

Report of:	Head of Economic Prosperity
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Key Decision:	Yes
Report Track:	Cabinet: 08/11/18

CABINET
8 NOVEMBER 2018
APPROVAL TO SPEND SECTION 106 MONIES: COMMISSION OF OPEN SPACE ASSESSMENT AND STRATEGY

1 Purpose of Report

- 1.1 To seek Cabinet approval to commission an Open Space Assessment and Strategy for the District and to approve expenditure of Section 106 (S106) funding for this purpose.

2 Recommendations

- 2.1 That Cabinet agree to allocate S106 monies into the Council's budget to facilitate the commissioning of the Assessment and Strategy.
- 2.2 That Cabinet authorise expenditure of S106 monies held by the Council for the purpose of 'provision of and/or improvement of existing public open space, sport and recreation in the District' (S106 Code Q229) on this work.

3 Key Issues and Reasons for Recommendation

- 3.1 Improvements to the network of open spaces across the District needs to be informed by robust and up to date information consisting of the assessment of different types of open space, how well they are performing in terms of quantity, quality and accessibility, with a clear strategy for targeting investment not only for council-owned spaces but the wider network of provision. Access to a variety of good quality open spaces including more formal parks and play areas, and other less formal types of open space such as amenity greenspace and corridors, allotments, churchyards and cemeteries, canals, walkways and cycleways contribute to improving peoples' sense of health and well being as well as ensuring that the District is an attractive place in which to live, work and invest.

- 3.2 Furthermore, Members will be aware that Cannock Chase Council is in the process of preparing a new Local Plan setting out a planning framework for the District looking forward over the next fifteen years. It will determine how much, and what kind of development is needed for the District, and where it should go. The Plan will include policy focussed on the delivery of infrastructure relating to health and wellbeing such as parks, recreation facilities and open spaces, as well as safeguarding a network of green spaces which enhance the built up areas of the District and improve the community's accessibility to good quality open space.
- 3.3 An up to date evidence base is necessary to inform both the work of the Parks and Open Spaces Service and as an essential piece of evidence to inform the emerging Local Plan. Work has already commenced on an Indoor and Outdoor Sports Facilities Assessment and Strategy. It is proposed to complement this work by commissioning work on remaining types of Open Space with a new Open Space Assessment and Strategy.
- 3.4 The most recent evidence was produced in 2009 and was a partial update to a 2005 study. Clearly this is no longer fit for purpose, either in terms of informing future investment decisions of the Council, nor in terms of being robust evidence for a Local Plan for which evidence should be less than five years old at the time of examination. The intention of the Assessment therefore is to update the Council's existing evidence base on open space needs and provision and to guide the development of strategy to deliver on the Council's aspirations and opportunities for a high quality network of open spaces across the District.
- 3.5 The provision of high quality parks and other open spaces is essential to achieving much of the Council's cross cutting agenda including crime reduction, healthy communities and natural resource management as they deliver a range of social, economic and environmental benefits. The Assessment will inform the preparation of planning policies (including local standards for quantity, quality and accessibility and developer contributions), site allocations and area designations within the new Local Plan. It will provide a strategic direction for the management and improvement of parks and open spaces and the development /enhancement of existing/new space.
- 3.6 As a result of the Council's existing policy of requiring S106 developer contributions in conjunction with development, funds amounting to £45,507 for the purpose of 'provision of and/or improvement of existing public open space, sport and recreation in the District' are currently held in the Council's reserves. It is therefore proposed to expend these funds on the preparation of a new Open Space Assessment and Strategy in order to provide up to date evidence to ensure that improvements are achieved in the most appropriate manner.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
- **Promoting Prosperity** - contributing to creating a positive environment in which businesses and communities in the District can thrive, complementing

housing investment and enabling an environment which is attractive and encourages growth

