

REPORT OF: Urban Growth Project Manager

TO: North Area Committee

2/3/2017

WARDS: Arbury, East Chesterton, King's Hedges, West Chesterton

S106 DEVOLVED DECISION-MAKING: 2016/17 PRIORITY-SETTING

1. INTRODUCTION

In late 2016, the council invited ideas to improve open spaces and play areas in Cambridge as part of the latest S106 funding round. Six proposals were suggested in North Area (see Appendices A-F). Section 3 sets the context and Section 4 assesses the applications against the council's S106 selection criteria (see Appendix G).

2. RECOMMENDATIONS

It is recommended that the North Area Committee prioritises the following local project proposals for the use of devolved S106 contributions from North Area, subject to business case approvals:

- a. more play equipment and landscaping improvements at Alexandra Gardens (£35,000 cost estimate from 'play provision for children and teenagers' funds [£15k] and 'informal open space [£20k]);
- b. improving biodiversity and access at Bramblefields local nature reserve (£12,000 cost estimate from 'informal open space' funds);
- c. new skate and children's scooter park at Chesterton Recreation Ground (£50,000 cost estimate from 'informal open space' funds);
- d. mini climbing dome at Nun's Way Rec Ground (£20,000 cost estimate from 'play provision for children and teenagers' funds).

3. BACKGROUND

- 3.1 New homes and development lead to more demands on local facilities. The council can ask developers to pay off-site S106 contributions to mitigate that impact when not addressed on-site. An overview of the council's approach to S106 contributions can be found at <https://www.cambridge.gov.uk/our-approach-to-s106>.

- 3.2 Decision-making over the use of some off-site, generic¹ S106 contributions from local developments has been devolved to area committees since 2012. The North Area Committee has received S106 priority-setting reports every year since then. During 2016, the S106-funded projects completed in the North Area included:
- Bateson Road Green landscaping & play area improvements; and
 - Rowan Centre community meeting space (both West Chesterton);
 - Cambridge Gymnastics Academy new gym and trampoline pit (King's Hedges ward) – prioritised by the Executive Councillor;
 - Dundee Close, Discovery Way & Scotland Road play equipment installation (East Chesterton ward);
 - St Luke's Church refurbished community facilities (Arbury ward).
- 3.3 **S106 funding availability:** Reports over the last few years have alerted the Area Committee to the implications of new national restrictions² and regulation changes. As a result, locally, the receipt of new generic S106 contributions is tapering off and, overall, generic S106 funds are running down. Although consolidating remaining generic contributions into either 'all devolved' or 'all centralised' funds (see paragraph 3.5) helps to maximise spending power, availability is still limited. Table 1 provides an estimate of funding availability as at mid-February 2017: these figures are currently being reviewed³ ahead of the S106 report to the Community Services Scrutiny Committee on 16 March 2017 (likely to include a city-wide update).
- 3.4 Whilst S106 contributions have been devolved on an area basis, the need to provide a ward-level analysis becomes more important in this context. This does not mean that S106 contributions from a particular ward can only be used to fund projects in the same ward (as parts of other wards may come within the catchment area for an improved facility too). Officers aim to fund projects from relevant S106 contributions from nearby developments in the same ward before allocating contributions from nearby developments in neighbouring wards in the same Area.

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1. Generic contributions relate to broad infrastructure types (eg, 'informal open space') and were the sort that the council tended to secure prior to the changes to government regulations in April 2015. Since then, however, the council can now only seek specific contributions relating to improvements to particular facilities.
 2. S106 funds can no longer be sought from developments of fewer than 11 homes.
 3. These estimates consolidate all available 'open space' and 'play provision' contributions from the Area into separate devolved funds. The review is taking account of new S106 income received recently and reallocations of S106 funding in order to optimise links between the location of projects and where the contributions come from. The ward-level funding availability analysis may change as a result.

