



## WEST CENTRAL AREA COMMITTEE



### AGENDA

**To: City Councillors:** Cantrill (Chair), Reid (Vice-Chair), Bick, Gehring, Gillespie, Holt, Holland and Ratcliffe

**County Councillors:** Cearns and Nethsingha

**City and County Councillor:** Hipkin

*Dispatched: Wednesday, 25 November 2015*

**Date:** Thursday, 3 December 2015

**Time:** 7.00 pm

**Venue:** Wesley Methodist Church, Christ's Pieces, Cambridge, CB1 1LG

**Contact:** Claire Tunnicliffe **Direct Dial:** 01223 457013

**1 Apologies**

**2 Minutes**

To confirm the minutes of the meeting on 30 September 2015 (attached separately).

**3 Matters and Actions arising from the Minutes**

*(Pages 5 - 6)*

**4 Declarations of Interest**

Members of the committee are asked to declare any interests in the items on the agenda. In the case of any doubt, the advice of the Head of Legal should be sought **before the meeting**.

**5 Open Forum**

Refer to the 'Information for the Public' section for rules on speaking

**6 Cambourne to Cambridge Bus Priority Proposals**

To welcome Bob Menzies, (Service Director, Strategy & Development) & Ashley Heller (Team Leader) from Cambridgeshire County Council.

A presentation will be given on the Cambourne to Cambridge Bus Priority Proposals.

**7 S106 Priority-Setting: West/Central Area Project Proposals**

*(Pages 7 - 26)*

**8 Histon and Milton Road Proposals**

To welcome Richard Preston (Project Manager, Major Infrastructure Delivery) from Cambridgeshire County Council.

A presentation will be given on the Histon and Milton proposals which aim to improve bus, cycling and walking trips through the remodelling of the highway which would have significant implications for streetscape, local traffic movements and parking.

# Meeting Information

**Open Forum** Members of the public are invited to ask any question, or make a statement on any matter related to their local area covered by the City Council Wards for this Area Committee. The Forum will last up to 30 minutes, but may be extended at the Chair's discretion. The Chair may also time limit speakers to ensure as many are accommodated as practicable.

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## WEST / CENTRAL AREA COMMITTEE ACTION SHEET: 30/09/15

ACTION	LEAD OFFICER/MEMBER	TIMESCALE/ PROGRESS
<b>15/105/WCAC: Heavy goods vehicles on Huntingdon Road:</b> To write to Cambridgeshire Constabulary supporting the need for action, highlighting the distress this issue has caused to residents and stressing the need of enforcement.	Councillor Cantrill / Councillor Holland	30/09/15: Councillor Cantrill advised that a letter of support would be sent to Cambridgeshire Constabulary on this matter.
<b>15/115/WCAC: Auckland Road allotments adjacent to Midsummer Common:</b> To seek advice on the questions raised by Susan Stobbs regarding the registration of this Common Land.	Councillor Gillespie/ Alistair Wilson (Green Space Manager)	E-mail and briefing note on statutory and non-statutory allotments sent to Susan Stobbs on 25/11/15.
<b>15/115/WCAC: Parking on Midsummer Common:</b> To arrange a meeting with residents, Councillor Bick , Alistair Wilson and Jane Connell (Principal Solicitor) to discuss this matter further.	Councillor Bick / Alistair Wilson	Meeting arranged for 27/10/15, chaired by Councillor Bick
<b>15/115/WCAC: Beth Shalom Reform Community Centre:</b> To arrange an onsite meeting with residents and the Head of Property Services to discuss the matter further.	Dave Prinsep (Head of Property Services)	Site meeting arranged for 23/10/15 with the Head of Property Services and Mr Baxter.
<b>15/116/WCAC: Public Space Protection Order:</b> To request a report is brought to WCAC on how effective these orders can / have been and when they have been used etc.	Councillor Holland & Councillor Cearns / Lynda Kilkelly	A report will be brought to the February Meeting on this item

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CAMBRIDGE CITY COUNCIL

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REPORT OF: Director of Environment

TO: West/Central Area Committee

3/12/2015

WARDS: Castle, Market, Newnham

## **S106 DEVOLVED DECISION-MAKING: 2015/16 PRIORITY-SETTING**

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### **1. INTRODUCTION**

- 1.1 Between June-August 2015, the council ran its latest S106 bidding round. Proposals were invited for projects that could help mitigate the impact of development in Cambridge through funding from generic, off-site developer contributions. There are seven proposals for local projects in this Area, which the Committee is asked to consider (the detailed applications can be found at [www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106)).
- 1.2 Section 3 of this report sets the context. This includes updates on the availability of devolved S106 funding and on a small number of contributions with expiry dates in the next few years (and the approach to making sure that these are used on time). Section 4 then assesses the applications against the council's criteria: see Table 3 on report page 6 for a summary.