- **Community Wellbeing** - contributing to opportunities for healthy and active lifestyles; sustaining safe and secure communities and promoting attractive and healthy environments; supporting the wellbeing of our population by ensuring public funds spent on parks and open spaces secure maximum benefit; providing safe, welcoming and clean spaces for people to live in and visit

5 Report Detail

- 5.1 An Invitation to Quote has been prepared seeking interest from relevant consultants in carrying out this commission. This sets out the intention of the work:
- to audit the open spaces across the District, reviewing previous assessments, defining and assessing their quantity, quality and accessibility, and identifying their ability to meet existing and future needs of local communities.
 - to use this evidence to inform and develop an open space vision, strategy and policy, setting locally appropriate standards for management and investment in the light of current good practice and with reference to potentially innovative solutions.
- 5.2 The District contains a varied typology of open spaces from parks, civic spaces and allotments to semi-natural sites and green corridors. Taken together these constitute a green space network through the urban areas, providing health and recreation benefits to people living and working nearby, having ecological value and contributing to green infrastructure. They are an important part of the landscape setting of the built environment and an important component of sustainable development. Many of the spaces are multi-functional however many of the benefits are intangible such as temperature regulation in urban environments, carbon storage, reduction in flooding and assistance with air quality management. The financial value of parks and open spaces is difficult to determine but recent studies indicate an estimated national value of around £34 billion annually, with health benefits saving the NHS around £111 million per year, yet many of these spaces have a zero value on Council Asset Registers.
- 5.3 Provision of a range of open space facilities alongside new development will continue to ensure healthy living opportunities into the future and help address the health challenges faced by the District. This highlights the need for the Council to reinvest in its green spaces so the proposed Assessment and Strategy is intended to guide the future management of the District's open spaces but ensure that the investment required is determined in a strategic needs-driven manner, which may in some areas allow de-investment.
- 5.4 CCDC adopted its Local Plan (Part 1) in 2014. This sets out the vision and spatial strategy for the District up to 2028, including strategic policies for healthy living, biodiversity and landscape character, alongside other key policy

areas. Current open space standards in relation to this plan are set out in the accompanying Developer Contributions SPD. The allocation of sites and more detailed development management policies were to be considered via a Local Plan (Part 2). CCDC consulted on an Issues and Options Local Plan (Part 2) in 2017. However CCDC has since decided to cease this work in favour of commencing a full Local Plan review looking forward at least 15 years. This decision was primarily influenced by the raft of changes being proposed at national level, including policy changes and the new legal requirement to review Local Plans every five years.

- 5.5 CCDC intends to adopt its updated Local Plan by September 2021 and consulted on its Local Plan Review (Issues and Scope) document in July-August 2018. The next step will be to consult on an Issues and Options document in February 2019 so the evidence gathering for the Review is now underway. It is the intention to have the Open Spaces Assessment published alongside subsequent stages of the consultation process to inform consideration of options to meet evidenced open space needs. CCDC produced a PPG17 Open Spaces Assessment in 2009, partially updating a Green Space Strategy in 2005; a Green Infrastructure Assessment in 2011 and a Playing Pitch Strategy in 2010, and all these documents will need to be considered and reviewed. CCDC has more recently commissioned an Indoor/Outdoor Sports and Playing Pitches Strategy which is currently at the draft report stage.
- 5.6 The current Local Plan has a requirement to deliver 5,300 homes up to 2028. The new Local Plan will cover a period up to 2036 however it is not yet known how many homes it will need to deliver. The Plan will also need to consider the challenge of assisting with the housing shortfall in the wider Greater Birmingham Housing Market Area. Balanced against these and other pressures and opportunities for growth are significant environmental constraints – 60% of the District is designated Green Belt which tightly defines the boundaries of the urban area, and 40% is designated Area of Outstanding Natural Beauty. One particular issue is the need to ensure no harm arises to the Cannock Chase Special Area of Conservation (SAC) from increased visitor numbers arising from net new residential development.

