

CAMBRIDGE CITY COUNCIL

REPORT OF: Director of Environment

TO: West/Central Area Committee 11/2/2016

WARDS: Castle, Market, Newnham

2015/16 S106 PRIORITY-SETTING: FOLLOW-UP

1. INTRODUCTION

- 1.1 The S106 priority-setting report to this Committee last December pointed to the need to explore options for improving outdoor sports facilities in the West/Central Area. See Section 3. Subsequent discussions with local councillors have helped to highlight scope to:
 - a. choose from a couple of local project proposals deliverable in the shorter-term, which would help to make timely use of a S106 contribution with an 'expiry date' in late 2017; and
 - b. keep some devolved outdoor sports S106 funding available until later (ie, not allocating it all now), in order to give time for other possible, longer-term options to become clearer/more available. See Section 4.
- 1.2 As a separate issue, since the prioritisation of a local play area project in December, an alternative use of time-limited S106 play contributions from Castle ward has been suggested. See Section 5.

2. RECOMMENDATIONS

It is recommended that the West/Central Area Committee:

- 2.1 decides whether to prioritise one or both of the following proposals for the use of devolved outdoor sports S106 contributions, subject to project appraisal and further local consultation
 - a. up to £25,000 for an improved and more hard-wearing football area at Histon Road Recreation Ground **and/or**
 - b. up to £90,000 for upgrading the existing tennis courts at Christ's Pieces, including a non-slip surface and improved court access;
- 2.2 agrees to widen the consultation on the prioritised Shelley Row play area improvement project to include options for improving Histon Road Recreation Ground play area as well or instead.

3. BACKGROUND

- 3.1 A quick guide to S106 funding can be found in Appendix A. More details can be found at www.cambridge.gov.uk/s106, which sets out the full S106 eligibility criteria and includes a list of the 2015/16 S106 projects prioritised by the Area Committee on 3 December¹.
- 3.2 Exploring options for the use of devolved outdoor sports S106 funding in the Area merits particular attention because:
- a. the availability of land for outdoor sports provision (open to the public) within the Area is limited and concerns have been raised previously about the risk of over-use (eg, of Lammas Land and Histon Road Recreation Ground) if further facilities are added;
 - b. few ideas for local outdoor sports facility improvements within the Area have been received from local residents and community groups as part of the S106 consultations over the last four years;
 - c. most of the S106 outdoor sports projects in the West/Central Area prioritised since 2012 have been strategic (benefitting residents across Cambridge), based on S106 funding from strategic funds².
- 3.3 Last December's S106 priority-setting report to this Committee identified that there was close to £160,000 of devolved outdoor sports S106 contributions available to fund local outdoor sports projects in the West/Central Area. Of this, around £85,000 was still unallocated from a S106 contributions which is due to expire by November 2017 (ie, it has to be contractually committed by then).
- a. Up to £45,000 was allocated to upgrading an existing tennis court on Lammas Land, reducing the amount still to be allocated from the time-limited contribution to around **£40,000 - £50,000**.
 - b. Taking account of both this and new S106 receipts received in the last couple of months, the overall amount of devolved outdoor sports S106 contributions currently available to the West/Central Area currently stands at between **£115,000 and £125,000**.
 - c. Given new restrictions on S106 funding since last April, only around a further £25,000 or so of agreed off-site, generic S106 contributions are expected to accrue to the West/Central devolved outdoor sports S106 fund over the next few years.

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1. An update on implementation arrangements for all 2015/16 S106 project priorities is due to be reported to the Community Services Scrutiny Committee on 17/3/16.
 2. In June, the same scrutiny committee is due to receive an update on strategic projects already allocated S106 funding (eg, Rouse Ball Pavilion, Cambridge Rugby Cub changing rooms, King's College School changing rooms [also allocated £50k of devolved funds] and Cambridge Canoe club equipment storage). Large projects can take time to move forward as further funds have to be raised from other sources.

4. OPTIONS FOR LOCAL OUTDOOR SPORTS PROJECTS

- 4.1 In order to generate more ideas for local outdoor sports projects, officers have recently asked local (city and county) councillors for their views on a wide range of outline proposals, so some of these possible projects could be considered for some of these locations³.