Table 1: Availability of S106 funding devolved to North Area⁴

Ward	'Play provision'	'Informal open space'
Arbury	Around £15,000	£15,000 - £30,000
East Chesterton	Less than £1,000	£50,000 - £75,000
King's Hedges	£15,000 - £30,000	Less than £15,000
West Chesterton	Less than £15,000	£50,000 - £75,000

- 3.5 **2016/17 funding round:** The overall arrangements for the latest round were agreed following a report to the Community Services Scrutiny Committee in October 2016. As part of this:
- all remaining generic S106 contributions for providing/improving 'informal open space' and play 'provision for children and teenagers', which have been received from developments in a local area⁵ are now devolved to the local area committee;
 - at the same time, the use of all remaining contributions in the 'outdoor' and 'indoor sports', 'public art' and 'public realm' types are decided by the relevant executive councillor⁶;
 - proposals for the use of the 'community facility' and 'public realm'⁷ contribution types have not been sought in the 2016/17 round, in order to allow the council take stock of the findings of the on-going strategic review of community provision and the budget implications of a number of on-going public realm improvements.
- 3.6 The 2016/17 S106 funding round has proceeded as planned.
- Local residents and community groups were invited⁸ to put forward proposals, over seven weeks from late October until 19 December 2016⁹, for improving local open spaces and play areas.

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- Variations in funding across the Area reflect different levels of development between wards and the allocation of local funds to local projects.
 - Based on area committee boundaries (North, East, South and West/Central).
 - Even so, the council continues to seek to fund projects in a particular ward or area from S106 contributions received from developments in the same ward or area.
 - Deferring the next funding round for 'public realm' contributions is not an issue for North Area, which has no generic S106 contributions available in this category.
 - Awareness was raised amongst residents/residents' associations, community groups, equalities/diversity groups and councillors via emails, social media, the council's website, news releases and the 'Cambridge Matters' magazine.
 - Following the 19/12/16 deadline, councillors were given until mid-January 2017 to put forward any other proposals. Council services were also suggest possible schemes which could mitigate the impact of development and address needs identified in recent strategies, such as the Outdoor Play Investment Strategy.

- b. All proposals received have been assessed by officers against the council's 2016/17 S106 selection criteria (see Appendix G).
- c. S106 grant applications for small-scale public art projects in Cambridge (including some from North Area¹⁰) are being reported to the Community Services Scrutiny Committee on 16 March.

4. CONSIDERATIONS: ASSESSMENT OF THE S106 PROPOSALS

- 4.1 Six project proposals have been received in the 2016/17 round¹¹ (see Appendices A – F) and have been assessed against the criteria.

A. ALEXANDRA GARDENS PLAY AREA/OPEN SPACE			
Ward:	Arbury	Estimate:	£30,000 - £35,000
Assessment: YES to modified proposal. Fencing maintenance would not be eligible for S106 funds (but could be carried out via repairs and renewals budgets. A modified proposal could be suitable for S106 funding: installing one or two pieces of new play equipment within the play area (in the region of £15,000) plus landscaping improvements (possibly including shrub planting) and some new park benches and bins (possibly in the region of £15,000-£20,000).			

B. ALEX WOOD ROAD BENCHES AND BINS			
Ward:	Arbury	Estimate:	Not eligible
Assessment: NOT ELIGIBLE. The proposed public realm improvements on Alex Wood Road would not be eligible for S106 funding being considered in the 2016/17 S106 funding round. It may be more suited to Environmental Improvement Programme (EIP) funding – the relevant manager has been made aware.			

10. These include public art grant applications for: 'Colours in the Community' (mentions Arbury Festival, North Cambridge Academy and Chesterton Community College); 'Mitcham's Moving Lighting project'; 'History Walking Trails 2' (involving Arbury, Chesterton, King's Hedges and Shirley primary schools); 'River Cycle at Rowan'; and 'Trees of Change' (engaging with care homes and schools in East Chesterton and West Chesterton). Note: not all these proposals meet the S106 selection criteria for public art and the Executive Councillor for Streets and Open Spaces will be asked to choose which eligible proposals to prioritise.
11. Queries were also raised about reinstating College Fields play area [West Chesterton] (but there is now a Type B play area a little further along Woodhead Drive) and improving the Type A local play areas at Neptune Close or Lawrence Way [King's Hedges] (but, in the context of the Outdoor Play Investment Strategy, improving the nearby, larger Type C neighbourhood play area at Nun's Way is suggested instead).

