
Subject: Section 106 Public Open Space 2013/2014 **Status:** For Publication

Report to: Rochdale Township Committee **Date:** 10th July 2013

Report of: Service Director – Economy & Environment **Author**
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Comments from **Section 151 Officer** **x**
Statutory Officers: **Monitoring Officer** **x**

Key Decision: No

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out the amount of s.106 public open space monies allocated to spend within Rochdale Township as of 31st March 2013; and
- 1.2 Seek approval for a programme of projects to deliver public open space provision and improvements across the township.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members note the current resources held within the Rochdale Township s.106 Public Open Space budget.
- 2.2 It is recommended that Members consider each of the projects set out in the programme of s.106 Public Open Space and approve allocation as described for each project.
- 2.3 It is recommended that Members consider ring-fencing of future contributions to support identified projects on the Public Open Space project list.
- 2.4 It is recommended that Members note existing projects on the Township s.106 Public Open Space project list and consider any projects to be added.

3. MAIN TEXT INCLUDING ALTERNATIVES CONSIDERED/ CONSULTATION CARRIED OUT

3.1 This report sets out the scale of developer contributions held from s.106 planning obligations as of the end of financial year 2012/2013. This is often referred to as 'planning gain' and may be received either through the completion of a legal agreement between the developer and the Council, or unilateral undertaking from a developer. Historically the Council has also received some contributions voluntarily from developers although this has now ceased. The purpose of the contributions is to mitigate the impact of development.

3.2 This report presents a programme of Public Open Space works to be delivered in 2013/2014, for approval. The Public Open Space programme is based on the Township Section 106 Public Open Space project list endorsed by Members in November 2012.

3.3 The section 106 Public Open Space budget for Rochdale Township as of 31st March 2013 had a balance of £139,913.

3.4 Syke Common Pond Area

3.4.1 Seasonal problems of blue-green algae have been exacerbated by the goose population which enrich the water with faeces and strip native vegetation. This is causing a pungent smell and potential damage to health and likely future problems such as sudden fish death.

3.4.2 There are no short-term solutions, but a programme of works including a low fence and planting scheme around the perimeter of the pond to prevent geese from getting easily from the grass areas to the water and thus discourage their numbers, introduction of chalk, limestone and barley straw, re-introduction of plants with allopathic properties which stop algae growth and reduction in the fish population which will allow natural algae predators such as water-fleas to proliferate will alleviate the problem.

3.4.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
Land off Dewhirst Road, Syke.	£2,075	To be spent in accordance with SPD.	31 st January 2017

261, Whitworth Road, Rochdale.	£1,660	To be spent in accordance with SPD.	20 th January 2017
252, Whitworth Road, Rochdale.	£768	To be spent in accordance with SPD.	17 th May 2016
Land adjacent to Holstein Avenue.	£1,152	To be spent in accordance with SPD.	28 th April 2016
Toad Leach Farm.	£768	To be spent in accordance with SPD.	14 th February 2016

3.4.4 The NPPF describes open space as “all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children’s play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).

3.4.5 Members are asked to approve the allocation of the above sums totaling £6,423 from the Public Open Space budget to enable the works to proceed.

3.5 **Taylor Park**

3.5.1 The Council carries out grass cutting and occasional pruning of bushes at Taylor Park. The park is well used by local residents and children from the nursery across the road, but suffers from drainage problems, footpath damage and tired shrub beds. There was a recent incident where a member of the public fell over part of a path that had washed away due to excess surface water.

3.5.2 A group of residents have approached the Council with regards to possible improvements to the parks infrastructure, safety and appearance, including shaping or removal of shrub beds and improvements to footpath drainage and surfaces. Work on addressing wider longstanding drainage issues will be considered as part of the Asset Management Programme.

3.5.3 Rochdale’s Supplementary Planning Document ‘Provision of Recreational Open Space in New Housing’, states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the

development generating the contribution. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
Ashbourne Street, Norden.	£4,980	To be spent in accordance with SPD.	15 th August 2017
17, Bamford Way, Bamford.	£3,642	To be spent in accordance with SPD.	1 st August 2016
Jowkin View, Bamford.	£1,660	To be spent in accordance with SPD.	7 th March 2018
10, Chester Avenue, Bamford.	£1,245	To be spent in accordance with SPD.	10 th October 2017
Ryefield, Bury Road, Bamford.	£1,152	To be spent in accordance with SPD.	28 th April 2017
1, Beaumont Way, Bamford.	£768	To be spent in accordance with SPD.	17 th December 2015
19, Links View, Bamford.	£415	To be spent in accordance with SPD	5 th April 2017

3.5.3 The NPPF describes open space as “all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children’s play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).

3.5.4 Members are asked to approve the allocation of the above sums totaling £13,862 from the Public Open Space budget to enable these works to proceed.

3.6 **Hutchinson Road**

3.6.1 The Public Open Space budget is in receipt of a contribution of £24,000 for children’s play and public open space improvement in relation to residential development on land between Claymere Avenue and Furbarn Lane pursuant to condition 4 of the permission 07/D48794 issued on 16th February 2007. The contribution was received on 18th May 2012.

- 3.6.2 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of children's play areas the site to be improved should be not more than 100 metres for a Local Area for Play, 400 metres for a Local Equipped Area for Play and 1,000 metres for a Neighbourhood Equipped Area for Play (SPD, 2008 pages 21 and 13).
- 3.6.3 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children's play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).
- 3.6.4 Upgrading of children's play facilities and improvements to open space at Hutchinson Road Recreation Ground and Playground has been identified as the most effective use of this contribution within walking distance of the contributing development. The open space qualifies as a Neighbourhood Equipped Area for Play (SPD, 2008 page 24) and is within 1,000 metres of the development at Furbarn Lane / Claymere Avenue.
- 3.6.5 Members are asked to approve the allocation of the contribution from the Public Open Space budget to allow these works to proceed.

3.7 Rochdale Memorial Gardens

- 3.7.1 Over the last few years various projects have been undertaken to improve the public realm with the Memorial Gardens. These include:-
- Removal of a group of trees which lay towards the boundary with the police station. These trees blocked the views to and from the Police Station and were associated with anti-social behavior. The removal of these trees was funded by Greater Manchester Police.
 - The maple tree which enclosed the fountain was removed to allow for the restoration of the fountain to commence. It is expected that the fountain will be operational early summer.
 - The group of trees which adjoined the northern boundary of the gardens has been replaced by a row of silver birch

trees and a new footpath. This new footpath provides a safer and more convenient link towards Hopwood Hall and the 6th Form College and has avoided the need for pedestrians to walk diagonally across Newgate Public Car Park.

- The original tree planting scheme has been re-instated. This includes the planting of an inner and outer rim of silver birch trees in order to frame the 'Axis of Remembrance'. At least 30 silver birch trees have been planted.

3.7.2 Prior to these works taking place, many of the trees because of their locations and size, significantly restricted the views to and from the Memorial Gardens and they hid the views towards the Grade I Listed Town Hall. The tree works have permitted clear views in and out of the Memorial Gardens, which is in keeping with its original design and has ensured that the gardens are used in a more appropriate manner. Furthermore there is an 'Axis of Remembrance' that runs from the Memorial on the Town Hall entrance (Boer War), the Cenotaph (Great War) and the Memorial Gardens (Second World War) was interrupted by the poorly sited trees which lied along the boundary of the Memorial Gardens. The removal of these trees has re-instated this important axis and strengthened the Memorial Garden's prominence within the town centre.

3.7.3 The final stage of the restoration work works involves replacing the landscaping shrubs, bushes and seasonal bedding which lie in between the newly planted trees. Total cost of works is estimated at £35,000.

3.7.4 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
The Holme, The Esplanade, Rochdale.	£9,500	To be spent in accordance with SPD.	9 th April 2015
41, Industry Road, Rochdale.	£1,152	To be spent in accordance with SPD.	18 th December 2014
37, St. Albans Street, Rochdale.	£1,660	To be spent in accordance with SPD.	20 th September 2016
1, Lower	£1,920	To be spent in	6 th

Tweedale Street, Rochdale.		accordance with SPD.	September 2016
Land at Brunswick Street, Rochdale.	£3,320	To be spent in accordance with SPD.	9 th November 2017
Land adjacent to 252, Halifax Road, Rochdale.	£2,490	To be spent in accordance with SPD	8 th August 2017
62, Newbold Street, Rochdale.	£2,490	To be spent in accordance with SPD.	31 st January 2017
39, Newbold Street, Rochdale.	£3,456	To be spent in accordance with SPD.	13 th May 2015
Land adjacent to 9, Bulwer Street, Rochdale.	£830	To be spent in accordance with SPD.	4 th July 2017
64, Drake Street, Rochdale.	£1,660	To be spent in accordance with SPD.	2 nd April 2017

3.6.5 The NPPF describes open space as “all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children’s play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).

3.6.6 Members are asked to approve the allocation of the above sums totaling £28,478 from the Public Open Space budget towards the phased delivery of this project.

3.6.7 Members are asked to approve the ring-fencing of Public Open Space contributions up to £6,522 from future development within 20 minutes walking distance of the Memorial Gardens.

3.9 Robinson Common

3.9.1 There have been a number of attempts over the years to improve this vital piece of public open space, but no lasting solution has been found. It is the opinion of Environmental Management that engagement with local people is required, but without funding to follow this through, it would be more damaging to raise expectations.

3.9.2 It is estimated that any meaningful improvements which have minimal ongoing maintenance (e.g. landscaping, pathway

improvements, fencing etc.) would cost approximately £50,000).

3.9.3 Environmental Management will carry out work on shrub bed maintenance and removal of fly-tipped waste and review existing play equipment within existing budgets.

3.9.4 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
Cumberland Road & Curzon Road, Kirkholt.	£6,206	To be spent in accordance with SPD.	23 rd August 2015
Hare Street / Durham Street, Rochdale.	£3,456	To be spent in accordance with SPD.	21 st March 2017
Land adjacent to 301 Kingsway, Rochdale.	£3,320	To be spent in accordance with SPD.	2 nd August 2017
4, Percy Street, Rochdale.	£1,920	To be spent in accordance with SPD.	4 th March 2014
244, Oldham Road, Rochdale.	£830	To be spent in accordance with SPD.	27 th September 2017

3.9.5 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children's play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).

3.9.6 Members are asked to approve the allocation of the above sums totaling £13,812 from the Public Open Space budget towards the implementation and/or phased delivery of this project.

3.9.7 Members are asked to approve the ring-fencing of Public Open Space contributions up to £36,188 from future developments within 20 minutes walking distance of Robinson Common to enable works to proceed.

3.9.8 Implementation of this project will not be carried out until extensive consultation has been carried out with residents and subject to further Members for approval following that process, taking into account resident expectation and available resources at that time. Implementation may be phased as part of the project management process to ensure contributions are spent before individual cut off dates.

3.10 Springfield Park

3.10.1 The Friends of Springfield Park have previously approached the Township for support to develop increased parking provision, a new footpath around the lake and restoration of the athletics track for informal use.

3.10.2 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space. In the case of informal open space, provision should be within 20 minutes walking distance of the development that generated the contribution. There are currently no Public Open Space contributions relating to development within 20 minutes walking distance of Springfield Park.

3.10.3 Members are asked to approve the ring-fencing of Public Open Space contributions from future developments within a 20 minute walking distance of Springfield Park.

3.10.4 Implementation of this project will not be carried out until sufficient resources are available to fund an agreed work programme and subject to further Member approval.

Public Open Space Project List

3.11 A copy of the Rochdale Township s.106 Public Open Space project list, including the status of individual projects is attached to the this report.

Alternatives considered

3.12 The schemes put forward for implementation or development have been identified by Members, as outlined in the report to Township on 7th November 2012, and assessed in terms of available funding, deliverability, adherence to policy and cost benefit.

3.13 s.106 contributions for the most part must be spent within five years of receipt; contributions not spent within this period of time are

subject to repayment to the developer. Adoption of alternative schemes that have an unknown or known but protracted delivery timescale risk loss of the s.106 contributions.

Consultation proposed/undertaken

- 3.14 Various reports relating to the setting up of new procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process.
- 3.15 Rochdale Township members have previously requested that all s.106 Public Open Space funded schemes be approved by Members by way of a report to Township Committee.
- 3.16 Schemes identified within this report as requiring further consultation with the public (including friends groups) will be presented to Township for final approval before implementation.

4. FINANCIAL IMPLICATIONS

- 4.1 All works proposed can be carried out within existing resources within Rochdale s.106 Public Open Space budgets, except for those seeking the ring-fencing of future contributions, in these cases works will not be carried out without these resources being secured or further approval.
- 4.2 Minimizing maintenance costs and ensuring future revenue demands can be met from existing service budgets has been considered as part of the project development process in conjunction with Environmental Management.

5. LEGAL IMPLICATIONS

- 5.1 Any legal implications have been included within the main body of the report.

6. PERSONNEL IMPLICATIONS

- 6.1 Staffing resources required to implement and monitor these projects can be met from existing resources within Economy and Environment Directorate.

7. CORPORATE AND TOWNSHIP PRIORITIES

- 7.1 It is considered having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open space within the Township will enhance the environment, image of the Borough as a place to visit, contribute

positively to the wider health and well-being agenda as well as contribute to community cohesion.

8. RISK ASSESSMENT IMPLICATIONS

- 8.1 There are no specific risk issues for members to consider arising from this report.

9. EQUALITIES IMPACTS

9.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no (*significant*) equality/community issues arising from this report.

Background Papers	
Document	Place of Inspection

ROCHDALE TOWNSHIP COMMITTEE

MINUTES OF MEETING Wednesday, 10 July 2013

PRESENT: Councillor Cecile Biant (in the Chair); Councillors Iftikhar Ahmed, Shakil Ahmed, Sultan Ali, Surinder Biant, Danczuk, Davison, Duckworth, Farnell, James Gartside, Jane Gartside, Hobhouse, Hornby, Linden, Mulgrew, Neilson, O'Neill, Sheerin, Sullivan, Winkler and Zaman.

OFFICERS: W. Meston (Acting Director of Public Health), M. Robinson, N. Barton, K. Smith, P. Maynard, P. Gregory, H. Smith and G. Beverley (Economy and Environment Services), A. Dawson and P. Thompson (Corporate Services).

ALSO IN ATTENDANCE: Councillor Martin Burke, Inspector Khan and Inspector Pawson (Greater Manchester Police), J. Taylor (Link4Life) and approximately 15 members of the public.

APOLOGIES FOR ABSENCE: Councillors Farooq Ahmed, Shefali Ahmed, Daalat Ali, Bethell and Hilary Rodgers.

DECLARATIONS OF INTEREST

24 In accordance with the Code of Conduct for Councillors and Voting Co-Opted Members, declarations of interest were made as follows:-

Councillor Farnell declared a personal interest in Agenda Item 6 – Strategic Review of Homelessness – insofar as he is a Council appointed member of the Rochdale Boroughwide Housing Board;

Councillor Sultan Ali declared a personal interest in Agenda Item 10 – Land Adjacent to Springhill Hospice, Rochdale – insofar as he is a trustee of Springhill Hospice;

Councillor Mulgrew Ali declared a personal and disclosable interest in agenda item 15 (School Governing Body Vacancies – Authority Appointments), insofar as it related to the appointment of a governing body representative to St. Patrick's Roman Catholic Primary School;

Councillor Shakil Ahmed declared a personal and disclosable interest in agenda item 15 (School Governing Body Vacancies – Authority Appointments), insofar as it related to the appointment of a governing body representative to Lowerplace Primary School, and he withdrew from the meeting during the consideration of, and the appointment to, this vacancy.

OPEN FORUM

25 The following matter was raised during the Committee's Open Forum session:

(a) Springfield Park

Mr. D. Logan, on behalf of the Friends of Springfield Park, referred to agenda item 12 and asked the Committee to consider allocating Section 106 Planning Agreement monies towards the costs of improving facilities at and around Springfield Park, Rochdale.

GREATER MANCHESTER POLICE

26 Inspector Khan and Inspector Pawson updated the Township Committee on activities and initiatives that were currently being pursued and prioritised by Greater

Manchester Police in the Rochdale Township Division particular reference was made to burglaries, noting some significant successes in this regard in the Kingsway and Castleton Wards. Other issues being pursued by the police in Rochdale Township included work to counter drug dealing, off-road motorcyclists and anti-social behavioural problems, the latter being a particular problem in light of the impending school summer holidays.

