



CABINET: 11 June 2019

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**Report of: Director of Leisure and Environment**

**Relevant Portfolio Holders: Councillor Y. Gagen.**

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**SUBJECT: USE OF SECTION 106 MONIES IN THE PARISH OF RUFFORD**

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Wards affected: Rufford

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To consider a proposal regarding the use of Section 106 (S106) monies for the provision of play facilities in the Parish of Rufford.

## **2.0 RECOMMENDATION**

- 2.1 That the use of S106 monies be approved as outlined at 5.1 to 5.3 to provide new and improved play facilities on Highsands Avenue and a multi-use games area (MUGA) with adjoining footpath at Rufford Village Hall recreation ground.
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## **3.0 BACKGROUND**

- 3.1 Under Policy LE13 of the West Lancashire Local Plan 2012-2017, 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 open space within its area.

- 3.2 An Officer Working Group was established in February 2011 to co-ordinate receipt of S106 commuted sums and report to Cabinet on the use of the funding. A function of this group is to establish levels of uncommitted S106 funds across all Wards and liaise with Ward Members and Parish Councils as to how this funding could be best utilised in line with the requirements of the S106

Agreements. This group has been consulted over this proposal and has confirmed their support.

#### **4.0 CURRENT POSITION**

- 4.1 The funding from a particular development can only be used in accordance with the terms of the related S106 Agreement. The Council currently has unallocated monies of £96,874 from a S106 Agreement on Sluice Lane/ New Road, Rufford.
- 4.2 Following consultation with Ward Members and Rufford Parish Council there are two new proposals for the use of S106 funds in the Rufford Ward.

#### **5.0 PROPOSALS**

- 5.1 The Borough Council is currently working with Rufford Parish Council with a view to develop the sites at Highsands Avenue and Rufford Village Hall with new and improved facilities for the benefit of the community.
- 5.2 At Highsands Avenue the Borough Council is proposing to replace the existing play area with a new and much improved play facility. The existing play area is old and degraded and no longer provides play value for the local community. This will be removed and a new play area installed which will provide new and exciting play equipment for younger children in the area.
- 5.3 At Rufford Village Hall the Parish Council wants to extend the range of play facilities available and proposes to provide additional play facilities for older children in the Parish by installing a multi-use games area ( MUGA.)

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

- 6.1 The installation of new facilities would provide activities to meet the needs of a wide age range of the community and encourage healthy outdoor recreation. This would further the Borough Council's aims of improving the health and wellbeing of its local community.

#### **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 The Capital costs of the combined projects is £97,000.(Highsands Avenue £43,000 and Village Hall £54,000)
- 7.2 A S106 allocation of £43,000 is proposed to be allocated to the Highsands Avenue project and £53,874 allocated to the Rufford Village Hall project. The Parish Council have agreed to allocate the sum of £126 to cover the small shortfall.
- 7.3 Future maintenance of the play facility at Highsands Avenue will be undertaken, within existing budgets, as part of the Borough Council's Playground Inspection & Maintenance Schedule.

7.4 Rufford Parish Council will incorporate the maintenance of the new facility (MUGA)

and adjoining footpath at Rufford Village Hall as part of the Parish Council's maintenance arrangements for the existing playground equipment on site.

## **8.0 RISK ASSESSMENT**

8.1 Installation of play equipment in an area requires support from the local community to ensure effective use and local ownership to help monitoring condition and misuse. Both of the projects in this report have had local consultation undertaken by the Parish Council and have the support of the ward councillors. The Parish Council will require planning consent for the MUGA project which will include further consultation and assessment.

8.2 Provision of poor quality play equipment could reflect badly on the local authority, therefore new provision outlined in this report should mitigate this risk.

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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

