



CABINET: 13 September 2016

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

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

**Contact for further information: Mr S. Kent (Extn. 5169)
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SUBJECT: USE OF SECTION 106 MONIES IN BURSCOUGH

Wards affected: Burscough East. and Burscough West 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 proposed project to enhance the public open space on the former landfill site adjacent to Mill Dam Lane, known as Burscough Brickpits, be approved and the section 106 sum of £17,672 generated in Burscough West be used for this project.

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 10th 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 The funding from a particular development can only be used in accordance with the terms of the related Section 106 agreement. The Council currently has received monies from two S106 agreements in Burscough West ward (£15,463 from 5 Moss Lane, and £2,209 from land at 82 Orrell Lane). Following consultation with Burscough Parish Council and ward councillors there is one new proposal put forward from the Borough Council for consideration for existing Section 106 funding in Burscough West ward.

5.0 PROPOSALS

- 5.1 The Borough Council is currently working with Burscough Parish Council to develop a public open space on Council owned land on the former landfill site adjacent to Mill Dam Lane, known as Burscough Brickpits.(see appendix 1 – Burscough Brickpits site plan) The site is currently used for informal public access but is very overgrown and the access is in need of significant improvement.
- 5.2 A management plan recently produced has been based upon the development of a green open space/wildlife area, with appropriate public access. The plan involves creating a surfaced footpath around the site (see appendix 2 – Burscough Brickpits proposed new footpath), linked from new/upgraded access points. A programme of habitat management will help to develop three habitat types, meadow land, marshy grassland and scrub (see appendix 3 – Burscough Brickpits proposed habitat areas).These habitats will promote the wildlife interest of the site whilst encouraging buffers between the publicly accessible areas and the adjacent housing.
- 5.3 Running alongside the initial contract works will be the creation of a “Friends” group to foster local ownership, community engagement and site monitoring. The “Friends” will also have a direct input to the long term maintenance of the site, and will assist in the production of signage and information boards.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 Providing this facility would create a new, accessible green space in Burscough, helping to provide opportunities for healthy outdoor recreation. This would further the Councils aims for improvements to the health and wellbeing of its communities.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The estimated capital cost of the project is in the region of £37,555, with £12,000 requested from the S106 funds currently available.
- 7.2 The remaining £25,555 has been bid for from external grant schemes (Lancashire Environmental Fund £12,555, Tesco Bags of Help £8,000, Awards for All £5,000). Securing approval for the S106 allocation at this time will significantly improve the likelihood of achieving the other grant bids.
- 7.3 Future maintenance of the site will be a combination of small scale contractor involvement, funded through existing countryside revenue provision, and volunteer support from the Friends group and other organisations, co-ordinated by the Council's ranger service.

8.0 RISK ASSESSMENT

- 8.1 This scheme will be heavily dependent in future years on the Friends group and involvement of local volunteers to contribute to on-going maintenance and management of the site. Burscough Parish Council has already established views of local residents through public meetings which have not only established support for the scheme, but have also indicated a significant interest in establishing a local voluntary group to help look after the site. The Parish Council themselves have also indicated their support for 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. Burscough Brickpits site plan
2. Burscough Brickpits proposed new footpath
3. Burscough Brickpits proposed habitat areas
4. Equality Impact Assessment

Appendix 1 – Burscough Brickpits site plan



Appendix 2 – Burscough Brickpits proposed new footpath



Appendix 3 – Burscough Brickpits proposed habitat areas



Compartment 1 Meadow
Compartment 2 Marshy Grassland
Compartment 3 Scrub

Equality Impact Assessment Form



Directorate: Leisure and Wellbeing		Service: Leisure, Cultural & Arts	
Completed by: Stephen Kent		Date: 4/8/2016	
Subject Title: Use of S106 monies in Burscough			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	Yes		
Is a programme or project being planned:	Yes		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No		
Details of the matter under consideration:			
<p><i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i></p>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):			
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>			
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
3. EVIDENCE COLLECTION			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Burscough residents		
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	See above		

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	Yes
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Site is currently being used by local residents on an informal basis, as a local public open space
What will the impact of the work being carried out be on usage/the stakeholders?	Works will provide an established public open space managed for safe and easy access for local residents and possible school use.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Public meetings and communications from local residents have indicated a lack of satisfaction with the management of the site. Vegetation has been left to overgrow and paths are not maintained. These proposals will remedy these issues.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Public meetings have been used to steer the use of the site and support for the current proposals.
If any further data/consultation is needed and is to be gathered, please specify:	Future public meetings and establishment of local voluntary group.
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	New path construction will allow those with mobility issues to access the site.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	On-going liaison with local residents and Parish Council will help to gather feedback and views on the project,. This will help to steer the future direction of the scheme.
What actions do you plan to take to address any other issues above?	On-going monitoring <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	August 2017. Reviewing officer – Stephen Kent