

CANNOCK CHASE COUNCIL

CABINET

16 NOVEMBER 2006

REPORT OF CHIEF EXECUTIVE

PORTFOLIO LEADER – CULTURE & SPORT

WOLSELEY ROAD PLAY AREA SCHEME APPROVAL

1. Purpose of Report

- 1.1 To seek approval to include the Wolseley Road Play Area scheme in the Council's 2006-07 Section 106 Capital Programme.
- 1.2 To seek approval to grant permission to spend on the project as detailed in point 1.1.

2. Recommendations

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| <ul style="list-style-type: none"><li>2.1 That Cabinet recommends to Council that the Wolseley Road Play Area scheme is to be included in the Council's 2006-07 Section 106 Capital Programme.</li><li>2.2 Subject to Council giving approval to 2.1 that Cabinet authorise permission to spend on the project.</li></ul> |
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3. Key Issue – Wolseley Road Play Area and Public Open Space, Rugeley

- 3.1 This project forms part of a Section 106 Agreement, (Q100) whereby the developer has paid the Council £107,619 to develop and maintain a Neighbourhood Area for Play, (N.E.A.P).
- 3.2 This facility includes a range of items of play equipment with hard and soft landscape works. The majority of this project has been delivered due to these works being a time limited condition of the developer's planning permission approval.
- 3.3 The remainder of works still outstanding includes the completion of the footpath network and soft landscaping works. The majority of these works should be completed this financial year, however some works can only be carried out when the developer has completed the building programme, so this work will be slipped into 2007-08.
- 3.4 There is also provision of £50,000 within the above mentioned Section 106 Agreement for ongoing maintenance relating to this particular scheme.

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Annexes to the Report:	None

Section 1

Background

Where new capital projects or extensions to existing projects already in the Council's Capital and Section 106 Programme are proposed, then consideration is required by Cabinet and ultimately approval required by Council to include such schemes in the programme itself.

Section 2

Details of Matters to be Considered

There is currently one scheme as outlined in Key Issue 3 above to be considered at this time.

Section 3

Contribution to CHASE

Additional community play facilities as provided by this scheme will further support the aim of the Council to develop a healthier and more active community. These facilities will enable greater use by local young people in the area where the scheme is located.

Section 4

Section 17 (Crime Prevention) Implications

The development of play areas aims to engage local people in such activities therefore diverting key groups from anti-social behaviour.

Section 5

Human Rights Act Implications

Where Planning Applications are involved, it is imperative that the Council adheres to its Policies and ensures that all applicants and others entitled to address the Planning Control Committee have a 'fair hearing' as required under Article 6 of the Human Rights Act 1998.

Section 6

Data Protection Implications

There are no identified implications in respect of the Data Protection Act.

Section 7

Risk Management Implications

Health and Safety aspects are considered very seriously and are taken into account within the scheme designs themselves and also in the procurement of all play equipment, which must conform to approved industry standards.

In general terms, the current risk to the Council is of existing Capital and Section 106 Programme schemes not being delivered within time. This is associated with the reduction in

staffing resources currently available, due to the ongoing vacancy of a Parks Development Officer. This report is considering adding a further scheme to the current programme.

The outcome of future Planning Applications may also impact on the programme timetable.

**Section 8**

**Legal Implications**

All projects once embarked upon will result in the Council entering into contractual relations for such projects to be completed. The Council will be subject to various contractual obligations and liabilities and accordingly, it must ensure that it is in a position to discharge all contractual obligations. Failure to do so may expose the Council to possible claims.

Moreover, all projects must be approved and authorised by the Council. Officers' actions must remain within the remit of the approval / authorisation given by Council in respect each specific project.

Any amendments or new projects may give rise to other legal issues such as planning issues and accordingly, whether such amendments or new projects can be achieved will be subject to such legal issues being addressed.

**Section 9**

**Financial Implications**

The funding and expenditure to date on the Wolseley Road play area is shown in the table below:

	£
6.1.05 – Amount received	105,942.00
6.1.05 – Amount received	1677.00
<b>Total Received</b>	<b>107,619.00</b>
Interest	2681.62
<b>Total Available</b>	<b>110,300.62</b>
Less Spend in 2005-06	67,761.52
<b>Balance remaining for Wolseley Road Play Area</b>	<b>42,539.10</b>

The Section 106 account to support this scheme currently shows a balance of £106,731.62 from which to meet the above expenditure requirement of £42,539.10. Also within the Section 106 balance there is a provision of £50,000 to meet ongoing maintenance requirements. The Head of Culture and Major Projects has advised that the estimated maintenance cost will be £3,850.00 per annum.

**Section 10**

**Resource Implications**

Subject to approval, implementation of the scheme included in this report will be undertaken by staff within the Culture and Major Projects Division.

There is currently a long-standing vacancy re a Parks Development Officer, which is seriously impacting on the delivery of similar schemes already approved within the 2006-07 Section 106 and General Fund Capital Programme.

**Section 11**

**Conclusion**

In light of the information presented, consideration is to be given to the addition of the scheme as outlined in the report to the 2006-07 Section 106 Capital Programme, and permission to spend.

**Section 12**

**List of Background Papers**

None.

**Annexes**

None.