

CABINET SPOKESPERSON FOR PLACE

Record of a decision taken on

Section 106 Projects Hanover Street POS Project**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:

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
There is a risk that of challenge around the strategic use of the identified monies.	The identified strategic outcomes mitigate this risk. The allocation is also deemed to be compliant with the conditions of the legal agreement. Colleagues in communications will be consulted to ensure that a positive and proactive media message is provided in respect of the allocation.	Medium

Recommendation

It is recommended that:

£12,000 of S106 monies is allocated as a contribution to the Regeneration of Hanover Street walkway project; to install metal fencing to run around the perimeter of the Hanover Street/ Lancaster Street greenspace, to secure a public footpath in Thurnscoe that is surrounded by natural habitat used by hundreds of parents and children every day.

Decision / Comments of the Cabinet Spokesperson

Recommendation Approved by Cabinet Spokesperson

PR Miller

 (Signed) Cabinet Spokesperson

18/12/18

 Date

BARNSELY 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 Allocations - Hanover Street, Thurnscoe

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:

- **£12,000 of S106 monies is allocated as a contribution to the Regeneration of Hanover Street walkway project; to install metal fencing to run around the perimeter of the Hanover Street/ Lancaster Street greenspace, to secure a public footpath in Thurnscoe that is surrounded by natural habitat used by hundreds of parents and children every day.**

3. Introduction

- 3.1 This report relates to monies totalling £12,000 in the form of a Public Open Space Contribution which have been received from the S106 Legal Agreement relating to 2015/1198 (Land off Barnburgh Lane, Goldthorpe). The defined spend condition contained within this legal agreement is specified as:

To be applied for the provision or improvement of public open space, within 3 miles of the boundary of the land.

- 3.2 The proposed allocation will directly complement the regeneration work that has been carried out by local volunteers over the past few months. The development site is 1.3 miles from the green space site. By securing the area with suitable fencing and access points, it will assist in keeping the area clear from fly-tippers and other sources of discarded waste. The proposed allocation is therefore deemed to be compliant with the conditions of the legal agreement.
- 3.3 The proposals contained within this report are also deemed to be compliant with the CIL Regulations adopted 1st 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 6th 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 As Barnsley Council has been making severe cutbacks over the past few years, one of the services we are no longer able to use is removing the old household waste which has been there for over 10 years. The local community have been doing daily/weekly clean ups already, drumming up hundreds of volunteers hours in the past 4 months.
- 5.2 This project will be sustainable and enable the local residents to keep up the area with lots of volunteering days. The local Housing Association have agreed to maintain the area on a weekly basis too, with the help from the probation service.
- 5.3 The school are designing their own woodland area and, with the assistance of Twiggs, have already made a bug hotel and branched fencing along the walls to encourage more wildlife and keep with the natural habitat they love to see on their walk to school.
- 5.4 We would aim to get the work completed within 3 months for the fencing installation then the work can be completed every week to get the clean-up in full operation from local volunteers. The community have already started on the clean ups doing regular litter picks with the local families who live around the snicket. These are all volunteers who take pride in where they live and want to make a change and just live in a better brighter area of Barnsley.
- 5.5 The probation service has also agreed to remove the large stumps before the fencing is installed which will cut costs down on the project, this will be done if approval for the section 106 monies is agreed.
- 5.6 The project will specifically deliver the following outcomes:
- Secure the site by installing fencing and two "A" frames around the site, which will allow access for pushchairs, scooters and mobility aided products, but stop anyone wanting to drop/drive on with rubbish.

6. Implications for local people / service users

- 6.1 The local school & children's centres have agreed to do regular litter picks and encourage the children to take part in nature walks; bug hunts, and install their own planters at the top and bottom, once the area has been cleaned up completely.
- 6.2 The monies required from section 106 is to secure the site by installing fencing & 2 A frames around the site, which will allow access for pushchairs, scooters and mobility aided products, but stop anyone wanting to drop/drive on with rubbish.

