

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Environment & Operations Executive Member for Growth & Development Executive Member for Public Health, Prevention & Wellbeing
LEAD OFFICERS:	Strategic Director of Environment & Operations
DATE:	Thursday, 8 December 2022

PORTFOLIO/S AFFECTED:	Environment & Operations Growth & Development Public Health, Prevention & Wellbeing
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: EB Replacement of Children's Play Area at Witton Country Park

1. EXECUTIVE SUMMARY

Witton Country Park received significant investment in play facilities for children and young people from the Central Government funded National Play Pathfinder scheme which invested millions in new play facilities across the country between 2008 and 2010.

The new play area known locally as 'The Wits' was officially opened by Jack Straw MP in June 2010. The Wits is the largest and busiest children's play area in the Borough and attracts families from across the Borough and the surrounding areas. These extensive play facilities have provided children and young people with opportunities to have fun, play independently and safely in a stimulating, exciting and attractive play area.

The Wits play area equipment was manufactured primarily from timber and over the past twelve years, the condition of the timber has deteriorated to a point where some sections of the play area have had to be removed for safety reasons. It is only a matter of time before the whole play area will need to be closed for safety reasons.

In 2019, the Council granted planning permission for the redevelopment of a site at Brokenstone Road, Blackburn for up to 450 residential units, along with associated new access, landscaping, parking and associated works. The planning approval was subject to a section 106 agreement dated 5th July 2019 that secured commuted sum payments totalling £3,606,000, of which £350,000 was to be spent on Green Infrastructure / Public Open Space and associated community facilities within the West Blackburn area.

Witton Country Park is located in the West Blackburn area, therefore the £350,000 s106 funding for Green Infrastructure / Public Open Space could be invested in new play facilities at Witton Country Park to replace The Wits.

2. RECOMMENDATIONS

That the Executive Board:

- Approves the investment of £350,000 s106 funding for Green Infrastructure / Public Open Space detailed in the Planning permission 10/18/1116, Brokenstone Road site, to be invested in a new adventure play area for children aged 8-13 years along with a smaller play area for younger children at Witton Country Park.
- Approves the addition of this scheme to the Council's capital programme and the establishment of a capital budget of £350,000 in the financial year 2021/22 to fund the removal of the existing play equipment and the supply and installation of new play equipment at Witton Country Park.
- Gives approval to the Strategic Director of Environment and Operations, in consultation with the Executive Member for Public Health, Prevention and Wellbeing and the Executive Member for Environment and Operations to award the contract to build the new play area at Witton Country Park following a tendering process, alongside a contract for the redevelopment of any play spaces that have or may have funding identified by 31 March 2025.

3. BACKGROUND

Witton Country Park is the largest park in the Borough, consisting of 480 acres of land, the country park provides picnic spots, nature trails, riverside walks and woodlands. An adventure play area for children aged 8 to 13 years of age and an additional smaller play area for younger children known locally as the Wits was officially opened by Jack Straw MP in June 2010.

Witton Country Park is a destination park and attracts more visitors than any other park in the Borough. People attend the park to play sport, take part in recreational activities, to attend an event or to enjoy the many outdoor features of the Country Park.

'The Wits' adventure play and play area is one of the main attractions for families visiting the Country Park. The play area provides opportunities for children 2-13 years of age to have fun, play independently and safely in a stimulating, exciting and attractive play area. Play is first and foremost to help children have fun, but it can also keep them happy and healthy, explore their motor development for their physical growth, conditioning and strengthening, their ability to move and touch his/her surroundings, allowing them to develop and achieve their full potential and is one of the defining characteristics of a good childhood.

'The Wits' play equipment was manufactured primarily from timber and over the past twelve years, the condition of the timber has deteriorated to a point where some sections of the play area have had to be removed for safety reasons. It is only a matter of time before the whole play area will need to be closed for safety reasons. If this was to happen Witton Country Park would undoubtedly attract significantly less visitors and many children in the Borough would have less opportunities to engage in high quality fun, safe, inclusive and positive play alongside other children.

In 2019, the Council granted planning permission for the redevelopment of a site at Brokenstone Road, Blackburn for up to 450 residential units, along with associated new access, landscaping, parking and associated works. The planning approval was subject to a section 106 agreement dated 5th July 2019, that secured commuted sum payments totalling £3,606,000, for the following matters;

- (a) £350,000 as a contribution towards Green Infrastructure. This will be spent on Green Infrastructure / Public Open Space and associated community facilities within the West Blackburn area/rural areas.
- (b) £750,000 as a contribution towards the provision of affordable housing in the borough.
- (c) £26,000 as a contribution towards road safety improvements on Stockclough Lane.