Various other issues had been prioritised by the Police including involvement in the arrangements for the funeral of Fusilier Lee Rigby; the recent unlawful fatality in Rochdale town centre and work with community groups regarding the imminent commencement of Ramadan.

Members of the Committee raised various issues with the Police's representatives including problems associated with travellers, and a request that Milkstone and Deeplish Ward Councillors be kept up to date with developments regarding the organisation of the Rochdale Feel Good Festival, in August 2013.

The Chair requested that if it was possible in future that detailed reports giving Members a breakdown of crimes committed in each Ward and how Rochdale compared to the Borough's other three Townships be submitted to the Committee.

DECIDED – That (1) the Greater Manchester Police update be noted; (2) Greater Manchester Police be requested to submit a report to future meetings of the Township Committee detailing police activity on a Ward basis and comparing Rochdale Township to the Borough's other three Townships.
Eligible for call in – no.

PRESENTATION - YOUNG PEOPLE'S VOICE

27 The Township Committee received a presentation from the Rochdale Borough Youth Service and the Rochdale Youth Forum informing the Committee of work they have undertaken with regard to youth provision and the issues concerning the young people living in the Township and outlined their future projects.

The Committee discussed the presentation in detail with the young people's representatives especially in terms of facilities available in the Township and future opportunities for young people in terms of education, training and employment. The Committee were fulsome in their appreciation of the presentation, inviting representatives from the Youth Forum to future meetings of the Township's Area Forums, and the Clean and Green and to the Communities and Engagement Working Groups to provide updates to Members.

DECIDED – That the presentation be welcomed and noted.

PUBLIC HEALTH RESPONSIBILITIES

28 The Township Committee received a presentation outlining the new council responsibilities from 1st April 2013 for health, wellbeing and public health. The Committee was informed of the role of public health in relation to the Joint Health and Wellbeing Strategy and the Joint Strategic Needs Assessment and how these link with the Public Health Outcomes Framework Indicators in the Heywood Township.

DECIDED – That the presentation be noted.

MINUTES

29 The Committee considered the minutes of its meeting held 22nd May 2013. Members suggested that amendments be made to the appointment of Working Parties as detailed at minute no. 19.

DECIDED – That (1) subject to the inclusion of Councillors Cecile Biant and Surinder Biant in the list of Members present, the minutes of the meeting

of Rochdale Township Committee held 22nd May 2013 be approved as a correct record;

(2) Councillor Duckworth to replace Councillor Sullivan as a member of the Regeneration Working Group;

(3) Councillor Neilson to replace Councillor Duckworth as a member of the TBA Working Group.

STRATEGIC REVIEW OF HOMELESSNESS

30 The Township Committee was consulted on a report of the Director of Economy and Environment which that sought the views of Members on the draft homelessness strategy and action plan which has been produced using feedback and information obtained from the strategic review process strategic review of homelessness in the Borough.

The Committee noted that the Cabinet, at its meeting on 3rd June 2013, had considered this report, and the recommendations contained therein had been presented to allow the commencement of a consultation exercise in respect of the draft homelessness strategy and action plan.

DECIDED – That the report be noted.

Eligible for call-in - No

REVIEW OF EMPTY PROPERTIES, DILAPIDATED BUILDINGS AND DERELICT LAND STRATEGY- PERMISSION TO CONSULT

31 The Township Committee was consulted on a report of the Director of Economy and Environment which that sought the views of Members on the proposals for the introduction of a revised Empty Properties, Dilapidated Buildings and Derelict Land strategy.

The Committee noted that the Cabinet, at its meeting on 1st July 2013, had considered this report, and the recommendations contained therein had been presented to allow the commencement of a consultation exercise on a revised Empty Properties, Dilapidated Buildings and Derelict Land strategy.

DECIDED – That the report be noted.

Eligible for call-in – No.

REGENERATION SITES PROGRAMME

32 The Committee considered the report of the Director of Economy and Environment which informed Members of the establishment of a programme of Council-owned sites in the borough that are to be used for new-build housing developments. In considering the report a Member requested an update in relation to Arkwright Mill and Dale Mill both located in the Township.

DECIDED – That (1) the report be noted;

(2) the Director of Economy and Environment be requested to submit a report to a future meeting of Rochdale Township Committee updating Members on proposals with regard to Arkwright Mill and Dale Mill.

Eligible for call-in - No

HIGHWAY INVESTMENT PROGRAMME (HIP) AND HIGHWAYS CAPITAL PROGRAMME 2013/14 UPDATE

33 The Director for Economy and Environment introduced a report to update Members on the progress to date made on the Highway Investment Programme (HIP) for the financial years 2013 to 2015.

DECIDED – That (1) the progress made on the schemes identified in Appendix A to be delivered in 2013 to 2015 for the Highway Investment Programme be noted and;

(2) where events external to the Council require rapid response or agreement in principle, the Head of Highways and Property Services be authorised to vary the programme in consultation with the Portfolio Holder and the Chair of the Township Committee.

Eligible for call-in - No

LAND ADJACENT TO SPRINGHILL HOSPICE, ROCHDALE

34 The Township Committee considered a report of the Director of Economy and Environment which sought approval for the release of land adjacent to Springhill Hospice, Broad Lane, Rochdale, for use by the hospice as a therapeutic vegetable garden.

The Springhill Hospice had secured funding to build a therapeutic vegetable garden to provide therapy for their patients and provide fresh produce for their kitchen, and the garden needed to be accessible and close to the Hospice's Day Hospice. The Hospice has therefore approached the Council and asked if the Council would consider releasing a 20m strip of land on the southern boundary of the Hospice's existing site. The land has previously been let as part of a grazing tenancy. However, the tenancy has recently come to an end and had not yet been renewed. Informal discussions with the Planning service had confirmed that planning consent would be required for a change of use of the land to a therapeutic vegetable garden and that in principle this use was acceptable in planning terms.

Alternatives considered: none.

DECIDED – That (1) That approval be granted for the land edged red on the plan appended to the Committee report be released for disposal to Springhill Hospice for use as a therapeutic vegetable garden, on the condition that no trees are felled;

(2) that this approval is subject to confirmation that the Council has clean title of the land and further to the agreement of satisfactory terms and conditions being agreed with the Hospice.

Eligible for Call-in: Yes.

REVIEW AND BOUNDARY AMENDMENT FOR SPOTLAND BRIDGE CONSERVATION AREA (ROCHDALE)

35 The Committee considered a report of the Director of Economy and Environment which was seeking approval for a variation to the Spotland Bridge Conservation Area boundary, taking into account comments received as a result of a consultation exercise. A revised map of the site which indicated an area to be de-designated was circulated at the meeting for Members to consider.

The recommendations in the report were presented as the Conservation and Design Team (Planning) had been requested to review the Conservation Area following a meeting of the Spotland and Falinge Area Forum in November 2012, where it had been raised in connection with the Dexine Site. The Council's involvement with the Dexine Site had been outlined at the meeting of Rochdale Township Committee held on 6th March 2013.

The Council was required as the local planning authority to consider the designation of conservation areas based upon their "special architectural or historic interest" and whether the character of that area is "desirable to preserve or enhance".

Conservation Area designation does not prevent development or demolition from taking place but does require that an application be submitted to the Council so the

public benefit of the new development can be balanced against any public dis-benefit arising from the heritage loss.

Alternatives considered: Not altering the conservation area boundary would omit several buildings of historic and architectural interest from the conservation area; leaving them vulnerable to unsympathetic change or demolition. In terms of understanding and better revealing the significance of the area; the conservation area would lack the integrity of representing the full and rich heritage of the area. Also de-designating the conservation area would remove the requirements as outlined under legal comments. No written consultation responses were received in favour of this option. English Heritage, an important funding and advisory partner for Rochdale MBC on conservation matters would need to be informed of the intention of any de-designation.

DECIDED – That the Review and Boundary Amendment for the Spotland Bridge Conservation Area (Rochdale) be determined as follows (Areas as indicated on the revised map submitted by the Director of Economy and Environment):

- i. Area 1: to remain within the Conservation Area;
- ii. Area 2: this area be not designated as part of the Conservation Area;
- iii. Area 3: the Conservation Area be extended to include Area 3;
- iv. Area 4: the Conservation Area be extended to include Area 4;
- v. Areas 5 and 6: the Conservation Area be extended to include Areas 5 and 6;
- vi. Area 7: the Conservation Area be extended to include Area 7;
- vii. Area 8: the Conservation Area be extended to include Area 8;
- viii. Area 9: this Area be not designated as part of the Conservation Area;
- ix. Area 10: the Conservation Area be extended to include Area 10.

Eligible for Call-in: Yes

SECTION 106 - PUBLIC OPEN SPACE 2013/2014

36 The Director for Economy and Environment introduced a report setting out the financial position in relation to section 106 public open space in Rochdale Township at 31st March 2013 and sought approval for a programme of projects to deliver public open space provision and improvements across the Township.

The Director for Environment and Economy informed the Committee that amounts of the funds identified within the submitted report had already been committed to schemes in the Township.

Due to time constraints the Committee was unable to give appropriate consideration to the report, and with the exception of that section of the report which dealt with applications for funding in respect of Rochdale Memorial Gardens, it was suggested that the report be deferred to the next meeting of Rochdale Township Committee on 4th September 2013.

DECIDED – That the proposals for allocating Section 106 funding in respect of Rochdale Memorial Gardens, detailed in section 3.7 of the report be approved, and the remainder of the report be deferred to the next meeting of Rochdale Township Committee on 4th September 2013 for consideration.

Eligible for Call-in: Yes

SITES OF BIOLOGICAL IMPORTANCE (SBIS) UPDATE - SPRINGFIELD WOOD

37 The Committee considered a report of the Director of Economy and Environment which informed Members of proposed changes to a Site of Biological Importance (SBI) in Rochdale Township, namely Springfield Wood, Marland, Rochdale. The Committee were asked to approve the changes and the consequent update of the local SBI register for planning purposes.

The recommendations were presented as this Committee was the responsible body for considering, and if necessary approving, changes to a SBI.

Alternatives considered: None.

DECIDED – That the Township Committee approves the changes to the SBI and the SBI register for planning purposes.

Eligible for Call-in: Yes.

REFORM OF THE PLANNING SYSTEM - IMPLICATIONS FOR PLANNING AND DEVELOPMENT WITHIN THE BOROUGH

38 DECIDED – That consideration of this report be deferred to the next meeting of the Township Committee on 4th September 2013.

Eligible for Call-in: No.

SCHOOL GOVERNING BODY VACANCIES - AUTHORITY GOVERNORS

39 The Township Committee considered a report of the Service Director – Early Help and Schools that sought nominations to a number of School Governing Body vacancies, at schools in the Rochdale Township.

The Chair reminded Members that at a previous meeting, on 6th March 2013, it had been requested that additional biographical information about prospective school governors be presented to Members to enable the Committee to make more informed decisions.

**DECIDED – That (1) no appointment be made to the vacancy at
Brimrod Community Primary School;**

**(2) Mr. I. Ahmed and Mr. S. Ahmed be appointed to the Governing
Body of Deeplish Community Primary School;**

**(3) Mrs. E. Humphrey and Mrs. D. Thorpe be appointed to the
Governing Body of Belfield Community Primary School;**

**(3) Mr M. Imran and Mr W. Ahmed be appointed to the Governing
Body of Lowerplace Primary School;**

**(4) Councillor Winkler be appointed to the Governing Body of
Norden Community Primary School;**

**(5) Mr. P. Kiely be appointed to the Governing Body of Redwood
Secondary School;**

**(6) Mrs. K. Kenny be appointed to the Governing Body of St.
Cuthbert's Roman Catholic High School;**

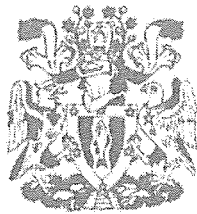
**(7) Mr. R. Down be appointed to the Governing Body of St.
Edward's CEP School;**

**(8) Councillor Farnell be appointed to the Governing Body of St.
John's CEP School, Thornham**

**(9) Mrs. P Mulgrew be appointed to the Governing Body of St.
Patrick's Roman Catholic Primary School;**

**(10) Miss E. Metcalfe be appointed to the Governing Body of
Whittaker Moss Primary School.**

Eligible for Call-in: No.



ROCHDALE
METROPOLITAN BOROUGH
COUNCIL

Subject: Section 106 Public Open Space 2013/2014		Status: For Publication
Report to: Rochdale Township Committee		Date: 4 th September 2013
Wards affected: all in Rochdale Township		
Report of: Mark Widdup, Service Director – Economy & Environment		Author Email: nick.barton@rochdale.gov.uk
Author: Nick Barton		Tel: 01706 924847
Comments from Statutory Officers:	Section 151 Officer	x
	Monitoring Officer	x
Key Decision: No		

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out the amount of s.106 public open space monies allocated to spend within Rochdale Township as of 31st March 2013; and
- 1.2 Seek approval for a programme of projects to deliver public open space provision and improvements across the township.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members note the current resources held within the Rochdale Township s.106 Public Open Space budget.
- 2.2 It is recommended that Members consider each of the projects set out in the programme of s.106 Public Open Space and approve allocation as described for each project.
- 2.3 It is recommended that Members consider ring-fencing of future contributions to support identified projects on the Public Open Space project list.
- 2.4 It is recommended that Members note existing projects on the Township s.106 Public Open Space project list and consider any projects to be added.

3. MAIN TEXT INCLUDING ALTERNATIVES CONSIDERED/ CONSULTATION CARRIED OUT

- 3.1 This report sets out the scale of developer contributions held from s.106 planning obligations as of the end of financial year 2012/2013. This is often referred to as 'planning gain' and may be received either through the

completion of a legal agreement between the developer and the Council, or unilateral undertaking from a developer. Historically the Council has also received some contributions voluntarily from developers although this has now ceased. The purpose of the contributions is to mitigate the impact of development.

3.2 This report presents a programme of Public Open Space works to be delivered in 2013/2014, for approval. The Public Open Space programme is based on the Township Section 106 Public Open Space project list endorsed by Members in November 2012.

3.3 The section 106 Public Open Space budget for Rochdale Township as of 31st March 2013 had a balance of £139,913.

3.4 At Township Committee in July 2013, Members approved the allocation of £28,478 from the Public Open Space budget and £6,522 from future contributions within 1 mile of Rochdale Memorial Gardens, to carry out improvements the Memorial Gardens.

3.5 Syke Common Pond Area (Healey)

3.5.1 Seasonal problems of blue-green algae have been exacerbated by the goose population which enrich the water with faeces and strip native vegetation. This is causing a pungent smell and potential damage to health and likely future problems such as sudden fish death.

3.5.2 There are no short-term solutions, but a programme of works including a low fence and planting scheme around the perimeter of the pond to prevent geese from getting easily from the grass areas to the water and thus discourage their numbers, introduction of chalk, limestone and barley straw, re-introduction of plants with allopathic properties which stop algae growth and reduction in the fish population which will allow natural algae predators such as water-fleas to proliferate will alleviate the problem.

3.5.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
Land off Dewhirst Road, Syke.	£2,075	To be spent in accordance with SPD.	31 st January 2017
261, Whitworth Road, Rochdale.	£1,660	To be spent in accordance with SPD.	20 th January 2017
252, Whitworth Road, Rochdale.	£768	To be spent in accordance with SPD.	17 th May 2016
Land adjacent to Holstein Avenue.	£1,152	To be spent in accordance with	28 th April 2016

		SPD.	
Toad Leach Farm.	£768	To be spent in accordance with SPD.	14 th February 2016

3.5.4 The NPPF describes open space as “all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children’s play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).

3.5.5 Members are asked to approve the allocation of the above sums totaling £6,423 from the Public Open Space budget to enable the works to proceed.

3.6 Taylor Park (Bamford)

3.6.1 The Council carries out grass cutting and occasional pruning of bushes at Taylor Park. The park is well used by local residents and children from the nursery across the road, but suffers from drainage problems, footpath damage and tired shrub beds. There was a recent incident where a member of the public fell over part of a path that had washed away due to excess surface water.

