



AGENDA ITEM: 5(c)

CABINET: 10 NOVEMBER 2015

Report of: Assistant Director Community Services/ Assistant Director Planning

**Relevant Managing Director: Managing Director (People and Places) /
Managing Director (Transformation)**

Relevant Portfolio Holders: Cllr. Y. Gagen/Cllr J Hodson

**Contact for further information: Mrs P Campbell
(E-mail: paula.campbell@westlancs.gov.uk)**

SUBJECT: USE OF SECTION 106 MONIES IN AUGHTON PARK

Ward affected: Aughton Park

1.0 PURPOSE OF THE REPORT

1.1 To consider proposals regarding the use of Section 106 monies received from housing developers for the enhancement of public open space and recreation provision in Aughton Park.

2.0 RECOMMENDATION

2.1 That the use of S106 monies for the enhancement of the existing play area at Redsands Park, Aughton be approved and the sum of up to £5,539 be made available for this project.

3.0 BACKGROUND

3.1 Members will recall that under policy LE.13 of the Local Plan, developers must provide open space facilities as part of housing developments or the Council can require a commuted sum for the provision of new or the enhancement of existing areas of public open space within its area.

3.2 In February 2011 an Officer Section 106 Agreements – Public Open Space Working Group was established to co-ordinate the receipt of the commuted sums, seek views of Parish or Ward Councillors, and report to Cabinet on proposals for the use of the S106 funding.

4.0 CURRENT POSITION

- 4.1 The S106 Working Group have received a bid From Aughton Parish Council for S106 funds currently available in the Aughton Park ward to be used to enhance play provision in Redsands Park. This enhancement will be in the form of additional play equipment to extend the existing play area and create a wider range of play opportunities for the local 5 to 12 year old children. Total cost of the scheme is £7039 of which £5539 S106 funds have been bid for.
- 4.2 The following funds are currently available in the Aughton Park area :-
- £5,539 from development at Beaumont House, Aughton Park Drive.

5.0 PROPOSALS

- 5.1 It is proposed that this bid from Aughton Parish Council be approved and S106 monies up to £5539 currently available be provided to enhance the existing play area at Redsands Park, Aughton.
- 5.2 The Assistant Director Planning offers the view that the proposed use of Section 106 monies is in accordance with planning policy and the terms of the Section 106 Agreements and consequently supports the proposal.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 The project will support the Council's strategic aims in respect of improving access to quality facilities, providing facilities to improve the health and quality of life of the community and ensuring access to a wide age range.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The estimated total capital costs of the proposal is £7039. The Parish Council is requesting the £5539 currently available from S106 funds to be allocated, and they will contribute £1500 to cover the remaining cost of the equipment
- 7.2 Redsands Park is a Parish Council facility therefore they will cover all on-going maintenance costs of the equipment.

8.0 RISK ASSESSMENT

- 8.1 Section 106 funds need to be spent in accordance with criteria set out in the related planning agreements and usually within a set time from payment. If the Council does not spend the monies in accordance with the set criteria then they will be repayable to the developer. This risk can be mitigated by assessing all projects proposals prior to commencement to assure compliance and working in partnership with the applicants to ensure criteria is adhered to.
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Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

1. Equality Impact Assessment