The Heart of the Matter:

Emerging Lessons in Long-term Stewardship

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The Heart of the Matter: Emerging Lessons in Long-Term Stewardship © TCPA.
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1. Introduction – The Heart of the Matter

We all want to create places which enable people to live healthy and fulfilling lives. Achieving this means providing the spaces, places and infrastructure that people need to live well and which enable the natural world to thrive. It also means empowering people to have a say on how their homes and neighbourhoods are created and managed, providing opportunities for active citizenship. This powerful combination is captured in the concept of long-term stewardship, which is at the heart of creating great places. Long-term stewardship goes beyond the management of places and spaces to providing a practical opportunity to create communities that people will be proud to live in and that will stand the test of time.

Interest in the concept of long-term stewardship continues to gain momentum among politicians and practitioners but realising the full opportunity of this ambition requires an early alignment of policy, finance, political will, and the meaningful participation of local people in the process.

Successful long-term stewardship also requires recognition that physical community assets such as parks and community centres are essential elements of attractive, liveable places. They are as fundamental to a successful development as roads, homes and electricity are, but their management and long-term funding are often treated as afterthoughts. Beautifully designed places with the highest quality and environmental standards will inevitably fail if provisions are not made for the management of green infrastructure and community assets in perpetuity. Resourcing the long-term funding and stewardship of such community provision is challenging, especially during a period of austerity. To therefore prevent the management of assets becoming a burden on a council or a community it must be costed and budgeted for from the offset.

Long-term stewardship is a fundamental aspect of the Garden City model, which outlines how the right financial and governance structures can provide a framework to pay for the creation and maintenance of community assets in perpetuity. Building well planned new and renewed communities based on the Garden City Principles[1] is a way of creating high-quality places that will still be successful and desirable centuries later. This goes far beyond the need to pay for the management of parks and greenspaces; the Garden City Principles provide a powerful opportunity to introduce governance structures that put people at the heart of new communities and give them ownership of community assets. The 'land value capture for the benefit of the community' and the 'community ownership of land and long-term stewardship of assets' principles set the Garden City model apart from other forms of development.

The long-term stewardship challenge exists for development at all scales, but there are specific challenges and opportunities for large-scale new community projects such as new towns or villages, urban extensions or large-scale regeneration sites. A true Garden City approach would implement the holistic stewardship of a whole place or project for community benefit, and this report seeks to inform this approach, while recognising that at present there is a continuum of approaches being used for current projects from which useful lessons can be learnt.

Many councils and enlightened developers are keen to apply the Garden City Principles to new development and have committed to applying stewardship models to their projects. The TCPA has produced guidance on the range of models and opportunities available to make this a reality, but it remains one of the most challenging aspects of the Garden City model.

The challenge for many places is not just that this issue is complex, but that it has to be considered from the earliest stages to achieve the full benefits. In an ideal world, commitments to stewardship would be discussed at the plan making stage, enshrined in Local Plan policy, and discussed prior to land deals taking place; because land value uplift resulting from the development process is not infinite and cannot pay for everything. The majority of places, however, are not starting from this ideal place, making their task much harder. Many councils are trying to retrofit stewardship arrangements into already permitted schemes. While this makes achieving the full opportunities of long-term stewardship a challenge it can still have huge benefits.

Many places remain committed to the long-term stewardship objective and are learning how to make this a reality today. Holistic or 'whole place' stewardship can be a 'win-win' scenario for everyone involved in the creation and management of places, but most importantly for the

[1] The Garden City Principles are a distillation of the key elements that have made the Garden City model of development so successful, articulated for a 21st century context. Taken together, the principles form an indivisible and interlocking framework for the delivery of high-quality places. Find out more at: https://www.tcpa.org.uk/garden-city-principles

people that live there. It is a crucial part of the task of creating places that are not only successful and resilient to future challenges, but places people will be proud to call home.

This report and the research that underpins it has sought to capture and share the emerging lessons from these places, to inform updates to existing TCPA guidance and provide additional assistance to those places seeking to make long-term stewardship a reality.

Box 1. The Garden City Principles

The Garden City Principles are a distillation of the key elements that have made the Garden City model of development so successful, articulated for a 21st century context. Taken together, the principles form an indivisible and interlocking framework for the delivery of high-quality places.

A Garden City is a holistically planned new settlement which enhances the natural environment and offers high-quality affordable housing and locally accessible work in beautiful, healthy and sociable communities. The Garden City Principles are an indivisible and interlocking framework for their delivery, and include:

- Land value capture for the benefit of the community.
- Strong vision, leadership and community engagement.
- Community ownership of land and long-term stewardship of assets.
- Mixed-tenure homes and housing types that are genuinely affordable.
- A wide range of local jobs in the Garden City within easy commuting distance of homes.
- Beautifully and imaginatively designed homes with gardens, combining the best of town and country to create healthy communities, and including opportunities to grow food.
- Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses zero-carbon and energy-positive technology to ensure climate resilience.
- Strong cultural, recreational and shopping facilities in walkable, vibrant, sociable neighbourhoods.
- Integrated and accessible transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport.

Box 2. What do we mean by long-term Stewardship?

Long-term stewardship of an asset simply means ensuring that it is properly looked after in perpetuity. 'Assets' in this context refers to the infrastructure in new developments which is created to support community development but not always supported by state funds such as educational or health budgets – everything from parks and community centres to community energy and community-led housing. Under the Garden City principles **(set out in Box 1.)**, stewardship is undertaken for the benefit of the community that lives in and/or uses the development for work or recreation. There are many ways to achieve this, depending on the place, the team delivering the development, and, most importantly, the people who live in the new community. The Garden City approach has been developed with learning from the post-war New Towns, whose assets were mismanaged when their Development Corporations were prematurely wound up. Their assets, which had not yet reached their full maturity or therefore value, were either sold off to the private sector, or transferred to local authorities. In this transfer, many 'assets' (such as social housing, public art or parks) soon became liabilities as there was no stewardship model to recycle the income or increasing land value uplift from them. This meant many authorities were unable to look after the important community assets the Corporations built. This illustrates why setting a stewardship model is essential to ensure the long-term prosperity of new communities.

There are a range of tried-and-tested ways of successfully funding and managing community assets for the long term – alongside developer contributions this includes generating income by trading goods or services or from property portfolios or securing income from charitable grants or through the financial incentives attached to the package of community rights introduced through the Localism Act. Some developers will want to hand the community assets of a newly built place over to a trust or charity; others will want to remain involved in the place for many years or in perpetuity. The Garden City model can accommodate both approaches. Creating a place which people are genuinely invested in is best achieved through a 'whole-place' stewardship approach. This means consideration of the community as a whole, not piecemeal stewardship arrangements for specific areas or assets. Recognising that 'whole-place' stewardship is not always achievable, this report explores the continuum of ideas. Much of the latest learning about long-term stewardship in new communities relates specifically to the management of green infrastructure. Lessons from this are drawn on for this project and will be explored further through subsequent work but this project is primarily concerned with how this learning fits in to a 'whole place' stewardship approach.

Further details about the 'nuts and bolts' of long-term stewardship are set out in '*Built Today, Treasured Tomorrow: A Good Practice Guide to Long-term Stewardship* (TCPA, 2014)'[2]

[2] *Built Today, Treasured Tomorrow: a good practice guide to long-term stewardship*, TCPA, 2014. https://www.tcpa.org.uk/built-today-treasured-tomorrow2014

About this report

This research report provides an overview of emerging lessons from places which are long-term stewardship. This report explores these lessons through the following:

- An overview of the wider context and debates around stewardship including current policy
- An overview of the challenges local authorities are facing in relation to stewardship of new communities and sharing lessons from this
- Case studies from places that are working on stewardship models
- Sharing learning from long-established stewardship organisations, including places with Schemes of Management, and those established through the New Towns programme.

This report is intended for practitioners and explores both policy and technical detail. This report should be read alongside the TCPA's existing guidance, which provides an introduction to long-term stewardship and some of the models available today. The TCPA has produced two practical guides on long-term stewardship:

- *Practical Guides for Creating Successful New Communities - Guide 9: Long-Term Stewardship* (2017)
- *Built Today, Treasured Tomorrow: A good practice guide to long-term stewardship* (2014)

This report has sought to avoid repeating the content of these existing guides where possible. The TCPA is also developing a series of online resources on long-term stewardship which share some additional information captured through this project. These are available at: https://www.tcpa.org.uk/long-term-stewardship-in-new-communities

2. Policy and Government guidance on long-term stewardship

Since the Garden City Principles were referenced in national policy in 2012, the issue of long-term stewardship has appeared in subsequent policy, legislation and guidance. This provides an important hook for councils and delivery partners to require and deliver long-term stewardship in new communities. Emerging legal requirements for environmental management are themselves adding additional challenges and opportunities to manage and pay for community assets.

Key relevant policy and government guidance at the time of publishing is listed below. A 'live' version of this overview is available as part of the TCPA's online resources on long-term stewardship and will be updated periodically.[3]

National Planning Policy Framework[4]

The *National Planning Policy Framework* requires strategic policy-making authorities, working with the support of their communities, and with other authorities if appropriate, to identify suitable locations for large scale development where this can help to meet identified needs in a sustainable way. It states that in doing so, they should:

'…set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;…'

The NPPF also requires that authorities 'a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains.' This has potential implications for long-term stewardship in terms of the provision and management of greenspace and habitats in a new development.

[3] Resources available on the TCPA website at: https://www.tcpa.org.uk/long-term-stewardship-in-new-communities

[4] *National Planning Policy Framework.* Ministry of Housing, Communities and Local Government, July 2021 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

National Design Guide: planning practice guidance for beautiful, enduring and successful places[5]

The *National Design Guide* includes ten characteristics for well-designed places, including one on 'lifespan'. It states that 'well designed places, buildings and spaces are: Designed and planned for long-term stewardship by landowners, communities and local authorities from the earliest stages; Robust, easy to use and look after, and enable their users to establish a sense of ownership and belonging, ensuring places and buildings age gracefully; Adaptable to their users' changing needs and evolving technologies; and Well-managed and maintained by their users, owners, landlords and public agencies'.

National Model Design Code[6]

The *National Model Design Code* is in two parts; Part 1 is a document outlining the coding process, and Part 2 is supporting guidance notes. Neither document references the Garden City Principles, but Part 1 refers to 'lifespan' as a characteristic of a well-designed place and that Design Codes would be expected to outline 'management and adoption standards' and may include management plans and community participation. Part 2 includes further detail on the lifespan theme and states that Local design codes should consider including the following under the theme of stewardship:

- *'A stewardship plan and when it will be required*
- *Guidance on adoption of public areas*
- *Levels of community engagement expected prior to a planning application.*
- *Guidance on facilitating community management.'*

Design Codes will become key documents in the decision-making process this reference to lifespan and stewardship is significant.