3.6.2 A group of residents have approached the Council with regards to possible improvements to the parks infrastructure, safety and appearance, including shaping or removal of shrub beds and improvements to footpath drainage and surfaces. Work on addressing wider longstanding drainage issues will be considered as part of the Asset Management Programme.

3.6.3 Rochdale’s Supplementary Planning Document ‘Provision of Recreational Open Space in New Housing’, states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
Ashbourne Street, Norden.	£4,980	To be spent in accordance with SPD.	15 th August 2017
17, Bamford Way, Bamford.	£3,642	To be spent in accordance with SPD.	1 st August 2016
Jowkin View, Bamford.	£1,660	To be spent in accordance with SPD.	7 th March 2018

10, Chester Avenue, Bamford.	£1,245	To be spent in accordance with SPD.	10 th October 2017
Ryefield, Bury Road, Bamford.	£1,152	To be spent in accordance with SPD.	28 th April 2017
1, Beaumonds Way, Bamford.	£768	To be spent in accordance with SPD.	17 th December 2015
19, Links View, Bamford.	£415	To be spent in accordance with SPD	5 th April 2017

3.6.3 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children's play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).

3.6.4 Members are asked to approve the allocation of the above sums totaling £13,862 from the Public Open Space budget to enable these works to proceed.

3.7 **Hutchinson Road (Norden)**

3.7.1 The Public Open Space budget is in receipt of a contribution of £24,000 for children's play and public open space improvement in relation to residential development on land between Claymere Avenue and Furbarn Lane pursuant to condition 4 of the permission 07/D48794 issued on 16th February 2007. The contribution was received on 18th May 2012.

3.7.2 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of children's play areas the site to be improved should be not more than 100 metres for a Local Area for Play, 400 metres for a Local Equipped Area for Play and 1,000 metres for a Neighbourhood Equipped Area for Play (SPD, 2008 pages 21 and 13).

3.7.3 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children's play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands

and may be spent on capital improvements to local parks (Page 12, para 2).

- 3.7.4 Upgrading of children's play facilities and improvements to open space at Hutchinson Road Recreation Ground and Playground has been identified as the most effective use of this contribution within walking distance of the contributing development. The open space qualifies as a Neighbourhood Equipped Area for Play (SPD, 2008 page 24) and is within 1,000 metres of the development at Furbarn Lane / Claymere Avenue.
- 3.7.5 Members are asked to approve the allocation of the contribution from the Public Open Space budget to allow these works to proceed.

3.8 Robinson Common (Kingsway)

- 3.8.1 There have been a number of attempts over the years to improve this vital piece of public open space, but no lasting solution has been found. It is the opinion of Environmental Management that engagement with local people is required, but without funding to follow this through, it would be more damaging to raise expectations.
- 3.8.2 It is estimated that any meaningful improvements which have minimal ongoing maintenance (e.g. landscaping, pathway improvements, fencing etc.) would cost approximately £50,000).
- 3.8.3 Environmental Management will carry out work on shrub bed maintenance and removal of fly-tipped waste and review existing play equipment within existing budgets.
- 3.8.4 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
Cumberland Road & Curzon Road, Kirkholt.	£6,206	To be spent in accordance with SPD.	23 rd August 2015
Hare Street / Durham Street, Rochdale.	£3,456	To be spent in accordance with SPD.	21 st March 2017
Land adjacent to 301 Kingsway, Rochdale.	£3,320	To be spent in accordance with SPD.	2 nd August 2017
4, Percy Street, Rochdale.	£1,920	To be spent in accordance with SPD.	4 th March 2014
244, Oldham Road, Rochdale.	£830	To be spent in accordance with SPD.	27 th September 2017

- 3.8.5 The NPPF describes open space as “all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children's play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site provision/improvement of local open space can where appropriate be used to improve informal green spaces and woodlands and may be spent on capital improvements to local parks (Page 12, para 2).
- 3.8.6 Members are asked to approve the allocation of the above sums totaling £13,812 from the Public Open Space budget towards the implementation and/or phased delivery of this project.
- 3.8.7 Members are asked to approve the ring-fencing of Public Open Space contributions up to £36,188 from future developments within 20 minutes walking distance of Robinson Common to enable works to proceed.
- 3.8.8 Implementation of this project will not be carried out until extensive consultation has been carried out with residents and subject to further Members for approval following that process, taking into account resident expectation and available resources at that time. Implementation may be phased as part of the project management process to ensure contributions are spent before individual cut off dates.

3.9 Springfield Park

- 3.9.1 The Friends of Springfield Park have previously approached the Township for support to develop increased parking provision, a new footpath around the lake and restoration of the athletics track for informal use.
- 3.9.2 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space. In the case of informal open space, provision should be within 20 minutes walking distance of the development that generated the contribution. There are currently no Public Open Space contributions relating to development within 20 minutes walking distance of Springfield Park.
- 3.9.3 Members are asked to approve the ring-fencing of Public Open Space contributions from future developments within a 20 minute walking distance of Springfield Park.

Public Open Space Project List

- 3.10 A copy of the Rochdale Township s.106 Public Open Space project list, including the status of individual projects is attached to the this report.

Alternatives considered

- 3.11 The schemes put forward for implementation or development have been identified by Members, as outlined in the report to Township on 7th November 2012, and assessed in terms of available funding, deliverability, adherence to policy and cost benefit.
- 3.12 s.106 contributions for the most part must be spent within five years of receipt; contributions not spent within this period of time are subject to repayment to the developer. Adoption of alternative schemes that have an unknown or known but protracted delivery timescale risk loss of the s.106 contributions.

Consultation proposed/undertaken

- 3.13 Various reports relating to the setting up of new procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process.
- 3.14 Rochdale Township members have previously requested that all s.106 Public Open Space funded schemes be approved by Members by way of a report to Township Committee.
- 3.15 Schemes identified within this report as requiring further consultation with the public (including friends groups) will be presented to Township for final approval before implementation.

4. FINANCIAL IMPLICATIONS

- 4.1 All works proposed can be carried out within existing resources within Rochdale s.106 Public Open Space budgets, except for those seeking the ring-fencing of future contributions, in these cases works will not be carried out without these resources being secured or further approval.
- 4.2 Minimizing maintenance costs and ensuring future revenue demands can be met from existing service budgets has been considered as part of the project development process in conjunction with Environmental Management.

5. LEGAL IMPLICATIONS

- 5.1 Any legal implications have been included within the main body of the report.

6. PERSONNEL IMPLICATIONS

- 6.1 Staffing resources required to implement and monitor these projects can be met from existing resources within Economy and Environment Directorate.

7. CORPORATE AND TOWNSHIP PRIORITIES

- 7.1 It is considered having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open space within the Township will enhance the environment, image of the Borough as a place to visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

8. RISK ASSESSMENT IMPLICATIONS

- 8.1 There are no specific risk issues for members to consider arising from this report.

9. EQUALITIES IMPACTS

9.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no (*significant*) equality/community issues arising from this report.

ROCHDALE TOWNSHIP COMMITTEE

MINUTES OF MEETING Wednesday, 4 September 2013

PRESENT: Councillor Cecile Biant (in the Chair); Councillors Farooq Ahmed, Iftikhar Ahmed, Shefali Ahmed, Daalat Ali, Bethell, Surinder Biant, Farnell, James Gartside, Jane Gartside, Hornby, Linden, O'Neill, Sheerin, Sullivan, Wazir, Winkler and Zaman.

OFFICERS: L. Fisher (Deputy Chief Executive), N. Barton, G. Beverley, P. Maynard M. Robinson (Economy and Environment Service), P. Cooke, A. Dawson, H. Smith and P. Thompson (Corporate Services).

ALSO IN ATTENDANCE: V. Webb and A. Gregory (Rochdale Boroughwide Housing), J. Jefferson (Link4Life), J. Searle (Rochdale Development Agency), Sergeant Cook (Greater Manchester Police) and four members of the public.

APOLOGIES FOR ABSENCE: Councillors Shakil Ahmed, Sultan Ali, Danczuk, Davison, Duckworth, Hobhouse, Mulgrew, Neilson and Hilary Rodgers.

DECLARATIONS OF INTEREST

40 There were no declarations of interest.

OPEN FORUM

41 No matters were raised as part of the Open Forum.

GREATER MANCHESTER POLICE - UPDATE

42 Sergeant Cook updated the Township Committee on activities and initiatives that were currently being pursued and prioritised by Greater Manchester Police in the Rochdale Township Division. Particular reference was made to efforts and initiatives to counter burglaries, anti-social behaviour and the theft of bicycles. The Police had achieved some significant successes in this regard in the Township during the summer months. Sergeant Cook added that a new initiative, to be taken in partnership with the Council's Community Safety Team was due to be launched later on in September.

Members of the Committee raised various issues with the Police's representatives including problems associated with fireworks in the lead up to 'Bonfire Night', on-street drinking and other alcohol related issues.

The Chair informed the Committee that she was attempting, thus far without success to meet with the Police to discuss issues relating to the operation of the Township Committee, which it was agreed would be pursued by the Cabinet Member with responsibility for Strengthening Communities.

**DECIDED – That (1) the Greater Manchester Police update be noted;
(2) the Cabinet Member for Strengthening Communities be requested to arrange a meeting with the Chair of the Township Committee and representatives of Greater Manchester Police, to discuss matters pertaining to Rochdale Township Committee.**

Eligible for call in – no.

ROCHDALE BOROUGHWIDE HOUSING - PRESENTATION

43 The Chair welcomed Ms V. Webb and Ms A. Gregory, of Rochdale Boroughwide Housing (RBH), who addressed the Township Committee regarding the

work undertaken by the organisation generally in the Borough, and specifically in Rochdale Township. The presentation addressed key initiatives that RBH were carrying out in the Rochdale Township and the key personnel who were responsible for the management and maintenance of housing estates, and stock, in the Rochdale Township.

Members of the Committee considered the presentation in detail and asked questions of the representative of RBH. Questions related to the governance of the organisation, the monitoring of performance, its revised relationship to the Council, response times to telephone enquiries and satisfaction with repair works carried out by RBH employees.

DECIDED – That the presentation be noted.

RENAMING OF STREET IN HONOUR OF REGIMENTAL SERGEANT MAJOR JAMES CLARKE VC

44 The Township Committee considered a report of the Deputy Chief Executive, which sought delegated authority to process an application to name or rename a street in Rochdale after Regimental Sergeant Major James Clarke VC.

The Committee was advised that Mr. N. Richards, the great great Nephew of Regimental Sergeant Major James Clarke VC had approached the council to request that a street in Rochdale be named in his honour. Regimental Sergeant Major James Clarke VC had lived on Clyde Street, Rochdale, for 20 years before moving to London in 1933. He later returned to Rochdale living on Milnrow Road.

Regimental Sergeant Major James Clarke VC received the Victoria Cross, the military's highest award, for outstanding courage while commanding a platoon of Lancashire Fusiliers during the First World War.

DECIDED – That (1) the Committee agrees to the processing of an application to name or rename a street, in Rochdale Township, in honour of Regimental Sergeant Major James Clarke VC.

(2) The location of the street to be named/renamed to be delegated to the Chair of the Township Committee to determine in consultation with the Deputy Chief Executive.

(3) Consultations on proposals for naming/renaming of the street be commenced and a report brought back to a future meeting of the Township Committee, including details of the design and placement.

Eligible for Call-in: No.

MINUTES

45 The Township Committee considered the minutes of the Committee's meeting held 10th July 2013. Further to minute 32 (Regeneration Sites Programme), a Member, whilst noting that a further report was due to be considered at a future meeting, suggested that a note be put on future agendas to highlight outstanding issues/reports.

DECIDED – That (1) the minutes of the meeting of Rochdale Township Committee held 10th July 2013, be approved as a correct record;

(2) any outstanding issues/reports due to be considered by the Township Committees be noted on the agenda of future Township Committee meetings.

SECTION 106 PUBLIC OPEN SPACE 2013/2014

46 The Director for Economy and Environment introduced a report setting out the financial position in relation to section 106 Public Open Space monies in the Rochdale Township at 31st March 2013 and which also sought approval for a

programme of projects to deliver public open space provision and improvements across the Township.

The Director for Environment and Economy's report presented a programme of public open space works to be delivered in 2013/2014, and he informed the Committee that amounts of the funds identified within the submitted report had already been committed to schemes in the Township. The Section 106 Public Open Space Budget, for Rochdale Township, as at 31st March 2013, had a balance of £139,913.

Alternatives considered: None.

DECIDED – That (1) the current resources held within the Rochdale Township Section 106 Public Open Space budget be noted;

(2) the Committee allocate, or refuse, funding as appropriate to the following schemes, as specified in the report considered by the Committee:

a. Syke Common Pond – approve an allocation of £6,423

b. Taylor Park – approve an allocation of £13,862

c. Hutchinson Road (Norden) – approve an allocation of £24,000

d. Robinson Common (Kingsway) – approve an allocation of £6,070

e. Springfield Park – Refuse the application to ring fence all Section 106 funding from future developments within 20 minutes walking distance of the Park for projects in the Park

(3) the suggestion that future contributions to support identified projects on the Public Open Space project list be rejected, and the Committee resolves to determine all applications for funding on the merits, or otherwise, of each application;

(4) all applications for projects requesting Section 106 funding in the Rochdale Township be determined by Rochdale Township Committee.
Eligible for Call-in: Yes.

REFORM OF THE PLANNING SYSTEM - IMPLICATIONS FOR PLANNING AND DEVELOPMENT WITHIN THE BOROUGH

47 The Committee considered a report of the Director of Economy and Environment which informed Members of the primary legal changes made to the planning system through the Growth and Infrastructure Act and other recent Ministerial announcements, and which also highlighted any implications for planning and decision making within the Borough. The Director advised that the proposals had now become law and would be introduced with effect from 1st October 2013.

DECIDED – that the report be noted.

ROCHDALE TOWNSHIP GREEN INFRASTRUCTURE ACTION PLAN

48 The Township Committee considered a report of the Director of Economy and Environment that provided details of a consultation exercise undertaken and the resulting proposed changes to the draft Rochdale Township Green Infrastructure Action Plan, which Members were asked to approve for publication.

The recommendations in the report were presented as the Rochdale Township Green Infrastructure Action Plan had been circulated as a consultation draft at a previous meeting of Rochdale Township Committee on 22nd May 2013. The document would help to ensure that green infrastructure assets are protected, enhanced and created to help Rochdale Township and Rochdale Borough achieve its objectives for growth, regeneration and quality of life. The Green Infrastructure Plan also identified Rochdale Township's strategic green infrastructure role in the Manchester and Leeds City Regions. The Plan also supports delivery of the Rochdale Township Plan and key strategic plans in the borough principally Pride of

Place, the Borough Renaissance Masterplan and the Local Development Framework.

Alternatives considered: an alternative approach would be to produce a Borough Green Infrastructure Strategy without specific Township Action Plans. This would reduce the opportunity to highlight and promote specific green infrastructure objectives for Rochdale Township and may result in missed opportunities for investment in green infrastructure through development, environmental management and external funding bids. It may also reduce the potential to co-ordinate local environmental management and improvement in support of key priorities such as quality of place, tackling climate change and health and well-being.

The Committee was addressed by Mr. J. Oliver, on behalf of the Ramblers Association who spoke in favour of the proposals contained in the submitted report.

DECIDED – That the Committee approves the draft Rochdale Township Green Infrastructure Action Plan for publication incorporating the proposed changes to the draft as detailed in the submitted report.

Eligible for Call-in: Yes.

TBA (TURNER BROS ASBESTOS)

49 The Director of Economy and Environment verbally updated the Township Committee on activities associated with the TBA Turner Brothers Site in Rochdale.

DECIDED – That the Director of Economy and Environment submit a written report on this matter, updating Members on activities with regard to the Turner Brothers TBA Site, to the next meeting of the Township Committee on 6th November 2013.

Eligible for Call-in: No.

FUTURE OF LIBRARIES IN THE BOROUGH AND UPDATE ON THE LITERATURE AND IDEAS FESTIVAL

50 The Deputy Chief Executive presented a report which detailed the results of a consultation exercise concerning the future of library provision in the Borough. The Committee noted that this report had been considered by the Cabinet, at its meeting on 29th July 2013, where the recommendations contained therein had been approved.

