

Decision Maker: **Environment Portfolio Holder**

For Pre-Decision Scrutiny by the Environment PDS Committee on:

Date: **4th November 2014**

Decision Type: Non-Urgent Executive Non-Key

Title: **TODDLER PLAY AREA AT PRIORY GARDENS**

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Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: Orpington;

1. Reason for report

This report provides details of proposed improvement works to an existing toddler play area in Orpington, funded by a Section 106 Planning agreement relating to the multi storey car park development at Earls Way (Tesco Supermarket).

2. **RECOMMENDATION**

That the Environment Portfolio Holder:

2.1 **Approves the carrying out of improvement works to the Priory Gardens toddler play area funded by S106 monies.**

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People Quality Environment:
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Financial

1. Cost of proposal: £30k
 2. Ongoing costs: No additional costs.
 3. Budget head/performance centre: Section 106 funds
 4. Total current budget for this head: £30k
 5. Source of funding: Funds obtained under Section 106 of the Town and Country Planning Act 1990 (Tesco Development)
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Staff

1. Number of staff (current and additional): 1
 2. If from existing staff resources, number of staff hours: 35 hours
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Visitors to the Priory Gardens toddler play area
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: A Ward Councillor believes the proposal is a sensible use of the funding. It was queried whether additional maintenance costs would be incurred and the high cost of the climbing frame.

3. COMMENTARY

3.1 As part of the planning process, a Section 106 agreement was made with the Developers of the Earls Way multi storey car park (Tesco Supermarket). This secured funding for play space improvements off- site, at Priory Gardens or elsewhere within 1km of the development ,to be spent or at least committed within 5 years (i.e. by 31.03.2015).

3.2 Section 106 funds are held corporately and require Member approval for release.

Proposed scheme

3.3 Priory Gardens, High Street, Orpington, is a large ornamental park of 5 hectares (50000m² / 14 acres) comprising formal planting, lawns, lakes, a maintenance depot, and a large children's play area. Priory Gardens is considered to be one of the Borough's flagship parks.

3.4 The play area is divided into two sections, for toddlers and seniors respectively. The senior area has 7 features including some quite large items. The toddler play area only has 4 items, none of which are large. These are a set of toddler swings, a seesaw, a roundabout, and a small climbing frame with slide. Older children are well catered for but the few items for toddlers are of poor play value. The seesaw and roundabout were installed in 2007 and the swings and climbing frame in 1999.

3.5 Consultation carried out over the summer holidays with parents of children using the play area found that toddlers items in this play area were felt to be outdated and of a poor standard, and that new equipment was needed.

3.6 It is therefore proposed that the Section 106 funding be used to: replace the swings; and replace the climbing frame with a new multi-play climbing frame with slides and associated safer surfacing.

3.7 The existing maintenance budgets for both grounds maintenance and playground maintenance would not need to be increased following the installation of new equipment.

3.8 Details of the agreement and proposed works are as follows:

Planning Ref	Development	S106 Agreement Clause	Amount and how the money will be allocated
06/01277	Multi Storey Car Park, Earls Way, Orpington (Tesco)	Payment of £30,000 towards the provision of off- site play space equipment at Priory Gardens or elsewhere within 1km of the site. 4.7 Not to use the Play Space Contribution and any accrued interest for any purpose other than the specific purpose for which it was paid and to pay the Developer such amount which has not been expended in accordance with the provisions of this Deed within 5 years of the date of receipt by the Council of the payment together with interest accrued for the period from the date payment to the date of refund.(31.03.2015).	It is intended to use the funding to replace existing toddler play items in Priory Gardens. The toddlers swing frame is to be replaced along with a toddler climbing frame: Break out and remove existing toddler swing, climbing frame, and safer surface : £1,000 Supply, install, and surface new toddlers swing frame: £5,950 Supply, install, and surface new climbing frame with helter skelter, inclusive access steps, climbing net, and straight slide: £23,050

4. POLICY IMPLICATIONS

- 4.1 The upkeep of green spaces accords with the Council's policy of landscape management for public access, health, education and leisure pursuits and supports the Building a Better Bromley priority – A Quality Environment.
- 4.2 The Environment Portfolio Plan 2014/17 includes the key aim “Conserve and enhance Bromley's parks and green spaces.”

5. FINANCIAL IMPLICATIONS

- 5.1 The S106 funds available for the Toddlers play area at Priory Gardens relate to a legal agreement concerning the Tesco development at Station Road, Orpington with a value of £30,000. This money has to be spent within 5 years of the date of receipt, which is 31 March 2015. Any unspent monies must be returned to the Developer, along with any interest accrued, as set out in clause 4.7 of the legal agreement.
- 5.2 This report is seeking approval to spend the £30,000 on scheme equipment and installation as summarised in the table below: -

Details of proposed works	Cost £
Removal of existing swings & climbing frame	1,000
Supply & install swing frame & safer surfacing	5,950
Supply & install climbing frame & safer surfacing	23,050
Total estimated costs	30,000

6. LEGAL IMPLICATIONS

- 6.1 The proposed expenditure accords with the requirements contained in clause 4.7 of the legal agreement dated 20th May 2008.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	