Possible projects	Possible locations
<ul style="list-style-type: none">• Changing rooms• Climbing boulders• Football goal areas and football/cricket walls• Multi-use games areas⁴• Outdoor fitness equipment• Pavilion/boathouse facilities• Sports equipment storage• Tennis courts• Extra funding for already prioritised projects	<ul style="list-style-type: none">• Christ's Pieces• Histon Road Rec Ground• Jesus Green• Midsummer Common• Parker's Piece• Lammas Land• River Cam• Sheep's Green• Shelley Row• Other sports facilities within Area run by others

- a. This has been a starting point in order to seek initial views and to stimulate other ideas before wider consultation and involvement.
- b. These options take account of the sorts of projects that tend to be eligible for S106 funding from the outdoor sports contribution type and the locations where some projects might be considered. Councillors have also been asked to put forward their own ideas.
- c. Although the immediate focus is on identifying projects that could be funded by the S106 contribution with a November 2017 expiry date, this initial exercise has not been limited to considering just those options. This recognises that the Area Committee may wish to hold back some of its £115,000-£125,000 for other proposals which may take longer to become clear and/or to develop.

- 4.2 **Councillor comments:** Councillors focussed their comments on their own wards. A number of key themes emerged from their replies.

- a. Improving the existing, well-used but tired football area at Histon Road Recreation Ground with a hard-wearing artificial grass carpet on the same footprint seems like a good idea.

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3. These are two separate lists. Reading across from one line on one table to the same line on the other table is not intended.
 4. Multi-use games areas (or MUGAs) are courts with line markings, for example, for five-a-side football, basketball and volleyball. There is a wooden-framed MUGA at Nightingale Avenue Recreation Ground in Queen Edith's ward (South Area).

- b. Support for tennis court improvements, particularly upgrading the existing ones at Christ's Pieces.
- c. Some interest in possible projects on Jesus Green, alongside caveats that there would need to be further discussions with the Friends of Jesus Green before this could be considered.
- d. Support for extra funding for a pavilion on Jesus Green⁵, whilst recognising that this could not make use of the devolved contributions that need to be contractually committed next year.
- e. The central space on Lammas Land should be left as it is, although there could be further discussion about the possibility of a climbing boulder around Sheep's Green.
- f. It would be premature to consider now grants to local sports organisations for their possible projects without having more information.
- g. Other suggestions made by councillors include:
 - a netball/basketball hoop and small tarmac area for shooting practice and a perimeter jogging track at Histon Road Rec;
 - improvements to the pavilion at Fitzwilliam College sports ground if a community access agreement can be secured); and
 - improvements to Sheep's Green swimming pool⁶.

4.3 **Immediate issues:** Based on councillors' comments so far, it would seem that two proposals could be considered for use of time-limited outdoor sports S106 contributions by November 2017.

- a. ***Histon Road Rec football area:*** A durable sports carpet would replace the worn-out grass on this popular, small five-a-side pitch. It could cost up to £25,000, but would save on having to spend £1,000 on rotating the pitch every couple of years.
- b. ***Christ's Pieces tennis court improvements:*** The upgrade to the courts here would be along the same lines as the Lammas Land tennis court upgrade, which the Area Committee prioritised last December. Costing up to £90,000, it would involve:
 - a new and improved (non-slip) playing surface;
 - new fencing around all the courts, with improved access points;
 - more accessible entrances for people with a disability, off the main footpaths.

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- 5. This would be on top of the existing, strategic S106 allocations (£125k outdoor sports and £125k community facilities) to the Rouse Ball pavilion project.
 - 6. These ideas need to be considered in the context of: the availability of space at Histon Road Rec; whether access to college sports grounds would be at useful times for local residents & sports clubs; what improvements at Sheep's Green pool are suggested and how this relates to other on-going projects on Sheep's Green.