C. BRAMBLEFIELDS LOCAL NATURE RESERVE (LNR)			
Ward:	East Chesterton	Estimate:	£10,000-£12,000
<p>Assessment: YES to modified proposal. Bramblefields is an important small area of habitat. Any improvement proposals need to be carefully balanced with the biodiversity value of the space. In this context, officers would not support proposals for more lighting.</p> <p>The council has already entered into an agreement for the local primary school to use a fenced-off area for environmental education. Wider use of this space could be explored as part of the project, as long as this was sensitive to the ecological implications.</p> <p>Tidying up and safety works would not qualify for S106 funding, but could be undertaken separately (possibly including volunteer days).</p> <p>A modified proposal could be carried out in addition to mitigation works relating to Chesterton Station¹². This might involve biodiversity improvements (habitat creation), landscaping (eg, shrub planting), new benches/bins and further signage & information boards.</p> <p>Previous devolved S106 funding of local play area improvements means there are hardly any S106 contributions left from the ward for 'play provision for children and teenagers'. This is likely to rule out the proposed play area improvements at Bramblefields. Beyond that, officers question the extent to which the existing 'natural' play provision is used – indeed, this provision may need to be reviewed.</p>			

D. CHESTERTON REC GROUND SKATE/SCOOTER PARK			
Ward:	East Chesterton	Estimate:	£50,000
<p>Assessment: YES. The improved skate park facilities – replacing the outdated 'half-pipe' facility and introducing a new children's scooter park - is supported. Sports officers advise that its location (on the other side of the play area) would not affect any sports development around the sports pavilion. The removal of the 'half pipe' could improve the view across the park from the pavilion.</p> <p>The significant local availability of S106 'informal open space' contributions nearby in East and West Chesterton¹³ means that this proposal could be funded alongside the improvements to Bramblefields LNR. This could still leave open the option of future funding towards improvements to the Halingway tow path (if an eligible and robust proposal can be developed in due course).</p>			

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12. Network Rail will be digging a new pond in February-March 2017 and is also due to assist with new interpretation panels and review of the existing management plan
13. Subject to confirmation following the current review of existing S106 allocations.

E. HALINGWAY TOWPATH IMPROVEMENTS

Ward: East Chesterton

Estimate:

Assessment: NOT READY TO BE CONSIDERED YET. The county council is widening and hard surfacing the section of towpath between the ramp up to the proposed new bridge and the path linking to Fen Road. This ties in with plans for the Chisholm Trail. The path is owned by the Cam Conservators, with the maintenance of public rights of way being the responsibility of the county council.

The widening of further stretches of the tow path is a possibility, but this proposal needs to be developed in more detail before it is ready to be considered. There are questions about how the use of S106 funding sits alongside county council responsibilities and whether other funding could be secured from city/county council budgets for walking/cycling and, possibly, from the Environmental Improvement Programme and/or other funding opportunities. Until these issues and options have been clarified, through discussions with the county council and Cam Conservators, it would be premature to allocate S106 funding to this proposal yet.

F. NUN'S WAY REC GROUND ADDITIONAL PLAY EQUIPMENT

Ward: King's Hedges

Estimate: £20,000

Assessment: YES. Some S106 funding is available to improve the play value of one of the ward's large neighbourhood play areas, which attracts children from across King's Hedges. Nun's Way Rec Ground has not received S106 funding for play area improvements in the past, albeit that it has benefitted from a new skate park in recent years. In contrast, 'The Pulley' play area has received funding for both the play area improvement and the splash pad.

- 4.2 The proposals prioritised by the Area Committee will be allocated appropriate S106 contributions and added to the council's 'projects under development' list. Public consultation would be carried out on project proposals and designs, as appropriate. Business cases¹⁴ and community use agreements will be developed. Under current arrangements, project appraisals for local projects under £75,000 are expedited, with the business case being sent to the Area Chair, Vice Chair and Opposition Spokes for comment, prior to sign-off by the relevant service manager under delegated authority¹⁵.

14. The business case sets out the project's scope, design, costs, delivery timescales & other implications. It takes account of consultation findings too (as appropriate).

15. Appraisals for local projects above £75,000 are reported back to the Area Committee, albeit that this would not to apply to the proposals presented here.