The principles outlined within the consultation document, appended to the report, had been endorsed by respondents, and were commended by Members of the Township Committee. Members were particularly pleased that the proposals were not recommending the closure of any of the Borough's 17 libraries, including the six in Rochdale Township. Members also welcomed the determination to ensure the commitment that libraries will continue to serve as key community venues, thereby meeting the Council's corporate priorities by improving the lives of residents and communities.

The Deputy Chief Executive also updated the Committee on The Rochdale Literature Ideas Festival to include drama, dance, music, theatre, film and the visual arts a range of activities have been from 25th – 27th October. Festival lead-up events and class visits will also be taking place across the Borough in all four of the Townships throughout October.

DECIDED – that the report be noted.

Eligible for Call in – No.

SCHOOL GOVERNING BODY VACANCIES - AUTHORITY GOVERNORS

51 The Township Committee considered a report of the Service Director – Early Help and Schools that sought nominations to a number of School Governing Body vacancies, at schools in the Rochdale Township.

DECIDED – That (1) Mr. Shamshad Ali be appointed to the Governing Body of Brimrod Community Primary School;

(2) Mr. R. Chadwick be appointed to the Governing Body of Redwood Secondary School;

Eligible for Cal-in: No.

ROCHDALE TOWN CENTRE - MEDIUM TERM ACTION PLAN

52 The Township Committee were consulted on a report of the Chief Executive of Rochdale Development Agency which informed Members of a Medium Term Action Plan to guide the programme of physical developments and improvements in Rochdale town centre over the next 3 to 5 years.

The Council and its partners were currently delivering a programme to change the physical and economic conditions of Rochdale town centre. In addition, a significant number of smaller but important physical projects are being delivered or are proposed. These include public realm schemes, the future use of the cleared sites, improved pedestrian routes, new signage and highway schemes.

In order to capture the physical projects on-going and proposed, a Medium Term Action Plan for the town centre had been prepared. The Action Plan performs a number of important functions insofar as it provided a coherent and structured action plan for the short to medium term to guide the investment programme in the town centre, identified the current and proposed physical development activity taking place and helped to deliver the objectives set out in the Council's policies and strategies.

The Committee considered the report in detail and expressed concerns at a wide range of issues including the appearance of the town centre during the works including the impact this was having on traders and economic life, the affects that the levels of business rates being levied were having on businesses and the status of the station approach – which had not been included in the Action Plan.

DECIDED - that the Cabinet be recommended to endorse the Medium Term Action Plan to guide physical development activity and improvements in Rochdale town centre, subject to the inclusion of the Rochdale Metrolink station area, and the approach to the station (in the Gateway report).

Eligible for Call-in: No.

Subject: Balderstone Park Changing Block Demolition.		Status: For Publication
Report to: Rochdale Township Committee		Date: 9 th January 2013
Report of: Service Director – Mark Widdup		Author Email: helen.smith@rochdale.gov.uk
Author: Helen Smith – Head of Property and Highways		Tel: 01706 – 925443
Comments from Statutory Officers:	Section 151 Officer	x
	Monitoring Officer	x
Key Decision: No		

1. PURPOSE OF REPORT

- 1.1 To request Township authorisation to allocate Section 106 funding for pathway improvements in Balderstone Park thereby allowing the current funding to be used for the demolition of the stand alone changing block.

2. RECOMMENDATIONS

- 2.1 That Rochdale Township committee authorises the allocation of £40,000 of section 106 money for pathway improvements in Balderstone Park.
- 2.2 That Rochdale Township committee authorises the demolition of the stand alone changing block within Balderstone Park.

3. MAIN TEXT INCLUDING ALTERNATIVES CONSIDERED/ CONSULTATION CARRIED OUT

- 3.1 The stand alone changing block within Balderstone Park is currently managed by Operational Services and has been declared as surplus to requirements by this service.
- 3.2 The building has been closed for more than twelve months and is currently in a poor state of repair. The property services team has not been able to identify further use for this asset.
- 3.3 A proportion of the AMG budget for 2012/13 financial year has been allocated to carry out essential footpath repairs within the park. This budget is not large enough to cover the footpath repairs AND demolition.
- 3.4 There is a limited amount of Section 106 funding available for use within this area, however, the type of use is restricted. This funding could not be used for demolition.
- 3.5 To alleviate this problem it is proposed that section 106 funding be allocated to pathway improvements within the park thereby freeing the existing funding allocation to be used for the demolition of the changing block.

- 3.6 Operational Services consulted with Ward Councillors and the Friends of Balderstone Park Group prior to the building being closed and declared surplus.

4. Alternatives considered

- 4.1 Retain the changing block in its current condition. This is not considered to be a viable option as the building is likely to be vandalized. The condition would deteriorate further resulting in increased cost and reputational risk to the council and possible safety risk to members of the public.
- 4.2 Use Section 106 funding to improve the condition of the changing block and bring back in to use. This is not considered to be a viable option as it would result in increased revenue costs to the Council for a building which is not considered to have any further use or sale value.

5. FINANCIAL IMPLICATIONS

- 5.1 An allocation of £40,000 of Section 106 funding is required for the demolition of the changing block.

6. LEGAL IMPLICATIONS

- 6.1

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications to this proposal.

8. RISK ASSESSMENT IMPLICATIONS

- 8.1 There are no specific risk issues for members to consider arising from this report.

9. EQUALITIES IMPACTS

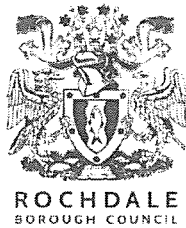
9.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no (*significant*) equality/community issues arising from this report.

There no background papers.



Subject: S.106 Open Space 2014/2015

Status: For Publication

Report to: Rochdale Township Committee

Date: Wednesday, 16 July 2014

Cabinet Member: Cabinet Member for Housing
and Environment
Cabinet Member for Public Health and Regulation

Report of: Director for Economy & Environment

Author: Nick Barton

Author Email: nick.riggs@rochdale.gov.uk

Tel: 01706924847

Comments from Statutory

Officers: none

Key Decision: no

1 Purpose of Report

- 1.1 The purpose of this report is to set out the amount of s.106 public open space monies accrued within Rochdale Township as of 31st March 2014;
- 1.2 To report on major s.106 public open space contributions for Rochdale Township likely to be collected within the first two quarters of 2014/2015; and
- 1.3 Seek approval for the allocation of funds from a relevant Section 106 receipt to match fund an open space improvement project in Kirkholt.

2 Recommendations

- 2.1 It is recommended that Members note the current resources held within the Rochdale Township s.106 Public Open Space budget;
- 2.2 It is recommended that Members note the s.106 Public Open Space contributions likely to be received in the first two quarters of 2014/2015;
- 2.3 It is recommended that Members approve the allocation of £6,206 of Open Space contribution to match fund open space improvements in Kirkholt.

Reason for recommendation

- 2.4 Various reports relating to the setting up of procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process with the intention of Township Committees to determine

any spend in accordance with the terms of any legal agreement and/or relevant planning policies and to align the use of any monies with Township priorities.

- 2.5 Rochdale Township Members have previously requested that all s.106 Open Space funded schemes be approved by Members by way of a report to Township Committee. A similar process of reporting exists in all other Townships.

3 Background

- 3.1 This report sets out the scale of developer contributions held from s.106 planning obligations as of the 31st March 2014. This is often referred to as 'planning gain' and may be received either through the completion of a legal agreement between the developer and the Council, or unilateral undertaking from a developer, both of which are made under s.106 of the Town and Country Planning Act 1990 as amended. The purpose of the contributions is to mitigate the impact of development as set out in the Council's Supplemental Planning Document (see paragraph 3.3, below) concerning contributions of this nature.
- 3.2 The s.106 Public Open Space budget for Rochdale Township as of 31st March 2014 had an unallocated balance of £50,043. Additionally the Township is in receipt of a capital receipt relating to the sale of land at Waithlands, the remainder of this receipt totals £238,000, this receipt is subject to a legal agreement whereby it must be spent on public open space improvement within Rochdale Township. Rochdale Township decided in January 2014 that "funding from the remainder of the Waithlands Receipt be ring fenced for projects in the Township's Kingsway Ward".
- 3.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution.
- 3.4 When a s.106 agreement is entered into, this will usually require that money should be paid prior to the commencement of the development. In some situation, particularly in relation to large developments, payments can be triggered after the completion or occupation of a specified number of units or percentage of the development. In some cases there may be multiple trigger points. This is usually considered on a case by case basis but the starting point is ordinarily that contributions are due upon commencement of the development.
- 3.5 Planning Officers have assessed that the following developments have reached or are close to reaching trigger points for the release of s.106 Open Space contributions. Where the trigger is met, these financial contributions have been requested from the developer/landowner and will be included in future reports to inform the Township of any monies held.

Ref.	Description	Ward	O/S Contribution
11/D54177	Land to rear of 331-335 Shawclough Road	Healey	£62,995.36
10/D53925	Final (3 rd) payment, Plots S&U, Kingsway Business Park	Kingsway	£72,057
11/D54862	Former Queensway Primary School, Hartley Lane	Balderstone & Kirkholt	£52,000

- 3.6 Contributions relating to Plots S&U on Kingsway Business Park are ring fenced towards the “provision, enhancement or improvement of public realm, open space, footpaths and/or cycleways within the vicinity of Kingsway Business Park” as stated within the terms of the relevant legal agreement.

Rhodes Crescent Open Space (Kirkholt)

- 3.7 Ward Members have identified a requirement to improve a large green space site adjacent to Rhodes Crescent on the Kirkholt estate. In partnership with Rochdale Boroughwide Housing and in consultation with the Council's Environmental Management Service and Ward Members, Groundwork have developed a scheme to clean up the sight, improve accessibility and open up sightlines to create a more welcoming and attractive community amenity.
- 3.8 The scheme would utilise Groundwork's Contracts Team, Green Team (funded by RBH to a value of £5,757) and volunteer programmes to carry out all elements of the work. For the scheme to proceed Groundwork require a match funding contribution of £6,206 from Rochdale Council.
- 3.9 This report seeks approval to allocate £6,206 from s.106 Open Space contributions received in relation to development on Cumberland Road and Curzon Road (10/D53372) which can be utilised on the suggested improvement scheme in accordance with planning policy to enable this project to proceed.

Alternatives considered

- 3.10 S.106 Open Space contributions are collected and administered in accordance with national and local policy obligations, as set out in the Council's Supplementary Planning Document.
- 3.11 Open Space projects are developed in partnership with Elected Members, the public and partner organisations to most effectively use contributions to deliver local open improvements to communities in the Borough. However, contributions arising from Section 106 Agreements and Unilateral Undertakings must be spent within the parameters of those legally binding documents.

4 Financial Implications

- 4.1 S.106 Open Space contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations.
- 4.2 All works proposed can be carried out within existing resources within Rochdale s.106 Open Space budgets.

5 Legal Implications

- 5.1 As identified in this report. Contributions from s.106 Agreements and Unilateral Undertakings must be spent within the parameters of those legally-binding documents and any queries should be raised with Legal Services. The Council currently does not have a Community Infrastructure Levy (CIL) Charging Schedule in place

6 Personnel Implications

- 6.1 There are no personnel implications arising from this report

7 Corporate Priorities

- 7.1 It is considered that having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open spaces within the Township will enhance the environment, image of the Borough as a place to visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

8. Risk Assessment Implications

- 8.1 There are no specific risk issues for Members to consider arising from this report.

9. Equalities Impacts

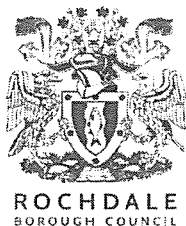
9.1 Workforce Equality Impacts Assessment

There are no *(significant) workforce equality issues arising from this report.*

9.2 Equality/Community Impact Assessments

The Access needs of disabled people will be taken into account when undertaking the improvements.

Background Papers	
Document	Place of Inspection



Subject: Rochdale Township s.106

Status: For Publication

Report to: Rochdale Township Committee

Date: Wednesday, 7 January 2015

Cabinet Member: Cabinet Member for Public Health and Regulation Councillor Cecile Biant

Report of: Director - Economy & Environment

Author: Nick Barton

Author Email: nick.barton@rochdale.gov.uk

Tel: Tel: 01706924847

Comments from Statutory Officers:

Monitoring Officer: Yes/No
Section 151 Officer: Yes/No

Key Decision:

1 Purpose of the report

- 1.1 The purpose of this report is to set out the amount of s.106 public open space monies accrued within Rochdale Township as of 30th November 2014; and
- 1.2 Seek approval for the allocation of funds from relevant s.106 receipts to fund open space improvements in Castleton, Healey and Milkstone & Deeplish wards.

2 Recommendations

- 2.1 It is recommended that Members note the current resources held within the Rochdale Township s.106 public open space budget;
- 2.2 It is recommended that Members approve the allocation of £67,605 of open space contribution to fund projects identified in this report.

Reasons for recommendation

- 2.3 Various reports relating to the setting up of procedures to monitor income and spend from planning agreement have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process with the intention of Township Committees to determine any spend, in accordance with the terms of any legal agreements and/or relevant planning policies and to align the use of any monies with Township priorities.
- 2.4 Rochdale Township Members have previously requested that all s.106 open space funded schemes be approved by Members by way of a report to Township Committee. A similar process of reporting exists in all other Townships.

3 Background

- 3.1 This report sets out the scale of contributions held from s.106 planning obligations as of 31st March 2014. This is often referred to as 'planning gain' and may be received either

through the completion of a legal agreement between the landowner/developer and the Council, or unilateral undertaking from a landowner/developer, both of which are made under s.106 of the Town and Country Planning Act 1990, as amended. The purpose of the contributions is to mitigate the impact of development as set out in the Council's Supplementary Planning Document (SPD) (see paragraph 3.3, below) concerning contributions of this nature.

3.2 The s.106 public open space budget for Rochdale Township as of 30th November 2014 has an unallocated balance of £ £118,120. Additionally, the Township is in receipt of a capital receipt relating to the sale of land at Waithlands, the remainders of this receipt totals £238,000, this receipt is subject to a legal agreement whereby it must be spent on public open space improvement within Rochdale Township. Rochdale Township decided in January 2014 that "funding from the remainder of the Waithlands Receipt be ring fenced for projects in the Township's Kingsway Ward". Furthermore, an additional receipt of £3,264 is held, which is restricted by legal agreement to the improvement of Castleton Railway Station.

3.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generation the contribution.

Castleton Station Improvements

3.4 A s.106 receipt has been received for £3,264 in relation to the development of properties on Keswick Street, Castleton (14/00457). This receipt is ring-fenced to improvements to Castleton Station.

3.5 Castleton Station Car Park – In October 2014, Cabinet agreed to the acquisition of land adjacent to Castleton Station, by means of land swap. This land is part of the parcel of land required to facilitate the future extension of the East Lancashire Railway to Castleton Station and the development of a new public square in Castleton, in accordance with the Heywood / Castleton Masterplan. In the short to medium term, the land can be laid out to provide additional car parking spaces to support the Railway Station and reduce commuter parking on residential streets. A planning application has been submitted for this purpose and is expected to be determined shortly.

3.6 Members are asked to approve the allocation of £3,264 to this project to contribute to the cost of site clearance and laying out of car parking spaces.

Healey Ward Projects

3.7 A s.106 open space receipt has been received for £60,337 in relation to the development of 19 properties on land to the rear of 331-335 Shawclough Road (11/D54177). In consultation with Ward Members, and in order to ensure spend compliant with policy, officers have developed a number of projects to improve recreational open space in close proximity to this development.

3.8 Healey Dell River Erosion Improvements (£3,200) – Repair of localised eroded river banks, stone gabion works to prevent further erosion and making good of damaged paths. This project will provide improved access to the countryside and reduce future issues.

3.9 Tulip Grove Open Space – Tulip Grove is a small rough grass land area, which has previously experienced problems with travellers using the site, boulders have been used to mitigate this problem. There is an opportunity to reduce maintenance costs and provide

an improved community resource. There are two costed options, it is suggested that further consultation should take place with local residents to determine a preferred option.

