



Date of Meeting	7 th November 2019
Portfolio	Cabinet Member for Planning, Development & Housing
Report Author	Nick Barton
Public/Private Document	Public

Section 106 - Rochdale South Projects

Executive Summary

- 1.1 This report seeks approval to allocate funds currently held from Section 106 open space contributions in the Bamford, Kingsway and Milkstone and Deepdish Wards to contribute to projects which will provide local open space improvements within those wards.

Recommendation

- 2.1 It is recommended that Members approve the allocation of £26,271.90 of Section 106 local open space contributions from the McCarthy & Stone, Butterworth Grange development on Norden Road to fund improvements at Bamford Green.
- 2.2 It is recommended that Members approve the allocation of £54,925.07 of Section 106 local open space contributions from the David Wilson Homes, Kingsway development to fund the provision of a community garden at Robinson's Common.
- 2.3 It is recommended that Members approve the allocation of £2,000.98 of Section 106 local open space contributions from development at Boundary Street to support improvements at Stoneyfield Park.

Reason for Recommendation

- 3.1 Rochdale Township Members have previously requested that all s.106 open space funded schemes be approved by Members by way of a report to an appropriate committee. A similar process of reporting exists in all other Townships.
- 3.2 Costed schemes have been prepared by the Council's Environmental Management and Property Services, Petrus and the Friends of Bamford Green and are supported by the Ward Councillors.

- 3.3 The schemes are within the parameters of the s.106 agreement and the Council's 'Provision of Recreational Open Space in New Housing' Supplementary Planning Document.

Key Points for Consideration

- 4.1 Rochdale Council's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 years maintenance) and / or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution.

Bamford Green

- 4.2 Section 106 local open space contributions have been received for £26,271.90 in relation to the development of Butterworth Grange, Norden Road by McCarthy & Stone.
- 4.3 A scheme has been prepared in partnership between the Council's Environmental Management Service and the Friends of Bamford Green to improve recreational access to Bamford Green, building on clearance and footpath works funded by a township grant. This allocation will enable the creation of formal and informal seating areas, a 300m² area, a herbaceous garden island to form a centre piece to the Green and new scrub planting.
- 4.4 Combined with the existing works, this project will make the Green accessible to all and encourage increased community use of the area, in addition to providing opportunities for volunteering and community events.
- 4.5 The enhanced Green will be maintained by the Friends of Bamford Green in partnership with the Council's Environmental Management Service and will not create any additional maintenance obligations to the Council.

Robinson Common Allotments

- 4.6 Section 106 local open space contributions have been received for £54,925.07 in relation to the development of homes on Kingsway Business Park by David Wilson Homes.
- 4.7 A scheme has been prepared in partnership between the Council's Property Service and Petrus Community to provide a community garden at Robinson's Common, building on their successful Bellfield Road Garden, the project will work with groups of all ages and abilities, increase physical activity and teach residents about growing and cooking their own food, diet and healthy living.
- 4.8 The garden will be managed by Petrus Community and will not create any additional maintenance obligations to the Council. Petrus have demonstrated the ability to add value to projects by attracting additional funding from a range of organisations.

Stoneyfield Park

- 4.9 Section 106 local open space contributions have been received for £2,000.97 in relation to development at Boundary Street.
- 4.10 A series of small projects have been developed by the Council's Environmental Management Service to improve the park, a number of these projects have been funded and implemented through Ward and Members funds and from Environmental Management budgets. This contribution will fund the installation of two self-closing gates to complement the wider programme of works.
- 4.11 The maintenance obligations of the project can be met from existing Environmental Management resources dedicated to Stoneyfield Park.

Alternatives Considered

The Council is required to spend s.106 contributions in accordance with legal agreements and local and national planning policy. Not bringing forward projects to spend s.106 contributions in accordance with these agreements and policies risks the loss of investment in local facilities, and the refunding of monies held from s.106 contributions where there is a time limited period for spend.

Proposals put forward in this report have been the subject of consultation with Ward Members and reflect their priorities. The use of resources has been considered to maximise the funding available.

Costs and Budget Summary

- 5.1 Section 106 contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations.
- 5.2 The projects will be implemented by the Council's Environmental Management or Property Services in partnership with established community organisations and will be managed in accordance with established project management methodology.
- 5.3 The works will not incur additional revenue costs to Council departments, such as increased maintenance requirements.
- 5.4 The identified funding of £83,197.95 is made up of Section 106 local open space contributions from the development of Butterworth Grange, Norden Road by McCarthy & Stone (£26,271.90), David Wilson Homes, Kingsway Business Park (£54,925.07) and Boundary Street (£2,000.97).

Risk and Policy Implications

- 6.1 As identified within the report, contributions from s.106 agreements must be spent within the parameters of each of those legally binding documents. Where money is not spent within the appropriate parameters, then this risks

legal challenge, which would present significant financial and reputational as well as legal risk to the Council.

- 6.2 Where there are any queries or where there is any uncertainty on spending contributions obtained through s.106 planning obligations, this should be raised and advice should be sought from Legal Services and where appropriate the Section 151 Officer, as any misspending may obviously impact on that function.

Consultation

- 7.1 The projects contained within this report have been developed in consultation with Ward Members.

Background Papers	Place of Inspection
8.1 Provision of Recreational Open Space in New Housing' Supplementary Planning Document	Planning and Development, Floor 3, Number One Riverside or online at: http://www.rochdale.gov.uk/pdf/2017-02-21-recreational-open-space-spd-updated-v2.pdf
For Further Information Contact:	Nick Barton, Tel: 01706924847, nick.barton@rochdale.gov.uk