



CABINET: 12 September 2017

Report of: Director of Leisure and Wellbeing

Relevant Portfolio Holders: 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 BANKS

Wards affected: North Meols

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 provision in Banks.

2.0 RECOMMENDATION

- 2.1 That the use of £36,736 of S106 monies to help fund the proposed project to improve the public open space at Hesketh Avenue Playing Fields, Banks be approved.

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 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 four S106 agreements in North Meols ward all of which are still unallocated :-

- £4,435 from 22 Glebe Lane,
- £30,929 from land at rear of 10-42 Bonds Lane,
- £32,953 from land at rear of 24-38 Chapel Lane,
- £120,000 from land at Guinea Hall Lane.

Funds from Glebe Lane, Bonds Lane and Chapel Lane all allow use for the provision/enhancement of public open space in the local area, and could, if approved, be available towards this project.

- 4.2 Following consultation with North Meols Parish Council and ward councillors there is one new proposal put forward by the Parish Council for consideration for existing Section 106 funding in North Meols ward.

5.0 PROPOSALS

- 5.1 Hesketh Avenue Playing Fields are an important central open space recreational feature in Banks, owned and managed by North Meols Parish Council (see appendix 1 – Hesketh Avenue Playing Fields, Banks). Recent investment in the area has included the development of a new childrens play area and skate board park. The open grassed playing field has the potential to provide outdoor recreation for families, kickabout area for young people and an area for community events and activities.
- 5.2 Two main problems prevent this area from being used to its potential, the condition of the grassed area due to waterlogging and poor drainage, and the safety and security of users which is often threatened by use by motor vehicles gaining access from the adjacent disused railway line.
- 5.3 This proposal would include installation of a new drainage system to improve the grassed playing field and make it useable by the community for a wider range of activities for longer periods. It also includes the erection of a new fence on the boundary between the site and the disused railway line to prevent vehicular access and create a more safe and secure facility

5.4 Hesketh Avenue Playing Fields could provide a wide range of community activities like village fetes, family picnics and sports activities as well as improving and increasing use of the existing play facilities for families and local groups and organisations. The improvements proposed would significantly help towards achieving this increased and improved use.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

6.1 Providing this facility would improve accessibility to green space in Banks, would complement recent improvements to the Hesketh Avenue Playing Fields, and will help to provide healthy, safe and secure opportunities for 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 bid from North Meols Parish Council is for £36,736 from S106 funds to cover the costs of the drainage and fencing project. The funding would be taken from the following S106 sources:-

- £4,435 from 22 Glebe Lane,
- £30,929 from land at rear of 10-42 Bonds Lane,
- £1,373 from land at rear of 24-38 Chapel Lane.

7.3 Future maintenance of the site will be undertaken by North Meols Parish Council.

8.0 RISK ASSESSMENT

8.1 Ensuring good ground conditions, ease of access, and safe and secure use of this facility will be enhanced greatly by this allocation of funds, but will be reliant upon good maintenance in the future. The Parish Council are responsible for this maintenance and part of the agreement for release of the S106 funds will be an agreement with them to ensure this on-going maintenance is carried out.

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 – Hesketh Avenue Playing Fields, Banks



Line of new fence - - - - -

<h1>Equality Impact Assessment Form</h1>	
Directorate: Leisure and Wellbeing	Service: Leisure, Cultural & Arts
Completed by: Stephen Kent	Date: 23/6/2017
Subject Title: Use of S106 monies in Banks	
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:	
<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>	
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)?	Banks 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)?	Banks residents, particularly family groups and children



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 public open space with play facilities and grassed area, used for outdoor recreation.
What will the impact of the work being carried out be on usage/the stakeholders?	Works will allow the site to be used for a wider range of activities and for a longer period of time. Ground conditions in particular will be greatly improved to allow for more recreational 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?	Users of the grassed area are more dissatisfied with the facility due to waterlogging preventing use for long periods of time. Families are also very concerned about misuse by motor vehicles which could be a safety hazard as well as a significant disturbance.
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?	Parish Council have undertaken liaison/consultation with local residents for this and previous projects, and this request is a direct result of that liaison.
If any further data/consultation is needed and is to be gathered, please specify:	Future monitoring through liaison with the Parish Council
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)?	This site provides good facilities for children and families. Children in particular would benefit from better access to facilities and recreational grassed areas to use.
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.).	Monitoring use will establish any negative issues and deal with them accordingly through the Parish Council
What actions do you plan to take to address any other issues above?	On-going liaison with Parish Council <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?	June 2018. Reviewing officer – Stephen Kent