1. Wildflower Meadow & Orchard (£4,600) – This will provide a wildlife habitat and a more attractive view for residents, it would also provide a crop of fruit for local residents. Maintenance would be reduced to an annual mow of the meadow, with the orchard maintained by interested local residents with the support of the Greater Manchester Orchard Project.
 2. Allotments (£5,600) – There are currently over 500 people on the allotment waiting list, this site offers the opportunity to offer local residents 'starter' size allotments. Included in the costs are fencing, hard standing for 10 vehicles and paths between plots. The site would be managed by the Allotment Society, reducing maintenance requirements, agreed rules for allotment holders would ensure the allotments looked neat and tidy.
- 3.10 Cronkeyshaw Common (£15,000) – Residents of Greenbank Road, adjacent to Cronkeyshaw Common, have previously approached the Township, highlighting problems associated with unauthorised occupation of the Common by members of the travelling community. A request was made for the fencing of the Common to stop vehicular access. Common Land is protected by the Commons Act 2006, as such fencing or any other enclosure is restricted and requires consent from the Secretary of State, additionally the cost of fencing is estimated at between £60,000 and £250,000 dependant on the extent of fencing.
- 3.11 The Council's Environmental Management Service have trialled a system of constructing a shallow grassed ditch and mound along the boundary of a site, this obstacle can easily be walked over and driven over by Environmental Management maintenance vehicles, but is sufficient to obstruct caravans from entering the site. This system is currently in use on Common Land on Norden Road in Bamford.
- 3.12 Members are asked to approve the allocation of up to £23,800 to allow these projects to proceed.

Milkstone & Deeplish Ward Projects

- 3.13 s.106 open space receipts have been received for four developments in Milkstone & Deeplish Ward totalling £45,529, these are developments on Hare Street / Durham Street (11/D54472), Boundary Street (12/56321), Vicars Drive (14/00286) and Ashfield Road (11/54630. In consultation with Ward Members, and in order to ensure spend compliant with Policy, officers have developed a number of projects to improve children's play areas and recreational open space in close proximity to this development
- 3.14 Pioneer Park Play Area (£27,421) – Providing comprehensive upgrading and replacement of play equipment in Pioneer Park Play Area, in conjunction with funding from Play Areas Capital Programme (£5,000).
- 3.15 Hare Street Play Area (£4,620) – Provide improvements to Hare Street Play Area through fencing improvement and creation of hard standing area on currently unusable muddy grass area.
- 3.16 Sparth Community Centre Play Area (£8,500) – Provide upgrading and improvement of play equipment.
- 3.17 Members are asked to approve the allocation of £40,541 to allow these projects to proceed.

Alternatives considered

- 3.18 s.106 open space contributions are collected and administered in accordance with national and local policy obligations, as set out in the Council's Supplementary Planning document.
- 3.19 Open space projects are developed in partnership with elected Members, the public and partner organisations to most effectively use contributions to deliver local open space improvements to communities in the Borough. However, contributions arising from s.106 Agreements and Unilateral Undertakings must be spent within the parameters of those legally binding documents.

4 Financial Implications

- 4.1 s.106 open space contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations.
- 4.2 All works proposed can be carried out within existing resources within Rochdale Township's s.106 open space budgets.

5 Legal Implications

- 5.1 As identified in this report, contributions from s.106 Agreements and Unilateral Undertakings, must be spent within the parameters of those legally binding documents, some of which are individually drafted and negotiated. Where monies are not spent within the appropriate parameters, then this risks legal challenge, which would present significant reputational as well as legal risk for the Council.
- 5.2 Where there are any queries or where there is any uncertainty on spending contributions obtained through s.106 planning obligations, this should be raised and advice should be sought from Legal Services and where applicable the Section 151 Officer, as any misspending may obviously impact on that function. Legal Services has not been asked to provide advice on any of the examples of proposed expenditure set out in this report and provides no advice or comment in relation to these here.
- 5.3 The Council currently does not have a Community Infrastructure Levy (CIL) Charging Schedule in place. At present, where the CIL Charging Schedule is not in place by April 2015, then pooled contributions, some of which are of the nature described, will not be able to be obtained through s.106 planning obligations where five or more such obligations previously exist.

6 Personnel Implications

- 6.1 There are no personnel implications arising from this report.

7 Corporate Priorities

- 7.1 It is considered that having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open spaces within the Township will enhance the environment, image of the Borough as a place to live and visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

8 Risk Assessment Implications

8.1 There are no specific risk issues for Members to consider arising from this report.

9 Equalities Impacts

9.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

The Access needs of disabled people will be taken into account when undertaking the improvements.

Background Papers	
Document	Place of Inspection

Subject:	Section 106 Public Open Space 2013/2014	Status:	For Publication
Report to:	Pennine Township Committee	Date:	10 th July 2013
Report of:	Service Director – Economy & Environment	Author Email:	nick.barton@rochdale.gov.uk
Author:	Nick Barton	Tel:	01706 924847
Comments from Statutory Officers:	Section 151 Officer Monitoring Officer	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
Key Decision:	No		

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out the amount of s.106 public open space monies allocated to spend within Pennine Township as of 31st March 2013; and
- 1.2 Seek approval for a programme of projects to deliver public open space provision and improvements across the township.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members note the current resources held within the Pennine Township s.106 Public Open Space budget.
- 2.2 It is recommended that Members consider each of the projects set out in the programme of s.106 Public Open Space and approve allocation as described for each project.
- 2.3 It is recommended that Members consider ring-fencing of future contributions to support identified projects on the Public Open Space project list.
- 2.4 It is recommended that Members note existing projects on the Township s.106 Public Open Space project list and consider any projects to be added.

3. MAIN TEXT INCLUDING ALTERNATIVES CONSIDERED/ CONSULTATION CARRIED OUT

- 3.1 This report sets out the scale of developer contributions held from s.106 planning obligations as of the end of financial year 2012/2013. This is often referred to as 'planning gain' and may be received either through the completion of a legal agreement between a developer and the Council, or unilateral undertaking from a developer. Historically the Council has also

received come contributions voluntarily from developers although this has now ceased. The purpose of the contributions is to mitigate the impact of development.

- 3.2 This report presents a programme of Public Open Space works to be delivered in 2013/2014, for approval. The Public Open Space programme is based on the Township Section 106 Public Open Space project list endorsed by Members in November 2012.
- 3.3 The section 106 Public Open Space budget for Pennine Township as of 31st March 2013 had a balance of £20,471.

3.4 Milnrow to Hollingworth Lake Footpath and Bridleways

- 3.4.1 The council has a statutory responsibility to maintain Bridleways and Footpaths and existing resources are held within Environmental Management to provide this function. Officers carry out an audit of all bridleways and footpaths in the Borough as part of a rolling programme and works are carried out to ensure that these routes meet minimum statutory standards.
- 3.4.2 Members have identified that bridleways and footpaths are an important resource to Pennine Township, both in terms of providing a recreational amenity to residents and in attracting visitors to the Borough who can contribute to the local economy. On this basis, Members have requested that Section 106 public open space resources be used to provide improvements to specific routes, above and beyond statutory maintenance requirements. Links between Milnrow and Hollingworth Lake, including the Deep Lane bridleway have been identified as routes in need of improvement.
- 3.4.3 Preliminary inspections have been carried out by Environmental Management a programme of way-marking, removal problematic vegetation and carrying out minor drainage and fencing improvements along a number of these footpaths and bridleways between Milnrow and Hollingworth Lake would cost approximately £5,000.
- 3.4.4 In addition, if Members wish more improvements to be made, one improvement which would have the greatest impact would be to fund work to the surface of Deep Lane bridleway along the approach to Rakewood Road. An allocation of £8,125 would enable this work to be carried out.
- 3.4.5 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
9-11, Lakeside, Littleborough.	£768	To be spent in accordance with SPD.	11 th June 2015
7, Lakeside, Littleborough.	£768	To be spent in accordance with SPD.	11 th June 2015
4, Paul Row, Littleborough.	£384	To be spent in accordance with SPD.	10 th June 2016
Freemasons Hotel, 1 Equitable Street, Milnrow.	£830	To be spent in accordance with SPD.	19 th January 2017
Land adjacent to 245, Newhey Road, Milnrow.	£4,980	To be spent in accordance with SPD.	9 th May 2017
Land off Peel Street, Littleborough.	£2,075	To be spent in accordance with SPD.	4 th October 2017
109, Dale Street, Milnrow.	£830	To be spent in accordance with SPD.	1 st February 2018
Barke Street, Smithybridge.	£2,490	To be spent in accordance with SPD.	25 th March 2017

3.4.6 The NPPF describes open space as “all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD provides that contributions towards off site improvement of local open space can where appropriate be used to improve walking and cycling routes (Page 12, para 2).

3.4.7 Members are asked to approve the allocation of the funds totaling £13,125 from the public open space budget to implement this project.

Public Open Space Project List

3.5 A copy of the Pennine Township s.106 Public Open Space project list, including the status of individual projects is attached to the this report.

Alternatives considered

3.6 The schemes put forward for implementation or development have been identified by Members, as outlined in the report to Township in November 2012, and assessed in terms of available funding, deliverability, adherence to policy and cost benefit.

3.7 s.106 contributions must for the most part be spent within five years of receipt; contributions not spent within this time period are subject to repayment to the developer. Adoption of alternative schemes that have an unknown or known but protracted delivery timescale risk loss of the s.106 contributions.

Consultation proposed/undertaken

- 3.8 Various reports relating to the setting up of new procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process.
- 3.9 Pennine Township members have previously requested that all s.106 Public Open Space funded schemes be approved by Members by way of a report to Township Committee.

4. FINANCIAL IMPLICATIONS

- 4.1 All works proposed can be carried out within existing resources within Pennine s.106 Public Open Space budgets, except for those seeking the ring-fencing of future contributions, in these cases works will not be carried out without these resources being secured or further approval.
- 4.2 Minimizing maintenance costs and ensuring future revenue demands can be met from existing service budgets has been considered as part of the project development process in conjunction with Environmental Management.

5. LEGAL IMPLICATIONS

- 5.1 Any legal implications have been included within the main body of the report.

6. PERSONNEL IMPLICATIONS

- 6.1 Staffing resources required to implement and monitor these projects can be met from existing resources within Economy and Environment Directorate.

7. CORPORATE AND TOWNSHIP PRIORITIES

- 7.1 It is considered having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open space within the Township will enhance the environment, image of the Borough as a place to visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

8. RISK ASSESSMENT IMPLICATIONS

- 8.1 There are no specific risk issues for members to consider arising from this report.

9. EQUALITIES IMPACTS

9.2 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no (*significant*) equality/community issues arising from this report.

Background Papers	
Document	Place of Inspection

Subject: Stonie Heyes Play Area s.106 Open Space Contribution		Status: For Publication
Report to: Pennine Township Committee		Date: 3 rd September 2013
Report of: Service Director – Economy & Environment		Author Email: nick.barton@rochdale.gov.uk
Author: Nick Barton		Tel: 01706 924847
Comments from Statutory Officers:	Section 151 Officer	<input checked="" type="checkbox"/>
	Monitoring Officer	<input checked="" type="checkbox"/>
Key Decision: No		

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval for the allocation of £7,470 to support the provision of a new children's play area at Stonie Heyes.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members approve the allocation of £7,470 from s.106 Open Space developer contributions to support the provision of a new children's play area to Stonie Heyes.

3. MAIN TEXT INCLUDING ALTERNATIVES CONSIDERED/ CONSULTATION CARRIED OUT

- 3.1 s.106 developer contributions are planning obligations that are often referred to as 'planning gain' and may be received either through the completion of a legal agreement between a developer and the Council, or unilateral undertaking from a developer. Historically the Council has also received some contributions voluntarily from developers although this has now ceased. The purpose of the contributions is to mitigate the impact of development.
- 3.2 In November 2012 Pennines Township Delegated Funding Sub-Committee approved the allocation of £18,368 to install a new children's play area at Stonie Heyes. Specification changes, including use of a rubber safety surface have increased project costs by £7,240. A ward member for Smallbridge and Firgrove has requested that appropriate s.106 Open Space contributions be used to meet this shortfall.
- 3.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of children's play areas the site to

be improved should be not more than 100 metres for a Local Area for Play, 400 metres for a Local Equipped Area for Play and 1,000 metres for a Neighbourhood Equipped Area for Play (SPD, 2008 pages 21 and 13). The Public Open Space allocation for the project would require the allocation and pooling of the following sums:-

Address	Amount	Policy Uses	Cut Off
Former Spring Mill Tavern, 431-433 Halifax Road	£1,245	In accordance with SPD.	30 th July 2017
Former Birch Hill Hospital Site	£3,735	In accordance with SPD.	30 th November 2017
Land at East Street	£2,490	In accordance with SPD.	14 th November 2016

- 3.5 Members are asked to approve the allocation of these contributions totaling £7,470 from the Public Open Space budget to allow this project to proceed.

Alternatives considered

- 3.6 The schemes put forward for implementation or development have been identified by Members, as outlined in the report to Township in November 2012, and assessed in terms of available funding, deliverability, adherence to policy and cost benefit.
- 3.7 s.106 contributions must for the most part be spent within five years of receipt; contributions not spent within this time period are subject to repayment to the developer. Adoption of alternative schemes that have an unknown or known but protracted delivery timescale risk loss of the s.106 contributions.

Consultation proposed/undertaken

- 3.8 Various reports relating to the setting up of new procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process.
- 3.9 Pennine Township members have previously requested that all s.106 Public Open Space funded schemes be approved by Members by way of a report to Township Committee.

4. FINANCIAL IMPLICATIONS

- 4.1 All works proposed can be carried out within existing resources within Pennine s.106 Public Open Space budgets.
- 4.2 Minimizing maintenance costs and ensuring future revenue demands can be met from existing service budgets has been considered as part of the project development process in conjunction with Environmental Management.

5. LEGAL IMPLICATIONS

- 5.1 Any legal implications have been included within the main body of the report.

6. PERSONNEL IMPLICATIONS

- 6.1 Staffing resources required to implement and monitor these projects can be met from existing resources within Economy and Environment Directorate.

7. CORPORATE AND TOWNSHIP PRIORITIES

- 7.1 It is considered having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open space within the Township will enhance the environment, image of the Borough as a place to visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

8. RISK ASSESSMENT IMPLICATIONS

- 8.1 There are no specific risk issues for members to consider arising from this report.

9. EQUALITIES IMPACTS

9.2 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no (*significant*) equality/community issues arising from this report.

Background Papers	
Document	Place of Inspection

Subject:	Section 106 Public Open Space	Status:	For Publication
Report to:	Heywood Township Committee	Date:	8 th July 2013
Report of:	Director of Economy and Environment	Author Email:	nick.barton@rochdale.gov.uk
Author:	Nick Barton	Tel:	01706 924847
Comments from	Section 151 Officer	<input type="checkbox"/>	
Statutory Officers:	Monitoring Officer	<input type="checkbox"/>	
Key Decision: No			

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out financial position in relation to s.106 public open space in Heywood Township as of 31st March 2013; and
- 1.2 Seek approval for a programme of projects to deliver public open space provision and improvements across the township.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members note the current resources held within the Heywood Township s.106 Public Open Space budget.
- 2.2 It is recommended that Members consider each of the projects set out in the programme of s.106 Public Open Space and approve allocation as described for each project.
- 2.3 It is recommended that Members consider ring-fencing of future contributions to support identified projects on the Public Open Space project list.
- 2.4 It is recommended that Members note current delivery against existing projects on the Township s.106 Public Open Space project list and consider any projects to be added.

3. MAIN TEXT INCLUDING ALTERNATIVES CONSIDERED/ CONSULTATION CARRIED OUT

- 3.1 In November 2011, the Service Director for Planning and Regulation Services presented a report seeking approval for a programme of works within Heywood Township, mixing resources available from the Priority Investment Fund and current and future s.106 public open space contributions.
- 3.2 This report identified a total fund of £974,000. Of this £373,000 was from the Priority Investment Fund and £601,000 from s.106 contributions relating to residential schemes at Unity Mill, Victory Mill and Gort Sand Quarry. s.106

contributions totalling £361,000 relate to formal sports provision and are not dealt with in detail in this report.

