



REPORT TO EXECUTIVE

PORTFOLIO AREA: ECONOMIC DEVELOPMENT/COMMUNITY ENGAGEMENT

Date of Meeting: 30th April 2012

Public

Key Decision: No

Recorded in Forward Plan: No

Inside Policy Framework

Title: SECTION 106 AGREEMENT, FORMER HIGHWAYS DEPOT,
STATION ROAD, BRAMPTON

Report of: Director of Economic Development/Director of Community
Engagement

Report reference: ED 21/12

Summary:

This report outlines proposals for the development and enhancement of public open space in Brampton and seeks approval to use money from S106 Agreement for Station Road, Brampton as partnership funding for these schemes.

Recommendations:

That the Executive:-

1. Approve the release of the off-site Open Space Contribution obtained via the Section 106 Agreement, dated 1st October 2010 between the Council and Story Construction Limited, such contribution being specified in paragraph 2.2(ii) of the report, to be used towards the provision of the proposed Skate Park and BMX Track at William Howard School and play facilities at Murray Park.

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

1. REASONS FOR RECOMMENDATIONS

To release the money from the S106 Agreement for Station Road, Brampton and ensure that the momentum of the project is maintained.

2. BACKGROUND INFORMATION

1.0 Introduction

1.1 Planning application 10/0346 submitted by Story Construction Ltd sought permission for 42 houses on the former highways depot on Station Road, Brampton. The application was subject to a Section 106 Agreement which was signed on 1st October 2010.

1.2 Development has started on site, and as of the end of September 2011 there had been 12 completions, including two affordable units

2.0 Terms of the Section 106 Agreement

2.1 The agreement covers three areas – the provision of affordable housing, the provision of on-site open space and the provision of off-site open space. It is this latter category that this report is concerned with.

2.2 The Section 106 makes provision for three separate sums of money in relation to off site open space as follows

(i) King George V Playing Field Contribution - £9,025

To be paid to the Council and to be used towards *enhancements*
To the King George V Playing Field in the vicinity of the development

(ii) Off Site Open Space Contribution - £61,181

To be paid to the Council and to be used towards the provision of
Public open space facilities in the Parish of Brampton

(iii) King George V Playing Field Maintenance Sum - £4,230

To be paid to the Council and to be used towards the cost of
maintaining the King George V Playing Field for a period of 10 years
from the date of payment

3. PROPOSALS

- 3.1 It is proposed that the unallocated off-site open space contribution of £61,181 should be used to fund 3 schemes in Brampton (see Plan, Appendix A).
- 3.2 Murray Park – Murray Park is situated on the south side of Moat Side and it is proposed to enhance the play area in the park by providing extra play equipment for under 9's. This play area is the nearest play area to the new development on Station Road which was subject to the S106 Agreement.
- 3.3 Skate Park/BMX Track Proposals - On 19th October, Brampton Parish Council wrote to the City Council with a request concerning the first two sums of money (£9,025 and £61,181) to creating a Skate Park/BMX track on the King George V Playing Field.
- 3.4 Pupils from William Howard School had approached the Parish Council as part of their citizenship work with regard to the provision of this facility. The Parish Council had plans drawn up, and held a public consultation event on 11th August at the Moot Hall in Brampton.
- 3.5 However, during discussions between the City Council, Parish Council and William Howard School it was discovered that there were other activities and projects being looked at similar to this one in the area which could complement the project. It was therefore agreed in partnership to carry out a wider consultation event to ensure that there was continued support for the project and to ensure that any proposals maximise the resources available. A full consultation process was undertaken with the pupils of William Howard School and the Open Space Club, Brampton & Longtown.

The Skate and BMX Track will be situated on the bottom field (see Plan, Appendix A) owned by the school. The site will have open access and will link into the community bike club which has been developed by the school and is open to all residents from the Brampton and Longtown Parishes. In addition, the school also has bikes which they are willing for people to use on open days. The City Council will also support the scheme with coaching courses for volunteers within the community who wish to get involved.

The project will have a positive impact on crime and disorder in the area as one of the outstanding issues around youth and antisocial behaviour in Brampton is the misuse of bikes and skateboards on the streets and in the town centre. The

development of the scheme combined with the fact that the City Council/Police Safe Club Scheme is based at the school will help.

CONCLUSION

This is an example of excellent partnership working. It will meet the identified needs of the local community and will positively address a local crime and disorder issue.

IMPLICATIONS

Staffing: A City Council officer will chair the project group meetings for the duration of the project. Minute taking and their distribution will be shared by representatives from William Howard and the Parish Council Administration Officer.

Finance: A contribution of £74,436 was received in November 2011 from Story Construction Ltd as part of the Edmondson Close development in Brampton, in respect of 3 schemes detailed in paragraph 2.2 of the report. In accordance with the S106 Agreement, £61,181 is available for the provision of open space within Brampton to be spent within 3 years of the receipt. An additional contribution from the William Howard School will increase the overall scheme by £9,000 to approximately £70,000.

Legal: The Open Space contribution must be utilised in compliance with the terms of the Section 106 Agreement between the Council and Story Construction Ltd, dated 1st October 2010. The Report advises that the agreement provides the money must be spent on public open space facilities in the Parish of Brampton. Facilities of the type suggested would be appropriate and it is also important that the said facilities will be open to the public.

