

Delegated Officer Report

Decision Maker: Helen Lockwood - Deputy Chief Executive - People and Place

Date of Decision: 23 January 2020

Subject: Proposal to allocate Section 106 resources from DB 409 – land at 160 Oldham Road, Failsworth (PA/340947) for landscaping of the play space at Lower Memorial Park , including network of paths, a new slide and basket swing, along with a sand play area.

Report Author: Elizabeth Whitehead

Ward (s): Failsworth West

Reason for the decision: To seek approval for the allocation of resources secured through Section 106 planning obligations to fund the landscaping of the play space at Lower Memorial Park, including network of paths for users to discover the play space, the install of a new slide and basket swing, along with a sand play area.

Summary: Planning permission for the development at 160 Oldham Road, Failsworth (PA/340947) was granted subject to the developer first entering a Section 106 planning obligation. This obligation was signed on 18/05/2018, whereby the developer, Mandale Apartments 4 Ltd and Ivy Business Centre Ltd, agreed to pay the Council £48,101.46 for the provision or upgrading of the play equipment at Lower Memorial Park, Park Avenue, Failsworth upon the occupation of the first dwelling constructed pursuant to the planning permission. With the addition of interest, there is now £48,345.59 available and there is no expiry on the length of time in which the Council must spend the contribution.

It is now proposed to use this funding towards this scheme at Lower Memorial Park for the landscaping of the play space, including network of paths for users to discover the play space, the install of a new slide and basket swing, along with a sand play area.

A master plan for Lower Memorial Park was drawn up in

2013 with local community and members input. The masterplan covers the whole park and wider aspirations around links with Moston Brook area. It is proposed use the 106 funding to carry out the works associated with play space within the park.

From the consultation that was carried out during the masterplan works, the play space came up as an area that needed improvement works and lacked any play value. The site has also been identified as in need of development going back to the Playbuilder programme in 2009.

The Councils Environmental Services team have designed and developed the masterplan in partnership with community and members. They have also designed and costed the works to the play area. It is proposed that Environmental Services will carry out the improvement works in house and bring in specialist contractors to install the slide and baskets swing.

The work involves the removal of the current tarmac surfacing around the play space, leaving in the current swings and seesaw, leaving in a tarmac path through the space for access. Mound up the south east corner of the space and create a mound leading up to the north end of the space to create the path network for play explorative. The slide would be installed on the mound and the basket swing would be placed in the north west area.

The costs of the works are as follows

Description	Amount
Preliminaries	£1,500
Swing and slide (purchase and install)	£10,421.57
Landscaping, sand play area, planting and path works	£33,278.10
Contingency	£2,146.22
Environmental Services Fees	£1,000
Total	£48,345.89

The scheme would be 100% funded by the Section 106 contribution from DB 409 Land at 160 Oldham Road, Failsworth and the interest accrued so far.

What are the alternative option(s) to be considered? Please give

Option 1 - Do nothing. The play area at Lower Memorial Park is already in decline. If not addressed, the site either needs to be improved or decommissioned. Failure to use the

the reason(s) for recommendation(s):

developer's contribution could result in the developer seeking the return of the unspent funds.

Option 2 – To allocate the funds to the scheme outlined above which is part of a wider master plan for Lower Memorial Park. The scheme will utilise the funding and obtain best value for the contribution in accordance with the provisions of the agreement. This is the preferred option.

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

Environmental Services have involved the local ward councillors in discussing options to utilise the S106 funding for the space and have agreed with the proposed works with them.

Recommendation(s):

To approve the allocation of £ 48,345.59 section 106 resources (including interest) from DB 409 – Land at 160 Oldham Road, Failsworth (PA/340947) to Environmental Services for the purposes of landscaping the Lower Memorial Park play space, including network of paths for users to discover the play space, the install of a new slide and basket swing, along with a sand play area

Implications:
What are the financial implications?

Capital Implications

The cost of these improvement works totalling £48,345.59 will be charged to Environmental Services capital programme and funded from an existing S106 balance (DB409 Land at 160 Oldham Road). Once utilised, there will be no residual balance carried forward against this S106 resource.

The tender amount includes a 5% contingency (£2,145.92) in case of spend over-runs. Detailed monitoring will be undertaken as the scheme progresses to mitigate this risk.

Revenue Implications

The day to day costs of maintaining the play area are already met from an existing Environmental Services revenue budget. (Nigel Howard/ John Edisbury)

The proposals are an appropriate use of the section 106 funding. (A Evans)

Environmental Services will use their existing experienced work force for most of the scheme and employ specialist contractors via quotations for the installation of the play kit.
Not applicable

What are the legal implications?
What are the procurement implications?
What are the Human Resources implications?
Equality and Diversity Impact Assessment attached or not required

Not applicable: The site to be improved is an area of public open space which is open to everyone throughout the year.

because (please give reason)

What are the **property** implications

The scheme has been developed by Environmental Services who have responsibility for this site. The scheme will enhance the facilities on offer to the local community.

Risks:

Environmental Services will use their existing experienced work force for most of the scheme and employ specialist contractors via quotations for the installation of the play kit. This will minimise any risks.

Co-operative agenda

The provision of good quality local open space and play facilities is important to local residents and provides locations for local communities to get together and be active. By doing their bit to improve the site, local residents can also do their bit and help to look after and use these spaces. The ideas for the scheme were developed through consultation with the local community.

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:	
	Elizabeth Whitehead
Date:	21/01/2020

In consultation with Director/Executive Director



Signed :

Date: 23 January 2020