Garden Communities Prospectus[7]

"…this is not about creating dormitory towns, or places which just use 'garden' as a convenient label. This is about setting clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles). …**Successful**

[5] *National Design Guide: planning practice guidance for beautiful, enduring and successful places.* Ministry of Housing, Communities and Local Government, Oct. 2019 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf

[6] *National Model Design Code: part 1 and part 2*. Ministry of Housing, Communities and Local Government, July 2021 https://www.gov.uk/government/publications/national-model-design-code

[7] *Garden Communities Prospectus.* Ministry of Housing, Communities & Local Government, Aug. 2018 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/805688/Garden_Communities_Prospectus.pdf

proposals will demonstrate how they are hard-wiring these qualities in from the start, supported by long term legacy and stewardship arrangements" [our emphasis]
One of the 'garden community qualities' outlined in the Prospectus is that **'**Legacy and stewardship arrangements – should be in place for the care of community assets, infrastructure and public realm, for the benefit of the whole community.'

Garden Communities Toolkit [8]
This online toolkit draws on the TCPA's practical guide to long-term stewardship[9]. It outlines models and approaches and provides a stewardship 'checklist' for councils and developers.

***Guidance on New Towns Act 1981 (Local Authority Oversight) Regulations 2018*.**[10]
The guidance sets out that when considering designating a Locally-Led New Town Development Corporation (LLNTDC), Government will 'expect to see robust proposals for high quality place making, by, for example, adopting frameworks such as the Garden City Principles'. It goes on to outline that such proposals might include long-term stewardship and legacy arrangements, including details of how this will be delivered. New regulations established obligations on the oversight authority to plan from the outset for long-term stewardships of assets, community participation and legacy arrangements for once the LLNTDC is dissolved.

***Living with Beauty: Promoting Health, Well-being and Sustainable Growth*,**[11]
The report of the Building Better Building Beautiful Commission refers to stewardship of place in relation to a responsible and accountable approach to placemaking in general. This does not include the mechanisms for whole place stewardship in the context we rather refer to in this report but refers in general to a wider concept. As well as suggesting a stewardship 'kitemark', it includes in its recommendations that government should…'*Actively challenge short term thinking in project development. Create funding mechanisms to support long term stewardship to secure a long-term legacy of quality and beauty'*.

[8] Garden Communities Toolkit. Homes England, September 2019 - https://www.gov.uk/guidance/garden-communities
[9] *Practical Guides for Creating Successful New Communities – Guide 9: Long-Term Stewardship*. Town and Country Planning Association, 2017
[10] *Guidance on the New Towns Act 1981 (Local Authority Oversight) Regulations 2018*, Ministry of Housing, Communities and Local Government, June 2018.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721078/New_Towns_Guidance.pdf
[11] *Living with Beauty: Promoting Health, Well-being and Sustainable Growth.* Building Better, Building Beautiful Commission. Jan. 2020. *https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/861832/Living_with_beauty_BBBBC_report.pdf*

Planning for the future – Open consultation[12]

In August 2020, the then Ministry of Housing, Communities and Local Government published a new Planning White Paper to shake up the English planning system. The White Paper proposed a new framework which was consulted on until the end of October 2020. At the time of writing, a government responses to the consultation has not been published.

The White Paper mentions stewardship in the context of conservation and environmental recovery: *'[We wish to]…promote the stewardship and improvement of our precious countryside and environment, ensuring important natural assets are preserved, the development potential of brownfield land is maximised, that we support net gains for biodiversity and the wider environment and actively address the challenges of climate change;'*. It has a section on '*Effective stewardship and enhancement of our natural and historic environment'* (p. 56) which focusses on the role of the reformed planning to protect places of environmental and cultural value.

The way stewardship is used in this context, which solely focusses on the conservational aspect, is a narrower definition than the community-led approach that the TCPA promotes.

The *Environment Act 2021*

The nature and biodiversity part of the *Environment Act* (Part 6) includes provisions to mandate net gain in biodiversity through the planning system, requiring a 10% increase in biodiversity after development, compared to the level of biodiversity prior to the development taking place, as measured by a metric set out by Defra.[13] This requirement should be a consideration when exploring approaches to long-term stewardship. Consultation on net gain proposals, which informed the Act noted that *'Proper stewardship of our natural world is at the heart of responsible government. Clean air and water, healthy trees, rivers and biodiversity are not just vital for our health - they are fundamental to the prosperity of future generations and to civilisation as we know it.'*

'One model to secure the long-term stewardship of habitats is to transfer the land to a trust with an endowment to fund maintenance, as has been done for some public open spaces with the Milton Keynes Parks Trust and the Land Trust.' (p. 36)

[12] *Planning For the Future*. Ministry of Housing, Communities and Local Government, August 2020. https://www.gov.uk/government/consultations/planning-for-the-future

[13] *Explanatory Notes, Environment Act 2021*, Chapter 30. The Stationary Office, 2021. Available at: https://www.legislation.gov.uk/ukpga/2021/30/pdfs/ukpgaen_20210030_en.pdf

3. Current practice in long-term stewardship

There are a variety of current practices in place management which, to varying degrees, relate to the long-term stewardship objective in new communities. They fit into a complex process which involves the creation and management of property, land and assets in public and private ownership.

This section outlines some of the key considerations and practices in relation to long-term stewardship. It touches on some of the current debates and challenges around place management to provide context for emerging issues explored later in this report. It should be read alongside the details of the 'nuts and bolts' of long-term stewardship set out in '*Built Today, Treasured Tomorrow: A Practical Guide to Long-term stewardship*'[14].

Traditional approaches to management in new developments

Traditionally, responsibility for community buildings, parks and greenspaces would be transferred to the local authority for management. This management would be paid for by a combination of a commuted sum (financial contribution) from the developer and, in the long-term, through the use of council tax. As pressure on council budgets has increased, councils have been reluctant to take on the management of parks and greenspaces because they have to prioritise what might be considered by some as more 'essential' services such as health or social care. Where this is the case, assets can be transferred to a parish council, or a stewardship body, which itself can take many forms. The default situation is often that some of these assets are managed by a third party – a management company. Management companies are usually funded by either the freeholder, the leaseholder, or a combination of the two. Management companies can manage anything from a single apartment block, to a country park or a larger scale development. Some of the challenges around the use of management companies are outlined below [see **Box 6**].

There are often a variety of different types of management within a new development. There are usually differences between the management of rented property (and the private or semi-private amenity spaces related to it); of private property which is subject to covenants or is part of a local Scheme of Management; of public greenspace; of non-greenspace assets (such as community centres), and then utilities such as energy or Sustainable Urban Drainage systems.

[14] *Built Today, Treasured Tomorrow - a good practice guide to long-term stewardship*. TCPA, 2014. https://www.tcpa.org.uk/built-today-treasured-tomorrow2014

New community projects usually include a combination of several of these categories and there are a limited number of places where 'whole place-stewardship' is in place [see **Box 5**].

Managing leasehold and freehold properties

Property management presents a complex web of issues and challenges all on its own. The challenges around this have sparked a number of live debates which often confuse several distinct but related aspects of place management and land and property ownership.[15] The scope of that web of issues is beyond this report, but as property and its management is an important aspect of the whole place stewardship of new communities, it is touched upon here.

All property - commercial or residential - has a freeholder of some sort. A freeholder has outright ownership of a property and the land it stands on. A freeholder also has the option to lease property to leaseholders who own the property for a specific amount of time, but not the land on which it stands, which is retained by the freeholder. Freeholders can generate income from leases through ground rent (a fee for the land the property stands on) and a leasehold rent (for the lease of the property itself, and usually for the management of any shared amenity space). How the freeholder manages their property, deals with leaseholders and manages income from them can have an important influence on the stewardship objective.

Box 3. Stewardship by leasehold in the Garden Cities

The freehold/leasehold model was an important part of the original financial model for the Garden City idea, with income from leaseholders being reinvested in the Garden City by the freeholders, who were working on the community's behalf. The benefits were, therefore, being shared. This model was immediately challenged in the building of Letchworth and Welwyn Garden Cities by commercial investors who wanted freehold properties and later as a result of frequent changes to policy and legislation on leasehold reform. Despite these challenges, a version of this approach still exists in places such as Letchworth Garden City and Bournville, which is explored further in **Chapter 4.**

In contemporary new communities where there is usually a mix of housing tenures and developers, the freehold of the land will usually be retained by a developer (who might be private sector or a social housing provider), its management company, or a third party or other stewardship body. Leasehold properties within the development usually include some shared amenity space (from lifts and hallways to parks and greenspaces) which are for the sole use of the leaseholders and so a service charge is levied to pay for maintenance. But the service charge may also be used to fund amenity space and facilities that can be used by the general

[15] Lock, D. 'fleecehold – creeping forward on stewardship'. *Town & Country Planning*, Feb. 2019. pp48-51.

public. Freehold homes may also include a covenant or service charge for the management of public, private or semi-private greenspace and amenities. These are all forms of stewardship. The money generated through the management of freehold and leasehold properties can be subject to misuse. This misuse often relates to charges for ground rent, and/or a service charge for managing the immediate shared areas around property. More on this in **Box 4**.

Box 4. A side note on ground rent

Ground rent is an agreement between a landowner and a tenant or leaseholder, where a leaseholder pays the landowner for the right of using a plot of land. The purpose of ground rent is to ensure that any increase in land value over the length of the lease could be recouped by the freeholder when eventually the leasehold expires. In recent years, some freehold leasing landowners (landlords) have found that ground rents are an easy way to make money, because the leaseholders have no choice but to pay the ground rent. They also cannot easily challenge the level of ground rent, which used to be nominal, and is now skyrocketing. It has been described by some as 'a licence to print money' and led to Justin Madders MP defining the term 'fleecehold'.[16] Without the requirement to reinvest ground rent for community benefit, as was the case with the Garden City model idea, this approach is subject to misuse.

The Leasehold Reform (Ground Rent) Act 2022 has sought to address some of these issues. In 2019 Government launched a consultation about leasehold reform to address some of these issues.[17] The Leasehold Reform (Ground Rent) Act received Royal Assent in February 2022 and ends ground rents for new, qualifying long residential leasehold properties in England and Wales.[18] Preventing new build homes from being leasehold, and promotion of the 'commonhold' model[19], could have significant implications for stewardship approaches in new communities in terms of how property management and wider greenspace and amenity space management interact. For places such as Letchworth Garden City, who undertake whole place stewardship but also build homes, there are implications for maintaining schemes of management as leases of new build properties are transferred to resident freeholders.

Beyond property management

[16] Lock, D. 'fleecehold – creeping forward on stewardship'. *Town & Country Planning*, Feb. 2019. pp48-51.

