

Subject:	Investment at Fairview Recreation Ground	Status:	For Publication
Report to:	Council	Date:	28 th June 2023
Report of:	Chief Executive	Lead Member:	Environment and Corporate Services
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: No	Attached:	N/A
Biodiversity Impact Assessment:	Required: No	Attached:	N/A
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1. RECOMMENDATIONS

- 1.1 That Council approves the project and consultation exercise with the public for Fairview Recreation Ground.
- 1.2 That Council approves the addition to the Capital Programme of the fully funded project in 2023/24.
- 1.3 That Council delegates application for and approval of any grant funding necessary to facilitate the development to the Chief Executive in consultation with the Lead Member and s151 Officer.
- 1.4 That Council delegates approval of any tender and subsequent award of contract to the Chief Executive in consultation with the Lead Member.

2. EXECUTIVE SUMMARY

- A sum of £143,067 has been received by the Council from a section 106 agreement which according to the terms of the agreement must be spent on public open space improvements at Fairview Recreation Ground, Rawtenstall.
- It is proposed that the Council carries out a consultation exercise with the public and councillors to determine the scope of the project and whether to pursue additional funding.
- The site currently has football and cricket facilities and a toddler's play area.
- This project has not been included in the Council's Capital Programme for 2023/24 and therefore needs adding.
- Should the public consultation exercise result in a scheme where anticipated costs would exceed the section 106 planning contributions, officers would look to external funding sources to secure the additional contributions necessary to deliver the proposed scheme.

3. BACKGROUND

- 3.1 The section 106 contribution for public open space at Fairview Recreation Ground has been received from the developers at Reedsholme Works, Rawtenstall (planning ref 2016/ 0267). This money must be spent in accordance with the agreement and by November 2026.
- 3.2 The site is identified as one for investment following an extensive survey of all play areas in the borough. Due to the large amount of money, a public consultation exercise is proposed to enable residents and users of the recreation ground to input on how it is spent.
- 3.3 The consultation responses will allow the Council to produce designs for the proposed improvements with the needs of residents and users in mind.

4. DETAILS

- 4.1 It is proposed that the consultation will be carried out by Proffitts CIC, and will result in a design and cost estimate which will inform the Council on whether additional funding is required for the site, and where this is pursued from.
- 4.2 A further light touch consultation will take place with key councillors and the community on the final proposed scheme prior to moving into the delivery phase.
- 4.3 The section 106 monies must be spent on the provision and modernisation of the recreation ground and Sunnyside play area. Consideration to the future maintenance of the site will be given as the Council needs to be confident that the scheme can be serviced within existing budgets in order to maximise the scheme delivered on site.
- 4.4 Upon a final scheme being agreed, any additional funding required will be approved and relevant grant funding agreements entered into prior to the scheme being put out to tender.

5. RISK

All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Failure to invest in the site will risk deterioration in the coming years leading to increased maintenance liability and health and safety issues.
- There are new housing developments being built in the area which will lead to increased usage of play facilities. Failure to refurbish sites at the end of life would increase maintenance and health and safety issues.
- The contribution is allocated to this specific site and cannot be used for any other purpose.

6. FINANCE

- 6.1 The £143,067 S106 money has now been paid to the Council by the developer and the scheme needs adding to the Capital programme.
- 6.2 The final scope of the project is not yet known. If additional external funding is pursued this generally requires a 10% contribution from the Council, which would be paid for from the 106 money.
- 6.3 The ongoing maintenance will be funded from within existing revenue budgets.

7. LEGAL

- 7.1 Under the Constitution, prior approval must be obtained from the Corporate Management Team and Cabinet to seek tenders for anything over £100k. Corporate Management Team has considered this matter and recommends its approval.
- 7.2 All tenders and works contracts must be carried out in compliance with the Council's Contract Procedure Rules and the grant funding requirements of each funder.
- 7.3 All s106 monies must be spent in accordance with the relevant agreement both in terms of timescales and purpose of contribution to avoid challenge and the risk of clawback.

8. POLICY AND EQUALITIES IMPLICATIONS

Consideration to equalities and appropriate action will be undertaken following the consultation exercise. Delivery of a programme of works will support the Council's Corporate Plan.

9. REASON FOR DECISION

The sum paid to the Council is ring-fenced for improvements to the public open space at Fairview Recreation Ground, and must be spent by November 2026. Therefore it is important that the process is started in 2023 in order to deliver the improvements. The consultation with users of the site will guide the Council in how the S106 allocation is spent and whether there is an opportunity for additional funding from external sources.

No background papers