

**CABINET SPOKESPERSON FOR PLACE**

Record of a decision taken on

**Wortley RUFC Car Park****Subject**

This report seeks approval for the allocation of Section 106 monies as set out in the recommendations section of this report.

**Key Risks Associated with the Proposed Action**

The proposed scheme is considered to be viable from a delivery perspective. The approval report does identify risks which may arise during the delivery phase of the project. It is however anticipated that identified risks can be effectively mitigated through the formal project management arrangements established in relation to delivery. Risk areas include:

<b>Risk Description</b>	<b>Solution/ Mitigation</b>	<b>Risk Level</b>
There is a risk that developers may request the return of monies if the proposals contained within this report are not progressed.	The proposals contained within this report will directly mitigate this risk through the establishment of deliverable schemes.	Low

**Recommendation**

It is recommended that:

- £65,000 of S106 monies is allocated as a contribution to the provision of parking facilities which is part of the wider scheme to provide superior playing pitches and facilities for playing rugby union. It is envisaged that this allocation will provide the following:
  - Compliment £200,000 investment to the project provided by Sport England.
  - Ensure the retention of a much used community recreation facility
- The proposed allocation has a direct contribution to the current sports and active lifestyle strategy through:
  - To increase the number of people being physically active year on year.
  - To target under active and underrepresented groups to increase sports and physical activity participation.



- Provide pathways to personal success.
- Improve access to the opportunities to being active.
- The proposed allocation supports the Playing Pitches Strategy through improving and maintaining a valued, oversubscribed local facility
  
- The proposed allocation will ultimately provide a direct contribution to the following Corporate performance measures
  - Increase the percentage of physically active adults
  - Decrease the percentage of inactive adults
  - Increase participation of children and young people



**Decision / Comments of the Cabinet Spokesperson**

Recommendation Approved by Cabinet Spokesperson

*P. B. Malter*  
.....  
(Signed) Cabinet Spokesperson

*5/4/17*  
.....  
Date



## **BARNSLEY METROPOLITAN BOROUGH COUNCIL**

**This matter is not a Key Decision within the council's definition and has not been included in the relevant Forward Plan**

**Report of Executive  
Director, Place**

### **Section 106 Wortley Rugby Club**

#### **1. Purpose of report**

- 1.1 This report seeks approval for the allocation of Section 106 monies as set out in the recommendations section of this report.

#### **2. Recommendations**

##### **2.1 It is recommended that:**

- **£65,000 of S106 monies is allocated as a contribution to the provision of parking facilities which is part of the wider scheme to provide superior playing pitches and facilities for playing rugby union. It is envisaged that this allocation will provide the following:**
  - **Compliment £200,000 investment to the project provided by Sport England.**
  - **Ensure the retention of a much used community recreation facility**
- **The proposed allocation has a direct contribution to the current sports and active lifestyle strategy through:**
  - **To increase the number of people being physically active year on year.**
  - **To target under active and underrepresented groups to increase sports and physical activity participation.**
  - **Provide pathways to personal success.**
  - **Improve access to the opportunities to being active.**
- **The proposed allocation supports the Playing Pitches Strategy through improving and maintaining a valued, oversubscribed local facility**

- **The proposed allocation will ultimately provide a direct contribution to the following Corporate performance measures**
  - **Increase the percentage of physically active adults**
  - **Decrease the percentage of inactive adults**
  - **Increase participation of children and young people**

### **3. Introduction**

- 3.1 This report relates to monies totalling £65,000 in the form of a Public Open Space Contribution which have been received from the S106 Legal Agreement relating to planning application 2014/0754 Church In/Haigh Head Rd/Haigh Ln Hoylandswaine and planning application 2013/0785 Hartcliffe Rd, Penistone. The defined spend condition contained within this legal agreement is specified as:

*“Public open space improvements within the vicinity of the site or where the need arises from the development” (2014/0754)*

*“Towards the provision of and/or improvement of sports or recreational facilities within the area of Penistone the need for which arises from the development” (2013/0785).*

- 3.2 The proposed allocation will enhance and provide long term sustainability of a much used community asset within the local area. The proposal is therefore deemed to be compliant with the terms of the legal agreement.
- 3.3 The proposals contained within this report are also deemed to be compliant with the CIL Regulations to be adopted 1<sup>st</sup> April 2015 where no more than 5 legal agreements can be pooled to fund site infrastructure. S106 allocations to the site contained within this report on or after 6<sup>th</sup> April 2010 are shown in Appendix B of this report.

### **4. Consideration of alternative approaches**

- 4.1 This report has been prepared within the agreed protocols established for the progression of S106 related projects within the Council.

### **5. Proposal and justification**

- 5.1 Wortly RUFC have undertaken a project to improve their playing pitches situated at Finkle Street Wortley. Currently the club have completed the Pitches which are now in growing “Mode” until September. They have secured funding of over £200k to support this including Sport England. There is a gap in funding the Car Park to the initial Planning spec, the initial quote to plan is £65k. As part of planning consent the Car Park has to be in place for the first time the pitches are used.