6.3 By enclosing the area and installing an A frame at either end, this will also encourage people to look after the area and take pride in where they live.

7. Financial implications

7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).

7.2 Section 106 monies totalling £12,000 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 2015/1198 (Land off Barnburgh Lane, Goldthorpe)

7.3 There is no time limit associated with 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 specific communication implications arising from this proposal.

10. Consultations

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

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

11.1 The **Safer Barnsley Partnership Plan (2016–2020)** identifies a series of priorities where we feel collectively, that we can make the most difference to achieve the best outcomes for individuals, families and communities. It is important that in such times where resources are reducing we are able to share and pool all our resources to address the key community safety priorities facing the borough.

11.2 The proposals contained within this report will have a direct contribution to the Council Strategy "**Children and Young People's Plan 2016-19**", contributing to strategic priorities, such as...

- Keeping children and young people safe;

- Supporting all children, young people and families to make healthy lifestyle choices;
- Encouraging positive relationships and strengthening emotional health

These strategic priorities will contribute towards the achievement of a number of outcomes, including...

- Being healthy
- Staying safe
- Enjoying and achieving
- Being an active citizen.

11.3 The proposals contained within this report will have a direct contribution to the Council Strategy "**Community Engagement Strategy 2017-2020**", enabling us to provide opportunities for engagement at all levels, such as...

- Information giving;
- Consultation;
- Community involvement;
- Co-production;
- Devolved responsibility.

Through the use of these opportunities for engagement, we will contribute towards the achievement of a number of outcomes, including...

- People are healthier, happier, independent and active
- People volunteering and contributing towards stronger communities
- Strengthen community involvement;
- Encourage innovation and change through community action;

11.4 The proposals contained within this report will directly contribute to the Council's "**Customer Service Strategy 2015-18**", enabling us to provide opportunities for engagement at all levels, such as...

- Community engagement;
- Partnership working;
- Community involvement.

11.4 The proposals contained within this report will directly contribute to the Council's "**Health & Wellbeing Strategy 2016-20**", enabling us meet our vision that the people of Barnsley are enabled to take control of their health and wellbeing and enjoy happy, healthy and longer lives, in safer and stronger communities, whoever they are and wherever they live.

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 strategic public open space within Barnsley.

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
There is a risk that of challenge around the strategic use of the identified monies.	The identified strategic outcomes mitigate this risk. The allocation is also deemed to be compliant with the conditions of the legal agreement. Colleagues in communications will be consulted to ensure that a positive and proactive media message is provided in respect of the allocation.	Medium

14. Promoting Equality & Diversity and Social Inclusion

- 14.1 There are no equality & diversity implications arising from this proposal. Wider equality, diversity and social inclusion aspects will be addressed through the overarching Parks for People Project.

15. List of Appendices

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

16. Glossary

- BMBC - Barnsley Metropolitan Borough Council

Office Contact: Marie Sinclair	Telephone No: 01226 774469	Date: 30/10/18
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Financial Implications / Consultation	Date:
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Consultations have taken place with representatives of the Acting Executive Director, Finance

Appendix B – CIL Regulation Assessments

Greenspace Reference GS1822 Hanover/Lancaster Green Space		
Infrastructure	Spend	S106 Legal Agreement
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

FINANCIAL IMPLICATIONS

i) Capital Expenditure	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>
	£	£	£	£
Contribution towards the Regeneration of Hanover Street Walkway Project.	12,000			
	<u>12,000</u>	<u>0</u>	<u>0</u>	<u>0</u>

To be financed from:

Section 106 planning permission 2015/1198 - Land off Barnburgh Lane, Goldthorpe.	12,000			
	<u>12,000</u>	<u>0</u>	<u>0</u>	<u>0</u>

ii) Revenue Effects	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>
	(£)	(£)	(£)	(£)
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

To be financed from:

<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
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Impact on Medium Term Financial Strategy

Not applicable in this report

Agreed by:  On behalf of the Service Director-Finance, Section 151 Officer

Date: 13/11/2018.

