

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 SEPTEMBER 2017	8

RELEASE OF S106 MONIES – FLEETWOOD ROAD PLAYING FIELDS, WESHAM

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The report details an open space improvement scheme at Fleetwood Road Playing Fields, Wesham proposed by Medlar-with-Wesham Town Council.

The Committee are requested to agree to allocate S106 contributions of £25,000 to Medlar-with-Wesham Town Council for public open space improvement at Fleetwood Road Playing Fields, Wesham as detailed in this report, dependent upon the approval of a fully-funded addition to the Capital Programme in 2017/18 of £25,000, funded by the S106 developer contribution, at the meeting of the Finance & Democracy Committee on 25 September 2017.

RECOMMENDATIONS

The Tourism and Leisure Committee are requested:

1. To recommend to the Finance and Democracy Committee approval of a fully-funded addition to the Capital Programme in 2017/18 in the sum of £25,000 fully funded from the S106 developer contribution relating to The Pastures development, Wesham for the same amount;
2. Subject to the approval of 1 above, to agree to allocate the sum of £25,000 to Medlar-with-Wesham Town Council to carry out open space improvements at Fleetwood Road Playing Fields, Wesham as detailed in this report on condition that the Town Council be required to enter into an agreement with Fylde Council, prior to release of funds, and to provide details of how the funds have been used within 12 months of the allocation.

SUMMARY OF PREVIOUS DECISIONS

No previous decisions

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. The planning process generally requires housing developers to contribute towards improvements to public open space in the vicinity of the new development.
2. Fylde Council, as the Planning Authority, has received and is holding funds that have been secured through developer contributions associated with a new housing development at The Pastures, Wesham.
3. The terms of the Planning Agreement 11/0763 for The Pastures development in relation to the public open space contribution states that 'the sum of £25,000 to be used by Fylde Borough Council towards improvement works at the Wesham Recreation Ground off Fleetwood Road, Wesham.'
4. Medlar-with-Wesham Town Council have requested that the total section 106 contribution of £25,000 relating to The Pastures development is released and allocated to improvement works at Fleetwood Road Playing Fields, Wesham as stated in the Planning Agreement.
5. The Tourism and Leisure Committee are requested to consider allocating the total section 106 contribution of £25,000 from The Pastures development to help deliver the project as detailed in this report.

SCHEME DETAILS

6. Medlar-with-Wesham Town Council have prepared a costed open space improvement project at Fleetwood Road Playing Fields to meet the requirements of the Planning Application 11/0763, including a new footpath which is a specific requirement of the Planning Agreement.
7. The budget will also be used to install additional play equipment and to carry out improvements to the landscape and drainage, all as detailed in Appendix 1.
8. All project costs above the S106 contribution of £25,000 will be met by Medlar-with-Wesham Town Council. The Town Council will also fund a new picnic area with furniture as part of the project.
9. The Town Council has expressed a wish to procure and manage this project independently and will therefore be required to enter into an agreement with Fylde Council, prior to the release of funds to ensure accountability on how the funds will be spent and to include an indemnity against Fylde Council being required to pay back the money to the developer should the terms of the S106 agreement not be met by the project.

IMPLICATIONS	
Finance	The Committee are recommended to approve the allocation of £25,000 to Medlar-with-Wesham Town Council to carry out open space improvements at Fleetwood Road Playing Fields, Wesham as detailed in this report, on condition that the Town Council be required to enter into an agreement with Fylde Council concerning the use of the funds, and subject to the approval by the Finance and Democracy Committee to the addition of the proposed scheme to the Capital Programme for 2017/18.
Legal	Section 106 contributions are made by developers under specific planning agreements relating to each new development. The planning agreement will specify how the monies are to be spent in terms of geography and scope and a developer can usually require repayment of S106 contributions, if they have not been spent within 10 years of the Agreement. With reference to the Fleetwood Road Playing Fields project, it will be necessary to develop a legal agreement with Medlar-with-Wesham Town Council to include how the S106 contributions are to be used, to indemnify Fylde Council against having to pay back the monies to the developer, should the terms of the S106 agreement not be met.
Community Safety	Improving the quality and range of open space facilities provides an opportunity to increase public use and reduce nuisance behaviour.

Human Rights and Equalities	None arising from this report.
Sustainability and Environmental Impact	None arising from this report.
Health & Safety and Risk Management	None arising from this report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Mark Wilde	markw@fylde.gov.uk & Tel 01253 658475	18 August 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

Attached documents

Appendix 1.

Proposed project details and costs

**Proposed Scheme on Fleetwood Road Playing Fields,
Medlar-with-Wesham, using S106 Monies from The Pastures Development**

The proposed scheme by Medlar-with-Wesham Town Council (the Town Council) to make use of the S106 monies allocation from the Pastures Development, Rowland Homes is detailed below.

The Council understand that conditions have been set, how this S106 monies, the sum of £25,000 requires the Town Council to construct a pathway for an access route across the playing fields accessing Fleetwood Road, also we understand the condition requires that additional play equipment be added to that already installed to the play area on Fleetwood Road Playing Fields..

The Council have considered various option, taking into account both the pathway and the play equipment that has to be provided, we believe the scheme which is detailed below meets not only the conditions of the allocation of the S106 monies, but also meets the Town Council's need to making improvements to Fleetwood Road Playing Fields for the local community.

The Proposed Scheme, Fleetwood Road Playing Fields and costs.

1) The construction of a pathway which will be 1200mm wide x 400 linear metres From point A to D as attached sketch.	£14,650
2) The supply and installation of swing 2 flat seat + 2 cradle seat swing + Envirosmart Grass matting	£6,560
3) Bring back into use land, grade off and remove brambles from site, Level area and sow grass seed, import 40 tons of soil.	£2,145
4) Install land drainage 75m	£1,045
5) Create compound area, excavate, level and stone area behind the Pavilion and re-position FBC Street cleaner's container.	£1,000
6) Temporary Hire of Aris fencing 300 metres for partial closure of the park, whilst works is being carried out.	£ 912

Total £26,312

All of the cost are subject to VAT at 20%

The Town Council are also proposing to create a picnic / bench area adjacent to the children's' play area, the cost of which will be borne by the Town Council

The Town Council trust the above meets with the Committee's approval and the conditions of the S106 monies, this scheme will certainly add to improving the facilities on Fleetwood Road Park/ Playing Fields at the same time recovering land that can be brought back into use.