- 5.2 This is a community Playing Field area with open access to the community, this is a key part of the clubs strategy in how the wider community of Wortley can benefit from this space.
- 5.3 The capacity for pitches to regularly accommodate competitive play, training and other activity over a season is determined by quality. As a minimum, the quality, and therefore the capacity, of a pitch affect the playing experience and people's enjoyment of playing rugby. In extreme circumstances it can result in the inability of the pitch to cater for all or certain types of play during peak and off peak times.
- 5.4 There is currently an under supply of 3 pitches in the Penistone area with Wortley being the only club other than Shaw Lane in Barnsley. The Wortley site is key to expanding Rugby Union in the west of the Borough and is identified in the play pitch strategy as such
- 5.5 The club is growing from the bottom up, since each new season; the previous age grade matures into the older group. Their primary schools coaching program ensures new mini recruits. The club has aspirations to keep growing every year but unable to do so due to the lack of grounds and changing facilities in the area.
- 5.6 Current development plans are to expand ground from one pitch to two at Wortley (current numbers will fill that). Also the club is considering the opportunity to split activity between Saturday & Sunday and between Wortley & Penistone Grammar School.
- 5.7 It is worth noting that play on the existing and new pitches cannot commence unless the car parking is completed. Local residents and councillors will be well aware of the problems associated with parking on finkle street and therefore support of this project will not only contribute to the play pitch strategy but also make the adjoining road much safer.

## **6. Implications for local people / service users**

- 6.1 The proposals contained in this report will deliver significant benefits for local residents through the retention of much used community facility.

## **7. Financial implications**

- 7.1 Consultations on the financial implications have taken place with representatives of the Director of Finance, Property & Information Services.
- 7.2 Section 106 monies totalling £65,000 as a Public Open Space contribution are available to fund the provision of the scheme identified within this report through the S106 legal agreement established through planning permission planning application 2014/0754 Church In/Haigh Head Rd/Haigh Ln Hoylandswaine and planning application 2013/0785 Hartcliffe Rd, Penistone.
- 7.3 There is no time limit associated within the monies that have been received.

7.4 Expenditure identified within this scheme will be managed within the resources available.

7.5 The financial implications relating to this proposal are shown in Appendix A of this document.

## 8. **Employee implications**

8.1 There are no employee implications arising through this proposal.

## 9. **Communications implications**

9.1 There are no communications implications.

## 10. **Consultations**

10.1 Consultations have taken place with colleagues within Finance, Public Health, Economic Development, Culture Housing & Regulation, Communities Highways and Legal Services.

10.2 Local Councillors within the Wombwell ward have been consulted and are supportive of the proposal.

## 11. **Community Strategy and the Council's Performance Management Framework**

11.1 The proposals contained within this report will have a direct contribution to the Council priority Outcome 9 - People are healthier, happier, independent and active through the provision, improvement and enhancement of sporting facilities and public open space. The proposal will specifically contribute to the following areas:

- Increase the percentage of physically active adults
- Decrease the percentage of inactive adults
- Increase participation of children and young people

## 12. **Tackling Health Inequalities**

12.1 The proposals contained within this report will have a positive contribution to tackling health inequalities through the provision, improvement and enhancement of sporting facilities and public open space.

## 13. **Risk Management Issues**

13.1 A high level analysis of risks assessment has been carried out and can be found below. The overall risk assessment of this proposal is low. Formal risk management arrangements will be established and managed through the delivery project.

Risk Description	Solution/ Mitigation	Risk Level
There is a risk that developers may request the return of monies if the proposals contained within this report are not progressed.	The proposals contained within this report will directly mitigate this risk through the establishment of deliverable schemes.	Low

**14. Promoting Equality & Diversity and Social Inclusion**

14.1 Equality and Diversity requirements will be factored into the design of the individual delivery schemes.

**15. List of Appendices**

- Appendix A - Financial Implications
- Appendix B - CIL Regulation Assessment

**16. Glossary**

BMBC - Barnsley Metropolitan Borough Council

Office Contact: Andrew Shorthouse Telephone No: 3419 Date: 22/02/2017

Financial Implications / Consultation ..... Date: .....

Consultations have taken place with representatives of the Acting Executive Director, Finance

**Appendix B – CIL Regulation Assessments**

<b>Greenspace Reference Wombwell recreation Ground</b>		
<b>Infrastructure</b>	<b>Spend</b>	<b>S106 Legal Agreement</b>
Traditional park infrastructure (paths, boundary treatments, bins, signage, gateway improvements, benches etc)	£0	None
Child and Youth Facilities	£0	None
Sports Provision/Formal Recreation	£0	None
Biodiversity Improvements	£0	None

Report of the Executive Director Development, Environment and Culture

FINANCIAL IMPLICATIONS

i) <u>Capital Expenditure</u>	<u>2016/17</u> £	<u>2017/18</u> £	<u>2018/19</u> £	<u>2020/21</u> £
Contribution to the provision of parking facilities for a wider scheme to provide superior pitches and rugby facilities at Wortley Rugby Club		65,000		
	0	65,000	0	0
<b>To be financed from:</b>				
Section 106 planning permission 2014/0754 Church In/Haigh Head Rd/Haigh Lane		47,618		
Section 106 planning permission 2013/0785 Harcliffe Road		17,382		
	0	65,000	0	0
ii) <u>Revenue Effects</u>	<u>2016/17</u> (£)	<u>2017/18</u> (£)	<u>2018/19</u> (£)	<u>2020/21</u> £
	0	0	0	0
<b>To be financed from:</b>				
	0	0	0	0

**Impact on Medium Term Financial Strategy**

Not applicable in this report

Agreed by:  On behalf of the Director-Finance, Assets & IT Services

