space Adoption Policy, which:

- Recognises “significant consumer detriment” from private estate management
- Seeks to define which assets should be adopted
- Aligns with national recommendations to reduce “fleecehold” arrangements

Relevance:

Demonstrates how local policy can explicitly prioritise adoption and protect residents.

Scotland – Standardised Roads Adoption

Evidence shows that in Scotland:

- Roads adoption is more consistent due to standardised procedures and agreements
- Local authorities publish clear requirements and forms for adoption

Relevance:

Highlights the value of clarity, consistency and early-stage agreements. Much angst is felt amongst residents in new developments in Shrewsbury in that roads have not been finished or formally adopted by the Highways Authority. Usually both parties blame each other.

Historic Council-Led Estates (e.g. Dover House Estate)

Early 20th-century estates:

- Were fully adopted and publicly maintained
- Delivered high-quality environments without ongoing private charges

Relevance:

Provides a benchmark for publicly accountable place management.

Community Campaigns (e.g. HorNet)

National homeowner campaigns now represent:

- Over 230,000 households across 900+ estates calling for mandatory adoption

Relevance:

Demonstrates the scale and political salience of the issue.

Proposed Policy Approach for Shrewsbury Town Council

This sections looks at possible practical and policy approaches that the Town Council might wish to take:

Strengthen Land Adoption as the Default Position

The most powerful lever is to shift the baseline expectation away from private management.

Develop a Town Council “Adoption Protocol”

Create a formal position (endorsed by Shropshire Council planners) that presumes adoption of public infrastructure including Open space, Play areas & Sustainable drainage (where feasible). This requires developers to demonstrate why adoption is not possible, not the other way round. This would align with national policy direction—government is already consulting on mandatory adoption and reducing private estate arrangements.

Define “Adoptable Standard” Early

A key barrier is that developers design to *non-adoptable specifications* to save cost. The Town Council can publish a local design guide for adoptable landscapes that requires Durable materials (not cheap paths/planting that inflate long-term costs), Simplified planting regimes (lower maintenance burden) as opposed to complex landscaping designs intended to market sale of properties and Clear commuted sum assumptions.

Promote “Adoptable by Design” Pre-Application Engagement

The Town Council could push for mandatory pre-app meetings including Town Council to enable early agreement on what will be adopted and who maintains what (and why).

Embed Town Council Input into Section 106 Agreements

This is potentially where the Town Council influence becomes formal rather than advisory.

Require Town Council Sign-Off Before Heads of Terms

Work with the Local Planning Authority to introduce a protocol that S106 drafting must include evidence of consultation with the Town Council on open space typology, long-term management model, a statement of adoption intent and justification for any private management arrangements and the long term cost transparency.

Standard S106 Clauses to Push For

Encourage planners to adopt model clauses such as Adoption Trigger Clauses (“Land to be offered for adoption upon completion to agreed specification”) and Management Company Controls (if unavoidable) (ensuring Transparent charging mechanisms, Resident representation requirements and Cap or review mechanism).

Require Whole-Life Cost Transparency

Developers should submit 30-year maintenance cost projections with annual cost per household estimates and clear information to prospective buyers. This is critical because costs are often unknown at purchase and escalate significantly.

Influence Planning Policy (Local Plan + Supplementary Guidance)

To move beyond case-by-case battles Shrewsbury Town Council should seek discussions with Shropshire Council on developing Development Management Policies around Landscape Management:

Supplementary Planning Document (SPD)

Push for (or co-develop) an SPD on “Adoption and Stewardship of Public Realm in New Development” to Include the presumption in favour of public adoption, tests for private management (only where unavoidable), equity principle: residents should not fund assets used by the wider public. This directly addresses the issue identified nationally around residents funding infrastructure “that serves the wider public”.

Use Planning Conditions More Assertively

Conditions should require submission of a Landscape & Estate Management Plan that specify who owns what, who pays and the standards of maintenance

Build a Strong Evidence Base (Critical for Influence)

Whilst there is so much that can be done locally, it will require a change in national policy. This would require a strong evidence base to help persuade planners and government by quantifying the issue locally.

Audit Existing Estates in Shrewsbury

Capture details of annual management charges, escalation rates, resident satisfaction/complaints and cases of non-performance.

Compare Against Adopted Areas

This would demonstrate inequity in service provision vs council tax. This supports the widely recognised issue of double payment and lack of value for money.

Advocate Nationally (This is a Policy Window Moment)

The Town Council is well placed to influence reform.

Respond to Government Consultations

Key asks (aligned with current policy direction):

- Seek discussions with MHCLG either individually or through the auspices of sector bodies including the National Association of Local Councils and the Local Government Association
- Mandatory adoption of core infrastructure
- Statutory regulation of estate management companies
- Stronger Consumer Right for residents to:
 - Challenge charges
 - Take over management (similar to leasehold rights)

These directly respond to identified systemic problems:

- Lack of redress
- No control over charges
- Opaque pricing

Practical Local Interventions (Quick Wins)

While structural change takes time, there are potentially things that the Town Council could do now:

Developer a Town Council Engagement Charter

The Town Council could create a voluntary (but politically visible) charter in which Developers commit to minimising private management, transparency on costs and early engagement with the Town Council

Resident Information Requirements

Require developers to provide buyers with clear explanation of Estate charges, Management arrangements, and Long-term liabilities. This tackles the widespread issue of Buyers not understanding open-ended financial commitments.

Strategic Framing for Councillors

The Council's position should be framed around:

- Fairness: Residents should not pay twice for public services
- Transparency: Costs must be clear and accountable
- Public Value: Infrastructure serving the public should be publicly maintained
- Sustainability: Good design reduces long-term costs

Conclusion

The increasing reliance on private estate management represents a systemic shift in the delivery of housing infrastructure, with significant implications for residents, local authorities, and communities.

Shrewsbury Town Council has the opportunity to take a proactive leadership role, ensuring that future developments:

- Are fairer for residents
- More transparent in cost
- Better integrated into publicly accountable systems

The Town Council should move from reacting to individual planning applications to systematically reshaping the rules of the game:

- Make adoption the default
- Embed the Town Council's role in S106 agreements
- Influence planning policy
- Build an evidence-led case for national reform

Recommendations

That Shrewsbury Town Council:

- (i) Adopts this policy position on estate management and land adoption;**
- (ii) Engages with Shropshire Council to develop a joint adoption protocol;**
- (iii) Advocates for changes to S106 processes to formalise Town Council involvement;**
- (iv) Supports development of an SPD on adoption and estate management;**
- (v) Undertakes a local evidence-gathering exercise;**
- (vi) Makes formal representations to government on national reform**