### **2. RECOMMENDATIONS**

It is recommended that the West/Central Area Committee:

- 2.1 prioritises the following local project proposals for the use of devolved S106 contributions from the West/Central Area, subject to project appraisal and community use agreement (where appropriate):
- a. up to £45,000 outdoor sports S106 funding for an upgraded tennis court on Lammas Land;
  - b. up to £1,500 informal open space S106 funding for a bench on the green at Warwick Road, subject to county council consent;
  - c. up to £1,500 informal open space S106 funding for a bench next to Coton footpath (near its junction with Wilberforce Road), subject to land-owner consent;
  - d. up to £75,000 informal open space S106 funding for reinforcing grass edges to paths across Parker's Piece;

- e. £35,000 play area S106 funding and up to £15,000 informal open space S106 funding for improvements to Shelley Row play area;
- f. £10,000 play area S106 funding and up to £5,000 informal open space S106 funding for added play equipment, benches and landscaping at Christ's Pieces play area.

2.2 considers a follow-up report to the West/Central Area Committee in February 2016, setting out proposals to enable any outstanding devolved S106 contributions with expiry dates in 2017 to be used on time.

### 3. BACKGROUND

3.1 **Purpose:** New development creates extra demands on local facilities. The council asks developers to pay S106 contributions to mitigate that impact. This S106 funding has helped fund new and improved facilities. For more details, see the council's Developer Contributions web page ([www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106)).

3.2 **Process:** Every year since 2012/13, the council has run a S106 priority-setting round, based on contributions received from off-site, generic S106 contributions for broad infrastructure types.

- a. Each area committee has decision-making powers over the use of certain types of devolved S106 contributions for local projects in its area. This relates to the informal open space, play area provision, community facilities and outdoor sports S106 categories.
- b. The funding devolved to the area committee is based on all unallocated, generic off-site S106 contributions (for the provision of, improvement of or better access to particular types of facilities) received from minor developments in the area and half those from major developments in the area. See paragraph 3.7.

3.3 **Proposals already considered in the 2015/16 round:** Alongside devolved decision-making, executive councillors select strategic/city-wide projects benefitting more than one area or Cambridge as a whole<sup>1</sup>. Appendix A outlines proposals for projects in West/Central which were considered by executive councillors following a report to the Community Services Scrutiny Committee on 8 October 2015. Four of these were agreed as priorities, subject to project appraisal and grant agreements (as appropriate).

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1. The strategic S106 funds for informal open spaces, play areas, community facilities and outdoor sports provision are based on (the other) 50% of the off-site generic S106 contributions from major developments. Meanwhile, all public realm and public art S106 contributions received are held in separate city-wide funds.

- 3.4 **Progress of existing projects:** As set out in the S106 projects update (Appendix B), a number of projects in the Area have been completed in the last year, such as:
- Jesus Green drainage improvements;
  - solar studs along the diagonal path on Lammas Land;
  - St Augustine’s Church hall extension<sup>2</sup>;
  - St Mark’s Church hall extension; and
  - the A3 Cambridge Sculpture Trails leaflet setting out walking tours of public art in and around the centre of Cambridge.
- 3.5 **S106 funding constraints:** As previously reported to this Committee, the off-site, generic S106 funding available for S106 priority-setting rounds is set to taper off and run down over the next few years<sup>3</sup>.
- a. The effects of this have already started to be noticed in the West/Central Area. In the first ten months of 2015, devolved S106 contributions for play provision, outdoor sports and community facilities received amounted to only around £5,000 *in total*<sup>4</sup>.
  - b. The only off-site, generic S106 contributions left to be paid are those for which S106 agreements were completed before 6/4/2015, but where payments have not yet been triggered (eg, at the start of building works)<sup>5</sup>.
- 3.6 **Making best use of limited resources:** To make effective use of the S106 funding available, the council is taking stock of existing facilities in Cambridge (see paragraph 5.5a). As part of this, an Outdoor Play Investment Strategy was approved last October: it contains a play area audit, which area committees can use to inform devolved decisions about the use of play area S106 funding. Reference is made to the audit’s rating of play areas (see paragraphs 4.15 and 4.17).

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2. This relates to the £100k community facilities S106 grant which the Area Committee agreed in November 2013. Works are under way on the church hall side extension, to which the Area Committee a further £87k S106 grant last January.
  3. Further to the restrictions on S106 funding (reported to the Area Committee last January), new S106 pooling constraints mean that, from April 2015, any new off-site S106 contributions must be for **specific** projects with no more than five agreed for any particular project. More details about how developer contributions are changing can be found at [www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106).
  4. Although around £60,000 of informal open space contributions have been received from the West/Central Area in January – October 2015, most of this is based on a large final instalment from one major development.
  5. A top-level analysis suggests that, if all remaining developments in the West/Central Area with pre-April 2015 S106 agreements are built out, around an additional £45,000 of devolved S106 contributions (plus indexation) may be received in total across all four contribution types over the next three years.