[17] Further detail available at: https://commonslibrary.parliament.uk/research-briefings/cbp-8047/

[18] https://www.gov.uk/guidance/leasehold-reform-ground-rent-act-2022

[19] The Leasehold Advisory Service defines Commonhold as '…an alternative to the long leasehold system. It allows you to own the freehold of individual flats, houses and non-residential units in a building or on an estate. Unlike leasehold, there is no limit on how long you can own the property for. The rest of the building or estate which forms the commonhold is owned and managed jointly by the flat owners (referred to as unit-holders) through a commonhold association' https://www.lease-advice.org/advice-guide/commonhold/

New communities include public space and amenities beyond the boundaries of the private property and environs outlined above. For clarity, these areas are divided below into public greenspace and 'other (non-greenspace) public or community assets'.

Managing greenspace in new developments

Multi-functional green infrastructure is an essential aspect of the design and delivery of new communities. Awareness of its benefits - from physical and mental health, to climate resilience and economic development - are increasingly well known. Green infrastructure can comprise a wide range of features, such as parks, gardens, green spaces, green roofs, green walls, street trees, verges along roads, meadows, wetlands, rivers, canals, and lakes. Because of the inclusion of lakes and waterways it is sometimes called 'green and blue infrastructure'. Like property management, green infrastructure involves a complex combination of planning, design and management considerations.

Public greenspace in new developments is that which is accessible to all (resident or not). In the past, to enable their management and upkeep to a high standard, local authorities required that such space be 'adopted' by them, with a cash sum equivalent to several years of their typical maintenance regime, but a figure short of that required to finance in perpetuity, also being given to them. Today, most local authorities are no longer able to fund maintenance in perpetuity, let alone to a high standard. They are therefore reluctant to 'adopt' these areas. In these cases, there are three options:

a) Transfer with a cash sum to the local parish council who will have to raise a rate to manage the burden of the space in perpetuity;
b) Transfer with no cash to a management company chosen or owned by the developer, with the right to levy a service charge on identified properties;
c) Transfer to a locally based, accountable, not for profit charity with an endowment sufficient to enable high quality management in perpetuity.

Transferring these areas to a management company is a common approach used for new developments. Sometimes this is in partnership with stewardship organisations such as the Land Trust or locally based environmental management organisations such as local Wildlife Trusts. Transferring to a locally based and accountable not-for-profit charity, with an endowment sufficient to enable high quality management in perpetuity, is the closest to the Garden City model of whole place stewardship.

The management of greenspace in new developments has been the catalyst for many councils and developers to consider the wider issue of stewardship, not only in new community developments but across their local authority area. There is a growing body of research into the management of green infrastructure specifically, which is increasingly informing policy and legislation.[20]

Some current issues and opportunities highlighted through our research include the new requirements for 10% biodiversity net gain in new developments outlined in the *Environment Act 2021*. The implications of this for new community projects is still being explored, but as the requirement can be met on-site or off-site, it likely to inform stewardship arrangements in new community projects, whether within the design of the new development, or as part of a council's local authority wide consideration of the issue.[21] The multi-disciplinary nature of green infrastructure management was also raised as a challenge for stewardship. This was in relation to a disconnect between landscape and planning teams working on new community projects, which in some instances has itself led to a disconnect between landscape and biodiversity management and stewardship of other assets in a new community, and a need to upskill both teams to better integrate the two. The timescales of new community projects, which can be 20-30 years, was also highlighted as presenting a risk to the quality of stewardship services changing over time. Organisations such as Building with Nature[22] are working with councils to apply accreditation standards to address this. Where accreditation is in place, this can act as an important safety mechanism to prevent a deterioration in quality; which in turn can determine the baseline from which management and maintenance mechanisms will project their aspirations and accountabilities.

Some new community sites include Sustainable Urban Drainage systems (SUDs), which are managed surface water drainage systems that often form part of the green infrastructure network of a development as surface rills, wet and dry balancing lakes, sometimes with reed beds and boggy areas. Concerns have been raised about the management of SUDs in new developments, particularly in terms of responsibility for the adoption and maintenance of these areas, which could have significant implications for wider long-term stewardship on a site.[23]

Other (non-greenspace) public or community assets

There are a range of built or material assets created through the development process which are intended either for public or community use but are not greenspace. These include facilities such as community centres, arts facilities, retail facilities, schools - in fact any asset can be made public or for community benefit. These are usually funded by a combination of developer

[20] Further details and links to resources are outlined in: *Practical Guides for Creating Successful New Communities - Guide 7: Planning for Green and Prosperous Places* (TCPA, 2018) Available at: https://www.tcpa.org.uk/guidance-for-delivering-new-garden-cities Accessed 03/12/21
[21] Guidance on Biodiversity Net Gain is being developed and shared on site such as the Planning Advisory Service. See: https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain
[22] https://www.buildingwithnature.org.uk/
[23] These issues are highlighted in Lock. D, Stewardship of SuDS. *Town & Country Planning*. December 18 pp 474-476.

contributions and public sector funding sources paid for by central government or through local council tax.

Options b) and c) as set out above are possible management options for these assets. Most community assets, services and the public realm could be managed by a stewardship body. Certain services and assets will already be managed by the local authority; the role of a stewardship body that has evolved through the development process should be to add value for the community by managing assets and providing services which supplement those already provided by the local authority. The stewardship body might be completely independent of the local authority, or it might be an additional service provided by the local authority itself. [24]

Option a), parish councils, can also manage some but not all non-greenspace assets. They can manage allotments, community centres, play areas and play equipment.[25]

The Tuning Fork Café: At Houlton, Rugby, Urban and Civic subsidised a local café to provide community services for the earliest residents. This is an example of a master-developer stewardship approach.

Further details at: https://www.urbanandcivic.com/media-library/videos/tuning-fork-cafe-rugby/

[24] Table 1, on pages 12-13 of *Built Today, Treasured Tomorrow: Emerging Lessons in Long-Term Stewardship*, sets out a typical range of amenities provided in a new development, along with examples of how they could be managed as assets by a stewardship body.
[25] As listed at: https://www.localgov.co.uk/Parish-council-responsibilities/29135 and set out in the Parish Councils Act 1957 https://www.legislation.gov.uk/ukpga/Eliz2/5-6/42/contents

Box 5. Whole-place stewardship

Creating a place which people are genuinely invested in is best achieved through a 'whole-place' stewardship approach. This means consideration of all assets of the community as a whole, not piecemeal stewardship arrangements for specific areas or assets. The Garden Cities are the original model of 'whole place' stewardship, along with the industrial philanthropic estates at places such as Saltaire or Bournville. The financial model for these was based on income from ground rent and leasehold charges.

As mentioned above and explored further in **Chapter 4**, this approach was vulnerable to market pressures and leasehold reform, but there remain models of whole-place stewardship in these places. In Letchworth Garden City the Heritage Foundation provides additional services to complement those provided by the council – from the management of the parks and agricultural estate to arts facilities and a dial-a-bus service.

Later the New Towns programme enabled a whole place stewardship approach as land was owned and managed by a public body in the form of a Development Corporation. However, while the Parks Trust and Community Foundation in Milton Keynes and the Nene Park Trust in Peterborough represent stewardship of specific assets, the whole place stewardship opportunity was not realised by the New Towns programme. The failure to secure stewardship requirements in legislation meant that the New Town assets were not transferred to a whole place stewardship body, something the TCPA advocates as part of a modernised New Towns Act.[26]

Contemporary examples of whole-place stewardship also include models of community-led housing, such as Community Land Trusts. However, these examples tend to be of a smaller scale. There are multiple models of community-led housing which have the potential to be used for whole-place management, but these examples are usually confined to smaller sites. This is an issue which deserves further examination which the TCPA hopes to pursue through further research.

Master developers with a long-term approach to place development provide a form of whole-place stewardship where community facilities are provided up-front in a development. Unless, however, assets are eventually transferred to an organisation where profits are reinvested in the community or development then the 'in-perpetuity' aspect or full community benefit is unlikely to be realised. Some of the ambitious councils working on new community projects are exploring how multiple assets –incorporating non-greenspace assets – can be created. This is explored further in the following section.

[26] *Unlocking the potential of large-scale new communities* (TCPA, 2021). Available at: https://www.tcpa.org.uk/unlocking-the-potential-of-large-scale-new-communities

Paying for management and stewardship in new developments

How to pay for long-term stewardship is one of the fundamental challenges in making it a reality. Details of the options for funding stewardship are set out in the TCPA's *Built Today, Treasured Tomorrow*[27], which outlines that stewardship bodies rely on capital investment (including development capital, growth capital and working capital), as well as an ongoing revenue stream. These are usually provided in the form of developer contributions (financial or asset-based), endowments, and/or the use of a service charge levied on residents. With the right financial and management model, stewardship bodies can generate their own ongoing revenue stream.

Endowments/developer contributions

Even where a modern Garden City approach, where land is transferred to a charitable trust and no service charge is required, is the chosen approach, there is still likely to be some element of developer contribution in finance or assets (such as land) in a new community development. Section 106 agreements are used to secure capital funding for infrastructure, including community assets. Local authorities can require that revenue funding for the ongoing management of community assets is also provided. This could be in the form of a cash endowment or an endowment of a land or property portfolio. This source of revenue funding relies on specific negotiation early in the development process.

A successful scheme that includes adequate resources for long-term stewardship is only possible if the local authority, landowners and developers with an interest in the land have agreed a robust appraisal of the financial viability of the scheme. Where there is a strong local plan policy in place which specifies what is required in terms of stewardship on a site or within a Local Plan area, and/or a clear inclusion of stewardship in a Community Infrastructure Levy charging schedule, viability calculations can take account of these requirements at an earlier stage. Consideration of these policy requirements and subsequent calculations can then be reflected in land deals and is an effective form of 'land value capture'.

Where this is not the case - which accounts for the majority of current schemes - then resources for stewardship are more likely to come from developer contributions. Forward-thinking developers and housebuilders recognise the benefits of investing in the stewardship of place as part of a longer-term approach to viability. If stewardship requirements are implemented by the Council too late in the process it can be harder for the developer to meet these costs. One of the challenges many places are facing is how to accurately calculate stewardship requirements as part of the viability assessment.

[27] *Built Today, Treasured Tomorrow - a good practice guide to long-term stewardship*. TCPA, 2014. https://www.tcpa.org.uk/built-today-treasured-tomorrow2014

Service charges

Service charges are charges payable for the management and maintenance of land or property. There are three main types:

- Leasehold service charges[28]
- Freehold estate or service charges[29]
- Charges for Estate Management Schemes/Schemes of Management[30]

In new community schemes service charges have been a popular way for management companies or stewardship bodies to generate an ongoing revenue stream for management and maintenance. This is usually in the form of leasehold service charges and/or freehold estate or service charges. The two Garden Cities at Letchworth and Welwyn and long-established stewardship bodies such as Bournville Village Trust levy charges to pay for Schemes of Management (See **Chapter 4** for more on this).

