

Delegated Officer Report

Decision Maker:	Nasir Dad, Director of Environment
Date of Decision:	07/10/22
Subject:	To seek approval for the allocation of Section 106 resources from DB 265 - Suthers Street/Alfred Street, Werneth, (PA/52229 & 53570 & 54331) for the installation of outdoor gym equipment and associated landscape works around the existing Werneth Park exercise route and ongoing future maintenance.
Report Author:	Robin Durkan
Ward (s):	Werneth

Reason for the decision:	To seek approval for the allocation of Section 106 resources from DB 265 - Suthers Street/Alfred Street, Werneth (PA/52229 & 53570 & 54331) for the installation of outdoor gym equipment and associated landscape works around the existing Werneth Park exercise route and ongoing future maintenance.
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Summary:	<p>Planning permission for the development at Suthers Street/Alfred Street, Werneth (PA/52229 & 53570 & 54331) was granted subject to the developer first entering into a Section 106 planning obligation. This obligation was signed on 01/08/2008, whereby the developer, Keepmoat Ltd, agreed to pay £121,335 (£55,163 laying out & £66,192 maintenance) for public open space improvements in the vicinity. With interest, this figure now stands at £128,479.92, and this report seeks to allocate these funds to install outdoor gym equipment and associated landscape works around the existing Werneth Park exercise route and towards its ongoing future maintenance.</p>
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The outdoor exercise trail in Werneth Park has proved a draw to get people active and spend time in the park; we are proposing to add to the trail with some new and modern gym equipment to increase the offer and give the community options for free fitness activities, thus promoting healthy lifestyles and encouraging time spent outdoors in communal spaces.

After an isolated incident resulting in fire damage to one of the items a few years ago, the trail started to become underused. In the past 4 years, landscape management has been improved and vegetation has also been cut back to improve sightlines and security, which has seen an uptake in use along with the response to Covid19 and more people spending time in the park for leisure, exercise and social activities

The proposal includes an activity day/opening event with a Personal Trainer and a Sports Scientist to deliver demonstration sessions, provide advice and educational talks, train residents and members of the Oldham team in using the equipment and associated apparatus.

The procurement for the supply of equipment has been combined with another Section 106 scheme; Churchill Outdoor Gym (DB 423 and at the r/o 29 - 51 Shaw Hall Bank Rd Greenfield, DB 344 Land @ 62-70 Oldham Rd, Grasscroft, DB 155 Village Manor) to provide best value for the Council, allowing consistency with suppliers and ensuring quality of products are suitable and approved by Environmental Services.

The tender process for the purchase of the equipment has now been concluded with the process of the installation tender currently ongoing.

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

Option 1 – Allocate the Section 106 funding plus interest accrued to the costs of installing and maintaining the equipment as set out in the report. This is in accordance with the provisions of the legal agreement which will enable creation of a new outdoor exercise facility, encouraging residents to participate in more activity.

Option 2 – Do nothing to improve the exercise trail and further encourage increased activity of local community and visitors to the park. Not spending the S106 contribution, will run the risk of having to return the contribution to the developer

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

Ward members have been consulted and support the proposals.

Recommendation(s):

Option 1. To allocate a total of £128,479.92 including interest accrued from Section 106 contribution received for DB 265 - Suthers Street/Alfred Street, Werneth (PA/52229 & 53570 &

54331) and use it for installation of outdoor gym equipment and associated landscape works and ongoing future maintenance.

Implications:

What are the **financial** implications?

Capital Implications

The cost of the improvement works and installation of gym equipment at Werneth Park is expected to cost £62.3k and will be charged to the Environmental Services Capital Programme.

This will be financed from the following Section 106 resource:

S106 Description	Available funding £k	Utilised on this scheme £k	Balance remaining £k
DB 265 Suthers St/Alfred St, Werneth 52229, 53570,54331	62.3	62.3	0

Revenue implications

The new outdoor gym equipment fifteen-year maintenance regime is expected to cost £4.4k per annum and will be charged to the Environmental Services revenue budget.

This will be financed from the following Section 106 resource and transferred to the Service on an annual basis for the first fifteen years of the life of the equipment.

S106 Description	Current available funding (plus any interest accrued) £k	Per Annum £k	Minimum number of years £k
DB 265 Suthers St/Alfred St, Werneth (S106)	66.2	4.4	15

After the fifteen years of S-106 contributions have ceased, maintenance costs are expected to be absorbed using existing resources within the Environmental Management Service.

(John Edisbury)

What are the **legal** implications?

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

What are the **procurement** implications?

The Commercial Procurement Unit supports the recommendation outlined in the report. Both procurement exercises for the purchase of the equipment and the installation have been procured compliantly in line with the Council's Contract Procedure Rules. (Emily Molden)

What are the **Human Resources** implications?

No HR implications
(Catherine Pearson, Strategic HR Lead)

Equality and Diversity Impact Assessment attached or not required because (please give reason)

EIA is not required

What are the **property** implications

The implications to property will not change.

Risks:

None

Co-operative agenda

This is linked to Corporate Objective 3: A co-operative Council delivering good value services to support a co-operative borough.

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

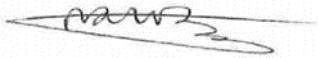
Report Author Sign-off:	
Robin Durkan	
Date:	07/10/22

Please list and attach any appendices:-

Appendix number or letter	Description

In consultation with Director of Environment:

Signature:



Date: 11 October 2022