5. IMPLICATIONS

- 5.1 **Financial implications:** Whilst it has been possible for this report to recommend a number of substantial projects for S106 funding from the Area Committee's devolved funding, it is clear that there is significantly less room for manoeuvre than in the past. Once this off-site generic funding has been used, there will be little or no more.
- 5.2 Last October's Community Services Scrutiny report on the S106 priority-setting process highlighted that, although it will not be possible to come to a definitive view until after the 2016/17 round, this might be the last full priority-setting round covering such a range of the generic contribution types and all areas of the city. In future, there might have to be narrower priority-setting exercises based on certain contribution types or areas. Consideration may also need to be given to using residual generic contributions to supplement the funding of projects for which specific projects are being collected¹⁶.
- 5.3 **Staffing implications:** Those projects that are prioritised will be developed and taken forward by council officers in the Streets and Open Spaces Development team, in the coming year as/when on-going projects are completed. Business cases for projects over £15,000 will be prepared for the council's (officer-level) Capital Programme Board, prior to seeking the comments of the Area Chair, Vice Chair and Opposition Spokes.
- 5.4 **Other implications:** Business cases for individual projects will consider a range of factors including equalities and poverty implications, climate change ratings, community safety, procurement matters and communications and consultation. An overview of the progress being made on the delivery of S106-funded projects is updated every three to four months on the council's S106 projects web page (www.cambridge.gov.uk/s106-projects).

6. BACKGROUND PAPERS

- 6.1 These background papers on the S106 devolved decision-making process were used in the preparation of this report:
- 'S106 priority-setting process' (Streets and Open Spaces) report to Community Services Scrutiny Committee on 6/10/2016;
 - 'Outdoor Play Investment Strategy, 2016-20' report to Community Services Scrutiny Committee on 8/10/2015;

16. More details about the council's interim approach to seeking specific S106 contributions can be found at www.cambridge.gov.uk/changes-to-s106-funding.

- 'S106 devolved decision-making: 2015/16 priority-setting' report to North Area Committee on 19/11/2015.

6.2 Further information (can be found on the Developer Contributions web page (www.cambridge.gov.uk/s106)). This includes sections on the council's approach to S106 funding, S106-funded projects, the S106 priority-setting process and changes to S106 funding.

7. APPENDICES

S106 proposals for improvements at

- A. Alexandra Gardens
- B. Alex Wood Road benches and bins
- C. Bramblefields local nature reserve
- D. Chesterton Recreation Ground skate/scooter park
- E. Halingway tow path improvements
- F. Nun's Way Recreation Ground additional play equipment

- G. 2016-17 S106 selection criteria (Cambridge City Council)

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

Proposal from a local councillor for

Alexandra Gardens play area / open space

Suggested by Councillor Mike Todd-Jones

1. What sort of improvements do you have in mind?
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Renew / enhance fencing and benches surrounding the play area

2. Why is this project needed? (ie, what is the current unmet need?)

Facilitate and increase use of the play area
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3. How would local communities within Cambridge benefit?

Improve safety / benefit from making use more attractive
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4. Have any preparations/discussions taken place about this?

Brief discussions with Urban Growth Project Manager

5. Any opposition / potential issues? How might this be overcome?
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Not applicable

Proposal from a local resident for

Alex Wood Road benches and bins

Email from a local resident

Sent: 16 December 2016 22:27

Subject: Alexwood Road

Keen to improve Alex Wood Road, Arbury. Many local people use this road and there are x2 benches heavily used which are on their last legs.

Also some a bin or two would help with litter and possibly a few dog bins.

Proposal from a local resident for

Bramblefields local nature reserve**1. What sort of improvements do you have in mind?**

Tidying up and making safe the Bramblefields area. This may be simple gardening or involve some landscaping. Improving the basic play equipment and perhaps allocating an area which is kept safe for children, with some seating (up to 30 seats for a full class?), making it easily usable in particular for outdoor learning, for which no other space is available or as suitable in East Chesterton.

2. Why is this project needed? (ie, what is the current unmet need?)

No safe areas for forest school sessions for locally-schooled children currently with Chesterton Primary and Chestnut nursery and Shirley school (among many others I suspect) apprehensive about running sessions in Bramblefields with unsavoury and unsafe objects found in what is quite a seedy and poorly-lit part of East Chesterton. Local development including the new station will bring more children and families into the area and making an existing public space more usable is key. All the increased footfall as a result of development including the station and what follows it would benefit from 'Bramblefields for All'.

