

Cossington Playing Field Wayleave Policy

Background

Cossington Playing Field was gifted to Cossington Parish Council in 1975 by local Builder R. M. Smith for the benefit of residents of Cossington Parish.

It was awarded Queen Elizabeth II status in 2012, giving additional protection over future uses of the land.

Cossington Parish Council therefore have a special duty of care in its use.

In 1993, a request to run a small domestic water supply through the playing field to a single defined site to the west (in the neighbouring Parish of Woolavington) was received. The stated need was due to the inadequacy of alternative connections in the vicinity. After consultation with all relevant parties, the request was agreed under strict legally bound conditions.

Since that time, the addition of new sites and businesses along Cossington Lane has meant that the water supply has been upgraded providing additional connection options, as used by these sites – giving safe, practical, and sustainable means of connecting new customers to the water mains via conventional routes. No further wayleave requests were therefore anticipated.

During 2020 and 2021, multiple requests were received for additional water supply easements across the Playing field. None of these discussions progressed once necessary details regarding the requirement were requested.

Inconclusive informal communications with the relevant parties have consumed a disproportionate amount of Parish Council time raising more questions than answers. The policy below has therefore been developed to ensure that full details of any future request are provided in writing, and that all necessary steps have been taken before any discussions take place.

Wayleave Policy

The general policy is not to allow any additional wayleave agreements for services over and above the single existing 1993 agreement.

However, at the sole discretion of Cossington Parish Council, exceptional consideration could be given to requests where:

- There is demonstrable significant hardship to existing established residents which this would help resolve
- There is a significant demonstrable benefit to, and support of, the Cossington community (note: this could require a village referendum to confirm community support).

Any request involving the use of a wayleave agreement to provide low-cost supply of water services to meet the needs of new or expanded sites or new residents would normally be refused.

Where a request is considered, the following would be needed **in writing** (to Cossington Parish Council clerk) prior to any further discussions:

- Acknowledgement that the above policy is understood along with a statement of why exceptional consideration should apply in the particular case in question.
- Agreement with **all parties** to include the additional services in a single agreement, amending the existing 1993 agreement as necessary to include the additional services
- Full details of who is being supplied, supply location(s) and for what purpose – and details regarding no of pipes and size / capacity required
- Demonstration of full planning permission having been granted for the site(s) intended for use
- Agreement with the Parish Council covering the supply region if the supply site(s) in question is not within Cossington Parish
- Confirmation from the local service supply company that the additional requirements could be met without detriment or disruption
- An understanding that any agreed Commercial terms should fairly and demonstrably reflect the worth of the agreement to the requestor and corresponding value to Cossington Parish Council – and the understanding that all legal and other related costs to the Parish Council would be paid by the requestor.