

REPORT FROM: Planning, Economic Development and Regulatory Services
Manager

TO: Brierfield & Reedley Committee

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Section 106 Agreement for the Former Lucas Sports Ground

PURPOSE OF REPORT

To set out proposals for the use of the £200,000 funding for outdoor recreation/play infrastructure improvements in the Brierfield & Reedley area.

RECOMMENDATION

That members approve the proposals set out in the report.

REASONS FOR RECOMMENDATION

- (1) The proposals provide the necessary outdoor recreation and play facilities to serve the residents of the housing development and the local vicinity through a mixture of on-site provision at Lucas Sports Ground and the augmentation of existing green space facilities in the Brierfield & Reedley area that also serve the community.
- (2) These are the most reasonable and practicable projects to implement and take in to consideration important factors such as cost, demand, potential usage, the ongoing management and maintenance of the facilities, sustainability and ensuring liability and ownership issues are kept to a minimum (in reference to the transfer of services to Town/Parish Councils).

ISSUE

1. A report was submitted to the September 2019 Committee requesting a variation to the original Section 106 Agreement due to some changes in circumstances. It was proposed that:
 - The senior football pitch would comprise of two junior pitches in lieu of the single football pitch.

- No clubhouse would be provided but instead a sum of £200,000 would be provided for other infrastructure that would serve the residents of the site and local community.
2. Subsequently, members resolved:
 - That it be agreed in principle that the Section 106 Agreement be amended as set out in the report.
 - That a further report be submitted to the Committee to set out the proposals for the use of funding for infrastructure improvements (acknowledging that any use of these funds must be compliant with regulations for Section 106 Agreements).
 3. The purpose of the Section 106 Agreement is to provide the necessary outdoor recreation and play facilities to serve the residents of the housing development and the local community. We feel this can be achieved through the provision of the Cricket and Junior Football pitches on site (which will have a long term maintenance sum attached to them) as well as the augmentation of existing green space facilities in the Brierfield & Reedley area that also serve the community.
 4. Any new developments and/or improvement of existing facilities need to be compliant with regulations relating to the use of Section 106 contributions as well as taking in to consideration cost, demand, potential usage of certain facilities, the management and maintenance of them once in place, sustainability and ownership/liability issues in the long term.
 5. Since the previous report went to the September meeting, Reedley Hallows Parish Council have discussed the implications of the change to the Section 106 Agreement and the revised proposals that the Council are looking at in terms of the £200,000 sum to be spent on other outdoor recreation provision and infrastructure on site and in the Brierfield and Reedley area. They have expressed concerns and it was suggested that Pendle Council should consult the residents who live on the Barnfield estate and fully consult the Parish Council before any plans are finalised.
 6. As such, at their Parish Council meeting on the 9 September, members resolved to call a public meeting which residents who live on the new estate below the site and others on Reedley Drive would be invited to attend to voice their opinions and provide suggestions as to where the money should be spent.
 7. This meeting took place on the 21 September. A number of proposals were put forward which they would like to be included on the site. These did not include any off site suggestions for other Brierfield and Reedley facilities.
 - They prefer just 1 all-weather junior football pitch which could possibly be multi-purpose for other sports such as netball;
 - That consideration be given to including another all-weather facility for tennis/other sports;
 - That consideration be given to including a Trim Trail with suitable exercise apparatus;
 - That consideration be given to including a suitable children's play area having regard to the number of families with children who live on the Barnfield site;
 - That lockable changing rooms and toilets be provided;
 - That a security fence be provided around the perimeter of the site;
 - That the height level of the facilities be that which was originally planned so as to prevent noise and other nuisance for residents whose properties overlook the site.

8. Alongside the above, Pendle Council Officers and senior management were tasked with setting out a number of potential projects/schemes for the use of the £200,000 funding available.
9. We have taken in to consideration the suggestions outlined within the Parish Council public meeting minutes but must stress that the list developed below reflects a reasonable and practicable way forward which looks at all the factors detailed in item 4.
10. Therefore, the projects we are proposing to be funded by the above sum are:

Lucas Sports Ground:

- Toilet Block (£70,000) – we feel this is essential to serve the junior Football and Cricket users thus providing toilet provision on site for players, supporters, etc. and negating any issues regarding people going to the toilet in the bushes and residents making complaints. This will be a robust key operated toilet unit that will have 1 Gents, 1 Ladies and 1 DDA compliant toilet within it – see Appendix 1. Clubs/Teams will be issued with keys to open and close as and when needed only. Sport England is aware of this sports facility development and has advised us that if we are not having a pavilion then we should at least provide toilets.
- Trim Trail (£7,500) – A small fitness trail would be developed close to the junior Football area. The equipment would be low key and robust to cope with open access exposure.

Heyhead Park:

- Extend existing senior play area (£13,000) - two additional pieces of senior play equipment would be added to the adventurous play facility. An old, unused spinner would be taken out and replaced with a more contemporary piece. Appropriate safety surfacing would be provided.
- Trim Trail (£8,000) – A small fitness trail similar to the one proposed at the Lucas site would be developed adjacent to the existing junior playground.
- Junior playground improvements (£11,000) - Replacement of an old see saw with a small ground trampoline. A self-closing gate would be installed in addition to a concrete pad to replace the existing dog grid (which is not fit for purpose).
- Re-paint remaining junior playground equipment (£1,200) – All remaining pieces of junior play equipment will be cleaned, primed and painted. This work will refresh the play area and prolong the life of the equipment. Appendix 2 provides a plan of the improvements.
- Installation of Multi-Use Games Area (MUGA) (£48,000) – the MUGA would replace the existing middle court that is currently a tennis court that is rarely played on. The area would be re-surfaced and a new path formed to access the court from the play area side. We feel that a dedicated MUGA would be a great addition to the Park and something that would be used by children of all ages throughout the year. The facility would cater for Football, Cricket, Basketball and Netball. The facility would not be floodlit.
- Re-surface existing ball court and line mark (£12,000) – The 5-a-side Football ball court would be re-surfaced, line marked and a new path and entrance point formed to allow easier access from both sides.
- Re-surface existing tennis court, replace fencing and line mark (£20,000) – The tennis court would be re-surfaced, line marked and new Sports fencing would replace the existing fencing which is not fit for purpose.

