DELEGATED ITEM

Chadderton Hall Park Playscape and Allocation of Section 106 Funding

Report to the Executive Director Economy, Place and Skills, and the Cabinet Member for Citizens & Neighbourhoods

Portfolio Holder: Cabinet Member for Citizens & Neighbourhoods - Cllr M Alcock

December 2010

Officer Contact: Geoff Colebrook and Liz Kershaw. Ext. 4085 and 4168.

Purpose of Report
The report seeks the approval for the commencement of works to create a refurbished playful landscape at Chadderton Hall Park, Oldham - to be funded by the allocation of Section 106 resources and matched by the Department of Children, Schools and Families (DCSF) Playbuilder grant for the period 2009/2011

(Please also refer to EDRS No. 9070110 full Playbuilder report).

Executive Summary
The report outlines the tender process undertaken and requests approval to commence works. The scheme has been sent to a select list of 6 companies selected from Construction Line. Details of the Section 106 funding form DB 25 – Land at Springbrook Works (PA/33067) are also provided, which will be used to fund the majority of the scheme.

Recommendations
1. Allocate £99,624.41 Section 106 resources from DB25 – land at Springbrook Works, Chadderton as match funding to £15,000 DCSF Playbuilder Grant in providing the playscape at Chadderton Hall Park
2. Tender No.2 from County Landscape Development in the sum of £98,645.90 be accepted.
CHADDERTON HALL PARK PLAYSCAPE

1 Background

1.1 The site selection in the Playbuilder bid was undertaken using a background of information:

- current provision in Oldham of play opportunities
- current Parks and Countryside sites and their relative condition status
- Planning Policy Guidance 17: Mapping of open space and facilities distribution
- statistical evidence of need i.e. super output areas of age range, deprivation, ethnicity, employment etc
- targeting play ‘hotspots’, to promote community cohesion, tackle anti social behaviour
- sites with existing funding that need additional funds to deliver a meaningful play scheme
- distribution of sites with recent (past 5 years) development through, for example, S106 funding, New Opportunities Fund
- distribution of sites with current funding e.g. BLF Adventures in Play
- petition and representation by the community and Councillors
- consultation with Area Action Team/Area Committee managers who requested feedback from Councillors
- Public consultation on 15th February 2010
- Play Partnership members ideas

1.2 Under the Playbuilder initiative the emphasis will be on providing play opportunities that utilise the natural environment and where equipment is part of the overall design, rather than the sole feature. This recognises that landscaping and planting for example, can offer children as much play value as apparatus, and a combination of these can complement one another within the overall design to allow children the fullest play experiences. Chadderton Hall Park Playscape will form part of this strategic approach to playscape design. Please also refer to EDRS No. 9070110 full Playbuilder report

1.3 Planning permission for the development at Springbrook Works, Chadderton (PA/33067) was granted subject to the developer first entering into a Section 106 planning obligations. This planning obligation was signed on 01/10/1997,
whereby the developer, Redrow Homes Ltd, agreed to implement an on site public open space scheme and pay the Council a total of £166,282 in phases as each portion was transferred to the Council, and a further £45,000 for the provision of an on site play area. All these monies have been paid and the land transferred.

1.4 The on-site play area was never progressed as consultation with local residents highlighted that they would prefer it to be off site. Approval was given by Planning Committee to enter into a Deed of Variation with the developer to provide the play area in Chadderton Hall Park (EDRS 9100061 refers). This was signed on 19/01/2010 and gave the Council until 19/01/2015 to spend the play area contribution.

1.5 The play area contribution has accrued interest, and this report seeks to allocate £99,624.41 from the Section 106 to the new play area in Chadderton Hall Park. (Liz Kershaw)

2 Current Position

2.1 The Scheme had been sent to a select list of 6 companies selected from construction line as it is below the relevant threshold for advertisement throughout the EU and the tendering procedure has been carried out in accordance with the council's procurement strategy. 5 tenders were returned by the return date of the 20th May 2010. The tenders were returned and opened by Oldham Council's Legal and Democratic Services in the presence of Robin Durkin of Groundwork Oldham & Rochdale (consultant working on behalf of Oldham Council).