Service charges can be levied for management and maintenance at a range of scales. This includes the shared areas or private amenities shared communally by leaseholders. These might be stairwells, communal parking courts, or the leftover bits of grass and landscaping, which were difficult to include in a particular property boundary. On a whole place or estate-wide scale, service charges can be levied to pay for a range of assets from public or private (accessible only to those who pay the charge) greenspace to community development activities or other non-greenspace assets managed by the stewardship body or management company. Service charges can vary greatly and also be increased. This can be both a point of conflict and financial challenge if rates are not set sufficiently to cover costs. Some of the issues around service charges are outlined in **Box 6**. below.

[28] See Leasehold Advisory Service: Service Charges Fact sheet. Available at: https://www.lease-advice.org/fact-sheet/service-charges/
[29] See: Constituency Casework: Freeholders' estate and service charges (Commons Library, 2021). Available at: https://commonslibrary.parliament.uk/freeholders-estate-and-service-charges/
[30] See: Leasehold Advisory Service: Service charges and other issues (Section 10: Estate Management Charges). Available at: https://www.lease-advice.org/advice-guide/service-charges-other-issues/ and Thomson Reuters Practical Law: https://uk.practicallaw.thomsonreuters.com/9-501-1819?transitionType=Default&contextData=(sc.Default)&firstPage=true

Box. 6. Management companies and service charges – what's the problem?

In recent years management companies have been the favoured option for developers when it comes to managing public greenspace in new communities. A covenant is put on properties to levy a service charge for the maintenance of shared public areas and greenspace. This approach is simple but has caused a few challenges:

- Residents are faced with paying two charges in perpetuity; one for the maintenance and management of the immediate private shared space, and another for public greenspace and, sometimes, community assets.
- Management standards and fee levels can be potential causes of dispute even more so than with the private space, and public greenspace will most likely be a larger area and more varied in its requirements.
- Third, the management company may be physically remote, unaccountable, and can be bought and sold (a company with the lawful perpetual right to compel its customers to pay charges set by themselves is an interesting investment for some, as with companies that have bought up ground rents).
- Fourth, residents paying for the maintenance of a public asset can start to feel resentment at its use by people from the wider area.

Impacts of using management companies - negative trends

The commonality of the management company approach is such that there is emerging a patchwork of management companies providing services to numerous developments in the same town or city, or even within the same development. This can make the task of developing a holistic approach across a whole site even more challenging. It also risks fragmentation: with different standards and cycles of work, and differing charging regimes, causing confusion about where responsibilities lie, as well as inherent inefficiencies in running costs.

Emerging opportunities for resourcing stewardship

The relatively new discipline of 'natural capital accounting' is starting to provide evidence of how much green infrastructure 'assets' and the ecosystems services[31] they provide are worth to society and business. This growing body of international evidence is increasingly being reflected in regulatory requirements and policy. It may be a future consideration for viability accounting for stewardship arrangements.

[31] See *Demystifying Economic Valuation. Valuing Nature Programme paper*, Jun. 2016. http://valuingnature.net/demystifying-economic-valuation-paper; and the GIFT-T! project's Green Infrastructure Valuation Toolkit, available at http://www.gift-t.eu/manual/gi-business-plan/gi-valuation-toolkit

4. What can we learn from long-established stewardship bodies?

The concept of whole place stewardship may be rare, but it is not new. The original Garden Cities of Letchworth and Welwyn, and model or industrial villages such as Bournville or Port Sunlight each had their own approaches to whole place stewardship. These were conceived when these places were built and have changed over time, in some cases over a period of more than a century. However, they remain some of the few examples of 'whole place' stewardship available today. As such, in recent years the TCPA has drawn on the experience of these established places and their stewardship arrangements to understand how whole place stewardship can work. These examples are also often referred to by councils and their delivery partners who are trying to understand what 'whole place' stewardship means. There are also some more recent examples of stewardship bodies which have been established for decades rather than centuries, such as the Parks Trust in Milton Keynes or the Land Trust, which provide useful learning for places interested in stewardship. The TCPA's guidance documents on long-term stewardship have used these examples to illustrate what stewardship bodies can do, how they are financed and governed, and how they can best be managed. Some of these organisations are historic and have relied on being supported by specific financial or policy opportunities available at the time. While these organisations continue to provide a positive model for other places, they are live organisations under their own pressures and this research sought to capture emerging lessons from the current status of some these organisations.

While these existing stewardship bodies have the common purpose of high-quality place-management, they represent different types of organisation. For clarity, they are categorised here as:

- **Freehold owning whole place stewardship bodies:** ***Organisations which are successor organisations to the original development companies for these places. They retain land and property ownership in parts of their towns and are governed by a commitment to reinvest profit back into their towns.*** The examples which engaged with this study are Letchworth Garden City Heritage Foundation and Bournville Village Trust.

- **Stewardship bodies established to deposit a scheme of management:** ***Under the Leasehold Reform Act 1967 (see Box 7) some places were able to retain the freehold of some parts of these villages or estates to enable their management in line with a set of principles.*** The examples which engaged with this study are Hampstead Garden Suburb Trust; Port Sunlight Village Trust; Dulwich Estate Village Trust.

- **Local authorities responsible for Schemes of Management**: Welwyn Hatfield Council (for Welwyn Garden City).

- **Freehold or leasehold owning independent stewardship charities: Independent charities set up to own and/or manage green infrastructure in a specific place or places.** The Parks Trust Milton Keynes and The Land Trust. Nene Park Trust in Peterborough was also established following the dissolution of Peterborough Development Corporation.

Box. 7. Leasehold reform and Estate Management Schemes/Schemes of Management

A common thread for these organisations is the Leasehold Reform Act 1967 which sought to enable leaseholders to have the opportunity to gain freehold ownership of their homes. This proved a turning point for places such as Letchworth Garden City which until then was able to retain the freeholds in the majority of residential and commercial properties. Section 19 of the Act recognised that in some cases it would be possible for landlords to apply to the Minister for a certificate which allowed them to 'maintain adequate standards of appearance and amenity and regulate redevelopment in the area'.

Schemes of Management are documents which are used by these places to outline what is required of leaseholders and freeholders within a certain area. These are set out in property covenants. While Letchworth and Bournville have the resources, through their own freehold and income portfolio, to finance Schemes of Management, this is not the case for others. The Hampstead Garden Suburb Trust[32] and The Dulwich Estate[33] resource these services through application fees with the Estate Management area. Welwyn Hatfield Council is considering a similar approach for Welwyn Garden City following a consultation on options for the future of the EMS.[34] As outlined in **Chapter 2** further proposed leasehold reform may pose new opportunities and challenges for what are known as the 'Section 19' towns[35].

[32] Hampstead Garden Suburb Trust: https://www.hgstrust.org/
[33] The Dulwich Estate: https://www.thedulwichestate.org.uk/
[34] Welwyn Garden City Estate Management Scheme. Accessible at: https://www.welhat.gov.uk/Welwyn-Garden-City-Estate-Management-Scheme
[35] The Leasehold Reform Act 1967, c. 88. Part ILandlord's overriding rights] Section 19: https://www.legislation.gov.uk/ukpga/1967/88/section/19

Key challenges facing long-established stewardship bodies:

While each place is unique and facing individual challenges (see case studies below) there are some common challenges facing the long-established stewardship bodies we engaged with through this research.

Resourcing:

- **Operational resources:** Managing applications, enforcing requirements, and running all aspects of the Schemes of Management takes time and financial resource. Apart from Letchworth Garden City and at Bournville, where these costs are built into the financial model, running Estate Management Schemes rely on a service charge of some sort. This can lead to difficult decisions about what rates to set, and when to take enforcement action if covenants have been broken.
- **Changing service costs**: Maintenance costs have increased over time. In some places this has caused tension with residents where the increased cost has been reflected in higher charges. In others, where a low rate was a commitment, such as at Bournville, the increased costs have meant a deficit in funds to pay for a high level of maintenance.
- **COVID-19:** For some stewardship bodies the COVID-19 pandemic highlighted the vulnerability of a financial model that relies on income from events and services, or from short term leases.

Communication with tenants:

- **Communication around covenants**: Some places noted a challenge in communication around covenants, with estate agents not always making people aware of what is expected when they purchase a property, leading to confusion and resentment later on.

Changing legislative requirements:

- **Retrofitting for higher environmental standards**: By definition most of these places have architectural or design heritage value. Retrofitting is sometimes required to improve insulation to meet local authority standard requirements, in other places, the challenge might be a desire from residents to retrofit their homes to, for example, install solar panels. Navigating this in a conservation area or area of heritage value had been difficult in some places.
- **Leasehold reform**: Proposals to prevent new build homes from being leasehold poses a potential threat to the model for bodies such as Bournville Village Trust and Letchworth who directly build their properties. Letchworth Garden City Heritage Foundation has been exploring new models of building under these requirements.

Integrating new development areas:

- **Competition from other management companies:** Bodies such as The Parks Trust in Milton Keynes, whose remit covers a wider administrative boundary than a single development have experienced competition from management companies linked to individual sites. In new development areas in the city, some developers are choosing to create their own management companies rather than transfer land to The Parks Trust or integrate with existing services provided by an existing stewardship body. In this case they have responded by informing Local Plan policy and setting a strategic vison for green infrastructure management in Milton Keynes [See **Place Spotlight 2**].

Key lessons from established stewardship bodies

Historic and long-established stewardship bodies provide important evidence of the value of taking a long-term approach to place management. The have stood the test of time and remain well designed and managed places. Exploring some of the current challenges facing these organisations in terms of stewardship provides valuable insights for new places, demonstrating the need to establish working practices and financial arrangements which can, as far as possible, account for unknown future change.

In terms of **design**, this means taking a long-term view which incorporates high quality materials that will stand the test of time, with flexibility of changing uses, demographics and build standards over time. From a **resource** perspective, these challenges highlight the need to balance costs to account for potential changes in service provision costs. For resilience there is a need to ensure assets are protected as far as possible, and investment is in a broad portfolio so there is not an over-reliance on income from events or leases alone. But balancing costs must be combined with meaningful **communication** with residents. If systems are in place to allow for changes in charge rates to reflect changing service costs, ensure this is done with clear dialogue with residents in a transparent process. Building good communication is essential.

As these cases highlight, **stewardship is as much about people as it is about place**. People are emotionally invested in where they live and expect it to be maintained in line with the vision they have been sold and invested in when they move there.

This learning has been incorporated into the key lessons outlined in **Chapter 6**.