- 3.3 Schemes have been delivered to provide an additional 44 parking spaces at Queen's Park (formal sport), 124 additional parking spaces at Heywood Sports Village (formal sport), highway improvements on Coronation Avenue and the purchase of Queen's Park Lodge. A further project to purchase land between Queen's Park and Springfield Park and provide access improvements and long term maintenance as part of the Roch Valley Trail, will be completed shortly.
- 3.4 Excluding formal sport projects, these projects have been delivered at a cost of £484,000 against budgeted costs of £503,000. £373,000 is from the Priority Investment Fund, with the balance of £110,000 from the s.106 Public Open Space budget. As of 31st March 2013, £79,380 of s.106 Public open Space contributions have been received in relation to Victory Works, of which £37,800 is to "provide or improve public open space at the Bullough Moor Recreation Ground", with a further £131,555 due to be received as development progresses at Unity Mill.
- 3.5 Members approved the use of £100,000 of s.106 Public Open Space money to be used to create the Heywood / Castleton Country Park. This project is subject to on-going negotiations with land owners and a programme of capital works is unlikely to be delivered in 2013/2014.
- 3.6 In addition to the contributions previously identified Heywood Township s.106 Public Open Space budget is in receipt of £19,684 from other developments across the township.

Public Open Space

3.5 Bullough Moor Recreation Ground Improvement Plan

- 3.5.1 Environmental Management has developed a programme of works to improve amenity at Bullough Moor Recreation Ground. These works include removal of the old bow top perimeter fencing, removal of self-seeded trees and identified dead trees, removal of all associated rubbish and debris, provision of new fencing adjacent to Argyle Street, set back 3.5 metres from the highway, installation of lockable steel bollards and topsoiling, raking and seeding the disturbed area to make good and the provision of fencing around Bullough Moor Bowling Green. The programme of works will also include the provision of two sets of steel 5-a-side goals away from areas adjacent to residential properties.
- 3.5.2 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the improvement of open space within 5 years of receipt. The proposed scheme would require the allocation of £37,800 from the public space contribution from the former Victory Works, Rose Hill Street, Heywood s.106 agreement (see Para 3.4 above). The cut off date for this spend is 4th October 2016.
- 3.5.3 Members are asked to approve the allocation of the sum of £37,800 from the Victory Works contribution to enable the programmed works to proceed.

3.6 Hopwood Recreation Ground Drainage Improvements

- 3.6.1 Problems with drainage have been identified on Hopwood Recreation Ground. Environmental Management propose to remove topsoil and subsoil from the problem area and spread clean stone chippings and raise levels by approximately 600mm to create an improved soakaway area. This will then be planted-up with wild flowers. Provision of additional subsoil to form a raised mound adjacent to houses.
- 3.6.2 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the improvement of open space within 5 years of receipt. Any local space improvement should be easily and safely accessible from the contributing development on foot. The Public Open Space allocation for the project would require the allocation and pooling of the following contributions:-

Address	Amount	Policy Uses	Cut Off
6, Sycamore Avenue, Heywood	£768	To be spent in accordance with SPD.	6 th July 2016
18, Manchester Road, Heywood	£1,152	To be spent in accordance with SPD.	21 st October 2016
Land off East Church Way, Heywood	£3,840	To be spent in accordance with SPD.	21 st April 2016
7a Hornby Street, Heywood	£1,660	To be spent in accordance with SPD.	8 th June 2017
Land at Miller Street and James Street, Heywood	£3,735	To be spent in accordance with SPD.	13 th June 2017

- 3.6.5 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD (March 2008) identifies two types of open space – children's play facilities and areas of informal open space which provide opportunities for recreation to people of all ages (page 11). The SPD provides that contributions towards off site improvement of local open space can where appropriate be spent on capital improvements to local parks (Page 12, Para 2).
- 3.6.4 Members are asked to approve the allocation of the above sums totaling £11,155 from the Public Open Space budget to enable the works to proceed.

Public Open Space Project List

- 3.7 A copy of the Heywood Township s.106 Public Open Space project list, including the status of individual projects is attached to this report.

Alternatives considered

- 3.8 The schemes put forward for implementation or development have been identified by Members, as outlined in the report to Township in November 2012, and assessed in terms of available funding, deliverability, adherence to policy and cost benefit.
- 3.9 s.106 contributions for the most part must be spent within five years of receipt; contributions not spent within this period of time are subject to repayment to the developer. Adoption of alternative schemes that have an unknown or known but protracted delivery timescale risk loss of the s.106 contributions.

Consultation proposed/undertaken

- 3.10 Various reports relating to the setting up of new procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process.

4. FINANCIAL IMPLICATIONS

- 4.1 All works proposed can be carried out from existing resources within Heywood's s.106 Public Open Space budget.
- 4.2 Minimising maintenance costs and ensuring future revenue demands can be met from existing service budgets has been considered as part of the project development process in conjunction with Environmental Management.

5. LEGAL IMPLICATIONS

- 5.1 Any legal implications have been included within the main body of the report.

6. PERSONNEL IMPLICATIONS

- 6.1 Staffing resources required to implement and monitor these projects can be met from existing resources within Economy and Environment Directorate.

7. CORPORATE AND TOWNSHIP PRIORITIES

- 7.1 It is considered having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open space within the Township will enhance the environment, image of the Borough as a place to visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

8. RISK ASSESSMENT IMPLICATIONS

- 8.1 There are no specific risk issues for members to consider arising from this report.

9. EQUALITIES IMPACTS

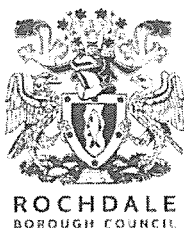
9.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no (*significant*) equality/community issues arising from this report.

Background Papers	
Document	Place of Inspection



Subject: Heywood Station and the East Lancashire Railway

Status: For Publication

Report to: Heywood Township Committee

Date: Monday, 19 September 2016

Cabinet Member: Councillor Richard Farnell,
Leader of the Council (and Lead for Regeneration)

Report of: Director of Economy

Author: Mark Robinson

Author Email: mark.robinson@rochdale.gov.uk

Tel: 01706 924308

1 Purpose of Report

- 1.1 To inform Members of proposals for the improvement of visitor facilities around the Heywood station area, and further associated improvements to exploit the heritage of the railway in conjunction with the East Lancashire Railway Trust.
- 1.2 To seek Township approval for the allocation of a sum of £20,000 of Section 106 monies to support this programme of visitor improvements, in particular to support the installation of a themed children's play area alongside a buffet coach and other visitor and public realm improvements.

2 Recommendations

- 2.1 To approve an allocation of £20,000 from Section 106 monies held within the Heywood Township for the provision and maintenance of recreational open space towards the design and construction of a heritage railway themed children's play area at Heywood station, as part of a wider Destination Plan to improve visitor facilities and public realm around the station.
- 2.2 To note the intention to present further reports to Township Members on proposals to encourage investment and regeneration around the Heywood station area

3 Background

- 3.1 In 2009 the East Lancashire Railway Trust, in conjunction with the three local authorities through which the line runs, (Rochdale, Bury and Rossendale Councils) commissioned the ELR 2020 Development Strategy. This study set out how the number of visitors to the East Lancashire Railway could be doubled from 107,000 in 2007 to 200,000 per annum by 2020, linked to the extension of the railway to link with the Calder Valley mainline at Castleton. The study concluded that an increase in visitor numbers to the heritage railway would continue to add value to the regeneration in the surrounding towns and

villages and support growth within the wider visitor economy through additional spend by visitors creating new jobs and investment of land and property along the line. Since the publication of the 2020 Development Strategy, visitor numbers rose to 149,000 in 2013 and, with the introduction of additional train services, more targeted marketing and promotions, and active use of social media, visitor numbers increased to over 163,000 in 2015. The ELR is now one of the top ten most visited heritage attractions in the North West and in the top three in Greater Manchester.

- 3.2 Visitor numbers to Heywood station also rose over this period with around 13% of all visits to the ELR during 2015 being made through Heywood station. This is at a time when the station access and visitor facilities and station environment is poor and the station lacking in visual presence and signposting.
- 3.3 The ELR 2020 Development Strategy proposed eight new initiatives along the route, two of these involved the Council in physical regeneration;
 - The development of a Masterplan for Heywood Station area to create a destination in Heywood to attract visitors;
 - The extension of East Lancashire Railway along the existing tracks to the main line at Castleton as a catalyst for the regeneration of Castleton centre
- 3.4 Work is taking place to secure the necessary land and rail consents to extend the heritage railway into Castleton. A study to assess the feasibility and construction costs of platform options at Castleton has recently been commissioned. This will quantify the economic growth benefits which would be realised both for Castleton and Heywood, and for Rochdale Borough as a whole by having a direct rail connection to the ELR line bringing in visitors from across the north of England. The study will also identify opportunities for external funding. It is now very clear, based on the level of visitor growth in recent years, that the ambition to realise 200,000 visitors per annum will be exceeded with a direct rail connection in place. The ELR has recently appointed a Marketing Officer and there appear to be new opportunities for the Council, community and voluntary organisations to work in partnership with the ELR to maximise the benefits of this major tourist attraction for Heywood and the wider Rochdale Borough.
- 3.5 An extension of the Heywood Station Conservation Area was approved by Heywood Township in July 2014 which set out the special significance of the area as a basis for the preparation of a community led HLF Bid celebrating the legacy of the railway and a programme of educational events. Feasibility work has since been carried out by the Council and partners from the East Lancashire Railway and Trust, Bury Transport Museum and Link 4 Life to develop an educational programme for Heywood station. Meetings are taking place with the ELR to develop this further.

Heywood Destination Plan

- 3.6 A subsequent report to Heywood Township in late 2014 detailed several physical improvements which could be made to enhance the accessibility and visitor facilities around Heywood station, linked to the installation of a café coach facility, including the development of a play area. The report acknowledged that the siting of the café coach and development of a play area, which will have a railway theme and encourage dwell time at the station would

provide some momentum and support further investment by the railway in a programme of events at Heywood.

- 3.7 Township funds were previously allocated towards the installation of a buffet coach at the station. It has been accepted that progress on this had been slow. A coach has since been acquired by the ELR and café installed in early 2016 currently open during events and peak periods. The ELR is investing a further £3,000 in its internal refurbishment to create a Vintage Tea Room theme to provide a distinct catering offer at Heywood and allow the heritage railway to increase a portfolio of products to more niche items, something not currently available at Heywood. The ELR would open the carriage during special events and high days from Easter 2017. The ELR is currently working to recruit new catering staff and resource volunteers for the café.
- 3.8 Alongside the buffet coach, the next stage of the project will be to install a play area and provide visitors with a picnic area thus offering a more appealing offer in Heywood. Discussions have taken place with Heywood in Bloom to enhance the planting around the station in 2017 as part of these works and to include the station in this project. The play area would incorporate a new railway themed children's play area with a separate smaller facility for toddlers, set around outdoor seating and an elevated viewing area.

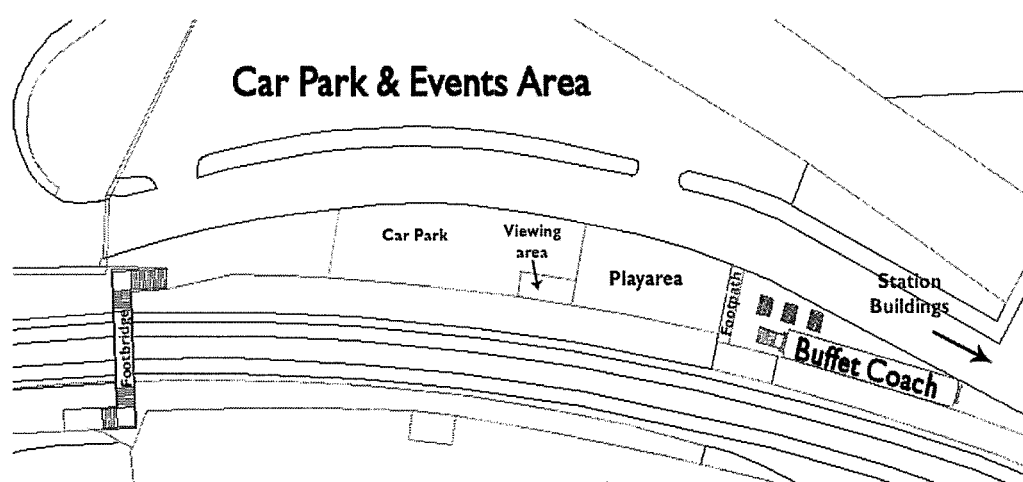


Figure 1: The planned layout of the new facilities



Figure 2: Newly located café coach



Figure 3: Space available for play area



Figure 4: Proposed picnic area

- 3.9 Initial discussions have taken place with the ELR and a specialist contractor to consider designs for a heritage rail themed play area. Two play areas will be located in an open space by the café coach where space with a picnic and

viewing area. A contribution of £20,000, including £5,000 towards maintenance to cover an initial three year period has been requested. This will be matched with ELR contributions to meet any final scheme costs. The ELR will assume responsibility for the ongoing maintenance, inspection and insurance regimes. This can be funded, in accordance with planning policy and the terms of the relevant Section 106 agreement from an open space contribution of £74,970. received from a residential development on land off Manchester Street, Heywood (former Burns Mill) Subject to funding agreement, the construction of the play area would commence in late 2016 with landscaping and the creation of a viewing area to take place in early 2017 in preparation for the main season opening and launch.

- 3.10 Aside from poor visitor facilities, the station lacks a visual presence from Manchester Road and Green Lane. The Council's Highways service is carrying out ground investigations to explore the feasibility and associated costs of reopening vehicles into the station through the reopening of Railway Street. This will clarify the expected costs of any utility works which may be needed in this area. Alongside this, Officers are assessing further options for visitor parking around the station area. The ELR has acquired a redundant footbridge from the Llangollen railway for use at Heywood. This will have three purposes; it would restore the historic footbridge link between the station and Sefton Street, provide a viewing/photographic platform for visitors, and increase the visibility of the railway from Manchester Road. Officers and the East Lancashire Railway Company are assessing the costs associated with the restoration and installation of this footbridge to marry up with the Sefton Street public highway. Other minor works such as trimming back of planting and enhanced signage to open up the station in views from Manchester Road and Green Lane can also be made.
- 3.11 The recent relocation of Ian Riley, a locomotive restoration business into a commercial unit on Sefton Street to the south of the station offers a further opportunity to develop a unique heritage offer linked to the East Lancashire railway around the Heywood station area. This business has strong association with the East Lancashire railway including its nationally recognised work to restore the Flying Scotsman locomotive for the National Railway Museum. The current unit has no rail connection but does offer an opportunity to develop a unique series of heritage attractions to encourage longer visits to the station. Contact is being made with adjoining landowners in the area to assess the potential for complementary development similar to the approach used by the Council to promote development along the potential ELR line into Castleton. Following the completion of the highway investigations into the costs and feasibility of reopening of Railway Street, the outcome of discussions with landowners, the ELR and costs of these physical improvements, it is proposed to present a further report to Members.

4 Financial Implications

- 4.1 S106 open space contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations. The proposed allocation of S106 open space contributions proposed here would fully comply with the purposes for how these monies must be spent.

5 Legal Implications

- 5.1 Contributions from S106 Agreements and Unilateral Undertakings must be spent within the parameters of those legally binding documents, some of which

are individually drafted as negotiated. Where monies are not spent within the appropriate parameters this risks legal challenge which would present significant reputational as well as legal risk for the Council.

- 5.2 Where there are any queries or where there is any uncertainty on spending contributions obtained through S106 obligations, this should be raised and advice should be sought for Legal Services

6 Personnel Implications

- 6.1 There are no personnel implications arising from this report. The work to date has been met from existing staffing resources albeit it is recognised that the ELR 2020 Development Strategy is a significant regeneration project and some prioritisation of staffing resources may be needed to deliver the objectives of this project.

7 Corporate Priorities

- 7.1 This report relates to physical regeneration proposals for the Heywood station area through physical conservation and economic regeneration, increasing visitor numbers, learning and training opportunities and participation in cultural activities and decisions about heritage, together with investment in the quality of place. As such, it contributes to all three of the Council's Corporate priorities; Prosperity, People and Place.

