



AGENDA ITEM: 7(a)

CABINET: 14 June 2016

**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 SKELMERSDALE

Wards affected: Ashurst, Birch Green, Skelmersdale North 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 Skelmersdale.

2.0 RECOMMENDATION

2.1 That the use of S106 monies to fund the proposed project to install seating and rest areas along the proposed cycle route in Tawd Valley Park, be approved.

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 one S106 agreement i.e. £13,254 (Former St. Edmunds Church) and the agreement indicates that the monies are to be used within the local area. Following consultation with Skelmersdale North, Ashurst and Birch Green ward councillors there is one new proposal put forward from the Borough Council for consideration for existing Section 106 funding in Skelmersdale.

5.0 PROPOSALS

- 5.1 The Borough Council is currently working with Lancashire County Council to develop a cycle route to run through Tawd Valley Park linking the town centre to Skelmersdale College and further links along the valley. This scheme is to be funded jointly by WLBC through S106 funding from Skelmersdale College, and LCC using Local Transport funds. The scheme has been submitted for planning consent.
- 5.2 The Council would like to enhance the current proposed scheme by creating seating and rest areas along the route. Each area would have a suitable hard standing base constructed with furniture park furniture attached. It is felt that 6 seats and 4 picnic tables would be sufficient to create 3 or 4 rest areas. Locations for these rest areas would be discussed and agreed with the local ward councillors.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 Providing these facilities would enhance the attraction of the proposed cycle route, promoting its use for healthy outdoor exercise, and sustainable routes to school, college or work. 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 the £7,000 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 maintenance of Tawd Valley Park and will be co-ordinated by the Council's Ranger Service.

8.0 RISK ASSESSMENT

- 8.1 Whilst this scheme is not crucial to the establishment of the proposed cycle route it would enhance the facility and attract more users.
- 8.2 This scheme is dependant on LCC securing planning consent and thereafter implementing the project.
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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