

Greater Bedminster Neighbourhood Partnership

26th March 2012

Title: Allocation of S106 to park investment projects

Officer Presenting Report: Julian Cox, Area Environment Officer

Contact Telephone Number: 0117 9222057

RECOMMENDATION

The Committee is asked to allocate a sum of devolved Parks S106 to make improvements to one or both of the following green spaces:

- South Street Park, the ACTA community garden and the playing field of Compass Point South Street School and Children's Centre.
- Luckwell Rd Park

Officers recommend that, if the South Street Park project is preferred, a minimum of £166,943 is allocated. This will deliver a second phase of the project (phase one already delivered).

Summary

At the last Committee meeting of 23rd January 2012 a decision was made to defer the allocation of S106 spending to a number of proposed projects pending further work on costs analysis.

In the interim, Parks officers have been given a steer to concentrate costs analysis of the South Street Park project and Luckwell Rd Park project with a view that these projects should be taken forward in the short term.

A minimum S106 sum £169,168.99 is required to be allocated from the development of the former mail marketing site, West Street, Bedminster. The deadline for spending this money is 1st April 2013. Overall the Partnership currently has £280K of S106 it can allocate.

The significant issues in the report are:

- A minimum S106 sum of £169,168.99 is required to be allocated by 1st April 2013.
- Further design work and consultation with park users is required at Luckwell Park to determine the detail of play improvements.
- The Council's Parks service and landscape architect has reviewed costs and made comments on the South Street project.

Context

- i. The Greater Bedminster Community Partnership has a devolved S106 sum of £169,168.99 that needs to be spent by 1st April 2013.
- ii. At its last meeting of 23rd January 2012 the Committee considered a number of potential green space improvement projects to allocate S106 to:
 - a) MACA Community Garden
 - b) South Street Park
 - c) Luckwell Park / Sturden Road
 - d) Windmill Hill City Farm
 - e) Greville Smythe Park
- iii. The Committee agreed that the MACA Community Garden bid for £1528 be met from the remaining funds within the Wellbeing (Community Chest) Fund.
- iv. In the interim, Parks officers have been given a steer to concentrate costs analysis of the South Street Park project and Luckwell Rd Park project with a view that these projects should be taken forward in the short term.
- v. Officers raised the issue of eligibility of a site for benefiting from S106 funds at the 23rd January 2012 Committee. There were eligibility issues for the Way out West South Street park project with regard to the Compass Point Playing Field and ACTA garden. Officers set out that currently Windmill Hill City Farm is not eligible for S106 investment. These have been investigated further and the view of the Council regarding eligibility set out in Appendix A. On this basis:
 - The Compass Point Playing Field is currently eligible for S106 spend;
 - The eligibility of the ACTA garden has not been determined;
 - Windmill Hill City Farm is not currently eligible.

Proposal

The WoW proposal for South Street Park

- ii. Officers from Environment and Leisure have considered the costs of the design for South Street Park, Compass Point playing fields and the Acta Garden and also considered issues of S106 eligibility.
- ii. The table below sets out the original costs given with officers' interpretation of costs alongside. Differences may be a result of a change in specification, change in quantity or different estimate of unit cost. It has been assumed that the design submitted will be taken forward.

Item	Original (WOW) estimated cost	BCC estimated cost
Clearing of existing site	£15,825	£30,980

Earthworks and Paths	£27,880	£45,630
Railings and Gates	£64,695.96	£101,300
Planting	£12,510	£19,610
Play Equipment	£48,382.00	£42,372
Furniture	£4,400	£11,800
ACTA Garden	£9,000	£21,925
TOTAL	£182,692.96	£273,537
Design Team		£41,030.55
Planning fees		
Maintenance		£2,400
Preliminaries		£27,354
Contingencies		£13,676.85
Total		£357,998.10

iii. NOTE:

- VAT is not included. If the project is delivered through the Council, VAT is not applicable.
 - These costs should not necessarily be interpreted as final - changes to specification or design as a result of consultation will amend figures.
 - Costs can change with design changes and cheaper alternatives to some design elements may be found.
- iv. Comments on the preferred design from E&L's landscape architect are given in Appendix B.
- v. As the architect providing design plans for Way our West has done, E&L's landscape architect has considered logical phases of project delivery so that money could be allocated now to appropriate improvements with other improvements delivered at a later date. The rationale of the phasing is to minimise duplication of costs and provide a logical sequence of delivery. The content of these phases is set out in Appendix C.
- vi. Consideration of these phases means that the Council is able to recommend a minimum project funding allocation of £166,943 - this will fund project delivery, all project costs and fees and contingencies.