2.2 All returned tenders were complete, checked for errors, errors were found detail below.

Tenders as follows, have been received from the following selected contractors on 20th May 2010, listed in alphabetical order:-

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 B.S.K.</td>
</tr>
<tr>
<td>2 County Landscape Developments.</td>
</tr>
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<td>3 Horticon.</td>
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<tr>
<td>4 N.A.B</td>
</tr>
<tr>
<td>5 P. R. England</td>
</tr>
</tbody>
</table>

The sums received, listed in the order of opening are as follows:
2.5 Anticipated Total Project Cost based on the lowest tender

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tender No. 2</td>
<td>£98,645.90</td>
</tr>
<tr>
<td>Consultant fees</td>
<td>£11,280.00</td>
</tr>
<tr>
<td>Project Management Fees</td>
<td>£2,198.52</td>
</tr>
<tr>
<td>Prep works, Signage works &amp; Boundary works</td>
<td>£2,500.00</td>
</tr>
<tr>
<td><strong>Total Works Costs</strong></td>
<td><strong>£114,624.41</strong></td>
</tr>
<tr>
<td><strong>Anticipated Total Cost</strong></td>
<td><strong>£114,624.41</strong></td>
</tr>
</tbody>
</table>

3 Options/Alternatives

3.1 The options are to proceed with the scheme and accept Tender No. 2.

3.2 Alternative; decline all tenders, do not carry out the scheme and return the Section 106 funding to the developer. The Playbuilder grant funding is no longer ring fenced and so could be used on other capital schemes.

4 Preferred Option
4.1 The preferred option is to proceed with option 3.1 above

5 Consultation

5.1 The site selection in the Playbuilder bid was undertaken using a background of information:

- current provision in Oldham of play opportunities.
- current Parks and Countryside sites and their relative condition status.
- Planning Policy Guidance 17: Mapping of open space and facilities distribution.
- statistical evidence of need i.e. super output areas of age range, deprivation, ethnicity, employment etc.
- targeting play ‘hotspots’, to promote community
- sites with existing funding that need additionally.
- distribution of sites with recent (past 5 years) development through, for example, S106 funding, New Opportunities Fund.
- distribution of sites with current funding e.g. BLF Adventures in Play.
- petition and representation by community/Councillors.
- consultation with Area Action Team/Area Committee managers who requested feedback from Councillors.
- Play Partnership members ideas

5.2 The community consultation and feedback from the Big Lottery funded 'Adventures in Play' programme and from the Councils Play and Free Time Strategy has been used as the basis for designing the proposals for the Playbuilder Year 1 sites. The Parks and Countryside Service held events in or around the 11 sites involved in the first year of development works in the form of drop-in sessions. At these sessions people were able to view a display on the 'natural play' approach, see the proposed design and images for that play site and speak to Council officers and designers about Playbuilder.

5.3 Please also refer to EDRS No. 9070110 full Playbuilder report

6 Financial Implications

6.1 Revenue

As this and the other Play builder schemes are replacing existing sites the Revenue implications of its ongoing maintenance are to be met, with no overall increase, from the existing Parks Revenue budget, Cost Centre 21000 with account codes R10050 for labour and R40009 for materials. There will be no additional cost to the authority. (Sadrul Alam)

6.2 Capital
The scheme will be capital expenditure and be a charge against the Economy, Place and Skills capital programme in 2010/11. The anticipated costs of the scheme of £114,624 will be financed as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Section 106 - DB 25 - Springbrook Works Off Middleton Road Chadderton (PA/33067)</td>
<td>£99,624.41</td>
</tr>
<tr>
<td>DCSF – Playbuilder Grant</td>
<td>£15,000.00</td>
</tr>
<tr>
<td>Total</td>
<td>£114,624.41</td>
</tr>
</tbody>
</table>

It has now been confirmed that the council will receive £550,000 Playbuilder grant in this financial year instead of the previously allocated £599,948. This scheme has not been affected by this £49,948 reduction. The grant has been fully committed, and a sum of £25,000 has been allocated to this scheme, leaving a balance of £10,000 to be utilised as a contingency on this or other schemes.

Playbuilder grant must be spent by 31\textsuperscript{st} March 2011, however, as it is not now ring-fenced, any underspends from this grant will used to finance other capital schemes.

A contingency of 4.7% exists within the contract.

(Julia Heap/Liz Kershaw)

7 **Legal Services Comments**

7.1 There are no legal issues which arise from the allocation of funding.

7.2 The report demonstrates that the contract has been procured in accordance with the Contract Procedure Rules.

7.3 Given the values involved, it will be necessary to observe the 10 day standstill period as required by Contract Procedure Rule 13.3 and for the contract to be prepared and executed by the Borough Solicitors representative. (Daniel Howard)

8 **Human Resources Comments**

8.1 None.

9 **Risk Assessments**

9.1 The tender documents and construction work will meet the requirements of the Construction (Design & Management) Regulations 2007 and the Approved Code of Practice (ACOP), *Managing Health and Safety in Construction*. 
10 IT Implications

10.1 None

11 Property Implications

11.1 None

12 Procurement Implications

12.1 Corporate Procurement did not have a hands on involvement in this procurement activity but after reviewing the ITT Documentation and discussing the procedure followed it is evident that Oldham Council’s Contract Procedure Rules have been followed and adhered to. Elizabeth Thomas

13 Environmental and Health & Safety Implications

13.1 The Council has adopted ‘Managing risk in play provision: A position statement’ by the Play Safety Forum which underpins the design of all play areas to enable a balance to be struck between the risks and benefits of any play activity.

