



CABINET: 14 January 2020

Report of: Corporate Director of Place and Community

Relevant Portfolio Holder: Councillor Y. Gagen

Contact for further information: Mr S. Kent (Extn. 5169)
(E-mail: Stephen.kent@westlancs.gov.uk)

SUBJECT: USE OF SECTION 106 MONIES IN SKELMERSDALE

Wards affected: Skelmersdale North, Ashurst wards

1.0 PURPOSE OF THE REPORT

- 1.1 To consider a proposal regarding the use of Section 106 (S106) monies for the enhancement of public open space provision in Skelmersdale.

2.0 RECOMMENDATION

- 2.1 That the use of £103,590 of S106 monies be approved to enable improvements to be made in Tawd Valley Park.

3.0 BACKGROUND

- 3.1 Members will recall that under policy EN3 of the West Lancashire Local Plan 2012-2027, 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 10th 2002 the views of the relevant Parish Council/ward councillors have been sought in respect of the potential use of this money.
- 3.3 An Officer working group was established in February 2011 to co-ordinate the 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 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 The Council currently has an unallocated sum of £103,590 received from Land at Whalleys in Ashurst (Whalleys 2)

4.2 These funds are part of a unilateral agreement that involves 3 sites :-

Whalleys 4
Whalleys 5a/5b
Cobbs Clough/Whalleys 2

4.3 The funding from a particular development can only be used in accordance with the terms of the related S106 agreement. This agreement stipulates that the funds should be used for the installation of play facilities and multi-use games area (MUGA) on the part of the development site known as Cobbs Clough/Whalleys 2, and environmental improvements in Tawd Valley Park in the vicinity of the development sites. (see appendix 1 : Tawd Valley Park – Area subject to S106 Agreement)

4.4 As Cobbs Clough has yet to be developed and sufficient further funds will be generated when it is to cover the play area/MUGA, the current funds are available for environmental improvements in Tawd Valley Park.

4.5 Following a wide consultation process, including ward councillors, a masterplan for environmental improvements to Tawd Valley Park has been produced and adopted by the Council. The proposals contained within this report are in accordance with the adopted masterplan.

4.6 A previous S106 allocation of £175,622 was made from the Whalleys 4 development and this funding has been used for the following :-

• Northern Zone Footpaths	£65,981
• Bridge Improvements	£7,680
• Meadow Improvements	£237
• Woodland Management	£900

Total	£74,798

4.7 The next phase of works planned for 2020/21 is to include :-

• Mountain Bike Course	£59,000
• New Bridge Construction	£50,000
• Entrance Features	£20,000
• Cycleway Extension	£45,000
• Heritage/Sculpture Trail	£20,000
• Picnic Area	£10,000

Total	£204,000

4.8 A further phase could include :-

- SUDS Wetland Area £60,000 (50% contribution)

This phase would be dependent upon external funding, possibly from the Environment Agency

5.0 PROPOSALS

5.1 Whilst some funding from the initial S106 allocation of £175,622 is still available, to enable the full programme of works to be developed and implemented would require a sum of around £279,000.

5.2 It is proposed, therefore, that the sum of £103,590 of S106 monies currently unallocated from the Whalleys 2 development be approved for use to develop the works/proposals shown at para 4.7.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 Together these improvements will contribute towards making Tawd Valley Park a more attractive, accessible and enjoyable place to visit for the residents of Skelmersdale and West Lancashire. It will make a considerable contribution to the implementation of the Tawd Valley Park masterplan, which in turn will contribute towards improving the health of the community.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 The funding of £103,590 has been made available from the development at Land at Whalleys – Whalleys 2.

7.2 Whalleys 2 is one of the main elements of the Land at Whalleys development. The commitment from the Council is to develop a play area and MUGA on the Cobbs Clough site, plus environmental improvements in Tawd Valley adjacent to the site.

7.3 The play area and MUGA cannot be implemented until Cobbs Clough is developed, and the contribution generated by that site should adequately cover that commitment, therefore, the funding currently available can be used for the environmental improvement element of the commitment.

7.4 Future maintenance of the new facilities will be undertaken by the Council through the Tawd Valley Park Project. This maintenance will be a combination of the Councils Ranger Service and Grounds Maintenance input, plus work experience and training schemes, local groups and volunteers, working alongside small scale contractors where necessary. The cost of maintenance will be covered by existing revenue budgets plus external funding where necessary.

8.0 HEALTH AND WELLBEING IMPLICATIONS

8.1 The availability of this funding will allow schemes to be undertaken which will greatly increase the availability of outdoor recreation and its impact on physical health and wellbeing of the community. Improved physical activity through use of facilities such as the cycle course, improved access network, and picnic areas will improve the physical health of the community whilst also providing opportunities for social interaction and quality of life enhancement at minimal cost, which could create a significant enhancement of the mental wellbeing of the community.

9.0 RISK ASSESSMENT

9.1 Implementation of these improvements will be a great asset to the local community but will have to be maintained effectively to continue that benefit. Local ownership will be of paramount importance and the Tawd Valley Project has initiated good community buy in through an extensive consultation and engagement process. However, this will have to be continued to ensure the future success of the Project

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. Area subject to S106 Agreement at Whalleys
2. Equality Impact Assessment