Luckwell Improvement Project

- vii. The applicant for the Luckwell Improvement Project set out that discussions with the Council's Play and Youth Officer resulted in an estimated project funding requirement of £45,000.
- viii. Further consideration by the Play and Youth Officer has resulted in an ideal

allocation of £72,000 with the following note that the cost will deliver:

- A play space that is bespoke with layout and equipment chosen in consultation with local children and residents whilst taking on board Council views and the location.
- Therefore this is a generic cost for a play park installation at this location.
- Works would include consultation, public meetings, design, tendering, installation of paths, seating, bins, dog free barriers and play equipment with project management.
- Special factors: Site access; limited site size.

Consultation

Internal

Jim Cliffe - Planning Obligations Manager

Keith Chant - GIS and Resource Officer (Parks)

Tracey Morgan - Environment and Leisure Service Director

Nigel Sands - Landscape Architect

Richard Fletcher - Neighbourhood Engagement Manager (E&L)

External

None

Risk Assessment

- i. The main risks of not agreeing to allocate S106 to one or both of the two projects are as follows:
 - The S106 contribution from the former Mail Marketing Site, West Street, Bedminster expires in April 2013. Delays in targeting this income to projects will increase the difficulty of delivering successful projects on-time.

Equalities Impact Assessment

- i. It is not anticipated that there will be any adverse impacts from the Committee's decision. Each preferred scheme will be the subject of an impact assessment prior to delivery.

Legal and Resource Implications

Legal

Legal advice has not been sought.

Financial No advice sought

Revenue Not yet known

Capital Not yet known. Outline costs provided by community organisations.

Financial advice given by: N/A

Land

Personnel None

Appendices: A, B and C.

ACCESS TO INFORMATION

Background Papers:

None

Appendix A - Eligibility for S106 spend.

The original intention of 'parks' S106 contributions is that they be spent on public open spaces that are owned and managed by the Council. However, as control of some S106 has been devolved for local decision-making, and that the principle and benefits of local decision-making may sometimes require greater flexibility, there is a need to set out what sites can be eligible for 'parks and recreation' S106.

The following has been set out to allow Neighbourhoods' flexibility whilst minimising the risk to the Council of a successful challenge to its allocation of S106 and its subsequent repayment to a developer.

A site is eligible for 'parks and recreation' S106 if:

- Access to the land concerned can be controlled by the Council in such a way that the public can use the site as of right and that this right is legally binding. The times at which access by the public can be guaranteed can be negotiated but the principle of creating public open space that is sometimes closed should be applied rather than creating private space that is sometimes accessible.
- Maintenance of the facilities or improvements made through the spending of S106 is guaranteed for at least 15 years. If the S106 is spent on a site not owned by the Council then this commitment should be entered into by the landowner / site manager.

In addition, S106 can only be spent by the Council. If improvements are made to a site owned by a third party these improvements should be paid for and completed before the owner / manager invoices the Council to release S106 funds. That is, S106 will not be paid to a third party in advance of improvements made.

Appendix B - BCC Landscape Architect's comments on proposals for South Street Park

Generally

In general terms the extension to the path network makes good use of the limited space available. Enclosing the park with railings will lift the quality of the space and define it more clearly as a park.

However, I would question both the design logic and appropriateness of a separate "dog walking area". Sion Road and Palmerston Street are both quiet cul-de-sacs and therefore the northernmost corner of the park has the greatest potential within the space of providing a relatively quiet, sunny, sheltered space for static enjoyment. I would take the view that if the park is wholly enclosed then it could be managed the same as other parks by providing the appropriate number of dog waste or dual use bins.

Omitting the internal railings that enclose this area would represent a saving of £6,000.

Alternatively, this area could serve as a dog free area within the park as a whole thereby enabling parents with young children to allow them free rein to run and roll about on grass which should be dog waste free.

