



Date of Meeting	17 th September 2020
Portfolio	Cabinet Member for Planning, Development & Housing
Report Author	Nick Barton
Public/Private Document	Public

Section 106 - Middleton Play Provision

Executive Summary

- 1.1 This report seeks approval to allocate funds currently held from Section 106 Open Space contributions in Middleton to contribute to improvements to play facilities at Hollin Play Area and in Alkrington.

Recommendation

- 2.1 It is recommended that Committee Members approve the allocation of £10,123 from Section 106 Open Space contributions to improvements to play facilities at Hollin Play Area.
- 2.2 It is recommended that Committee Members approve the allocation of £28,910 from Section 106 Open Space contributions to provide a new play facilities in Alkrington.

Reason for Recommendation

- 3.1 Middleton 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 The schemes are 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.

Hollin Play Area

- 4.1 Hollin Play Area is the only play area serving the Middleton section of Hopwood Hall ward. Over the years various pieces of equipment have been removed for health and safety reasons, but not replaced. As such, the play facilities only serve the basic needs of users.
- 4.2 There is an opportunity to upgrade the play value of the site and improve access and inclusion, through provision of a new path, steel picnic bench and "aeroskate" slide; alongside repair or replacement of existing equipment and safety surfacing.
- 4.3 The total cost of the scheme is £17,252, of which £10,123 would be Section 106 open space contributions and the remainder from existing Environmental Management budgets. The maintenance cost will be met from existing Environmental Management budgets.

Alkrington

- 4.4 RBH play areas (The Heath and The Downs) have been decommissioned by RBH due to vandalism and anti-social behaviour, exacerbated by the location of the facilities directly next to housing and the fact that the equipment nearing the end of its lifespan was uneconomic to repair.
- 4.5 RBH are keen to work with the Council to secure improved play provision for the south of Alkrington and as such have offered a potential location (subject to consultation and planning) and a financial contribution to the capital investment required to create a new play area.
- 4.6 The proposal is for a play area for ages 2-7 on land close to shops at The Downes. The location is accessible, but not close to homes. The age range of the equipment will mitigate antisocial behaviour. Equipment for older children is not required as the provision at Kirkway Stocks / Penryhn Park is considered to be within reasonable travel distance.
- 4.7 The total cost of the scheme is £41,400, of which £28,810 would be Section 106 open space contributions, a contribution of £10,000 is assumed from RHB and a grant of up to £3,000 will be sought from Middleton Township, although this may not all be required, subject to contingency costs.

- 4.8 The maintenance cost will be met from existing Environmental Management budgets, but this is only possible if the requested closures of Mount Road and Limetrees remnant / disused play areas are agreed by Middleton Members as recommended in the Play Strategy. If this is not approved then alternative funding will be required to pay for the maintenance of the new play area.

Alternatives Considered

- 4.9 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.
- 4.10 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 The identified Section 106 funding of £38,983 is made up of Section 106 Open Space contributions from development in Hopwood Hall and East Middleton at Alderman Kay, Tintern Road (£10,123), Old David's Inn, Mount Road (£20,916),
- 5.2 Section 106 contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations.
- 5.3 The Council's Environmental Management Service will manage the implementation of these projects in accordance with established project management methodology and are able to meet the full cost of the project from identified budgets.

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.

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
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