3.7 **Devolved funding availability:** the latest analysis (as at early November 2015 and rounded down to the nearest £25k), shows that the following devolved S106 funding is available in the West/Central Area.

**Table 1:** Devolved off-site/generic S106 funding available

Outdoor sports	Community facilities	Informal open space	Play area provision
£150k	Under £25k	£175k	£50k

3.8 Please note the following points about Table 1.

- a. Projects prioritised in previous rounds have already been allocated funding: the table shows the received contributions available now.
- b. It does not include specific contributions agreed in S106 agreements for the North West Cambridge growth site, which are not covered by S106 devolved decision-making/priority-setting.
- c. To ensure that the use of S106 contributions is related to the developments from which they have been paid, officers aim to fund a local project in a particular ward firstly from relevant S106 funding from the same ward before using contributions from developments in other wards in the Area which will benefit from the project<sup>6</sup>.
- d. This means that the devolved funding available is not always spread evenly across wards in an Area, depending on the level of development in (and contributions received from) each ward and the S106 allocations made for already-prioritised projects.
- e. For example, following the £150,000 extension of St Mark's Church Hall (agreed by the Area Committee in November 2013), there are no devolved community facilities S106 contributions left available from Newnham<sup>7</sup>. The level of devolved contributions now available from that ward for each of the play area, open spaces and outdoor sport categories is also around £10,000 or less<sup>8</sup>.

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6. The need for the use of S106 contributions to be directly-related to developments is set out in the statutory tests in the Community Infrastructure Levy (CIL) Regulations, which also require them to be necessary to make development acceptable in planning terms and fair and proportionate (in scale and kind) to the development.
  7. Newnham is not alone. Some wards in others Areas also have very limited devolved contributions (or none at all) in particular contribution types.
  8. Even so, it is important to remember that Newnham has benefitted from repairs and renewals funding for Penarth Place and Lammas Land play areas. S106 funding has also been allocated to sports project at King's College School and changing facility improvements at Cambridge Rugby Club (see Appendix B).

- 3.9 **Managing S106 funds with expiry dates:** The annual priority-setting rounds have helped to ensure that S106 contributions with expiry dates are used on time – and the same applies to this latest round.

**Table 2:** Devolved S106 contributions with expiry dates before 2020<sup>9</sup>

	<b>Ward</b>	<b>Contribution type</b>	<b>Expiry</b>	<b>£</b>
1.	Castle	Play areas	May 2017	£27.8k
2.	Market	Play areas	November 2017	£4.6k
3..	Market	Informal open space	November 2017	£45.1k
4.	Market	Outdoor sport	November 2017	£86.5k
5.	Castle	Informal open space	August 2019	£13.7k

- a. As part of this approach to managing these contributions effectively, the Area Committee needs to be mindful that there are a number of devolved contributions in West/Central Area with expiry dates in the next few years, with significant amounts still to be allocated to local projects.
- b. The ‘expiry’ column in Table 2 shows the date by which these contributions have to be contractually committed to projects.
- c. These expiry date issues are addressed by particular project proposals in Section 4 (in particular A1, C3, D1 and D2) and through the plans for a follow-up report to this Area Committee in February 2016 (see paragraphs 5.2 - 5.3).

#### **4. CONSIDERATIONS: ANALYSIS OF S106 BIDS RECEIVED**

- 4.1 **Methodology:** The latest S106 bidding round ran from 22 June to 10 August 2015.

- a. It was publicised via: the council’s website; news releases; social media; emails to local groups and residents who have enquired about S106 funding in recent years; and emails to councillors.
- b. In addition to local project proposals put forward by local residents, community groups and councillors, officers have also added a number of suggestions, not least to help the Area Committee allocate devolved S106 funding from contributions where there are particular expiry date issues<sup>10</sup>.

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9. The amounts of S106 contributions with expiry dates are regularly reviewed and may change (for example, subject to opportunities to assign them to related local projects).

10. The S106 report to the Community Services Scrutiny Committee in October 2014, setting out the council’s approach to future S106 priority-setting, recognised that officer advice about possible options to help address local needs would be helpful alongside community-driven proposals.

4.2 **Assessment approach:** At the outset, the council published clear eligibility criteria (see Appendix C) that proposals should be:

- specific;
- within the city of Cambridge;
- about providing additional benefit - not for repairs, like-for like replacement or running costs (ie, S106 compliant);
- accessible to all;
- affordable and financially viable.