Place Spotlight 1: Bournville Village Trust

Whole-place stewardship in model village and new communities

Bournville Village Trust (BVT) is one of the longest-established housing associations in the UK. Founded in 1900 by the chocolate manufacturer George Cadbury, BVT now delivers services to some 8,000 mixed-tenure properties in Bournville, which is in inner-city Birmingham, and in Shropshire at the newer communities of Lightmoor and Lawley. As well as being a not-for-profit housing association providing social rented housing, BVT manages supported housing, commercial activities, community facilities, parks and open spaces and agricultural estate. It is one of a small handful of long-established stewardship organisations that have taken a 'whole place' approach to stewardship in the management of their historic estate and in the creation of new communities on its development sites. Details of BVT's stewardship arrangements are set out on their website[36] and those for Lightmoor and Lawley are in case study 2 in *Built Today, Treasured Tomorrow (TCPA, 2014)* and in *TCPA's Guide to Long-term stewardship (2016), Section 6.1*. This 'spotlight' looks at some recent emerging lessons from BVT's current activities.

In 2019, BVT began a strategic review of its operations. Some initial findings are set out in its 2020 *Annual Report*[37], including the intention to undertake a more detailed review of its stewardship operations in 2021. Some of these findings are relevant to other places. This section focuses on the challenges identified, while the advantages of the BVT approach are outlined in the case studies highlighted above. BVT is also currently reviewing its design guide in Birmingham to create 'a new Bournville Estate Design Guide fit for the 21st century and

[36] Lightmoor and Lawley each have their own pages (https://www.lightmoorvillage.org.uk/ and https://www.bvtlawleyvillage.org.uk/). For BVT: https://www.bvt.org.uk/home-owners/bvt-responsibilities/
[37] Annual Report 2020 (Bournville Village Trust, 2020). Accessed at: https://www.bvt.org.uk/publications/annual-report-2020/

beyond'[38] Alongside this are reviews of both the Lightmoor and Lawley Design Guides, being led by their respective management committees.
On its Birmingham estate, a fixed rate model for service charges was established in 2001. This model was designed to provide residents with reassurance that service rates would not increase beyond levels they could afford. Twenty years on, the costs of maintenance have increased significantly. Maintaining services to the high standards specified in the Estate Management Scheme now costs more annually than the fees collected for the service. This poses a financial challenge for the Trust, but at the same time BVT notes that it forces the stewardship body to ensure best value for money.

A different model was implemented at the Shropshire sites, whereby the service charges can be adjusted annually to cover the cost of service provision. Although these charges have been frozen in recent years[39]. The review highlighted the need to improve communication with residents at these sites. While there had been active engagement and enthusiasm from residents at the outset, the review highlighted criticism that the governance structure – for example the presence of BVT Trustees on the estate committees, led to residents' voices not being properly heard. The review is actively seeking to address these issues on the sites with a new governance structure now in place.

Another challenge on these sites relates to adoption of assets which are not under control of the Trust, such as the new estate roads. In some cases, this resulted in frustration from residents when BVT enforce requirements in the local Design Guides and stewardship arrangements, such as where bins are placed, yet could not fix pot-holes in the road. The review highlighted the need to ensure a strong relationship between the estate managers and developers, and clarity with residents about ownership and responsibilities. In both Lawley and Lightmoor, a new stewardship team is being recruited to include estate caretakers who will work closely with the management committee's to deliver services in line with what local residents are asking for. In partnership with Telford and Wrekin Council, BVT are also supporting a new neighbourhood manager on the newly formed Lawley Partnership Board and improved working partnerships with key services in Lightmoor to respond to the challenges of waste and highways.

[38] Bournville Design Guide Review [webpage] Accessed at: https://www.bvt.org.uk/our-communities/bournville-design-guide-review/
[39] Details on the charge are on their respective pages (above)

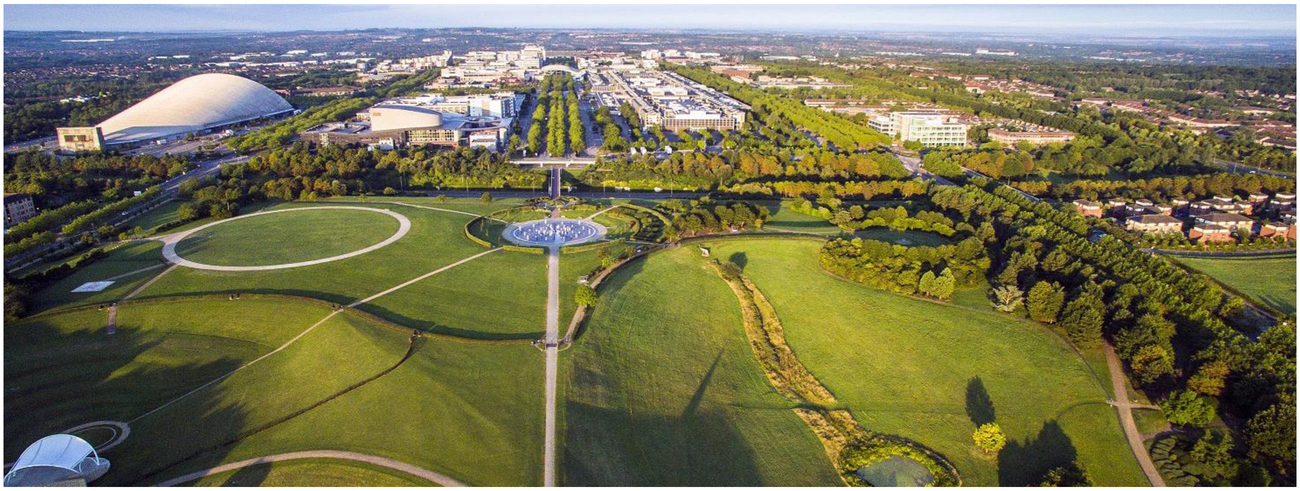
Lessons from recent experience at Bournville Village Trust:

- **Don’t lose sight of the vision.** When setting out stewardship arrangements, start with the vision for the community you want to create. How will these arrangements help you get there?
- **Emotional connection to place and stewardship is important.** Show you care. People buy into the vision of a place and it’s important to demonstrate how you will be delivering that but also that its about people.
- **Ensure fairness, quality and a long-term consideration of cost when considering service charges.** How will costs change in the future? What level will provide adequate resources yet force you to ensure value for money? How do operations affect different parts of the community?
- **Partnership and collaboration with delivery partners is essential**. Build strong relationships with stakeholders, the community and developers and maintain this over time.
- **Ongoing communication with residents important**. Upfront activities to create a sense of community are essential as a place develops is important but must be sustained as a place develops and evolve accordingly over time.
- **Residents must feel that governance is accountable and responsive.** Ensure representation of different parties on various committees is balanced, accountable, and transparent, particularly about decisions that are made on the community’s behalf.
- **Review services and operations periodically.** Things change. Service demands, policies, finances and costs change over time. Ensure periodic review of operations to improve service.

Creating a sense of place for early residents - play facilities at Lawley Village, Shropshire.

Place Spotlight 2: The Parks Trust, Milton Keynes

Managing growth and green infrastructure in the UK's fastest growing new city



The Parks Trust in Milton Keynes was set up in 1992 as a registered charity to care for most of the city's green space and ensure that this would be managed and protected forever, without having to compete with other council priorities for funds. It was granted 999-year leases over the parkland, with the freehold going to the Council, and endowed with a commercial property portfolio, the value of which equated to the liability cost of maintaining the parkland.

Overtime, the Trust has diversified and grown its endowment portfolio, providing a sustainable source of income for its work. The Trust is self-financing and manages over 6,000 acres of green infrastructure including linear parks, woodlands, lakesides and landscaped areas alongside the city's main roads – about 25% of the new city area.

As the city continues to grow, new parks and open spaces are being transferred to the Trust with endowments. The endowment sums are based on calculations of the maintenance costs for each site multiplied by a factor to derive the capital sum needed to invest to generate the income to cover the maintenance costs in perpetuity. In a few areas, the Trust has developed some of its land of lower green infrastructure value. This has been undertaken where it has been agreed by the local authority and has met a strategic need for the city. The income from the developments can only be used towards Trust's charitable purposes and has enabled the provision of enhanced parkland facilities and the purchase of additional land of high environmental value to add to the Trust's parkland network.[40]

As an internationally renowned model of green infrastructure management, The Parks Trust provides valuable lessons on long-term stewardship. The model and key lessons have been detailed in previous TCPA reports[41] and details of the Trust's current finances and operations are available in its Annual Report.[42] This case study focuses on dealing with new development and integrating stewardship requirements in Local Plan policy.

Maintaining the model in a growing city

Milton Keynes remains one of the fastest growing urban areas in the country. The Trust promotes the principle that all new areas of Milton Keynes should benefit from the provision of parks and green spaces to at least the same quantity and standard as the established areas of the city and has sought to position itself as the adopting stewardship body for new parks as the city grows. Under current planning law and policy, developers have the ability to pursue alternative options for the future maintenance of green space in their developments. This can result in a patchwork of management to varying standards, and a direct threat to the strategic vision for the city. To try and minimise that risk, the Trust works proactively with developers to illustrate the benefits of transferring new areas of green infrastructure to the Trust with endowment. This is supported by Milton Keynes Council, which co-funds a green infrastructure officer employed by the Trust, who leads in this engagement with developers.

Embedding stewardship arrangements in Local Plan policy

The Trust has sought to secure in Local Plan policy a requirement that all new green infrastructure in the city's development areas should be transferred to the Trust with endowment. In 2018, the Trust sought specialist legal advice to explore whether it would be possible to specify in planning policy the Parks Trust, or other bodies that met criteria similar to the Trust's model of stewardship, as the recipient of all new green infrastructure. The Counsel opinion concluded that specifying developers must transfer open space to a certain body or type of body for future maintenance would be counter to competition regulations and, because there was a lack of precedent elsewhere, attempting this could delay the adoption of the Local Plan. There followed an interesting debate at the examination of the Plan and in the Council's cabinet meetings[43].

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[40] The Trust's policy for the Acquisition, Disposal and Development of Land (theparkstrust.com) is available at www.theparkstrust.com

[41] A detailed case study on the Parks Trust and the lessons it teaches us about long-term stewardship can be found in *Built Today, Treasured Tomorrow – A Good Practice Guide to Long-Term Stewardship* (TCPA, Jan. 2014.).

[42] Annual Report 2020-2021 (The Parks Trust, 2020). Accessed at: the-parks-trust-annual-report-2020-2021.pdf (theparkstrust.com)

[43] Discussion referenced in 'Stewardship of public green space – using land values for endowments', Lock, D. *Town and Country Planning*, April/May 2020, 108-112.

