

Delegated Officer Report

Decision Maker:	Carol Brown – Director of Environmental Services
Date of Decision:	21 May 2019
Subject:	Allocation of Section 106 resources from DB 417 - St Thomas Church, Church Street, Delph (PA/341850) for the planting of 3 x extra heavy standard Oak trees in Delph
Report Author:	Liz Kershaw – Principal Regeneration Officer
Ward (s):	Saddleworth North

Reason for the decision: To seek approval for the allocation of resources secured through Section 106 planning obligations to fund the planting of 3 x extra heavy standard Oak trees in Delph.

Summary: Planning permission for the development at St Thomas Church, Church Street, Delph (PA/341850) was granted subject to the developer first entering a Section 106 planning obligation. This obligation was signed on 28/10/2018, whereby the developer, Reverend Canon Sharon Jones, incumbent of the benefice of St Thomas, Friarmere, agreed to pay a commuted sum of £900 for the planting of 3 replacement oak trees on Council owned land in Delph.

With interest, there is now £902.37 available and no expiry on the length of time the Council has to send the contribution.

It is now proposed to use the contribution and interest accrued towards this scheme to plant 3 extra heavy standard Oak trees within the Council owned green space adjacent to the play area at Denshaw Road, Delph. See attached plan at Appendix 1.

Environmental Services will order the Oak trees and plant them during the planting season between October 2019 and March 2020.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Do nothing: this is not a viable option as the S106 obligation is a legal agreement with the developer to secure the planting of replacement Oak trees in Delph. By doing nothing, the Council would not be fulfilling their part of the agreement and must return the money to the developer.

There are limited Council owned sites within Delph, and the area of public open space at Denshaw Road is the best location to plant 3 extra heavy standard Oak trees. There is plenty of room for the trees to grow and complement the existing green space and play area. This is the preferred option.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted.

Consultation was undertaken as part of the planning application process for the development at the Church. This resulted in the requirement for the contribution to replace 3 oak trees on Council land within the Delph area.

Recommendation(s):

To allocate £902.37 (including interest) to purchasing and planting 3 x extra heavy Oak trees on the Council open space at Denshaw Road, Delph

Implications:

What are the financial implications?

Environmental Services have sought costs for the purchase of 3 x extra heavy Oak trees. The estimated cost is £300 per tree. The available S106 funding is £902.37 interest. Environmental Services will plant the trees and use any residual funding towards this.

The balance held in respect of S106 funding line DB417 (St Thomas Church, Delph) is currently £902.37. This report details a spending proposal of that amount to plant 3 oak trees. Once the work has been completed, the balance held on this line will be fully allocated. (Nigel Howard/Sadrul Alam)

What are the legal implications?

The proposals are an appropriate use of the S106 funding. (A Evans)

What are the procurement implications?

Environmental Services have obtained the prices from existing suppliers.

What are the *Human Resources* implications?

Not applicable

Equality and Diversity Impact Assessment

Not applicable. The site is an area of public open space and accessible to everyone throughout the whole year.

What are the *property* implications

The addition of three extra heavy standard trees will enhance the biodiversity of the site and provide additional natural drainage to the grass area

Risks:

This is a low risk scheme.

Co-operative agenda

Planting trees will enhance the appearance of the site and add to the biodiversity of the area and contribute to improving air quality for local residents.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

There are no background papers for this report

Report Author Sign-off:	
Date:	

Please list and attach any appendices:-

Appendix number or letter	Description
1	Location plan for tree planting

In consultation with Director

Signed : *Carl Brown* . Date: 21 May 2019

Appendix 1 – Tree planting location