The guidance for applicants also emphasises the need for bids to be feasible and ready to be considered.

<b>Table 3:</b> Assessment of West/Central local proposals against eligibility criteria		Specific	S106 compliant	Access for all	S106 available	S106 needed	Feasible	Ready	Overall
Key: ● = Yes. ◐ = Partly. ✘ = No. ? = Unclear. n/a = not applicable									
<b>A. Outdoor sports</b>									
A1	Upgrade tennis court on Lammas Land	●	●	●	●	●	●	●	YES
<b>B. Community facilities</b>									
B1	St Mark's Church Hall: induction loop/PA system	●	✘	◐	n/a	n/a	n/a	n/a	NOT S106
<b>C. Informal open space</b>									
C1	Bench on Warwick Road green (Mayfield estate)	●	●	●	●	●	◐	●	YES
C2	Bench by Coton footpath (nr junction with Wilberforce Rd)	●	●	●	●	●	◐	◐	YES
C3	Reinforce grass edges to paths across Parker's Piece	●	●	●	●	●	●	●	YES
<b>D Play areas</b>									
D1	Shelley Row play area improvements	●	●	●	●	●	●	●	YES
D2	Christ's Pieces play area: extra play equipment and seating etc	●	●	●	●	●	●	●	YES

- 4.3 As summarised in Table 3, officers have assessed the seven local project proposals against the criteria. Those applications rated “YES” in the ‘overall’ assessment column are recommended for priority-setting in paragraph 2.1. A way forward is even suggested (see paragraph 4.7b) for proposal B1 which is not eligible for S106 funding. A more detailed commentary on all seven local project proposals is set out in the rest of Section 4. See the West/Central Area application pack at [www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106) for the full proposals.

**A1. Upgrade tennis court on Lammas Land**

Overall assessment: YES, recommended for S106 funding

- 4.4 **Summary of proposal:** Improvements to the existing tennis court were suggested during the recent bidding round by a Newnham ward councillor. The Community, Arts and Recreation service has developed this proposal which would feature:

- new and improved playing surface;
- new fencing around the court;
- re-positioning of the court entrance, with a ramp instead of steps.

Initial cost estimates are between £35,000 and £45,000.

- 4.5 **Officer comments:** This proposal is supported because:
- a. a better surface would enable the tennis court to be used throughout the year (not just from spring to autumn);
  - b. a better fence would reduce the number of tennis courts going off the court and onto the road, reducing the risk of accidents
  - c. the ramp would provide better access for people with disabilities;
  - d. the tennis court upgrade would benefit residents across the Area<sup>11</sup>;
  - e. it would make good use of some of the devolved outdoor sports S106 contribution with a November 2017 expiry date.

**B1. St Mark’s Church Hall: induction loop and PA system**

Overall assessment: NOT ELIGIBLE for S106 funding but could be considered for Area Committee grants funding

- 4.6 **Summary of proposal:** The church seeks £1,900 for an induction loop, microphones, an amplifier and speakers in its church hall in order to improve facilities for those people with hearing difficulties<sup>12</sup>.

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11. Please note also that tennis court improvements at Coleridge Recreation Ground (completed) and the North Cambridge Academy site (prioritised last month) have been/are being funded from S106 contributions from their respective Areas.

12. This is in addition to the £150,000 S106 grant, agreed by the Area Committee in November 2013, for the extension of St Mark’s Church hall.

- a. The church's community centre committee has been aware of the need for an induction loop for some time, not least to meet the requirements of the Disability Discrimination Act (DDA).
- b. This need has become more critical given the increasing community use of the hall (around 20 activities per week).
- c. There are also plans for occasional lectures on topics of local interest, for which this new equipment would be useful.

4.7 **Officer comments:** Whilst the benefits of an induction loop and PA system are recognised, they cannot be provided from S106 funding.

- a. When community groups develop/extend their facilities, meeting DDA standards is regarded as an integral part of the works, not an 'add-on'. The same approach was taken when refusing a similar request for S106 funding for an induction loop<sup>13</sup>. That said....
- b. This proposal has been passed to the Community Funding and Development Manager, to consider whether the new equipment could be funded via the area committee grants programme.

**C1. Bench on Warwick Road green (Mayfield estate)**

Overall assessment: YES, recommended for S106 funding (subject to county council consent)

4.8 **Summary of proposal:** A local resident has requested this bench to allow the elderly residents of the McManus estate to rest with their shopping after a busy day in town, on their way home. She adds that this is an attractive spot with some lovely trees and would encourage community spirit. A Castle councillor has also supported this proposal.