The Plan:MK 2016-2031 was adopted in 2019, which included in its policy L4, that said green infrastructure should be an integral part of new development and considered at the beginning of the design process; that it must include a management and maintenance strategy (including a financially suitable management plan); and details of future ownership and the responsible maintenance body. The policy included the words '(e.g. The Parks Trust)' in the text about a responsible management body which it also required had a 'long-term financially sustainable maintenance plan that can be implemented'.[44]

This provides a useful hook for the Trust in its negotiations with developers but has been criticised for not going far enough, as vague wording is vulnerable to interpretation and also because the policy stopped short of requiring an endowment figure[45] . The opportunity to strengthen this policy hook was provided by the creation of a Planning Obligations Supplementary Planning Document[46]. This was published in 2021 including a statement that '*It is MK Council's **clear preference** to sustain the proven MK approach*' and that '*The **expectation** is that the financial arrangement for private communal space should take the form of an **endowment or commuted sum paid to the management body, rather than a service charge** to be levied on specific properties each year in perpetuity'* [our emphasis]. The document also outlines a requirement for management and maintenance of all new or extended open space or green infrastructure to include details of ownership, the identity of the responsible stewardship body ***'(e.g. the MK Parks Trust; a local council etc.)'*** and a '*suitable and sustainable financial arrangement to enable the stewardship body to maintain the open space and green infrastructure to the required standard **in perpetuity**'*.

A proactive approach to a vision for stewardship

This policy work prompted the Trust to set out its own vision for the future of green infrastructure in the new and expanding city. *Milton Keynes' Inspirational Landscapes: Now and Forever* (June 2021)[47] is an advocacy document for a landscape-led approach to the development and growth of Milton Keynes. This document has been created to support Milton Keynes Council's ongoing strategic plans for growth (its 'MK2050' strategy)[48] and to 'add a crucial layer to it'[49]. It is also intended to support the existing policies of *The Plan:MK* and help shape the policies of the next plan for Milton Keynes'. It is intended for developers and the general public.

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[44] The Plan: MK can be accessed at: https://www.milton-keynes.gov.uk/planning-and-building/plan-mk
[45] Perspective set out in 'Stewardship of public green space – using land values for endowments', Lock, D. *Town and Country Planning*, April/May 2020, 108-112.
[46] The SPD is available at: https://www.milton-keynes.gov.uk/assets/attach/66316/Draft-Planning-Obligations-SPD-Document-August-2020.pdf
[47] Discover our vision for the future of Milton Keynes' green spaces (theparkstrust.com)
[48] *Milton Keynes Strategy for 2015* (Milton Keynes Council, 2021). Available at: https://www.mkfutures2050.com/
[49] 'Discover our vision for the future of Milton Keynes' green spaces' Blog: Parks Trust: Discover our vision for the future of Milton Keynes' green spaces (theparkstrust.com)

Key Lessons from recent activities at Milton Keynes Parks Trust

- **Detailing stewardship requirements in the Local Plan policies is possible. This** can include expressing clear preferences and expectations for financial arrangements in perpetuity even if these cannot be fully enforced.
- **A strategic vision for stewardship beyond a specific site can improve resilience over time.** Other developments can implement stewardship arrangements which could threaten the vision or activities on your site or project. Consider a strategic vision for stewardship across a local authority area.
- **Secure the skills to ensure high standards of delivery.** Consider a co-funded (council/stewardship body) dedicated role for advocating and negotiating on green infrastructure as places grow.
- **Ensure a diverse income and investment portfolio.** A diverse, proactively-managed investment and income portfolio that develops over time and as the community grows can provide some resilience against economic uncertainties.
- **Commit to a strong vision.** A stewardship body should have a strong set of principles and long-term strategy to guide its activities, which ensure flexibility exists to accommodate new sources of income generation (such as development of some of its land), but in a way which will not compromise its charitable purposes or original vision.

5. Current approaches to stewardship in new communities

In recent years many local authorities have made commitments to establish or require a strategy for long-term stewardship in their new community developments. For some, this has been part of a commitment to the Garden City Principles; for others, part of a wider commitment to 'biodiversity net gain requirements' or simply as an alternative to council adoption of greenspace. In 2020 the TCPA surveyed members of the New Communities Group and other councils delivering new communities, to understand their approach to stewardship, the challenges they were facing and where the information gaps lie. A roundtable and interviews with council officers and elected members, and private and third sector practitioners have also fed into the research. We have engaged directly with around 20 local authorities who are working with stewardship issues.

Overview of current activities

Approximately half of the councils we engaged with had made some form of commitment to stewardship in adopted or draft Local Plan policy. This ranged from specific policy such as the Development Plan Document for Ashford new community, to a commitment to delivering Garden City Principles, including a commitment to stewardship, on an allocated site. The remaining respondents had made no policy commitment to stewardship, but it was an issue actively being considered by officers (the extent of work being undertaken varied greatly). Respondents included councils who have now established organisations (such as at Ashford Borough Council and East Hampshire), are actively negotiating Section 106 agreements, as well as those who were at the very early stages. The scope of stewardship considerations ranged from greenspace management only, to wider stewardship incorporating a range of community assets and community development. Councils were at various stages in the development process- from plan-making to delivery.

Emerging Issues

Skills and capacity

Apart from those councils who are advanced in their stewardship arrangements, all the stakeholders we engaged with noted the need to upskill practitioners and stakeholders on stewardship, particularly within local authorities. This ranged from a basic understanding of stewardship to a lack of expertise on the technical aspects - from developer negotiations to viability and legal arrangements for different stewardship models. The need for upskilling within councils applied to both officers and elected members. Often a small group of officers had been working on stewardship but there was a lack of knowledge on the issue beyond that team. Funding from Government had often been used to commission outsourced background stewardship research and technical expertise such as legal advice. This issue percolates to all the other challenges listed below.

Resistance from some developers and other stakeholders

Applying successful stewardship models requires engaging developers and delivery partners at an early stage. For most sites, the Section 106 agreement is the core opportunity to secure investment in stewardship and obligations related to management of place. While there are several instances where the developer had taken a forward-thinking approach to stewardship [see **Place Spotlight 3**], the experience varied greatly. Linked to the challenge above, some councils felt ill-equipped to negotiate with developers or challenge their suggestions, particularly where a specific stewardship model or legal framework was being promoted by the applicant. Specific issues highlighted included instances where the developer had a resistance to invest or transfer land in principle, or transfer land or assets that would yield a return. In one case, a developer had challenged the Section 106 agreement on stewardship on appeal, arguing that it was not Community Infrastructure Levy compliant. The council challenged the inspector who agreed with the applicant before conceding to the council that compliance was in fact there. In many cases the default position was a management company, which would not enable the council to reach their stewardship ambitions for the site.

Integration with an existing patchwork of management companies in an area was also highlighted as an issue [see **Place Spotlight 5**]. In some instances, existing parish councils felt under threat from potential new stewardship bodies, with confusion about how this would impact on local rate collection. This was not a consistent position however, and in some instances the parish council had upskilled themselves to actively participate in stewardship conversations. In East Hertfordshire for example, local councillors and other residents have developed a Neighbourhood Plan which includes policy on long-term stewardship related the Harlow and Gilston Garden Town.[50] In several instances there was a lack of communication about stewardship across different teams or parts of the delivery partnership.

Understanding links between stewardship and governance

There was widespread recognition of the importance of the right governance for the delivery of new communities' projects, and awareness that getting the right stewardship model for a project involved securing the right governance model going forward. Understanding who should be involved in terms of representation from different parts of the community, and the

[50] *Gilston Area Neighbourhood Plan 2022-2033* (HEGNPG, 2021) Available at: https://hegnp.org.uk/neighbourhood-plan

role of parish councils where these already existed, was also highlighted. This is understandably challenging when there is no 'one size fits all' approach.

Understanding viability

Concerns about viability underpin all aspects of the stewardship question. Developers sometimes use viability as a case to lower Section 106 contributions, where no Local Plan policy is in place on stewardship there is even more room for manoeuvre. For those councils exploring stewardship options on sites there was evidence of a lack of information on how to calculate stewardship requirements and factor them into viability calculations. Some also noted the lack of availability of 'real-world' examples that use realistic land values. Councils highlighted the desire for a better understanding of the principles and elements of development economics alongside an approved viability assessment model for stewardship. Understanding and assessing the suitability of different stewardship approaches was also highlighted as a core challenge and something many councils had commissioned external expertise on.

Service charges versus endowments

Most places had found decisions about service charges a challenge. While endowments of land, property, or capital funding were discussed, this is often as part of a wider discussion about service charges, which appears to be the most common approach adopted. What rate to set service charges at, how to integrate them with endowments of land, property or capital funding, and whether to make them fixed, fixed in line with inflation, or variable were some of the core questions many places are tackling. This was identified as both a point of conflict and financial challenge if rates are not set sufficiently to cover costs. Several interviewees felt that the best approach is endowments but combined with a recognition that this is only possible if considered early enough and embedded in Local Plan policy. For this reason, there was also criticism that it is therefore not always pragmatic to explore this option. As service charges alone can cause tensions as outlined above [See **Box 6**], in many places there has been a hybrid model which combines the two. This hybrid approach might be the only choice for projects which are a certain way down the road with their stewardship arrangements.

Integrating emerging stewardship considerations

While the majority of stakeholders we engaged with were focused on a specific large-scale site, several - particularly rural authorities – were considering how stewardship arrangements could and should be applied on a local authority-wide basis. There was evidence of a lack of experience and examples of how to address this. Emerging requirements for biodiversity net gain were also raised, particularly in terms of how these might be integrated with stewardship arrangements across a local authority area.

Overcoming these issues

The majority of the issues outlined above stem from three core circumstances which reflect many of the wider delivery challenges and undermine widespread enthusiasm and ambition across local authorities to realise the stewardship opportunity.

Firstly, many councils and delivery partners, despite having the best of intentions, are **coming to the stewardship issue too late in the process or on sites of a scale smaller than would be necessary to achieve the desired outcomes**. Without a firm hook in Local Plan policy, and where arrangements are being retrofitted to existing schemes, negotiations with applicants and delivery partners can be a real challenge. This is because applicants have already done financial calculations prior to stewardship considerations and revisiting these may mean reconsidering viability.

The second factor is a **lack of capacity and funding to support these processes,** including not being able to enable councils to upskill in-house instead of having to outsource expertise for basic support on stewardship.

The third circumstance is **the 'newness' of the idea** to the current development context. These approaches have been learnt and progressed over the last 5-10 years. There is an emerging legal status, only now being tested in the courts and through Local Plan examinations and learning is ongoing. The fact that there are relatively few contemporary examples to learn from, puts pressure on those few individuals who have the time and willing to share their direct experience.

These factors have a direct impact on the confidence of those involved in delivery.

The councils the TCPA engaged with recognised the importance of integrating stewardship processes with public participation and community development, but **building partnerships with other stakeholders involved in delivery** is essential for a successful stewardship approach to be identified. **The benefits of long-term stewardship for the private sector should, therefore, be more widely promoted**, with specific guidance and training for inspectors as well as councils.