8. Risk Assessment Implications

- 8.1 There are no specific risks associated with the content of this report. However, the delivery of the project may require further reports for decision and any resulting risks associated with those decisions would be reported to Members at the relevant time.

9. Equalities Impacts

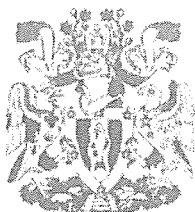
9.1 Workforce Equality Impacts Assessment

There are no workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no equality/community issues arising from this report.

Background Papers	
Document	Place of Inspection
ELR 2020 Development Strategy	Floor 3, Number One Riverside, Smith Street, Rochdale, OL16 1XJ



ROCHDALE
METROPOLITAN BOROUGH
COUNCIL

Subject: Section 106 Public Open Space
2013/2014

Status: For Publication

Report to: Middleton Township Committee

Date: 11th July 2013

Report of: Service Director – Economy &
Environment

Author
Email: nick.barton@rochdale.gov.uk

Author: Nick Barton

Tel: 01706 924847

Comments from
Statutory Officers:

Section 151 Officer
Monitoring Officer



Key Decision: No

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out the amount of s.106 public open space monies allocated to spend within Middleton Township as of 31st March 2013; and
- 1.2 Seek approval for a programme of projects to deliver public open space provision and improvements across the township.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members note the current resources held within the Middleton Township s.106 Public Open Space budget.
- 2.2 It is recommended that Members consider each of the projects set out in the programme of s.106 Public Open Space and approve allocation as described for each project.
- 2.3 It is recommended that Members consider ring-fencing of future contributions to support identified projects on the Public Open Space project list.
- 2.4 It is recommended that Members note existing projects on the Township s.106 Public Open Space project list and consider any projects to be added.

3. MAIN TEXT INCLUDING ALTERNATIVES CONSIDERED/ CONSULTATION CARRIED OUT

- 3.1 This report sets out the scale of income and resources held from s.106 agreements or planning obligations as of the end of financial year 2012/2013. This is often referred to as 'planning gain' and may be received either through the completion of a legal agreement between a developer and the Council, or unilateral undertaking from a developer. Historically the Council has also received some contributions voluntarily from developers although this has now ceased. The purpose of the contributions is to mitigate the impact of development.
- 3.2 This report presents a programme of Public Open Space works to be delivered in 2013/2014, for approval. The Public Open Space programme is based on the Township Section 106 Public Open Space project list endorsed by Members in November 2012.
- 3.3 The section 106 Public Open Space budget for Middleton Township as of 31st March 2013 had a balance of £102,535.

3.4 **Boarshaw Community Growing Scheme**

- 3.4.1 This medium-sized site behind a row of houses and a vacant Pub on Boarshaw Road is overgrown with weeds including Japanese Knotweed, is blighted by fly-tipping including some asbestos sheets from derelict sheds and the remaining sheds attract anti-social behavior.
- 3.4.2 The site is 2,000m² in size and after space is lost for paths and for being too close to the stream, this project would generate 1,300m² of allotment plots and 400m² for a communal growing area.
- 3.4.3 The communal growing area will be used for herbs, fruit bushes and an orchard. These will be for the general community to use and enjoy, with the Allotment Society taking responsibility for maintenance.
- 3.4.4 The total cost of the project would be approximately £44,000, with the Allotment Society being able to access approximately £19,000 to support the allotment element of the project.
- 3.4.5 The Public Open Space allocation for the project would relate to the following developments:-

Address	Amount	SPD/Contractual use	Cut Off
44, Boarshaw Road	£415	To be spent in accordance with SPD.	15 th March 2018
Alkrington Moss Primary School	£14,585	to serve the development only	15 th November 2015
Former Car Supermarket site	£10,000	Middleton Township or such other part of Rochdale MBC area as the Developer may agree.	8 th August 2017

- 3.4.6 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in Housing', states that contributions may be used towards the provision (including 20 year maintenance) of open space within 5 years of receipt. Any local open space to be provided should be easily and safely accessible from a development on foot (SPD, 2008, page 21).
- 3.4.7 The growing scheme site is easily accessible from the 44 Boarshaw Rd development being a short walking distance away.
- 3.4.8 The s106 Unilateral Undertaking given by S Brown Homes Ltd and BDW Trading Ltd to the Council on 15 November 2010 in respect of the redevelopment of land at Former Alkrington primary School, Alkrington (10/D53491) provides for the payment by the Owner/Developer of a public open space contribution by the Owner/Developer in the sum of £106,030.08 for the provision and maintenance on land not comprised within the school site of public open space to serve the Development. Occupiers of the development would be eligible to rent an allotment and would benefit from the amenity value of the scheme being easily accessible from the Alkrington Primary school site.
- 3.4.8 The s106 planning obligation agreement between Morris Homes (North) Ltd, Camden Ventures Ltd and the Council made on 29 October 2009 in respect of the residential development of land formerly known as The Car Shop at Heywood Old Road, Middleton (D49893) provides for the payment by the Owner/Developer of a public open space contribution in the sum of £140,049 towards the provision of open space recreational facilities in Middleton or such other part of the Council's area as the Developer/Owner may agree to. The Council has agreed that unless the Developer otherwise agrees it will repay any amount of the contribution which has not been expended in accordance with the agreement within 5 years of the date of receipt.
- 3.4.7 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary).
- 3.4.7 Members are asked to approve the allocation of the above sums totalling £25,000 from the Public Open Space budget to enable the works to proceed.

3.5 Swan Lodge

- 3.5.1 Swan Lodge is a small fishing lake in Rhodes, Middleton. A request has been made by the Countryside Ranger for the area for improvements to the aesthetic aspect of the Lodge and the provision of additional habitat for sensitive species such as amphibians. The scheme would benefit both visitors and local residents by improving the appearance of the area.
- 3.5.2 The work would be carried out by the Countryside Service and requires the purchase of Gabions and stone in addition to hiring and excavator. This project was discussed at the recent Middleton Environment Forum and received its support.

- 3.5.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that in the case of informal open space, provision should be within 20 minutes walking distance of the development that generated the contribution, unless specified otherwise. Improvements to Swan Lodge will be funded from contributions received in relation to development of the former Car Supermarket site in Rhodes. Whilst Swan Lodge is within a 20 minute walk of this development, contributions from this development can be used Township wide. The cut off date for these contributions from the former Car Supermarket site to be used is 8th August 2017.
- 3.5.4 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary).
- 3.5.5 Members are asked to approve the allocation of £8,000 from the Car Supermarket development contribution to enable the works to proceed.

3.6 Limefield Park

- 3.6.1 Improvement works to Limefield Park including the replacement of two fencing panels in the skate park, installation of a knee rail with maintenance and wheelchair access. Installation of a new planted rockery area following the demolition of the gardener's hut, tree thinning and replacement of shrub bed adjacent to access road. Improvement of all access areas to Park and make any required repairs to fencing, furniture and pathways.
- 3.6.2 This project will be consulted on in detail with the newly formed Friends of Limefield Park and will be delivered in conjunction with other improvements already agreed, including welcome signage and improvements to the play area. The cost of this project is estimated at £15,000.
- 3.6.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that any local open space to be improved should be easily and safely accessible by the occupiers of a development funding the improvement. Improvements to Limefield Park will be funded from contributions received in relation to development of the former Car Supermarket site in Rhodes (see Para 3.4.8 above), which can be used Township wide. The cut-off date for these contributions from the former Car Supermarket site to be used is 8th August 2017.
- 3.6.4 The NPPF describes open space as "all open space of public value, including not just land, but also areas such as rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation and can act as visual amenity (Annex 2, Glossary). The SPD provides that contributions towards the improvement of off-site local open space can where appropriate be spent on capital improvements to local parks (Page 12, Para 2).
- 3.6.5 Members are asked to approve the allocation of £15,000 from the Public Open Space budget to enable the works to proceed.

Public Open Space Project List

- 3.7 A copy of the Middleton Township s.106 Public Open Space project list, including the status of individual projects is attached to the this report.

Alternatives considered

- 3.8 The schemes put forward for implementation have been identified by Members, as outlined in the report to Township in November 2012, and assessed in terms of available funding, deliverability, adherence to policy and cost benefit.
- 3.9 s.106 contributions must for the most part be spent within five years of receipt; contributions not spent within five years are subject to repayment to the developer. Adoption of alternative schemes that have an unknown or known but protracted delivery timescale risk loss of the s.106 contributions.

Consultation proposed/undertaken

- 3.10 Various reports relating to the setting up of new procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process.

4. FINANCIAL IMPLICATIONS

- 4.1 All works proposed can be carried out within existing resources within Middleton s.106 Public Open Space budgets.
- 4.2 Minimizing maintenance costs and ensuring future revenue demands can be met from existing service budgets has been considered as part of the project development process in conjunction with Environmental Management.

5. LEGAL IMPLICATIONS

- 5.1 Any legal implications have been included within the main body of the report.

6. PERSONNEL IMPLICATIONS

- 6.1 Staffing resources required to implement and monitor these projects can be met from existing resources within Economy and Environment Directorate.

7. CORPORATE AND TOWNSHIP PRIORITIES

- 7.1 It is considered having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open space within the Township will enhance the environment, image of the Borough as a place to visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

8. RISK ASSESSMENT IMPLICATIONS

- 8.1 There are no specific risk issues for members to consider arising from this report.

9. EQUALITIES IMPACTS

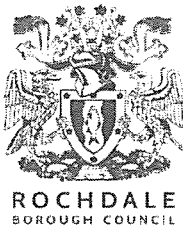
9.2 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

There are no (*significant*) equality/community issues arising from this report.

Background Papers	
Document	Place of Inspection
n/a	



Subject: Middleton Township s.106 - Town
Centre Conservation Area Improvements
Report to: Middleton Township Committee

Status: For Publication
Date: Thursday, 8th January 2015

Cabinet Member: Councillor Cecile Biant,
Cabinet Member for Public Health and Regulation,
Councillor Jacqueline Beswick Cabinet Member
for Housing and Environment

Report of: Director - Economy & Environment

Author: Nick Barton

Author Email: nick.barton@rochdale.gov.uk

Tel: Tel: 01706924847

**Comments from Statutory
Officers:**

Monitoring Officer: Yes
Section 151 Officer: Yes

Key Decision:

1 Purpose of the report

- 1.1 The purpose of this report is to set out the amount of s.106 public open space monies accrued within Middleton Township as of 30th November 2014; and
- 1.2 Seek approval to allocate funds from relevant s.106 receipts to match fund a number of open space improvements projects in Middleton Town Centre Conservation Area and a tree planting scheme across Middleton Township.

2 Recommendations

- 2.1 It is recommended that Members note the current resources held within the Middleton Township s.106 open space budget;
- 2.2 It is recommended that Members approve the allocation of £30,000 of open space contributions to fund the projects identified in this report.

Reason for recommendations

- 2.3 Various reports relating to the setting up of procedures to monitor income and spend from planning agreements have been presented to Council Committees since 2009. There has been broad Member support for improvements and greater transparency to be introduced to this process with the intention of Township Committees to determine any spend in accordance with the terms of any legal agreement and/or relevant planning policies and to align the use of any monies with Township priorities.
- 2.4 Middleton Township Members have previously requested that all s.106 open space funded schemes be approved by Members by way of a report to Township Committee. A similar process of reporting exists in all other Townships.

3 Background

- 3.1 The report sets out the scale of landowner/developer contributions held from s.106 planning obligations as of 30th November 2014. This is often referred to as 'planning gain' and may be received either through the completion of a legal agreement between the developer and the Council, or unilateral undertaking from a developer, both of which are made under s.106 of the Town and Country Planning Act 1990, as amended. The purpose of the contributions is to mitigate the impact of development as set out in the Council's Supplementary Planning Document (see paragraph 3.9, below) concerning contributions of this nature.
- 3.2 The s.106 public open space budget for Middleton Township as of 30th November 2014 had an unallocated balance of £76,388.

Middleton Town Centre Conservation Area Improvements

- 3.3 Middleton Town Centre Conservation Area contains two of the town's important green spaces, Jubilee Park and the Old Burial Ground. In addition to providing informal recreation space for Middleton residents, they provide import links to the town's heritage, both in their own right and through providing settings for some of the town's most historic buildings and providing a physical link between the buildings of the Golden Cluster' and the town centre.
- 3.4 The Conservation Area is subject to funding through the Edgar Wood & Middleton Townscape Heritage Initiative, which is a 5 year programme, ending in 2016, to repair and restore historic buildings, improve public realm and increase awareness of Middleton's unique social history and distinct architectural heritage. Improvement works, funded by the THI, have already been carried out in Jubilee Park and the Old Burial Ground and further works are planned for 2015, use of s.106 and other match funding will maximise the impact of improvements and benefits to local people.
- 3.5 Jubilee Park Footpath Works – a number of footpaths within Jubilee Park have been identified as requiring repair, funding has been set aside for this from the Council's planned maintenance budget to provide a repair to ensure health and safety compliance, an additional cost of £4,000 has been identified as a 'conservation increment' to upgrade materials (e.g. concrete to natural stone) appropriate to the heritage setting.
- 3.6 Edgar Wood Staircase & Exedra Landscaping – The Edgar Wood Staircase & Exedra is an important feature within Jubilee Park, framing the Parish Church from Rochdale Road, with the Staircase & Exedra being designed to work with the Church to create an arrow form in the Art Deco style, taking the eye skyward. The Staircase & Exedra structure is being repaired as part of the THI programme. The landscape setting of the Staircase & Exedra is outside of the scope of the THI grant, with the repair of the structure there is an opportunity to create a landscape around the Staircase & Exedra that will significantly enhance the park and the setting of these two important historic structures. The scheme will also significantly improve drainage and reduce maintenance. A draft landscape plan, which has been costed at £20,000 has been attached to this report.
- 3.7 Old Burial Ground Footpath Works – Through the Edgar Wood & Middleton Townscape Heritage Initiative, the Council's Environmental Management Service and local volunteers a range of access works, grave and tombs repairs, wall repairs and footpath works will be carried out in the Old Burial Ground. Use of up to £5,000 of s.106 open space funds to formalise temporary footpaths and create new footpaths, particularly to the Burial Ground's war graves will allow THI resources to be concentrated on repairs to historic fabric.

3.8 Tree Planting – the Old Burial Ground contains a large number of self-seeded trees, many of these are in inappropriate locations or are causing damage to graves, tombs and walls or simply blocking access to parts of the burial ground. Through the THI, these trees will be selectively removed to allow stop damage to graves, tombs and wall and to enable the restoration of historic footpaths. An allocation of £1,000 to this project will facilitate the planting of 500 new native species trees in sustainable locations across the Township and orchard tree planting in partnership with local schools. Planting sites identified by the Council's Green Infrastructure Development Officer include Wince Brook Valley, McBride Riverside Park, Alkrington Woods, Boarshaw Clough, Bowlee Park and Sam Bamford Fields.

3.9 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and/or improvement of open space within 5 years of receipt. In the case of informal open space, provision should be within 20 minutes walking distance of the development generating the contribution. The public open space allocations for these projects would relate to the following developments:-

Planning Ref.	Address	Amount	Clauses
11/D55059	131, Manchester Old Road	£415	In accordance with SPD
07/D49893	Former Car Super Market	£6,865	Provision and/or improvement of open space in Middleton.
10/D53491	Former Alkrington Moss Primary School	£21,890	In accordance with SPD.
12/56358	22, Rochdale Road	£830	In accordance with SPD.

3.10 Members are asked to approve the allocation of £30,000 for the public open space budget to implement these projects.

Alternatives considered

3.11 s.106 open space contributions are collected and administered in accordance with national and local policy obligations, as set out in the Council's Supplementary Planning Document and the terms of the relevant planning obligation.

3.12 Open space projects are developed in partnership with Elected Members, the public and partner organisations to most effectively use contributions to deliver local open space improvements to communities in the Borough. However, contributions arising from s.106 Agreements and Unilateral Undertakings must be spent within the parameters of those legally binding documents.

4 Financial Implications

4.1 s.106 open space contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations.