4.9 **Officer comments:** There is an opportunity for a bench on the green beside Mayfield School, by the junction of Warwick Road and Carisbrooke Road. This green is county council-owned: there are numerous cases across the city where the city council has been given permission to locate benches on such land. It is estimated that the provision and installation of a bench cost could up to £1,500.

**C2. Bench by Coton footpath (near junction with Wilberforce Rd)**

Overall assessment: YES, subject to landowner consent

4.10 **Summary of proposal:** North Newnham Residents' Association has requested a bench at the junction of the Coton footpath and Wilberforce Road. It says that:

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13. A request to fund an induction loop was excluded from the S106 grant to Cambridge Community Church for improved community facilities (focussed on additional benefit) which was agreed by the East Area Committee in January 2015.

- a. the fact that people often sit on the wall at the end of the footpath demonstrates there is a need for seating at this point - a bench would provide a more comfortable solution;
- b. people walking between Coton or West Cambridge and the centre of Cambridge are faced with a long walk. A bench, at what is approximately the half-way point of the journey, would provide a welcome opportunity for rest and could encourage more walking.

4.11 **Officer comments:** There are no public realm S106 contributions available from the West/Central Area<sup>14</sup>. This proposal is, therefore, being considered at a location alongside the Coton footpath, rather than on Wilberforce Road itself, so that it might qualify for devolved informal open space S106 funding. It is estimated that the provision and installation of a bench cost could up to £1,500. If Area Committee prioritises this proposal, contact would be made with the land-owner to seek permission for siting a bench by the footpath – it is unknown at this stage whether that approval would be given.

**C3. Reinforce grass edges to paths across Parker's Piece**

Overall assessment: YES, recommended for S106 funding

- 4.12 **Summary of proposal:** Given the £45.1k informal open space S106 contribution from Market ward with a November 2017 expiry date, the Streets and Open Spaces service has put forward this proposal. At the same time as a project to repair the uneven paths across Parker's Piece<sup>15</sup>, the S106 project, which could cost up to £75,000:
- a. would create and develop non-engineered solutions to improve path edges and grass coverage (such as fibre sand, drainage, and grass cultivar selection); and
  - b. could include new fences/fenceline extensions to discourage use of desire lines across the grass created from foot and cycle wear.

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14. Proposals for public realm S106 funding are considered by the Executive Councillor for City Centre and Public Places following reports to the Community Services Scrutiny Committee. The S106 report to that Committee in October 2015 pointed out the lack of public realm S106 contributions from the West/Central Area.

15. The path repairs will not be funded from S106 contributions but from other monies received from the University Arms Hotel redevelopment, with further funding from the County Council.

- 4.13 **Officer comments:** This project would both help to mitigate the impact of development<sup>16</sup> and make timely use of the relevant contribution with the expiry date (alongside other S106 funding).
- a. The proposal provides additional benefit because the aim is to help avoid the problems recurring.
  - b. Whilst recognising that the paths across Parker's Piece are used by residents from across the city and visitors to Cambridge, officers would suggest that it is not unreasonable for this project to be funded from devolved S106 funded contributions. It is worth noting that of all the S106 spend/allocations to informal open space projects in the West/Central Area, around 55% has been funded from S106 contributions from outside the Area<sup>17</sup>.

#### **D1. Shelley Row play area improvements**

Overall assessment: YES, recommended for S106 funding

- 4.14 **Summary of proposal:** This proposal has been suggested by the Streets and Open Spaces service<sup>18</sup>. This is in view of the £27.8k play area S106 contribution from Castle ward with a May 2017 expiry date.
- a. The aim is to create and develop additional play facilities with, perhaps, five or more new pieces of play equipment for under 15s, safety surfacing, fencing and landscaping.
  - b. The costs are estimated at around £35,000 of informal open space S106 funding (making use of all the play area contributions available from Castle ward) and up to £15,000 of informal open space contributions (also from Castle).
- 4.15 **Officer comments:** This need for this proposal has been highlighted by the recently updated play area audit. This shows that, whilst Shelley Row scores 74% for location, its current play value is only 37%. This compares to the 91% play value of Histon Road Rec play area. This neighbouring play offer is a considerable distance away (around 500 metres from Shelley Row) and separated by busy roads.

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16. Increasing, high footfalls and cycle journeys numbers along the paths have created worn, compacted, and bare path edges. The paths regularly flood as a result and are difficult to navigate as both pedestrians and cyclists avoid the wet surface, pushing out over the grass, causing further damage to the grass.
17. This includes spending on strategic S106 projects. It reflects the greater availability of open spaces in the West/Central Area compared to other parts of the city and the proximity of these city centre open spaces to major developments outside the West/Central Area (for example, in Petersfield, Coleridge and Trumpington).
18. This is because no other ideas for local play area improvements came forward in last summer's S106 bidding round. A Newnham councillor did suggest improvements to Lammas Land play area: these were reported to last October's Community Services Scrutiny Committee as not yet ready for consideration for strategic S106 funding.