Corporate: The proposals also fit into the City Councils vision around Healthy City Status.

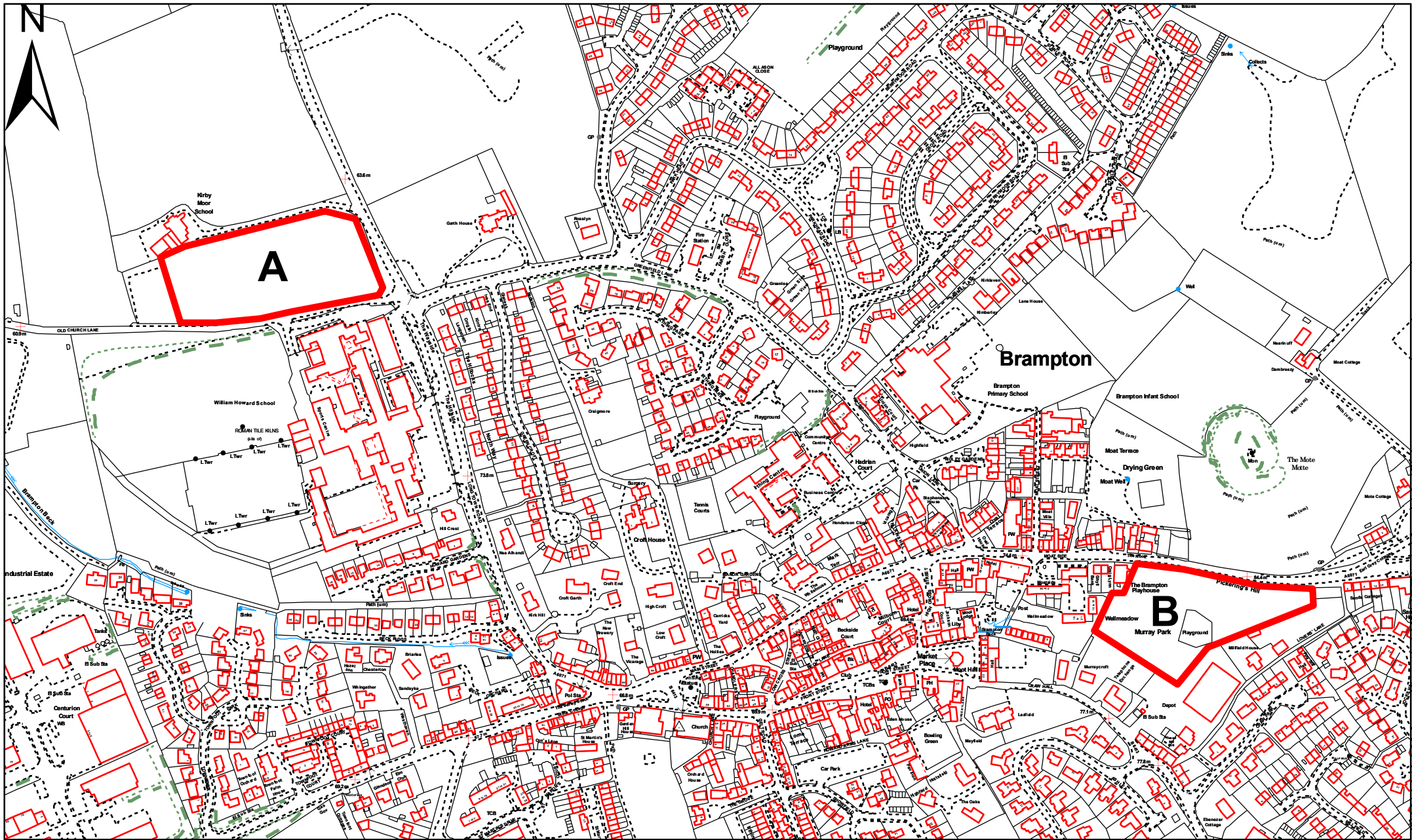
Risk Management: The risks relating to the project will be monitored by all parties concerned and further funding is being sort to employ a project manager to further reduce risk to the project.

Equality & Diversity:

Equality Impact Screening	Impact Yes/No?	Is the impact positive or negative?
Does the service impact on the following?		
Age	Yes (Track/park open age)	Positive
Disability	Yes (attached programmes)	Positive
Race	Yes	Positive
Gender/ Transgender	Yes	Positive
Sexual Orientation	Yes	Positive
Religion or belief	Yes	Positive
Human Rights	Yes	Positive
Social exclusion	Yes (attached programmes)	Positive
Health inequalities	Yes	Positive
Rurality	Yes	Positive

Environment: The partners in looking at the project have considered the impact on where the bike track and skate park have been sited to reduce the impact on the environment by not taking away or using land not already allocated for recreational use, also the sighting of the site takes in consideration there is no more noise than usual by using that site.

Crime and Disorder: The project will also support the positive impact on the reduction of crime and disorder. It will address the existing problem of misuse of Bikes being ridden inappropriately in the streets. This will form part of educating people in how the site should be used positively for everyone's enjoyment.



Scale: 1:4,500 Date: 20/04/2012

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Brampton
A: Proposed Skate Park/BMX track
B: Murray Park Play Area



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