- 4.4 Officers recommend that at least one project is prioritised now in order to address the approaching expiry date. Whilst the Committee could consider allocating funding to both schemes (affordable within the overall devolved outdoor sports contributions available), officers would suggest just prioritising one at this stage. This would leave the Committee more spending power at a later date to consider more options, including some which are not ready to be considered now.
- 4.5. Whilst the estimated cost of the improved football goal area at Histon Road Recreation Ground (up to £25,000) is below the amount that needs to be contractually committed by November 2017, it could be sufficient just to prioritise this proposal.
- a. This is because officers would look to swap outstanding devolved outdoor sports contributions with the November 2017 with an **equal** amount of outdoor sports contributions in the strategic fund, which have a much later expiry date (or no ‘use by’ date at all)^{7,8}.
 - b. There would be no change to the total amounts in the devolved and strategic funds for outdoor sports S106 contributions⁹, and neither fund would lose out. This could, however, give the Area Committee much more time in which to decide how to make use of its remaining devolved S106 funding for outdoor sports.
- 4.6 Whichever proposal is prioritised (see recommendation 2.1), there will be consultation with local residents and relevant groups¹⁰. A more detailed business case will be developed before the project is reported back to councillors, as appropriate¹¹.
- 4.7 **Longer-term approach:** Assuming that there is some devolved S106 outdoor sports funding still left available, the next opportunity for decision-making on its use is likely to be later in 2016/17, possibly in autumn 2016 or early 2017¹². By then, it would be possible to take stock of Community Services Scrutiny Committee reports on:

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7. For example, there are almost £30,000 of outdoor sports contributions from major developments in West/Central Area, with expiry dates no earlier than autumn 2022.
 8. The devolved contributions with the November 2017 expiry date would then be reassigned to fund appropriate strategic outdoor sports S106 projects which could be contractually committed within those timescales. This would not need to be a strategic project proposal from the West/Central Area.
 9. See the Appendix for details of how the devolved and strategic funds are calculated.
10. For example, the Friends of Histon Road Recreation Ground.
11. If the Histon Road Rec project (under £75k) is prioritised, it would be reported to the Area Chair, Vice Chair & Opposition Spokes prior to implementation. However, if it is the Christ’s Pieces project (over £75k), it would be reported to the Area Committee.
12. The detailed arrangements are likely to be set out in a report to Community Services Scrutiny Committee this summer or early autumn.

- priority-setting strategic outdoor sports proposals for funding from S106 strategic funds¹³;
- the findings of sports facility audits;
- updates on the sports projects already allocated S106 funding but not yet under way (see footnote 2).

These reports would help to clarify whether any projects currently allocated strategic or devolved outdoor sports S106 contributions could be facilitated by use of further devolved S106 funding.

- 4.8 The longer timescales would also provide the opportunity for:
- a. Member and/or officer discussions with Friends Groups for particular open spaces for their views on possible, appropriate outdoor sports improvements; and
 - b. community and sports groups to put forward grant proposals in line with the approach to the next S106 priority-setting round.

That said, this needs to be put in the context that the amount of devolved outdoor sports S106 funding available would be reduced by the amount allocated by the Area Committee to the prioritised project under recommendation 2.1¹⁴.

5. FOLLOW-UP ON SHELLEY ROW PLAY AREA PROPOSAL

- 5.1 The Area Committee last December agreed to allocate £35,000 play area S106 funding and up to £15,000 informal open space S106 funding for improvements to Shelley Row play area in Castle ward, subject to project appraisal and local consultation.
- a. This was suggested by the Streets and Open Spaces service in view of a £27,800 play area S106 contribution from Castle ward with a May 2017 expiry date.
 - b. The aim is to improve Shelley Row play area with, perhaps, five or more new pieces of play equipment for under-15s, safety surfacing, fencing and landscaping.
 - c. The council's play area audit (2015) showed that whilst Shelley Row play area is well placed (with a 74% score for location) it has

13. Some proposals for the use of strategic S106 outdoor sports contributions are due to be reported to the March 2016 meeting while others (including the proposal for hockey pitches and changing rooms at the University of Cambridge Sports Ground on Wilberforce Road) may now be reported in June.

14. The update of S106 availability in autumn 2016/early 2017 will also take account of any S106 payments received from S106 generic contributions that have already been agreed but which have not yet been received – albeit that the amount still expected is limited (see paragraph 3.3c).

a low play value (only a 37% score). This compares to the 91% play value of Histon Road Rec play area, which is around 500 metres away from Shelley Row and separated by busy roads.