## **D2. Christ's Pieces: extra play equipment and seating etc**

Overall assessment: YES, recommended for S106 funding.

- 4.16 **Summary of proposal:** This has also been suggested by officers in view of the £4.6k play area S106 contributions from Market ward with a November 2017 expiry date.
- a. The proposal is to extend the current Christ's Pieces play area with a couple of additional pieces of play equipment for the under-8s.
  - b. With associated safety surfacing, benches and possible landscaping, this could cost around £10,000 of devolved play area contributions and up to £5,000 of devolved informal open space contributions (all from Market).
- 4.17 **Officer comments:** This proposal is needed and would address the S106 expiry date issue on time.
- a. The recently updated play areas audit has rated Christ Pieces play area highly for its location (77%), but has identified that its play value (60%) shows some room for improvement.
  - b. Whilst there has been much investment in improving Jesus Green play area, with the refurbishment in 2013 and the new fencing earlier this year, the last concerted improvement of Christ Pieces play area was seven or eight years ago.
  - c. Additional play equipment would be of particular benefit to local residents along King Street and in The Kite.

## **5. NEXT STEPS**

- 5.1 **Proposals prioritised by the Area Committee:** These will be allocated appropriate S106 contributions and added to the council's 'projects under development' (PUD) list. Project appraisals<sup>19</sup> and community use agreements will be developed.
- a. Under current S106 devolved decision-making arrangements, project appraisals for local projects under £75,000 are expedited, with a report to the Area Chair, Vice Chair and Opposition Spokes.
  - b. Appraisals for local projects above £75,000 are reported back to the Area Committee.

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19. Project appraisals set out the scope and design of the project and take account of local consultation (as appropriate), alongside more details on project costs and delivery timescales.

- 5.2 **Follow-up for S106 contributions with expiry dates:** Once the Area Committee has set its local project priorities at this meeting, officers will take stock of how far this helps to make use of the devolved S106 contributions with expiry dates. If any of the contributions listed in Table 2 under paragraph 3.9 are still outstanding, proposals for local projects to which they could be contractually committed before their expiry dates will be put forward in a follow-up report to the Area Committee in February 2016.
- 5.3 It is already clear that this follow-up report will need to address the devolved outdoor sports contribution (£86.5k), which is larger than the estimated cost of the proposal for the tennis court upgrade at Lammas Land (A1). Before the February 2016 report, officers will invite ward councillors to suggest possible outdoor sports project proposals.
- a. The sort of proposals that could be possible within the November 2017 timescales (for a contractual commitment) include a new tennis court or a multi-use games area within the area – although other outdoor sports options can, of course, be considered.
  - b. Given that the availability of land for outdoor sports provision (open to public use) is limited with the West/Central Area, the choice of possible location will also be a key consideration. In this and previous priority-setting rounds, concerns have been raised about the risk of over-use of local parks and open spaces if further facilities are added<sup>20</sup>.
  - c. To ensure that the S106 funding can be used on time, it would be sensible to identify a suitable local outdoor sports project within the next few months, which could be taken forward sooner rather than later. Under the rules for devolved decision-making, the relevant executive councillors could decide to reallocate any devolved contributions getting close to 'expiry dates' to schemes that would enable the money to be used appropriately and on time. Clearly, the aim is to find an appropriate way forward, in order to avoid the need for this – and this is very much achievable.
- 5.4 **Future priority-setting rounds:** It is envisaged that a further S106 bidding round, followed by priority-setting, will be run in 2016/17, albeit that specific timescales have not yet been finalised.
- 5.5 **Adapting to the new S106 regulations:** To continue to make good use of the available S106 funding, officers are updating the council's evidence bases about facilities within the city and the capacity of those facilities to meet demands generated by new development.

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20. Such concerns have been raised for example, in relation to Lammas Land and Histon Road Recreation Ground.

- a. In addition to the updated play area audit (see paragraph 3.5), evidence bases are currently being compiled/refreshed in relation to sports pitches, indoor sports and community facilities: the Community Services Scrutiny Committee is due to receive an update in early 2016.
- b. This will help to provide a clearer basis for seeking new S106 contributions for specific projects to mitigate the impact of development<sup>21</sup>. In doing so, officers will be mindful of appropriate and eligible projects for new and improved facilities which are in need of capital funding.