John Bradley Playing Fields:

- Line mark car park (£1,000) – The car park would be cleaned and tidied up prior to line marking it to ensure that vehicle parking is utilised to its maximum capacity.

- Trim Trail* (£7,500) - A small fitness trail similar to the one proposed at the Lucas and Heyhead Park sites would be developed on the grassed area below the existing 7-a-side junior football pitch.

*We feel this facility is low in priority and that if all the above developments are not feasible due to cost issues that this project should be discounted first.

11. The above costs (£199,200) are only estimated and these may rise and fall accordingly. The projects would be subject to a tendering process via the Council's Chest programme ensuring best value and competitive rates are forthcoming.
12. We have also recently received another suggestion for the installation of floodlights at the existing **Taylor Street MUGA** in Brierfield. This is a well-used facility that can facilitate Football, Cricket, Volleyball and Basketball. The floodlights would extend the usage of this site for all users during winter and provide added benefit in terms of health & well-being and encouraging recreational pursuits. The floodlights would be timed to go off at 9pm to ensure that nuisance for local residents was kept to a minimum.
13. This proposal would cost an estimated £18,000. If members chose to include this as one of the projects to be funded by the Section 106 funding, then a proposal(s) in item 10 would have to be taken out of the original list to accommodate this.
14. The ongoing management and maintenance of the above four sites rests with Pendle Council's Environmental Services. The Council's clear policy is to look to transfer appropriate facilities to town and parish councils and this includes playing fields as well as the park and MUGA.
15. The projects put forward could be managed effectively without too much extra resource. The steel trim trail equipment would be robust and vandal resistant and does not need much upkeep. These would be added to the playground inspector's list for weekly inspections along with all new play facility equipment and the MUGA at Heyhead Park.
16. The only anomaly would be the toilet block at the Lucas site. As part of the Section 106 Agreement, a sum of money has been paid to the Council for the ongoing maintenance of the land only (grounds maintenance work). Consequently, additional revenue budgets to manage and maintain (utilities, R&M, etc.) the building on an annual basis would need to be found. The Council would be looking for the Parish Council to take on the responsibility of the toilets thus an arrangement between the two organisations would have to be agreed if the toilet block proposal was approved.
17. We have incorporated a few of the suggestions put forward at the public meeting organised by the Parish Council. These include a trim trail and toilet provision at Lucas as well as ensuring that the height level of the facilities are what was originally planned so as to prevent noise and other nuisance for residents whose properties overlook the site.
18. The provision of an all-weather 3G Football/multi-sports pitch would mean another variation to the Section 106 Agreement. This would be costly and would need additional funds to bring to fruition. The Prairie Sports Village (approx. half a mile from site) already has similar provision with plans to build another new 3G pitch in the next year.
19. In addition, a 3G facility would need to be managed out of normal office hours and as such, the Council do not have the capacity to be able to manage such a facility. As part of Pendle's Local Football Facility Plan (LFFP), it has been recognised that further 3G facilities are needed in Barnoldswick and in Colne to satisfy demand in these areas of the borough. These would ideally be developed at school sites so that they could be managed effectively

and be used for both school and public/commercial use through partnership work with Burnley FC in the Community and the Education Trust.

20. The proposal to provide an all-weather facility for tennis, hockey, etc. in addition to the above would be cost prohibitive and facilities for these activities are already supplied at other sites. We do not feel that there is enough demand for these sports to create new facilities.
21. Finally, the creation of a new play facility on the site would be difficult to achieve. Space is at a minimum and this would go against what the Council have been doing in terms of transferring play facilities to Town/Parish Councils in recent years. The Council would not want to take on more liability and as such it would be for the Parish Council to look after and maintain a play area if one was developed at this site.
22. The extension and upgrade of the play/recreation facilities at Heyhead Park would increase the play value and cater for a wider range of ages thus increasing the catchment area for children accessing such facilities from further afield. The Park is approximately 10 minutes' walk from the Lucas Sports Ground site.
23. In conclusion, we feel that the mix of outdoor recreation and play proposals put forward would provide better quality facilities for a wider range of residents within the Brierfield and Reedley area without placing too much additional liability and negative cost implications for the Council in the long term.

IMPLICATIONS

Policy: The proposals set out in the report are compliant with the regulations of the Section 106 Agreement.

Financial: All of the projects would be funded from the Section 106 monies (£200,000). There would be some additional revenue implications in terms of ongoing management and maintenance of some of these facilities but this would be minimal.

Legal: See 'Policy' implications.

Risk Management: None

Health and Safety: None

Sustainability: The upgrade and extension of existing facilities at Heyhead Park and John Bradley Playing Fields will prolong the lives of assets whilst making them more attractive to users.

Community Safety: The new and enhanced existing facilities will provide diversionary activity for children/teenagers within the Brierfield & Reedley area.

Equality and Diversity: None

APPENDICES

Appendix 1 – Proposed Toilet Block for Lucas Sports Ground.

Appendix 2 – Proposed Junior and Senior Play Area and Trim Trail Plan for Heyhead Park.

LIST OF BACKGROUND PAPERS

Item 68 – Section 106 Agreement for the former Lucas Sports Ground report to Brierfield & Reedley Committee 03/09/2019