3. How would local communities within Cambridge benefit?

Children locally, especially those at local schools and pre-schools/nurseries would be able to enjoy and make use of what should be an excellent resource. It would also mean all should feel safer about walking/cycling around Bramblefields at any time of day. A more sanitized, better lit area would also make it less easy for drug dealing and drug-taking to occur which would also be a benefit to the local community as a whole. The beauty of public open spaces like this are that they can be a benefit to all because they are accessible to all when they work well and are safe. Also as these spaces are free, people on lower incomes have another space they can utilise locally where deprivation levels are not insignificant.

4. Have any preparations/discussions taken place about this?

Discussed at Parent's forum at Chesterton Primary on 12/12/16 where it attracted much support after I saw the notice in 'Cambridge Matters'.

5. Any opposition / potential issues? How might this be overcome?

I am not aware of any opposition, only support.

Proposal from council officers for

Chesterton Recreation Ground skate/scooter park

1. What sort of improvements do you have in mind?

To replace / integrate the current concrete mini ramp into a better offer and include scooter provision.

2. Why is this project needed? (ie, what is the current unmet need?)

The current facility is used, but outdated and does not cater for wide range of users. The proposal would stay local to existing footprint and would be considered in the context of the surrounding area. This park has the space to accommodate this improvement.

3. How would local communities within Cambridge benefit?

Improvements would increase the age range of participation with this facility. Similar facility installed at Cherry Hinton Rec which was really well received and has proven to be really popular.

4. Have any preparations/discussions taken place about this?

Not as yet

5. Are you aware of any opposition to this proposal or other potential issues? If so, how might this be overcome?

Facility currently exists so hope these improvements would be supported.

Proposal from a local councillor for

Halingway towpath improvements

Suggested by County Councillor Ian Manning

Improving the Haltingway towpath as an access route to the new Cambridge North train station and Chisholm Trail bridge

Where: East Chesterton Haltingway between riverside and Fen Road access point/bridge landing location.

1. What sort of improvements do you have in mind?

Widening of path to cope with additional user volume.
Improve drainage – currently there is a lot of pooling water after rain.
Potentially cycle/pedestrian segregation, continuing from path from water street via river side.

2. Why is this project needed? (ie, what is the current unmet need?)

Both the Cambridge North station and the Chisholm Bridge will result in a much higher volume of cycle and pedestrian traffic along this route, which is preferable to both modes of transport than going along Fen Road.

3. How would local communities within Cambridge benefit?

Will allow more pedestrians/cyclists to avoid having to use Fen Road. This is particularly important for infirm/vulnerable pedestrians as it separates them from motor traffic and, if cycle/pedestrian segregation is implemented, protects them from high speed cyclists on the same route.

4. Have any preparations/discussions taken place about this?

The River Cam Conservators will need to be formally approached – although it has been discussed informally with them and numerous local representatives over the years.

5. Any opposition / potential issues? How might this be overcome?

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Proposal from council officers for

Nun's Way Rec Ground additional play equipment

1. What sort of improvements do you have in mind?

Installing a Cirrus mini-climbing dome for children of junior school age at Nun's Way Recreation Ground

2. Why is this project needed? (ie, what is the current unmet need?)

Local councillors have called for the additional play area equipment in King's Hedges, making use of the S106 funding from the ward that is available for 'play provision for children and teenagers'. In the context of the Outdoor Play Investment Strategy, it would make sense to locate this at one of the larger (Type C) Neighbourhood play areas within King's Hedges.

3. How would local communities within Cambridge benefit?

This would help to provide an extra element of play equipment for children aged 7+ to enjoy.

4. Have any preparations/discussions taken place about this?

No.

5. Any opposition / potential issues? How might this be overcome?

Local consultation would be carried out if the proposal is prioritised by the Area Committee.

2016-17 S106 selection criteria

This is a shortened version of the criteria, tailored to the bidding process for proposals for play area and open space improvements and applications for small-scale public art grants.

Project proposals need to...