Finally, underpinning these challenges, and something highlighted in the discussions was a perspective that we need to think differently about the role of assets such as parks and green infrastructure and community facilities. **Paying for their management is often considered as mitigation for development when it should be considered essential infrastructure for creating successful places.**

Place Spotlight 3: Beaulieu, Chelmsford

Developer initiated greenspace stewardship by the Land Trust

At their Beaulieu development, on the outskirts of Chelmsford, developers Countryside and L&Q recognised the benefits of a long-term perspective on stewardship and made an early commitment to ensure that the open space on the site was transferred to a not-for-profit organisation to undertake stewardship of the site. The organisation identified could also support the community development aspects of creating a new community. The developers were also keen to have an organisation who would be happy to take on the management of assets which were not yet adopted. In this case, the developers progressed stewardship arrangements independent of the local authority, and noted that being given the space to progress made the process easier. The Section 106 agreement for the site established that a service charge would be levied on residents to pay for the open space maintenance, as well as for the community centre and health centre on the site.

The Land Trust fulfilled this brief and were appointed to take on the long-term ownership and management of the green infrastructure on the site. By the end of the 20-year build-out, the Land Trust will manage the 72 hectares of parks and open spaces incorporated into the original masterplan. As the development progresses, the open space is being transferred in phases to Beaulieu Estate Management Ltd, a wholly owned subsidiary of the Land Trust.

Currently, the Land Trust is engaging with residents of 185 homes, with this increasing to over 3,000 by the time development is complete. They will take care of the estate parkland indefinitely on behalf of, and in partnership with, the Beaulieu residents and the wider local community through the collection and administration of a service charge. And as with all of its sites, the Land Trust is encouraging residents to engage, provide feedback and views, establish a ‘friends’ group, participate and run community events, and help shape how green spaces are maintained and used. The Land Trust reported that so far feedback on delivery and maintenance from the council and residents has been positive.

Emerging lessons from Beulieu Park:

- **Start your thought process early.** This is essential to inform the Section 106 and viability calculations.
- **Aim for a coherent approach across the whole site.** This provides integrated and consistent service delivery and clarity for residents.
- **Be site specific rather than seeking to implement a standard approach.** Each site is different and arrangements should be tailored accordingly.
- **Long term quality and durability is vital to scheme success.** From landscape to property build quality, up-front investment in high quality design has long term financial and operational benefits.
- **Ensure integrated landscape design.** Ensure public open space and green infrastructure are provided throughout the development.
- **The right design and stewardship can improve public health and wellbeing.** Designing for a walkable neighbourhood with good access to greenspace and community development through stewardship can improve health and wellbeing.
- **The right stewardship approach provides community engagement opportunities.** Setting a clear vision for stewardship on a site can help inform community engagement at the application and design stages and provide an ongoing opportunity for community engagement and development on site.

Place Spotlight 4: South of Ashford Garden Community: Chilmington Green

Setting up a council driven community management organisation

The South of Ashford Garden Community is comprised of three developments, Chilmington Green (CG), Court Lodge and Kingsnorth Green, which together represent 7,250 homes (of which 2,175 are affordable), over 1,000 jobs, a 142-hectare park along with new schools, health provision, play spaces and ecological areas to be protected. The new community is part of Homes England Garden Communities programme. As of December 2020, roughly 50% of phase 1 (1,501 homes) at Chilmington Green has reserved matters permission and over 58 dwellings are occupied. Outline planning applications have been submitted for Court Lodge and Kingsnorth Green.

To manage the assets of the new community, Chilmington Management Organisation (CMO) was set up by Ashford Borough Council and Hodson Developments (the lead developer) in August 2019 to own, manage and maintain the community spaces, buildings and create a community in the new development of Chilmington Green. The focus of the organisation is to foster a community focus on stewardship and secure long-term financial stability. The long-term stewardship of assets was a principle set in the Chilmington Green Area Action Plan[51]. The Section 106 Heads of Terms defines the requirements for bringing forward the stewardship model. To help set it up, the local authority invested resources to bring forward CMO in partnership with developers, recognising the holistic value that a stewardship body would bring to the council in the long term.

[51] Chilmington Green Area Action Plan (Ashford Borough Council, 2013). Accessed at: https://www.ashford.gov.uk/planning-and-development/planning-policy/adopted-development-plan-documents/chilmington-green-area-action-plan/

Funding

All the typical Borough Council assets are to be endowed to the stewardship body, these include community buildings, open spaces, play spaces and allotments, together with community development priorities. Forms of income include a set-up grant and a deficit grant which help cash flow in the early years and income from endowed commercial assets. Early support funding is crucial when setting up a stewardship body as specialist advice and support costs such as legal, business and financial planning are often underestimated.

A resident charge is also in place to support the running costs of CMO and its activities. There are three different rent charge deeds. The first deed is the annual estate charge which is divided into different bands proportional to the number of bedrooms in each house. As of March 2022, the standard charge is £383.02 for a three-bedroom house.[52] The second rent charge deed provides for the ability to increase the rent charge in deed one by up to 20% after 2030 with CMO Members agreement—this cost would only get applied if necessary. Deed two also sets out some additional obligations that the CMO will undertake. The third rent charge deed, is applicable to areas of the estate which are to the benefit of only a few residents, such as private courtyards, which are only paid by the residents where it applies. This is just one example of how the resident charge can be applied.

The first community building run by CMO together with the use of Section 106 sums for community development, will further promote community engagement and the building will provide an opportunity to produce income for the management organisation. It is a hub for events and social activities and is a modular building that could be relocated as the development comes forward. It also provides workspace for CMO staff, a bookable meeting room and a community room that will be open for public use.

Governance and a common vision

Learning from Chilmington Green demonstrates that the issue of stewardship should be considered a corporate issue for the council and must be supported and driven as such. A vision for stewardship is crucial and should be agreed by all partners from the start. The fact that the principle of stewardship was in the Area Action Plan put the local authority in a good position to ensure that developers understood what the requirements were. The local authority appointed a specialist lawyer to support Section 106 negotiations with developers to agree on the governance of CMO and other aspects of the stewardship model.

The board of trustees which make the strategic decisions have nominated representatives from the developers (up to five nominations), the local authority (two nominations), the voluntary sector (one nomination), a housing association (one nomination) and a

[52] Rent charges and an explanation of the deeds are provided on the CMO website at: https://cmo.org.uk/what-we-do/fees/

resident (one nomination in phase one). Throughout construction of the development, developers have up to 50% of the votes at the board with the other parties holding the other 50%. When the last house is sold, the developers will vacate their board positions and residents take over. In order to increase resident representation over the time of the development, a further four residents will be appointed, one for each phase.

Diagram indicating the governance structure of Chilmington CMO

Key emerging lessons from Ashford Garden Community:

- **Make a corporate commitment to stewardship.** Stewardship is a corporate issue for the council and must be supported and driven as such
- **Appoint an interim body.** Appoint an interim body, led by developer but that has council, parish and wider community input
- **Secure a strong vision.** Agree the vision for the stewardship body early on with all partners
- **Think beyond the planning and construction phase.** Decisions at the planning stages have long term implications for operating the stewardship body
- **Keep matters simple, wherever possible**. Three different rent charge deeds is difficult to manage in delivery!
- **Early cash flow is essential.** Include set up grants and early deficit grants to help cash flow in the early years. Don't underestimate the need for specialist advice and support costs such as legal, business and financial planning.
- **Community engagement and involvement is key.** This is the case throughout the process, and approaches to delivery may need to change over time, especially as the community evolves.
- **Secure the right team.** Identify coordination funding to appoint dedicated staff to lead the early phases of delivery
- **Be flexible.** Don't tie yourselves in knots with detail in the Section 106. Things change. You need certainty but flexibility to respond to trends and innovation, and different approaches to delivery (e.g. in light of the COVID-19 pandemic).

Place Spotlight 5: Ebbsfleet Garden City Trust

Urban Development Corporation initiated stewardship arrangements

Community activation initiative: Edible Ebbsfleet (2018)

In 2015 the Government established the Ebbsfleet Development Corporation (EDC) to enable and speed up the delivery of 15,000 new homes in Ebbsfleet Garden City (Ebbsfleet GC) in North Kent. The designated Garden City area included land with existing planning permissions for over 12,000 new homes, but which required infrastructure investment to enable its delivery as well as additional development, and ensure high quality community provision. EDC is an Urban Development Corporation, which is a type of Development Corporation whose activities and finances are controlled by what is now called the Government Department for Levelling Up, Housing and Communities (DLUHC) and, ultimately, HM Treasury.

While the circumstances in Ebbsfleet GC are unusual, EDC's work on a stewardship strategy for the site provides valuable transferable lessons for other new community projects where the site includes existing planning permissions, management companies, and a variety of community assets and funding mechanisms coming forward.

The EDC has been working for several years to develop a stewardship solution for the future maintenance of Ebbsfleet GC parks, open spaces and community buildings alongside an ongoing programme of placemaking and community development activities. The existing planning consents covered much of the land within the EDC's boundary, but many of these consents were old, did not include provision for effective stewardship arrangements and could not be unilaterally re-opened to correct this. As a result, many developers in the Ebbsfleet GC area have resorted to funding long term management of public open spaces, sports facilities, play parks, and neighbourhood community buildings through service charge regimes, whereby residents of the new developments are charged for the management of facilities that will be open and accessible to the general public, without restriction.

EDC’s work to develop a solution has been complex, and has involved detailed discussions with developers, local authorities, DLUHC’s policy, finance and commercial teams, and also with HM Treasury.

Recognising the importance of committing to a framework to guide detailed stewardship arrangements, in 2018 the EDC board agreed some key principles to guide the stewardship strategy.

Scope: That the stewardship arrangements should cover a range of different assets – from play areas and strategic greenspace to cultural facilities – and, importantly, that the arrangement should be more than just a ‘manager of assets’ but should seek to play a role in ‘community curation’.

Form and operations: That stewardship arrangements should optimise community involvement and influence, provide a quality stewardship service across the site and would be capable of working with and alongside variable forms and structure of local government at parish and borough level.

Funding: That the preferred funding model would be a mixed one depending on what was appropriate for each asset or development. This might include service charges for neighbourhood level assets alongside other forms of revenue for assets that serve the wider Garden City and beyond. These might include revenue streams from other assets, some of which may be created by capital endowments.

After a detailed study, extensive stakeholder engagement and also work with the DHULC, the EDC’s conclusion was that as a feature of the Corporation’s exit strategy, a bespoke independent charitable stewardship Trust would be the best solution to meet all the requirements and objectives.

The Ebbsfleet Garden City Trust (EGCT) has been set up to be responsible for the long-term maintenance of the Garden City parks, public open spaces and community facilities as well as engaging and building the Garden City community through encouraging and enabling civic life and recreational activities. It will be the charitable legacy and stewardship organisation when EDC completes its work.