13.2 Risk Management comments

   The Council’s insurers have been made aware of the initiative and in implementing the policy the Council will consult with them to ensure that risk assessments, systems of supervision and monitoring, systems of inspection maintenance and repair, and standards of installation are in accordance with best practice so as to minimise the risk of litigation.

13.3 Please refer to EDRS No. 9070110 full Playbuilder report.

14 Equality, community cohesion and crime implications

14.1 Play builder will introduce innovative natural play areas that will enable children and young people to cross traditional territorial boundaries and mix in ways that they might not otherwise have opportunity to. By taking care in the design of the new facilities much can be done to facilitate and encourage children and young people from various backgrounds and ages to ‘play’ together, and in so-doing enhance their understanding of each other’s cultures, faiths and backgrounds.

14.2 Please refer to EDRS No. 9070110 full Playbuilder report.

15 Equality Impact Assessment Completed?
15.1 No.

16 **Key Decision**
16.1 No

17 **Forward Plan Reference**
17.1 N/A

18 **Background Papers**
18.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>DATE</th>
<th>FILE OR OTHER REFERENCE</th>
<th>PLACE OF INSPECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Summary: The Play Strategy – Play England</td>
<td>Jan 2009</td>
<td>P22/Generic/Play/Play/ Play England</td>
<td>Barn St. offices</td>
</tr>
<tr>
<td>Oldham Play &amp; Free-time Strategy</td>
<td>Sept 2007</td>
<td>P22/Generic/Play/ Play &amp; Free time strategy</td>
<td>Barn St. offices</td>
</tr>
<tr>
<td>Cabinet Report: Adoption of Oldham’s Play Strategy and Big Lottery Fund Children’s Play Bid</td>
<td>3rd Sept 2007</td>
<td>P22/Generic/Play/Play and Free-time Strategy/EDRS</td>
<td>Barn St. offices</td>
</tr>
<tr>
<td>Oldham Playbuilder Bid</td>
<td>Sept 2008</td>
<td>P22/Generic/Play/Playbuilder/ Oldham Playbuilder Bid</td>
<td>Barn St Offices</td>
</tr>
<tr>
<td>DCSF Play Pathfinder and Playbuilder Capital and Revenue Grants: Conditions of Grant and Guidance 2009-10.</td>
<td>Feb 2009</td>
<td>P22/Generic/Play/Playbuilder/ DCSF Correspondence/ Grant conditions letter 26.2.09.</td>
<td>Barn St. Offices</td>
</tr>
<tr>
<td>Design for Play (DCSF,DCMS, Play England)</td>
<td>Nov 2008</td>
<td>P22/Generic/Play/Library of national play &amp; related docs</td>
<td>Barn St. offices</td>
</tr>
<tr>
<td>Provision</td>
<td>Date</td>
<td>Document Details</td>
<td>Location</td>
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<tr>
<td>National Children’s Plan</td>
<td>2007</td>
<td>P22/Generic/Play/ Library of national play &amp; related docs / National Children’s Plan</td>
<td>Barn St. offices</td>
</tr>
<tr>
<td>Children’s Trusts: Statutory Guidance on inter-agency cooperation to improve wellbeing of children, young people and their families (DCSF)</td>
<td>2008</td>
<td>P22/Generic/Play/ Library of national play &amp; related docs/ Statutory Guidance on inter-agency cooperation</td>
<td>Barn St. offices</td>
</tr>
<tr>
<td>Tender Documents</td>
<td>May 2010</td>
<td>Chadderton Hall Park Playscape</td>
<td>Alexandra Park Offices</td>
</tr>
</tbody>
</table>

Section 106 planning |Obligations DB 25 – Spring brook Works – Oldham Business Centre, Cromwell Street, Oldham

19 Appendices

19.1 None

Signed _________________________
Cabinet Member Councillor M. Alcock

Dated _____07/12/10__________

Signed _________________________
Executive Director - Economy, Place and Skills

Dated _________________________

Executive Director - Economy, Place and Skills