1. be **ELIGIBLE** for S106 funding

- a. Proposals need to be about providing, improving or giving better access to a facility within the city of Cambridge, in order to help mitigate the impact of local development.
- b. 'Informal open space' S106 funding can be used to fund improvements to the city's parks & open spaces, such as paths/surfacing, landscaping (including BMX tracks and skate parks), drainage, fences/gates, habitat creation, trees, shrubs and trim trails.
- c. 'Provision for children and teenagers' S106 funding can be used to fund improvements to the city's play areas, such as play equipment and safety surfacing under that equipment.
- d. To be eligible for S106 public art funding, the project needs to focus on original, high quality public art that is:
 - designed, produced or facilitated by an artist or craftsperson;
 - engages local communities;
 - is publicly accessible; and
 - has a legacy (there would need to be a permanent record of temporary artwork).

Small-scale, public art grants are for projects (normally, seeking up to £15,000 of public art S106 funding). Applications are expected from local organisations or community groups (not directly from an artist). Public art within schools (which is visible to school users, parents and visitors) comes within the scope of public art S106 funding.

2. be **AFFORDABLE** within the S106 funding available for the relevant contribution type in that part of the city to which it relates

- a. S106 funding availability is running down and spread unevenly between wards given variations in levels of development and the distribution of previous S106-funded projects.

- b. We would **particularly encourage proposals** for the following contribution types **from**:
- Informal open space: Trumpington, Castle, Coleridge, East and West Chesterton;
 - Provision for children and teens: Trumpington, Coleridge and Queen Edith's ward;
 - Public art: Trumpington, Coleridge, Romsey and Queen Edith's.
- c. Unfortunately, S106 funding availability is currently low for the following wards and so, realistically, it is not likely to be worthwhile making an application in 2016/17:
- Informal open space: Arbury, King's Hedges, Petersfield and Romsey;
 - Play areas: Arbury, East and West Chesterton, Abbey, Castle, Market and Newnham;
 - Public art: Cherry Hinton.
- d. For those wards not mentioned in these lists, it may be possible to put forward small-scale proposals, but please be aware that funding availability may be limited.
- e. Please note: councillors may not wish to invest all the available contributions available (for a particular contribution type) from a particular ward in a single project.
- f. Public art grant applicants must give assurances that they need the S106 funding that they are seeking (i.e., that they do not already have sufficient funding for the project).
- g. Local groups seeking S106 public grants should carry out other fund-raising too.

3. be an **EFFECTIVE USE OF RESOURCES**

Priority will be given to proposals where it is clear that the project would be consistent with council strategies, facility audits and related reports.

Tips: Focus proposals for play area improvements on larger play areas. Check which play areas & open spaces have already had S106 funding (see the recent/on-going project list).

4. provide **ADDITIONAL BENEFIT**

S106 funding cannot be used for replacing like-for-like facilities/equipment or repairing and maintaining existing facilities.

5. be **ACCESSIBLE**, in line with the council's grants and equalities policies

- a. Play area and open spaces need to be publicly owned and accessible to all.
- b. Successful public art grant applicants must sign a grant agreement (which is monitored), including an undertaking that the project will not to discriminate against any community group (eg, in relation to race, gender, religion, disability, sexual orientation and/or, age).

6. be **REALISTIC, ACHIEVABLE AND READY TO BE CONSIDERED**

- a. Proposals need to be clear about what is proposed, where it would be and how it would be implemented.
- b. Applicants seeking a S106 grant for a project they would take forward would need to give details of preparations being made to secure planning permission (if necessary) and steps taken to engage the local community about the proposed project.
- c. Grant applicants would also need to provide evidence of their fund-raising efforts and expected timescales for completing fund-raising.
- d. Priority will be given to project proposals which could reasonably be expected to reach the final stages of project delivery within 18 months of the priority-setting decision.

7. Be **FINANCIALLY VIABLE, WITH ROBUST MANAGEMENT PLANS**

- a. The council would need to be satisfied that sufficient resources are in place to ensure that the effective management and running of the new facility in future.
- b. Grants applicants seeking S106 funding would need to demonstrate that they could continue to resource the project in future. Grant agreements feature clauses for returning to the council grants received (in whole or in part) should the project not provide the expected public benefit for its expected lifespan.

Any organisation/community group seeking funding needs to have its own bank account.

October 2016