In 2021 EGCT was set up as an independent charity with its own board of trustees, made up of residents and key stakeholders. From 2022 onwards, community allotments, buildings and large parks will be transferred to EGCT to be managed and maintained for the benefit of the community, along with income generating assets to meet any net costs and liabilities. EGCT also intends to work with the residents, house builders and managing agents to ensure consistent high maintenance standards across the Garden City at affordable rates for residents. This might require taking responsibility for the Estate Management Companies or acting as the managing agent.

The proposal is built upon a model whereby community assets that require future management across the Garden City fall into three broad categories:

A) Local neighbourhood assets (for example, small scale children’s play areas, small scale landscaping or similar) that will be provided by developers through Section 106 and which will

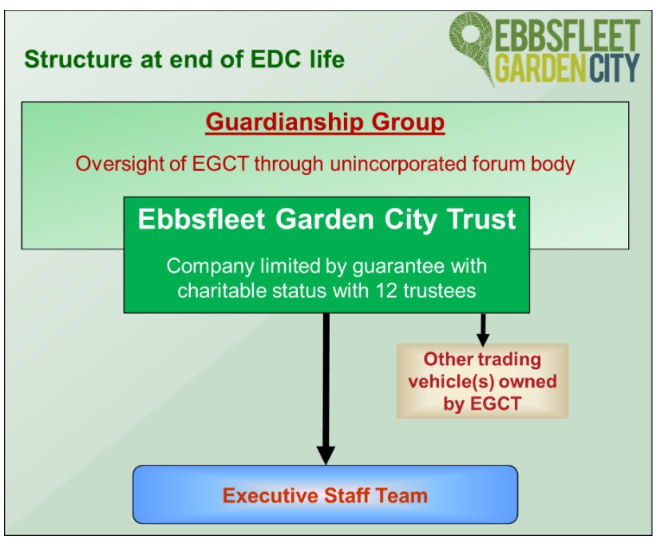
be fully funded through service charges;
B) Garden City scale assets which will be provided by developers through existing Section 106; and

C) Garden City scale assets, not provided by developers through Section 106, which EDC expect to bring forward and directly deliver in line with its mission to deliver the Garden City.

Assets in category a will continue to be funded through service charges levied on new residents. Most of these assets are, or are expected to be, the responsibility of existing management companies set up by the developers.

Assets within categories b and c are the strategic assets which EDC wish to see funded through means other than service charges, so funded through earned income from the letting and management of facilities and from endowment income.

The proposed structure for the Trust at the end of the EDC's life is set out below. Trustees will include representatives of local residents, local businesses, the (former) EDC, local authorities Social Landlord (Housing Association) and Voluntary/Community/Faith sector and Ebbsfleet Design Forum. A key feature of the EGCT model is that of the 'guardianship group' - an unincorporated, inclusive stakeholder group created to oversee, monitor and advise the work of the stewardship trust but without any executive powers or functions. It is intended that this will be set up during 2022.



Find out more at: https://egctrust.org.uk/

Emerging lessons from Ebbsfleet:

- **Retrofitting stewardship arrangements is complex.** A site with existing planning permissions or stewardship arrangements is complex and requires significant resources and time, expertise and co-ordination between different stakeholders.
- **Think about categories of assets requiring stewardship.** Assets of different types and scales are likely to have different delivery and funding requirements and categorising them can help to determine the different funding streams and stewardship approaches required.
- **Commit to core principles as a framework for details.** An early commitment by the governing or delivery body to core principles to guide stewardship arrangements in terms of scope, funding preference and operations and function provides a useful framework to determine the detail.
- **Link governance and community engagement.** Establishing a 'guardianship' or advisory group comprising further stakeholder representatives to help steer the work of the stewardship body provides an additional layer of community representation without making the governance of the stewardship body unnecessarily complicated.
- **A stewardship body which is established with a robust and transparent governance framework and financial model, can demonstrate how it would provide higher quality maintenance.** As a potential 'umbrella' stewardship organisation, this makes it attractive to residents and increases the possibility of taking on the responsibilities of existing estate management companies on the site.

6. Key Lessons on the delivery of stewardship in new communities

Decades of learning about the delivery of new communities has demonstrated that long-term stewardship is truly at the heart of creating successful places that will stand the test of time.

Even the most beautifully designed places with high environmental build standards will fail if arrangements are not made for their management in perpetuity and on behalf of the community. Recent recognition of the importance of long-term stewardship in Government and across the sector has led to some important steps forward and some interesting interventions in new developments. But the emerging experience shows that these piecemeal approaches, despite the improvements they will result in, are in fact sub-optimal, and far from achieving the full benefits of holistic 'whole place' stewardship.

Diluting the idea to the management of one particular area or asset in a new development, risks discrediting the idea entirely and missing the opportunity to embed long term benefits in places which will provide homes for tens of thousands of people. From Letchworth to new energy companies and remote management companies, emerging lessons continue to highlight that if a stewardship body is operating for profit, which benefits private interests over the community it operates within, it will always be difficult to resist choosing short-term profit over value for residents. The TCPA is keen, therefore, to see a move away from management companies for leaseholder service charges, to stewardship bodies which are mutualised and operate genuinely for community benefit, and are able to capture and share adequate value in perpetuity. The default position of a service charge or additional tax on housing is something that should be paid for through development costs – to both avoid unnecessary burden on residents, and secondly to avoid those paying for the services feeling territorial over what should be a publicly accessible asset. This is clearly the 'gold standard' solution.

This returns us to the question of how to get the right value out of the development process alongside the right governance and management. Achieving this requires stewardship to be embedded from a very early stage, before land deals have been finalised and within a policy framework that sets out stewardship requirements. This needs to work for communities, councils, and developers alike. The reality of our current delivery model, however, remains a major challenge. As the location and consent of new communities is currently ad-hoc, this means that the majority of places will be coming to the stewardship question at a much later stage. While this may make the 'gold standard' approach a challenge, there remain huge opportunities to improve a place though implementing stewardship initiatives on site. For those places, the lessons below distil key learning for ambitious places wishing to process stewardship on their sites.

Key lessons for long-term stewardship in new communities

1. **Remind yourself that stewardship is about people not just place management.** It is about enabling active citizenship and building the social architecture of a new community that will evolve over time, not just understanding how to pay for community assets in the long-term. There is a need to shift mindsets and the way our development model considers green infrastructure and community assets – they are essential and non-negotiable aspects of healthy, successful places.

2. **It's never too early to start thinking about stewardship arrangements!** Wherever the project is in the planning and development process, you should start conversations and planning for stewardship at the earliest stage possible. Land deals are not the only thing in the process that is time critical – designing a building to be flexible enough to accommodate a range of uses is also important as part the holistic stewardship of a place. It can also enhance the benefits for everyone involved in the process – from enhanced community development for residents to a more investable and viable development for the private sector. The right approach can benefit everyone, but it needs to be discussed at an early stage.

3. **There is no 'one size fits' all stewardship approach.** The right stewardship solution is unique to every site and project. It requires time, resources and enthusiasm to find the right solution. It is complicated but worthwhile!

4. **Be ambitious but realistic and honest.** Be realistic about what you can achieve. Take stock of where you are in the process and the status of key milestones which will affect your capacity to achieve different levels of stewardship. If you are considering a stewardship body when the land price has already been agreed, the outcome will be sub-optimal. But, recognise sub-optimal doesn't mean it's not worth doing. There is always a benefit in adopting some level of stewardship on a site.

5. **Clarify what you want from the process and commit.** Stewardship should be considered a corporate issue for the local authority. A clear vision and commitment to core principles on stewardship should then inform the detail as arrangements progress. Alongside a shared vision and agreed stewardship strategy, the council must ensure the process is adequately resourced (financially and staff-wise). This is alongside a policy commitment in the Local Plan.

6. **Invest in the process.** Understanding long-term stewardship and undertaking the process of involvement in stewardship requires dedicated staff resources and a team with the right skills over a prolonged period.

7. **Build your skills base and become and informed client.** Capacity is a challenge in all local authorities, but where possible take the opportunity to upskill and undertake basic research in-house, then outsource for specialist input when needed. There are checklists and other resources available to help with this. Become an informed client. Consider a specific role for a stewardship expert, resourced in partnership with the private sector.

8. **Communication and transparency are essential.** Establishing a basic understanding of what stewardship means at all levels of the council, and with stakeholders and delivery partners, should be part of public participation processes. It's important that people understand that maintenance and stewardship are different things, and to have clear lines of communication with residents about setting rates and opportunities for active citizenship. Honesty is essential. There is also a need to communicate the importance of stewardship in helping to achieve the vision for a place. People buy into the narrative of a place and how it is managed, expectations are high and must be delivered upon.

9. **Be collaborative and inclusive in your approach.** Link stewardship research with public participation, but also with all stakeholders in the delivery process. This means parish councils along with the landowners, master developer, housebuilder and existing local stewardship organisations. Consider a working group focused on stewardship. Also consider appointing an interim body, led by the developer but that has council, parish and wider community input.

10. **Provide a robust but flexible financial framework.** Costs change over time. There is a need to balance consistency of service provision and value for money with being realistic about how costs can change. Ensuring assets are protected and are part of a varied portfolio are also important for the future sustainability of the model. Don't underestimate how costs might be front-loaded – from staff capacity to co-ordinate the project, set-up costs for meanwhile uses, or specialist advice.

11. **Think about the exit strategy.** Take a long-term evolving approach but with a clear exit strategy for the local authority and other delivery partners. This includes quality monitoring and integrating ongoing requirements across a site – from landscape and biodiversity to community centres.

12. **Share experience and learn from others.** Long-term stewardship in new and renewed communities is a 'live' issue and new learning is emerging all the time. Consider creating an in-house stewardship working group and consider joining forums such as the TCPA New Communities group, or via networks such as Public Practice.

7. Next steps and further information

This project sought to capture emerging lessons from new and established councils and communities tackling the long-term stewardship question. While this report has begun to distil some of these key lessons, it has also highlighted a number of resource gaps and requirements for further support and research on long-term stewardship.

To begin to address this the TCPA is developing a practical toolkit of resources on long-term stewardship which will be available on the TCPA website at: https://www.tcpa.org.uk/long-term-stewardship. This is likely to include checklists to inform planning for stewardship; a database of case studies on long-term stewardship; briefing notes on specific issues such as calculating service charges and endowments, or on Local Plan policy; a hub for further resources and guidance on long-term stewardship; and other resources identified by a New Communities Group stewardship working group.

To supplement these resources the TCPA is also developing a training offer for councils, delivery partners and communities. This will be supplemented by exploring how best to encourage peer-to-peer learning on the subject.

Advocating stewardship support

This report has also highlighted the need for government to invest in support for those tackling long-term stewardship. The TCPA will be exploring how government on how to invest in, and enable councils, communities and delivery partners to make the most of the long-term stewardship opportunity.