At present all developers are required to mitigate impacts within a 15km zone of influence around the SAC, with an inner 8km zone generating payments via developer contributions which deliver the mitigation on Cannock Chase. However as we seek to deliver a new Local Plan with increased growth levels we will need to consider this issue of mitigation, with a potential role for green infrastructure. The Cannock Chase SAC Partnership is presently commissioning new evidence so as this is developed the proposed Open Space Strategy will need to have regard to it. Once the Assessment is complete, the Strategy will need to consider emerging Government policy on biodiversity offsetting and Natural Capital, mitigating for impacts on the Cannock Chase SAC, and how we might respond to this by using the Strategy to inform local policy, the setting of standards and management of open space into the future.

5.7 The commission will be split into two parts:

Part 1 – Open Space Assessment: to comprehensively audit open spaces across the District based on quality, quantity and accessibility, and to assess the existing population's needs. It would identify any issues and potential shortfalls in provision, as well as opportunities for enhancement including for multi functional use to enable the full potential of spaces to be realised. Existing open space and play areas standards and typologies will need to be assessed against national guidance and standards, research evidence, best practice and local need, and will be expected to make recommendations for potential new standards and typologies for open space and play areas.

Part 2 – Development of an Open Space Strategy: to follow from the research and analysis of Part 1 to create a strategy for provision of open space across the District that is able to meet the recreation needs for the future population, having regard to any cross boundary issues and opportunities, and allow the Council to prioritise investment.

Each report should include sufficient detail about the methodology used to enable the work to be reliably updated and or replicated at a future date to provide comparative data.

It is estimated that £20k funding for Part 1 will need to be drawn down in 2018-19 and £25,507 funding for Part 2 in 2019-20.

5.8 The Council received £45,507 for the purpose of 'provision of and/or improvement of existing public open space, sport and recreation in the District', for which there is no payback period agreed. Based on examples from elsewhere this receipt should adequately cover the level of detail required in this complex commission. Consultants will be reminded that the Council will be seeking to achieve best value in terms of both price and quality of the submission.

6 Implications

6.1 Financial

The Council received a contribution of £45,507 towards the purpose of provision of and/or improvement of existing public open space, sport and recreation in the District which is held in the Council's reserves. There is no payback provision on this amount. The report requests the inclusion of £45,507 into the Council's Revenue Budget for the purpose of commissioning an up to date Open Space Assessment and Strategy to secure appropriate evidence upon which to inform future investment decisions of the Council and develop the Local Plan. It is estimated that £20k funding for Part 1 will need to be drawn down in 2018-19 with £25,507 funding for Part 2 in 2019-20.

6.2 Legal

The Council is obligated by the terms of the S106 Agreement to use the funding identified above for the purpose of 'provision of and/or improvement of

existing public open space, sport and recreation in the District'. By commissioning the proposed work described in paragraphs 5.1 to 5.8 above the Council would be complying with its obligations.

6.3 Human Resources

Any implications will be met from existing staff resources but will generally be limited to a managerial role.

6.4 Section 17 (Crime Prevention)

The Strategy will help to deliver the Councils cross cutting agenda including crime reduction and community safety.

6.5 Human Rights Act

No Human Rights Act implications.

6.6 Data Protection

The Council's Fair Processing Notice sets out how key data is used in compliance with the General Data Protection Regulation (GDPR) however no personal data is collected in connection with this project.

6.7 Risk Management

Risks associated with the work being delayed, slippage and cost over runs will be managed by CCDC.

6.8 Equality & Diversity

The enhancement of open space facilities across the District will benefit the whole community across a range of social, economic and environmental aspects including health and wellbeing, crime reduction and biodiversity. Accessibility to these facilities for all will form a key aspect of the Assessment and Strategy.

6.9 Best Value

Best value will be sought in terms of both price and quality of submission.

7 Appendix to the Report

None

Previous Consideration

None

Background Papers

None