## 6. IMPLICATIONS

- 6.1 **Financial implications:** This report has emphasised the constraints on S106 funding. The allocation of devolved S106 contributions to prioritised projects (arising from this report) will reduce the amounts available to the West/Central Area. At the same time, receipts from already agreed off-site, generic S106 contributions are tapering off.
- 6.2 **Staffing implications:** All the local proposals recommended in paragraph 2.1 happen to relate to projects which will be managed/delivered by council services (as opposed to grants to community groups). Realistic timescales for implementing these projects, within available staffing capacity, will need to be worked up in the context of the workloads arising from other project priorities being identified across the strategic/city-wide S106 funds and the other three areas of the city. Once projects have been appraised, an overview of project timescales and progress will be updated regularly and featured on the council's Developer Contributions web page.
- 6.3 **Equalities and poverty implications:** An equality impact assessment (EqIA) on the S106 priority-setting process was updated in October 2014. Further EqIAs relating to specific prioritised S106 projects will be developed (as appropriate) as part of the business case/project appraisal process.
- 6.4 **Other implications:** Environmental implications, procurement matters, community safety issues and the need for further consultation will also be considered as part of business cases for specific prioritised projects.

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21. See the council's interim approach to seeking S106 pooling constraints, which can currently be found at [www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106).

## **7. BACKGROUND PAPERS**

7.1 These background papers were used in the preparation of this report:

- “S106 priority-setting round 2015/16: proposals for strategic/city-wide projects” – two reports to Community Services Scrutiny Committee, 8/10/2015;
- “Outdoor Play Investment Strategy” report to Community Services Scrutiny Committee, 8/10/2015;
- “Interim approach to S106 contributions”, briefing note for executive councillors, opposition spokes and scrutiny committee chairs, June 2015;
- S106 priority-setting / devolved decision-making report to East Area Committee, 8/1/2015;
- S106 priority-setting/devolved decision-making reports to the West/Central Area Committee, in particular 14/11/2013 and 7/1/2015;
- “S106 priority-setting and devolved decision-making” report to Community Services Scrutiny Committee, 16/10/2014.

7.2 Further information can be found on the council’s Developer Contributions web page ([www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106)).

Although no longer covered by S106 devolved decision-making, please note that the council’s web page on Approach to Public Art ([www.cambridge.gov.uk/approach-to-public-art](http://www.cambridge.gov.uk/approach-to-public-art)) has also been updated, not least in relation to changes of government regulations on new S106 contributions.

## **8. APPENDICES**

- A. Strategic/city-wide projects in the West/Central Area prioritised by executive councillors on 8 October 2015
- B. Progress of on-going S106-funded projects in West/Central Area
- C. S106 eligibility criteria

## **9. INSPECTION OF PAPERS**

To inspect the background papers or if you have a query on the report please contact:

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## Strategic/city-wide projects in the West/Central Area prioritised by executive councillors on 8 October 2015

Prioritised projects*	Allocated	S106 type
Improve access to Hodson's Folly	£15k	Informal open space
Sheep's Green watercourse improvements and habitat creation	£40k	Informal open space
Grant to Cambridge Live for Syd Barrett public art commemoration	£10k	Public art
Grant to Newnham Croft Primary School for stained glass window	£12k	Public art

\* projects have been prioritised subject to project appraisals and community use/grant agreements (as appropriate).

These strategic/city-wide projects located in the West/Central Area have been allocated S106 funding from the strategic/city-wide funds – so this does not affect the availability of devolved funding under paragraph 3.7.

### Proposals that were not prioritised

The following proposals in the West/Central Area for strategic/city-wide funding were not prioritised by the executive councillors:

- Beach volleyball court on Jesus Green or Lammas Land;
- Lammas Land play area improvements;
- Environmental improvements in Newnham;
- Storey's Way cycle safety scheme.

### Strategic outdoor sports proposals

Proposals for hockey pitches and changing rooms at the University of Cambridge Sports Ground on Wilberforce Road will be reported back to the Community Services Scrutiny Committee in March 2016, alongside other proposals for strategic outdoor sports S106 funding. These proposals were deferred in October 2015 until audits of sports facilities in Cambridge could be undertaken. Comments from North Newnham Residents Association relating to the hockey proposals will be mentioned in that March 2016 report.

