

## Delegated Officer Report

<b>Decision Maker:</b>	Nasir Dad, Director of Environment
<b>Date of Decision:</b>	08 August 2023
<b>Subject:</b>	Proposal to allocate Section 106 resources from DB 385 (land at Parkfield House - PA/336585) to asset 1169 for safety surfacing repairs and resurfacing, landscaping work and improvements to Waterhead Park play area together with an allocation for ongoing future maintenance for at least ten years
<b>Report Author:</b>	Sean Mitchell
<b>Ward(s) Affected:</b>	Waterhead

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**Reason for the decision:** To seek approval for the allocation of resources secured through Section 106 planning obligations to fund playspace resurfacing works and other improvements to Waterhead park and an allocation towards its ongoing future maintenance.

Planning permission for the development at Parkfield House (PA/336585) was granted subject to the developer first entering into a Section 106 planning obligation. This obligation was signed on 05/05/2016, whereby the developer, E and B Mellor and Knightsbridge Developments Ltd and Prestigious Homes NW Ltd, agreed to pay the Council a commuted sum of £63,750 towards improvements to the play space within Waterhead Park which was split into capital and revenue contribution.

The commuted sum was paid in instalments over several years and included additional sums for late payment and the sum available now stands at £67,238.71, including interest accrued to date.

It is now proposed to use all this funding (including any future interest accrued) towards this scheme at Waterhead Park. The improvements to the play area including resurfacing

works and landscaping work are expected to cost in the region of £38,000 and the remaining £29,238.71 (plus any further interest accrued) would go towards the future maintenance of the site at £2,900 per annum and will last for over 10 years.

The need for this scheme arises from defunct or failing safety surfaces meaning play equipment has had to be removed. The funds would enable the play area to be brought back to full use and the after care cost of repairing and maintaining the play area site would be covered by the revenue s106 contribution. The scheme also includes some landscaping improvements carried out on site to enhance the natural features around the play area.

### **Summary:**

The s106 contribution from Parkfield House is to be used to fund playspace resurfacing works in Waterhead park and its future maintenance. The carpet matting in the play area is causing issues and is in need of repair. This safety surfacing will be replaced with tiger mulch rubber safety surface enabling play equipment to be reinstalled and improving the play value of the site.

This will be carried out in sections.

1, Remove carpet 6m x 6m from under supernova roundabout site & dispose of in a responsible manner.

2, Junior Play Area (no wall)

Supply and install bounded rubber mulch surface at 40mm depth in Green/ brown mix

Allowing for key cut edges, install Rubber mulch 302.5m<sup>2</sup> over the existing wet pour.

3, Infant area, remove carpet under the swings & 4 way see saw 7.5m x 4.5m & 7m x 4m & dispose of in a responsible manner.

4, Supply and install bounded rubber mulch surface at 40mm in Green/ brown mix

Allowing for key cut edges and install Rubber mulch 174 m<sup>2</sup> over the existing wet pour pods.

5, Landscaping improvements carried out on site to enhance the natural features around the play area.

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

Option 1 – Allocate the S106 resources in accordance with the terms of the S106 obligation and award the funding of playspace resurfacing works in Waterhead park. The carpet matting in the play area is causing issues and is in need of repair. This safety surfacing will be replaced with tiger mulch rubber safety surface enabling play equipment to be reinstalled and improving the play value of the site.

Increasing the play value of the site and encouraging children and young people to be active.

The improvements to the site will also encourage more residents especially families to use the site and be more active.

Option 2 – Do not replace safety surfacing monitor and remove further play equipment when other areas start to fail. This would decrease the play value and overall use of the wider park. There is also a risk that the developer's contribution would have to be returned to the developer if not used to enhance the play area in Waterhead Park.

**Recommendation(s):**

To approve the allocation of S106 resources from DB385 (Parkfield House – PA/336585) split into £38,000 capital resources to the implementation of the apply area improvements/landscaping and £29,238.71 revenue (plus any future interest accrued) at £2,900 per annum for a minimum of ten year for upkeep and repairs.

**Implications:**

**What are the financial implications?**

### Capital Implications

The cost to deliver safety surfacing repairs to Waterhead Park play area is expected to cost £38k and will be capital expenditure. This will be funded from S106 resources 'DB385 land at Parkfield House Ripponden Road' and included within the 2023/24 Environmental Services Capital Programme.

	Total £k
Cost of site improvements	33
Landscaping costs	5
<b>Total Scheme Expenditure</b>	<b>38</b>

## **Revenue implications**

The remaining balance of £29k from 'DB385 land at Parkfield House Ripponden Road' will be used for maintenance of works. The new play surface ten-year maintenance regime is expected to cost £2.9k per annum and will be charged to the Environmental Services revenue budget.

The Section 106 revenue resources will be transferred to the Service on an annual basis. It is anticipated that the £29k resources will last for the first 10 years after the surface works have been completed.

<b>S106 Description</b>	<b>Current available funding (plus any interest accrued) £k</b>	<b>Per Annum £k</b>	<b>Minimum number of years £k</b>
DB385 land at Parkfield house Ripponden Road	29	2.9	10

After the S106 revenue funding has been exhausted, maintenance costs are expected to be absorbed using existing resources within the Environmental Management Service.

(John Edisbury)

What are the **procurement** implications?

The allocation of Section 106 funds has no procurement implications however the manner it is spent in does. Should option 1 be approved the installation of **playspace** resurfacing works in Waterhead park will need to be procured via an open quotation exercise in line with the Council's Contract Procedure Rules.

(Emily Molden)

What are the **legal** implications?

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

What are the **Human Resources** implications?

Contracts for the works will be administered in compliance with procurement and legal procedures and purchase of materials and equipment will be on receipt of goods. Any risks associated with the implementation of the scheme will be dealt with by Environmental Services and selected

contractor as part of the RAMS to be developed for the scheme. The contractor will be required to provide documentation and guarantees as part of the procurement process along with a project specific Construction Phase Health and Safety Plan.

No specific HR implications identified for Council employees

**Kate Jolley**  
**HR Strategic Lead**

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

EIA screening has been carried out and it is anticipated that no disproportionate adverse impact on any of the protected groups. Attached.  
*Sean Mitchell*

**What are the property implications**

The Council own the freehold of the site as part of asset 1169. It is not anticipated the installation and works will have any impact on the property. The Waterhead park site is currently managed and maintained by Environmental Services and will continue to be an asset. The increased revenue and contributions will all both proactive and reactive maintenance operations.  
**Katy Webster**

**Risks:**

Any risks associated with the implementation of the scheme will be dealt with by Environmental Services as part of the RAMS to be developed for the scheme.  
**Mark Stenson**

**Co-operative agenda**

As a Co-operative Council we are committed to improving the health and wellbeing of our residents. This proposal supports this ambition, using section 106 funding to replace safety surfacing. This proposal is linked to Healthy, Safe and Well Supported Residents, A Clean and Green Future  
**Jonathon Downs**

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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

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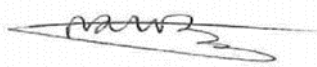
<b>Report Author Sign-off:</b>	Sean Mitchell
<b>Date:</b>	08.08.2023

Please list any appendices: -

<b>Appendix number or letter</b>	<b>Description</b>
A	CWWW EIA – Equality Impact Assessment

In consultation with

Director of Environment:



Date: 24.08.2023