(d) £2,480,000 as a contribution towards additional primary school places in West Blackburn.

The £350,000 S106 funding for Green Infrastructure / Public Open Space could be invested in new play facilities at Witton Country Park to replace The Wits as Witton Country Park is located in the West Blackburn area.

4. KEY ISSUES & RISKS

The Wits play area at Witton Country Park is the largest and most popular play area in the Borough, attracting many thousands of families to the park each year.

The Wits play area opened in 2010 and for the past twelve years it has provided opportunities for children 2-13 years of age to have fun, play independently and safely in a stimulating, exciting and attractive play area.

The existing play equipment has deteriorated to a point where some sections of the play area have had to be removed for safety reasons. The whole play area will have to be closed within the next twelve months for safety reasons.

It is important to provide families and children with the space and opportunity to play in a sociable way. It can provide a range of learning experiences for adults, children and young people alike.

The Council will receive £350,000 s106 funding as a contribution towards Green Infrastructure / Public Open Space and associated community facilities within the West Blackburn area from the redevelopment of a site at Brokenstone Road for up to 450 residential units.

Witton Country Park is located in the West Blackburn area, therefore the £350,000 s106 funding could be invested in new play facilities at Witton Country Park to replace 'The Wits'.

Tendering for the redevelopment of play spaces is a lengthy process and whilst there are a small number of frameworks available for the procurement of approved contractors, this still requires a tendering process to be followed for each site. Therefore, to help reduce the timeframe for the redevelopment of sites, but remain within the procurement requirements of the Council, it is proposed to seek a contractor to undertake all play area redevelopment work up to 31 March 2025. This would be part of the contract let for redevelopment of 'The Wits'.

5. POLICY IMPLICATIONS

The redevelopment of the play area at Witton Country Park will provide high quality play opportunities for local families and children. All children and young people need to play, the impulse to play is innate, it is a biological, psychological and social necessity, and is fundamental to the healthy development and wellbeing of individuals and communities.

The provision of welcoming, engaging, fun, safe, accessible and inclusive play within the community, supports the following two core missions stated within the Council's emerging corporate plan:

- Every child and young person to have the opportunities to fulfil their potential
- Building healthier, happier safer communities

6. FINANCIAL IMPLICATIONS

This scheme will be added to the Council's capital programme with a budget of £350,000 funded by s106 contributions. Any ongoing costs of maintaining the Play Area will be met from within existing revenue budgets

With increased funding opportunities emerging for the redevelopment of play areas, there is a requirement to have a procurement process that fits within the Council's procurement strategy and also provides an agile approach to enable the re-development of play areas to take place as promptly and effectively as possible.

The East Shires Purchasing Organisation (ESPO) has a framework for play areas which contains 14 contractors that have satisfied the national public procurement policy and undergone due diligence checks before being included on the ESPO list.

It is proposed that the Council uses the ESPO framework and invites contractors to attend an open day to ascertain their interest in providing costed designs and proposals for a number of Council play areas that are to receive, or may receive funding regarding the redevelopment of the sites. The contractors would be asked to provide proposals up to a maximum financial value for each play area site. The successful bidder would also be the Council's preferred contractor for the redevelopment of play areas up until 31 March 2025.

Taking this approach would enable the Council to proceed quickly with the re-development of its play areas, including the redevelopment of a new play area at Witton Country Park, and procure the work in accordance with the Council's Procurement Strategy 2022-2025.

7. LEGAL IMPLICATIONS

In 2019, the Council granted planning permission for the redevelopment of a site at Brokenstone Road, Blackburn for up to 450 residential units, along with associated new access, landscaping, parking and associated works. The planning approval was subject to a section 106 dated 5th July 2019, that secured commuted sum payments totalling £3,606,000, including a £350,000 as a contribution towards Green Infrastructure / Public Open Space and associated community facilities within the West Blackburn area.

Witton Country Park is located in the West Blackburn area, therefore the £350,000 S106 funding could be invested in new play facilities at Witton Country Park to replace 'The Wits'. Currently the s106 agreement payment profile for the green infrastructure payment is spread relatively equally over a 6 year period, and so a variation or formal waiver from the relevant signatories of the agreement to the re-profiling will be needed.

8. RESOURCE IMPLICATIONS

Members of the Environment Department management team in conjunction with officers from the Corporate Contracting and Procurement team will manage the procurement process, facilitate site visits for contractors, respond to queries, evaluate all bids submitted and make recommendations for the award for the contract.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

10. CONSULTATIONS

None

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Martin Eden, Tony Watson
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DATE:	22 November 2022
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BACKGROUND PAPER:	
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