



**AGENDA ITEM: 5(I)**

**CABINET: 15 March 2016**

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**Report of: Director of Leisure and Wellbeing/Director of Development and Regeneration**

**Relevant Portfolio Holders: Councillor Y Gagen/Councillor J Hodson**

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**SUBJECT: USE OF SECTION 106 MONIES IN BURSCOUGH**

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Wards affected: Burscough wards

**1.0 PURPOSE OF THE REPORT**

1.1 To consider a proposal regarding the use of section 106 monies received by the Council from housing developers, for the enhancement of public open space and recreation provision in Burscough.

**2.0 RECOMMENDATION**

2.1 That the use of S106 monies to fund the proposed project to construct a small extension to the existing changing rooms at Richmond Park, Burscough to provide shower/wash, change/toilets for 3 officials, be approved.

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**3.0 BACKGROUND**

3.1 Members will recall that under policy LE13 of the Local Plan, developers must provide open space facilities as part of housing developments. Where developments are less than 20 dwellings or on sites where it is not reasonable to expect a development to provide on-site facilities, and where there is a deficiency of open space, 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 accordance with the decision of the Planning Committee on January 10<sup>th</sup> 2002 the views of the relevant Parish Council/ward councillors are sought in respect of the potential use of this money.

- 3.3 In February 2011 an Officer S106 Agreements – Public Open Space working group was established to co-ordinate the receipt of S106 commuted sums and report to Cabinet on the use of S106 funding. A function of this group is to establish levels of uncommitted S106 funds across all wards and liaise with ward councillors and Parish Councils as to how this funding could be best utilised in line with the requirements of the S106 agreements.

#### **4.0 CURRENT POSITION**

- 4.1 Following consultation with Burscough ward councillors and Burscough Parish Council there is one new proposal put forward from the Borough Council for consideration for existing Section 106 funding in Burscough. The funding from a particular development can only be used in accordance with the terms of the related Section 106 agreement/s. The Council currently has received monies from two separate S106 agreements i.e. £15,463 (Land at 5 Moss Lane) and £2,209 (Land at 82 Orrell Lane). In both cases the S106 agreements indicate that the monies are to be used within the local area.

#### **5.0 PROPOSALS**

- 5.1 Burscough Richmond Football Club, who have a lease to use the pitch and changing facilities at Richmond Park, have been very successful in recent times and are looking for promotion to a higher division of the West Lancs League. To move up the league would help them to attract new players and become even more successful, which may allow them to increase the number of teams they run and increase levels of involvement in sport in the Burscough area.
- 5.2 In order for the club to move to a higher division they have to fulfil the Football Association ground criteria for the level they would be moving to (level 7). Most elements of the criteria have been fulfilled, including changing facilities with social area, improved pitch, crowd barriers and dugouts, however the only element they have not been able to satisfy is the facilities for match officials i.e. shower/wash, change/toilets, for 3 officials.
- 5.3 The favoured option to achieve the criteria, without having to import separate changing units, is to build a 4 metre extension on the existing changing rooms. This would blend in with the existing building and would create minimal disruption to the facilities. Works would be co-ordinated by the Borough Council.
- 5.4 The Club were in a position to be promoted last year but were unable to because of this deficiency in their ground. They expect to be in a similar position this coming season and would like to be able to fulfil all the ground criteria. This would greatly help the development of the club, its members, the local community, and other community groups that may wish to use the facilities, and the public open space associated with it.
- 5.5 The cost of the proposed extension to provide shower/wash, change/toilets for 3 officials would be in the region of £15,000. It is proposed therefore that approval be given for available S106 funds, in the first instance from Land at Moss Lane (£15,463) to be allocated towards this project.

- 5.6 The Director of Development and Regeneration offers the view that the proposed use of monies is in accordance with planning policy and the terms of the Section 106 agreement(s) and consequently supports the proposal.
- 5.7 This process has already been discussed as part of the Council's budget setting process and has received conditional approval from Council.

## **6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 6.1 Providing this facility would allow the club to improve and extend its provision of healthy outdoor sport and recreation in line with the Council objectives towards health and well-being.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 The estimated capital cost of the project is in the region of the £15,000 which can be covered by the S106 funds currently available.
- 7.2 Future maintenance of the facility will be incorporated within existing arrangements for the changing rooms with the club responsible for routine cleaning and maintenance, and the Council responsible for any structural issues.

## **8.0 RISK ASSESSMENT**

- 8.1 The football club have been in a position to move up their league in previous years but have been prevented by the ground criteria. Having made significant improvements to the site it would be unfortunate to lose out again due to this one area needing improvement. Undertaking the project in this manner would also ensure that the Council remained in control of the works to be undertaken to ensure quality and compliance.

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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**

Appendix 1 – Equality Impact Assessment