- 5.2 Since the Area Committee's December meeting, Councillor Holland has raised concerns following feedback from nearby residents. They would prefer for Shelley Row play area to continue more as an open space where children can play informally rather than having play equipment that would attract teenagers. Councillor Holland has requested that the allocated S106 funding be used instead at Histon Road Rec play area, possibly on a new climbing frame (explorer dome), which might replace some existing/older equipment there.
- 5.3 Officers are keen to work with ward councillors to find a way forward. To this end, they now propose to widen the local consultation on play area improvements within Castle ward to cover both options for play area equipment at Shelley Row **and** Histon Road Recreation Ground.
 - a. This will provide an opportunity to provide more information about the sorts of suitable play equipment that could be provided within the spaces available and to listen to the local community's views. Ward councillors will, of course, be included in the consultation.
 - b. It is hoped that this local consultation will help to address local concerns and come forward with uses of the time-limited play area S106 contributions which will enable them to be used on time. If so, the business case for these play area improvements in Castle ward would be reported to the Area Chair, Vice Chair and Opposition Spokes. The Area Committee is asked to approve this approach, as a variation to what was agreed last December.
- 5.4 At the same time, it is important to make the Committee aware of the steps that would need to be taken if a resolution cannot be found.
 - a. Under the rules for devolved decision-making, the relevant executive councillors can 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.
 - b. If necessary, officers would look to report this case to the Community Services Scrutiny Committee this summer or in the early autumn, seeking Executive Councillor approval to re-allocate the time-limited, devolved play area S106 contribution to other play area improvement projects¹⁵.

15. For example, this might be for a play area improvement in the West/Central Area or a neighbouring ward which has been completed in recent years, since the receipt of the time-limited, play area S106 contribution.

That said, it is hoped that acceptable, revised proposals for a new play area improvement in Castle ward can be found that would enable the contributions to be used on time.

6. IMPLICATIONS

- 6.1 **Financial implications:** This report has focussed on helping the Area Committee to decide how best to use the devolved S106 contributions available and to make sure that those contributions with expiry dates can be used on time. Off-site, generic S106 funding is tapering off and running down. No further generic S106 contributions (for broad contribution types) can be sought since new S106 pooling constraints came into force last April.
- 6.2 **Staffing implications:** Working within available staffing capacity, efforts are focussed primarily on arrangements to implement prioritised S106 projects which have already been agreed by executive councillors or area committees.
- 6.3 **Other implications:** Equality and anti-poverty impacts, environmental implications, procurement matters, community safety issues and consultation findings will be considered as part of business cases for specific prioritised projects.

7. BACKGROUND PAPERS

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

- “S106 devolved decision-making – 2015/16 priority-setting” report to West/Central Area Committee on 3/12/2015;
- “S106 priority-setting round 2015/16: proposals for strategic/city-wide projects” reports to Community Services Scrutiny Committee on 8/10/2015.

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

8. APPENDICES

Guide to S106 funding

9. INSPECTION OF PAPERS

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

Author’s Name: Tim Wetherfield
Author’s Phone Number: 01223 – 457313
Author’s Email: tim.wetherfield@cambridge.gov.uk

Quick guide to S106 funding

1. The council asks developers to pay S106 contributions to mitigate the impact/extra demands that new development places on local facilities.
2. Before April 2015, most off-site S106 contributions collected by the city council were for generic contribution types - that is, 'for the provision of, improvement of, or better access to' particular categories of facilities/projects with the city of Cambridge.
3. The uses of these generic contribution types (eg, community facilities, informal open space, play areas, indoor sports, outdoor sports, public art) are defined in the council's Planning Obligations Strategy 2010.
4. Although some projects can involve funding from different contributions types for different elements, funding cannot be swapped between contribution types. That is outdoor sports money cannot be used on play equipment or landscaping, for example.
5. Every year since 2012/13, the council has run a S106 priority-setting round, based on the available off-site, generic S106 contributions.

Area Committees make decisions on....

- the use of **devolved** S106 funding for **local** projects for
 - ▶ community facilities
 - ▶ informal open space
 - ▶ play areas
 - ▶ outdoor sports

based on 50% of contributions from major planning applications and 100% of contributions from minor/other applications in the area.

Executive Councillors make decisions on....

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| <ul style="list-style-type: none"> ■ the use of strategic S106 funds for projects benefitting more than one area of Cambridge for: <ul style="list-style-type: none"> ▶ community facilities ▶ informal open space ▶ play areas ▶ outdoor sports <p>based on other 50% from major applications in the area.</p> | <ul style="list-style-type: none"> ■ the use of S106 contributions in a city-wide fund for projects relating to: <ul style="list-style-type: none"> ▶ indoor sports ▶ public art ▶ public realm <p>based on all contributions in these types from across Cambridge.</p> |
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6. To be eligible for S106 funding, proposals have to be: specific; within the city of Cambridge; providing additional benefit (not for repairs, maintenance or running costs), accessible for the wider community and affordable and financially viable.