## Appendix B: Progress of on-going S106-funded projects in the West/Central Area<sup>22</sup>

Project	Ref.	S106 £k allocated	Stage reached	Progress (as at early Sept 15)	Expected delivery
<b>NEW:</b> Cambridge Canoe Club boat/equipment store	PR034q	£10k	Being prepared	Canoe Club awaiting determination of planning application for storage containers	Awaiting details
<b>NEW:</b> Cambridge Rugby Club changing facilities	PR034r	£200k grant (provisional)	Scoping	Club plans (in early 2016) to fund raise and seek funds from sport governing bodies. Will update Scrutiny Committee in June 16	Summer 17?
<b>NEW:</b> Cambridge Sculpture Trails: public art A3 guide	PR040e	£2.6k grant	<b>COMPLETE</b>	-	-
Histon Road Rec Ground entrances (incorporating public art)	PR033c	£68k	Under way	Installation planned for November 2015	Winter 15/16
Histon Road Rec Ground improvements	PR033f	£55k	Under way	Post-installation works to play area	Winter 15/16
Jesus Green drainage	PR034c	£105k	<b>COMPLETE</b>	-	-
<b>NEW:</b> King's College School visitor changing rooms (indoor and outdoor sports grants)	PR033k/ PR034m	£50k grant +£75k grant	Being prepared	Awaiting confirmation from school that other funding and arrangements are in place. Community use agreement to be reported to Scrutiny Committee.	Awaiting details

22. Includes projects that were on-going in October 2014. Projects prioritised in the 2014/15 S106 round are marked 'NEW'.

Project	Ref.	S106 £k allocated	Stage reached	Progress (as at early Sept 15)	Expected delivery
Lammas Land diagonal path solar studs	PR033g	£3k	<b>COMPLETE</b>	-	-
Rouse Ball pavilion on Jesus Green	PR034j	£250k	Scoping	On PUD list. Being considered in context of wider uses of Jesus Green. Options include a pavilion at Jesus Green pool. Follow-up report to Community Services Scrutiny Committee is planned for June 2016. <sup>23</sup>	Awaiting details
St Augustine's Church hall extension	PR033h	£100k grant	<b>COMPLETE</b>	-	-
<b>NEW:</b> St Augustine's Church hall side extension	PR033j	£87k grant	Under way	Works started. All on schedule	Winter 15/16
St Mark's Church hall extension	PR033i	£150k grant	<b>COMPLETE</b>	-	-
<b>NEW:</b> Twilight at the Museums public art	PR040d	£14k grant	Under way	Workshops with schools being held in September/October	Spring 16

23. Given that any development and appraisal of project proposals for a new pavilion on Jesus Green would need to follow the June 2016 report, officers advise against considering this as an option for the use of devolved S106 contributions with expiry dates in 2017.

## S106 eligibility criteria

To be eligible for S106 funding from the city council, project proposals need to

1. be **SPECIFIC** (eg, clear about what is proposed, where it would be, who would benefit, why it is needed and how it could be done) and relate to one or more S106 category.

The S106 categories here are: community facilities; play areas for children/teenagers; open spaces; indoor and outdoor sports; public art; and improving the public realm. These are set out in the [Planning Obligations Strategy 2010 SPD](#).

Public art is defined in our [Public Art SPD](#). In short, it needs to be original, of high quality, designed for the community and produced or facilitated by an artist or craftsperson. It should engage local communities, be publicly accessible and have a legacy (there will need to be a permanent record of all temporary works). Public artwork within schools (which is visible to users of the school, parents and visitors) comes within the scope of the definition.

2. be **WITHIN THE CITY OF CAMBRIDGE** and of benefit to Cambridge residents.

These wards are within the city of Cambridge (presented here by area of the city).

<b>North</b>	<b>East</b>	<b>South</b>	<b>West/Central</b>
Arbury	Abbey	Cherry Hinton	Castle
East Chesterton	Coleridge	Queen Edith's	Market
West Chesterton	Petersfield	Trumpington	Newnham
King's Hedges	Romsey		

3. provide **ADDITIONAL BENEFIT** (please note: S106 funding cannot be used for replacing like-for-like facilities/equipment or repairing/maintaining existing facilities).

S106 grants are not available for buying land and property, but could be made available to refurbish/extend facilities once sites have been acquired by other means.

4. be **ACCESSIBLE**, in line with the council's grants and equalities policies. Successful grant applicants have to sign community use agreements, which are then monitored.

Community use agreements make clear that grant recipients shall not discriminate against any community group wishing to hire the space (eg, in relation to race, gender, religion, disability, sexual orientation, age). S106 grants cannot be used to support places of worship, but the council can provide grant-funding to faith groups who make their facilities open to all sections of the community as meeting spaces or venues for community activities.

5. be **AFFORDABLE AND FINANCIALLY VIABLE** – remembering that S106 funding is reducing and **cannot** be used for running costs.

There are limits on the amount of S106 funding available for particular categories across the city – councillors may not wish to invest all the S106 funding available into single projects.

Grant applicants must also give assurances that they need the S106 funding that they are seeking – ie, that they do not already have sufficient funding for the project.

Local groups seeking S106 grants should carry out other fund-raising too. Alternative sources of funding are suggested on our Developer Contributions web page

Any organisation or community groups seeking funding will need to have its own bank account.

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