4.2 All works proposed can be carried out within existing resources within Middleton Township s.106 open space budgets.

6 Legal Implications

6.1 As identified in this report, contributions from s.106 Agreements and Unilateral Undertakings, must be spent within the parameters of those legally binding documents, some of which are individually drafted and negotiated. Where monies are not spent within the appropriate parameters, then this risks legal challenge, which would present significant reputational as well as legal risk for the Council.

6.2 Where there are any queries or where there is any uncertainty on spending contributions obtained through s.106 planning obligations, this should be raised and advice should be sought from Legal Services and where applicable the Section 151 Officer, as any misspending may obviously impact on that function. Legal Services has not been asked to provide advice on any of the examples of proposed expenditure set out in this report and provides no advice or comment in relation to these here.

6.3 The Council currently does not have a Community Infrastructure Levy (CIL) Charging Schedule in place. At present, where the CIL Charging Schedule is not in place by April 2015, then pooled contributions, some of which are of the nature described, will not be able to be obtained through s.106 planning obligations where five or more such obligations previously exist.

7 Personnel Implications

7.1 There are no personnel implications arising from this report.

8 Corporate Priorities

8.1 It is considered that having a list of local open space improvement projects agreed within each Township will ensure resources can be aligned with Township priorities and improvements made to valued parks and other open spaces within the Township will enhance the environment, image of the Borough as a place to live and visit, contribute positively to the wider health and well-being agenda as well as contribute to community cohesion.

9 Risk Assessment Implications

9.1 There are no specific risk issues for Members to consider arising from this report.

10 Equalities Impacts

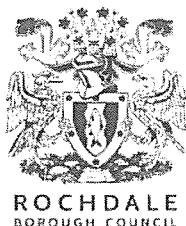
10.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

10.2 Equality/Community Impact Assessments

The Access needs of disabled people will be taken into account when undertaking the improvements.

Background Papers	
Document	Place of Inspection



Subject: Section 106 Formal Sport

Status: For Publication

Report to: Cabinet

Date: 10th September 2015

Cabinet Member: Cabinet Member for Corporate and Regulation, Cabinet Member for Housing and Environment.

Report of: Director of Economy and Environment

Author: Nick Barton

Author Email: nick.barton@rochdale.gov.uk

Tel: 01706 924847

Comments from Statutory Officers:

Monitoring Officer: Yes
Section 151 Officer: Yes

Key Decision: Yes

1 Purpose of the report

- 1.1 The purpose of this report is to inform Cabinet Members of the funds currently held from s.106 Formal Sport contributions; and
- 1.2 Seek approval for the allocation of funds from relevant s.106 receipts to fund Formal Sport improvements already identified across the Borough.
- 1.3 To note that further reports will be submitted to Elected Members on spending of existing and future s.106 formal sport funds, including alternative ways to involve Members in the allocation of monies to schemes and the implications of legislative reforms to this process.

2 Recommendations

- 2.1 It is recommended that Cabinet Members note the funds currently held through s.106 Formal Sport receipts across the Borough and note the restrictions on how these funds can be spent.
- 2.2 It is recommended that Cabinet Members approve the allocation of funds from relevant s.106 receipts to provide improvements to a range of formal sports facilities across the Borough to help the Council and its partners to deliver high quality sporting facilities to the Borough's residents.

3 Background

- 3.1 This report sets out the scale of contributions held from s.106 Formal Sport planning obligations as of 31st March 2015. This is often referred to as 'planning gain' and may be received either through the completion of a legal agreement between the landowner / developer and the Council, or unilateral

undertaking from landowner / developer, both of which are made under s.106 of the Town and Country Planning Act 1990, as amended. The purpose of the contributions is to mitigate the impact of development as set out in the Council's Supplementary Planning Document (SPD) (see paragraph 3.3, below) concerning contributions of this nature.

- 3.2 As of 31st March 2015, the Council held a total of £577,941 in unallocated Formal Sport contributions, from developments across all four Townships.
- 3.3 Rochdale's Supplementary Planning Document 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and / or improvement of open space within 5 years of receipt. In the case of Formal Sport, this sort of facility is frequently accessed by car or public transport and therefore it would be acceptable for the areas to be provided / improved to be in the same Township as the development, and elsewhere in the Borough in some cases. All Outdoor Sports Provision provided / improved should, however, be easily accessible by public transport.
- 3.4 Outdoor Sport Provision is usually the provision of formal sports pitches which are clearly laid out for that purpose, available for public use and frequently used for supervised activities. Examples include tennis courts, bowling greens, sports pitches, athletics tracks, school and other institutional playing fields and other outdoor sports areas. It is important to note that these contributions cannot be used towards indoor facilities, except where these indoor facilities are essential to the function of associated outdoor facilities, examples of which might include toilets and changing rooms. In these cases, consideration will be given to the minimum requirements set out by the relevant sports governing bodies and leagues.

Bowlee Community Park

- 3.5 Sand slitting of 10 sports pitches to improve drainage (£118,800). Provide and install a 1.2m high protective perimeter fence with one pedestrian access and two double maintenance access gates. This is required to protect a fully constructed and drained senior pitch from motorbike and horse damage, because of this damage the pitch is currently unplayable (£18,450). Provision of 3 senior and 2 junior lightweight demountable goal posts to reduce unauthorised use and associated wear (£6,944).
- 3.6 Improvements to pavilion / changing rooms to meet league requirements and improve disabled access (£36,442).
- 3.7 Reconstruction and surfacing of 500 metres of stone paths to improve access around the park and provide an accessible outdoor facility for supported disability cycling (£5,800).

Wardle Football Club

- 3.8 Extension and widening of existing football pitch to meet Lancashire Football Association guidelines (£29,674), sand slitting of 1 football pitch to improve drainage (£11,880) and the provision of 2 sets of senior lightweight demountable goal posts to reduce unauthorised use and associated wear (£2,778).

Rochdale St. Clements Football Club

- 3.9 Construction of a new mini soccer pitch (£17,828).

Firgrove Playing Fields

- 3.10 Sand grooving of 2 senior rugby, 10 senior football and 1 junior sports pitches to improve drainage (£49,140). Provision of 9 senior and 1 junior lightweight demountable goal posts to reduce unauthorised use and associated wear (£13,889).

Mossway Playing Fields

- 3.11 Sand grooving of 1 sports pitch to improve drainage (£3,780).

Springfield Park

- 3.12 Provision of 1 set of junior lightweight demountable goal posts to reduce unauthorised use and associated wear (£1,389).

Littleborough Campus

- 3.13 Reconstruction works to 6 goal areas (£2,700), Carry out sand banding to 1 senior football, 1 rugby and 2 junior football pitches (£12,600) and install 3 sets of lightweight demountable goal posts, 1 senior and 2 junior (£3,750).

Alternatives considered

- 3.14 The Council is required to spend s.106 Formal Sport contributions in accordance with legal agreements and local and national planning policy. The projects identified within this report have been prioritised following an audit of formal sports facilities across the Borough.

4 Financial Implications

- 4.1 The £335,844 cost of carrying out the works identified within this report can be met fully from existing s.106 Formal Sport receipts.
- 4.2 Section 106 Formal Sport contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations.
- 4.3 The income currently generated from sports pitch lettings equates to £27,500 per annum. The provision of demountable goal posts and improvements to pitches and pavilions detailed in this report will help to protect this income stream.
- 4.4 The report recommends the creation of an additional two pitches. This increases the number of games which can be played from 42 to 62 games per week. If there is a subsequent increase in clubs taking on a letting the amount of income generated from sports pitches will increase. This will be partially offset by additional maintenance costs.

5 Legal Implications

- 5.1 As identified in this report, contributions from s.106 Agreements, must be spent within the parameters of each of those legally binding documents. Where monies are not spent within the appropriate parameters, then this risks legal challenge, which would present significant financial, reputational as well as legal risk to the Council.
- 5.2 Where there are any queries or where there is any uncertainty on spending contributions obtained through s.106 planning obligations, this should be raised and advice should be sought from Legal Services and where applicable the Section 151 Officer, as any misspending may obviously impact on that function. Legal Services has not been asked to provide advice on any of the examples of proposed expenditure set out in this report and provides no advice or comment in relation to these here.
- 5.3 The Council currently does not have a Community Infrastructure Levy (CIL) Charging Schedule in place. At present, where the CIL Charging Schedule is not in place, then pooled contributions, some of which are of the nature described, will not be able to be obtained through s.106 planning obligations where five or more such obligations previously exist.

6 Personnel Implications

- 6.1 There are no significant personnel implications arising from this report.

7 Corporate Priorities

- 7.1 A key objective of the Council's Community Strategy is to promote healthier lifestyles and reduce health inequalities.

8. Risk Assessment Implications

- 8.1 There are no significant risk management implications arising from this report.

9. Equalities Impacts

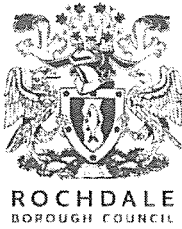
9.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

Individual equality impact assessments will be carried out in relation to each of the improvements identified within this report.

Background Papers	
Document	Place of Inspection
Section 106 agreements associated with relevant planning permissions	Planning service, Floor 3, Number One Riverside



Subject: Section 106 Formal Sport

Status: For Publication

Report to: Cabinet

Date: 6th June 2016

Cabinet Member: Cabinet Member for Corporate Services and Regulation, Cabinet Member for Housing and Environment

Report of: Director of Economy

Author: Nick Barton

Author Email: nick.barton@rochdale.gov.uk

Tel: Tel: 01706924847

Comments from Statutory Officers:

Monitoring Officer: Yes
Section 151 Officer: Yes

Key Decision: No

1 Purpose of the report

- 1.1 To seek approval for the allocation of funds from relevant Section 106 receipts to fund Formal Sport improvements identified across the Borough.

2 Recommendations

- 2.1 It is recommended that Cabinet Members approve the allocation of funds from relevant Section 106 receipts to provide improvements to formal sports facilities at Springfield Park Running Track, Kirkholt Bowls Club and Middleton Cricket Club.

3 Background

- 3.1 Section 106 planning obligations, often referred to as 'planning gain' may be received either through the completion of a legal agreement between the landowner / developer and the Council, or unilateral undertaking from the landowner / developer, both of which are made under Section 106 of the Town and Country Planning Act 1990, as amended. The purpose of the contributions is to mitigate the impact of development as set out in the Council's Supplementary Planning Document (SPD).
- 3.2 Rochdale's SPD 'Provision of Recreational Open Space in New Housing', states that contributions may be used towards the provision (including 20 year maintenance) and / or improvement of open space within 5 years of receipt. In the case of Formal Sport, this sort of facility is frequently accessed by car or public transport and therefore it would be acceptable for the areas to be provided / improved to be in the same Township as the development, and elsewhere in the Borough in some cases. All Outdoor Sport Provision provided / improved should, however, be easily accessible by public transport.
- 3.3 Outdoor Sport Provision is usually the provision of formal sports pitches which are clearly laid out for that purpose, available for public use and frequently used for supervised activities. Examples include tennis courts, bowling greens, sports pitches, athletics tracks, school and other institutional playing fields and

outdoor sports areas. It is important to note that these contributions cannot be used towards indoor facilities, except where these indoor facilities are essential to the function of associated outdoor facilities, examples of which might include toilets and changing rooms. In these cases, consideration will be given to the minimum requirements set out by the relevant sports governing bodies and leagues.

Springfield Park Running Track

- 3.4 A Section 106 receipt has been received of £80,850 for Formal Sport provision in relation to the development of residential properties on Manchester Road, Castleton (12/D55437). This is the first of three phased Section 106 Formal Sport payments that have been agreed linked to the occupation of houses within this development.
- 3.5 The shale running track at Springfield Park was the Borough's primary athletics facility for many years until it was superseded by a synthetic track at Kingsway Park High School. The Friends of Springfield Park with support from local sporting clubs are seeking support to reinstate the track to a standard which will allow a mix of informal community use and supervised use by sports clubs. A request was presented to Rochdale Township in 2015 since which time Officers have been awaiting the collection of a suitable S106 contribution. An allocation of £50,000 will allow the Friends of Springfield Park to carry out the works to restore the track and fund ten years maintenance on the facility.
- 3.6 Members are asked to approve the allocation of £50,000 to allow this project to proceed.

Kirkholt Bowls Club

- 3.7 A Section 106 receipt has been received of £44,209.65 for Formal Sport provision in relation to development of residential properties on Hartley Lane, Kirkholt (11/D54046).
- 3.8 The bowls club is used by local residents and Rochdale Gateway Leisure, a disability support charity. The pavilion, which supports all other activity of the club requires a complete reroof and a new disabled ramp to allow continued use by wheelchair users. An allocation of £40,000 will allow these works to be carried out. Additional security features are being funded from the Council's Corporate Landlord budget.
- 3.9 Members are asked to approve the allocation of £40,000 to allow this project to proceed.

Middleton Cricket Club

- 3.10 A Section 106 receipt has been received of £913 for Formal Sport provision in relation to the development of a residential property on Rochdale Road, Middleton (12/56358), a further Section 106 receipt has been received of £13,695 for Formal Sport provision in relation to the development of residential properties on Helvellyn Drive, Middleton (13/00754).
- 3.11 Middleton Cricket Club field three senior and five junior cricket teams in addition to hosting a number of county level disabled teams. The club recently discovered extensive dry rot in their changing pavilion and are seeking support to refurbish these facilities to allow continued delivery of the opportunity to play

cricket for Middleton residents of all ages and abilities. An allocation of £14,608 will allow these works to proceed.

- 3.12 Members are asked to approve the allocation of £14,608 to allow this project to proceed.

Alternatives considered

- 3.13 The Council is required to spend Section 106 Formal Sport contributions in accordance with legal agreements and local and national planning policy. The Council is currently developing a Playing Pitch Strategy in partnership with Sport England and the national governing bodies for football, cricket, rugby union, rugby league and rounders. Once adopted this will help guide investment from Section 106 in those sports and attract external funding.
- 3.14 As a general principal, investment in those sports should only be considered once the Playing Pitch Strategy is adopted, but Athletics and Bowls are outside the scope of the Playing Pitch Strategy and investment at Middleton Cricket Club is considered in the context of loss of existing facilities without this investment. The use of formal sports monies in this context is appropriate and complies with the Council's relevant planning policies and the terms of the above legal agreements.

4 Financial Implications

- 4.1 Section 106 Formal Sport contributions are monitored and managed to ensure that they are received and spent in accordance with policy and financial regulations.
- 4.2 The total cost of the identified projects of £104,608 can be met from Section 106 Formal Sport contributions that the Council is currently in receipt of.
- 4.3 The improvements to Springfield Park Running Track and Middleton Cricket Club will be cost neutral in relation to the Council's grounds and maintenance budgets. The improvements to Kirkholt Bowls Club will deliver savings with regard to ongoing building repair costs.

5 Legal Implications

- 5.1 As identified in this report, contribution from Section 106 Agreements, must be spent within the parameters of each of those legally binding documents. Where monies are not spent within the appropriate parameters, then this risks legal challenge, and potential liability to repay sums spent beyond the parameters of the Section 106 agreement. This would present significant financial, reputational and legal risk to the Council.
- 5.2 Where there are any queries or where there is any uncertainty on spending contributions obtained through Section 106 planning obligations, this should be raised and advice should be sought from Legal Services and where appropriate the Section 151 Officer, as any misspending may obviously impact on that function.
- 5.3 The Council currently does not have a Community Infrastructure Levy (CIL) Charging Schedule in place. At present, where the CIL Charging Schedule is not in place, then pooled contributions, will not be able to be obtained through Section 106 planning obligations where five or more such obligations previously exist.

6 Personnel Implications

6.1 There are no specific personnel implications arising from this report.

7 Corporate Priorities

7.1 A key objective of the Council's Community Strategy is to promote healthier lifestyles and reduce health inequalities.

8. Risk Assessment Implications

8.1 There are no significant risk management implications arising from this report.

9. Equalities Impacts

9.1 Workforce Equality Impacts Assessment

There are no (*significant*) workforce equality issues arising from this report.

9.2 Equality/Community Impact Assessments

Individual equality impact assessments will be carried out in relation to each of the improvements identified within the report.

Background Papers	
Document	Place of Inspection
Not applicable	