

## Report to Rochdale South Township Committee



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| Date of Meeting         | 29 <sup>th</sup> July 2020   |
| Portfolio               | Cabinet Member for Planning, Development & Housing, Cabinet Member for Environment |
| Report Author           | Nick Barton  |
| Public/Private Document | Public   |

### Section 106 - Kingsway Play Provision

#### Executive Summary

- 1.1 This report seeks approval to allocate Section 106 contributions from development in Kingsway Ward towards a new play facility at Robinson's Common.

#### Recommendation

- 2.1 It is recommended that Members approve the allocation of £7,904.76 of Section 106 contributions from development at Moss Terrace and Billberry Street towards the development of a new play area at Robinson's Common.

#### Reason for Recommendation

- 3.1 Rochdale South Township Members have previously requested that all Section 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 Service and are supported by Ward Councillors.
- 3.3 This scheme is within the parameters of the Section 106 agreements 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, such as play areas, provision should be within 20 minutes walking distance of the development generating the contribution, the proposed projects meet this criteria.
- 4.2 A multi-use games area and an outdoor gym have recently been installed at Robinson's Common. Assessment of play equipment in the area has identified an under provision of toddler and junior play facilities.
- 4.3 The cost of providing a new toddler and junior play area to serve ages 2-11 will cost in the region of £45,000-£55,000 to supply and install and the same amount of revenue funding to inspect and maintain the new play area for a period of 20 years. However, because a pre-existing play area in the area has been removed, the Environmental Management is committed to meeting maintenance costs from existing budgets.
- 4.4 It is requested that Members allocate Section 106 contributions of £7,904.76 from development at Moss Terrace and Bilberry Street to the development of the Robinson's Common play area project, on the basis that as additional Section 106 or other funding becomes available, this can be used to top up this fund until there is sufficient funding to initiate the project.

#### **Alternatives Considered**

- 4.5 The Council is required to spend Section 106 contributions in accordance with legal agreements and local and national planning policy. Not bringing forward projects to spend Section 106 contributions in accordance with these agreements and policies risk the loss of investment in local facilities, and the refunding of monies held from Section 106 contributions where there is a time limited period for spend.
- 4.6 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.

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| <b>Costs and Budget Summary</b> |
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- 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 Council's Environmental Management Service will manage the implementation of this project in accordance with established project management methodology and the project will only be implemented once sufficient funds to meet the full costs of the project have been secured.

## Risk and Policy Implications

- 6.1 As identified within the report, contributions from Section 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 The proposals outlined in this report are compliant with the Council's policies on the provision of local open space Section 106 contributions.

## Consultation

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

| <b>Background Papers</b>   | <b>Place of Inspection</b>  |
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| 8.1 Provision of Recreational Open Space in New Housing Supplementary Planning Document. | Planning and Development, Floor 3, Number One Riverside or online at: <a href="http://www.rochdale.gov.uk/pdf/2017-02-21-recreational-open-space-spd-updated-v2.pdf">http://www.rochdale.gov.uk/pdf/2017-02-21-recreational-open-space-spd-updated-v2.pdf</a> |
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