Design Detail

In terms of design detail, on the basis that any tree in a space this size really has to earn its keep, there are a number of trees which might provide better amenity value than Turkish Hazel: perhaps a tree which provides spring blossom or particularly striking Autumn colour.

If the use of space were altered as suggested, there is scope within the northeast corner to provide some horticultural diversity by way of shrubs, herbaceous planting or even a low hedge on the northern boundary to further improve the microclimate of the space without creating shade. Given the relatively sunny, sheltered nature of this corner anyway, some scented specimen shrubs would fulfil their potential.

It is also worth considering what can be done by way of evergreen shrub planting (holly?) to reduce the visual impact of the electricity sub-station on the northern part of the park.

Summary

The above suggestions are not intended to be prescriptive. They are intended to ensure that before the Phase 2 works are commissioned, the subject of how dogs are managed within the park is properly and exhaustively debated and that all potential design options are considered.

Appendix C - BCC Landscape Architect's comments on logical phasing of South Street Park project

Note: Phase 1 already delivered

South Street Park

Phase 2

Clear Existing Site

Strip soil to depth of 150mm and store	£2,475
Break out existing paths	£2,625
Break out existing fences+ recycle scrap 1.1m high	£2,100
Reduce height of existing mound and remove rubble from site	£12,250

Earthwork and Paths

Supply and lay new pss edge to paths	£2,800
Supply and lay new macadam	£15,000
Supply and lay decorative finish to central area	£3,600
Supply and lay ducting for lighting	£1,500

Railings and Gates

Galvanised mild steel railings 1.2m high, 241lin. m	£28,700
Supply and install decorative archway at entrances	£9,000
Supply and install decorative archway with gate at entrances	£12,000
supply and install monohinge self closing gates	£6,000
Supply and install maintenace gate	£1,200

Planting.

Supply and plant trees	£800
Spread top soil,cultivation and grass seeding	£15,000
Supply and plant bulbs	£560
Area along existing hedge some planting along mounds	£1,000

Furniture

Supply and install new benches	£4,200
Supply and install new bin	£1,700
Supply and install new dog bin	£1,700
Supply and install new notice board	£1,200
Lighting Column	£800
Interpretation Board	£1,200
Electrical supply and pop up electrics	£1,000

TOTAL

£128,410

Design Team Fees, Maintenance, Preliminaries and
contingencies

£38,533

TOTAL

£166,943

South Street Park

Phase 3

Clearing of Existing Site

Break out existing fences+ recycle Scrap 2.8m high	£7,700
Cut down and grub up trees	£3,750

Earth works and Paths

Supply and lay new edge to new path through playing field	£7,200
Supply and lay new quarry dust path through playing field	£10,080
2No. Pressure treated 1/2 round timber edging boards on pressure treated 1/2 round timber stakes for loosefill material	£900
Supply and lay 250mm impact absorbing loosefill material (such as playgrade bark) for play equipment	£4,550

Railings and Gates

Galvanised mild steel 1.8m high 340 lin. M	£42,000
Supply and install maintenance gates	£2,400

Planting

Supply and plant trees	£400
Supply and plant trees in car park	£600
Supply and sow meadow seed	£1,250
Work to existing vegetation to from archway into hedge walk	£200
Additional Planting to create wildlife/ woodland area along existing hedge	£1,000

Play equipment

Playdale High Volume 2	£28,018
Install of High Volume 2	£6,724
Strip top soil to 150mm depth	£902
Excavate subsoil to 150mm depth	£88
Form mounds from subsoil and topsoil	£210
Cultivate topsoil	£1,530
Supply and install 2 No. 500-600 dia logs, 2400 long with timber stakes to keep in position	£200
Supply and install shade posts	£800
Supply and install log steppers	£350
Supply and insatll log causeway	£650
Supply and install log labyrinth	£1,050
Supply and install story telling stump	£100
Supply and install sitting logs	£550
Supply and install stepping stones	£1,200

ACTA Garden

Clearing of existing surface	£3,025
New surface in ACTA garden	£16,500
New road treatment on Palmerston Road to link South Street with ACTA garden	£2,400

TOTAL **£146,322**

Design Team Fees, Maintenance, Preliminaries and contingencies £43,898

TOTAL **£190,225**