

To: Executive Member for Culture, Delivery and Public Protection
Date: 5 June 2023

**Parks And Open Spaces Quality Improvement at Fernbank Road play area
Director of Place, Planning and Regeneration**

1 Purpose of Report

- 1.1 To seek approval for the allocation of S106 funding (£22,316.87) to support improvements to the outdoor play area at Fernbank Road in Winkfield.
- 1.2 To confirm which financial contributions secured from developers under Section 106 of the Town and Country Planning Act 1990 will be applied to the project (see Annex 1).
- 1.3 If approved, the S106 monies will be provided to Winkfield Parish Council as a grant, to upgrade the playground facilities, improving their accessibility and capacity.

2 RECOMMENDATION(S)

- 2.1 That £22,316.87 of S106 contributions (as summarised in Annex 1) are allocated to fund improvements at Fernbank Road play area.**
- 2.2 To condition that appropriate planning permission is secured if/where required, and the grant be paid in full upon completion of the works.**

3 Reasons for Recommendation(S)

- 3.1 The equipment at Fernbank Road play area was installed in 1994 and an upgrade is required to ensure it continues to be fit for purpose.
- 3.2 The recommendation is to replace all existing play equipment and safety surfacing to provide a new and exciting play area for young families who live nearby.
- 3.3 The proposed new range of equipment would be suitable for 1-7 year olds and fully accessible for those with a range of needs and abilities.
- 3.4 The s106 developer contribution proposed for this project is for 'providing, expanding or improving open space and/or outdoor recreational facilities within 3km of 152 New Road in Ascot. The money needs to be committed or used by September 2024.
- 3.5 The improvements proposed are in line with providing new active Open Space of Public Value (OSPV).
- 3.6 S106 funding is secured in accordance with adopted planning policy. Of significance is Planning Obligations Supplementary Planning Document (SPD) (2015) (ref. section 5.11 Open Space of Public Value and the 'Plus

One' Principle whereby works are prioritised towards improving quality of existing open spaces over time.

- 3.7 The justification for requiring developers to supporting the improvement of open space and outdoor recreational facilities is given in The National Planning Policy Framework (NPPF):

'8. Promoting healthy and safe communities

98. Access to a network of high-quality open spaces and **opportunities for sport and physical activity is important for the health and well-being of communities...**'

- 3.8 The improvements deliver key objectives in:

The Council Plan 2019-2023

11. Ensure there are opportunities for everyone to enjoy and participate in sports and leisure activities.'

And

Parks and Open Spaces Strategy (2012).

'8. Enhance outdoor sport and play provision (including ancillary facilities).

- 3.9 Winkfield Neighbourhood Plan

NDP Policy W6

- A: Development proposals to maintain or extend the viable use of existing community facilities or to expand provision either through expansion of an existing facility or the development of a new facility will be supported. This includes the provision of outdoor leisure facilities, including sport pitches, play areas and recreational equipment.
- a: The policy uses a broad definition of community facilities. They are not only considered to be buildings in community use but also outdoor spaces where provision is made for community activities. This may include sports pitches, which whilst not necessarily needing planning permission to be provided, may need permission for supporting facilities such as changing rooms or pavilions. It also covers play areas and outdoor leisure provision such as outdoor gyms.

4 Alternative Options Considered

- 4.1 This is the most suitable s106 development contrition for use against this project, in terms of its distance from Fernbank Road play area and the date for when the money needs to be committed by.

4.2 Not utilising funding to deliver these improvements:

- could result in a failure to mitigate the impact of the development - there's currently no other suitable alternative open space improvement project where these funds could be spent.
- might lead to the funds being returned to the developers - the financial contribution needs to be committed ('applied for the purpose') by September 2024.
- would be a missed opportunity to provide new facilities that bring value to the local community

5 Supporting Information

5.1 Fernbank Road play area is a small area of public open space (0.16 ha) in the middle of North Ascot housing.

5.2 The site is managed by Winkfield Parish Council and contains an open children's play area together with benches and waste bins.

5.3 It is located behind the local community centre, library and nursery school and close to local infant and junior schools. It is well used by families and their children as a green space close to where they live.

5.4 The equipment was installed in 1994 and an upgrade is required to ensure it continues to be fit for purpose.

5.5 The new equipment will provide an imaginative, physically challenging, co-ordinated and inclusive play experience for the children and families of Winkfield. The key attributes of the play area will provide:

- open access for all within the confines of the fenced area
- a high level of accessibility and inclusive design
- creative and inspiring spaces for play
- an environment in which children can play freely and test their boundaries in a rich imaginative way
- different equipment to that found in other local play areas.

See Annex 4 for a full list of equipment to be included and Annex 5 for the wide ranging benefits of 'play'.

6 Consultation and Other Considerations

Legal Advice

6.1 The allocation of funding proposed in this report complies with the requirements of the s106 agreement.

The approval of the recommendation in the report falls within the decision making remit of officers in consultation with the Executive member pursuant to the Bracknell Forest Council Constitution October 2022 Part 2, section 6 paragraph 6.2 (a)(vi).

Financial Advice

- 6.2 The S106 funding identified within the report is available for this scheme and once approved will be added to the Department's capital monitoring for 2023-24 as part of the rolling S106 capital programme.

Other Consultation Responses

- 6.3 Supported by The Old School Day Nursery (next to site) who use the equipment regularly to determine suitable and most popular equipment.

Members consulted at parish council meetings.

Equalities Impact Assessment

- 6.4 An EIA scoping assessment has been carried out for this project and included in Annex 3. There are no negative impacts resulting from the proposed project. The improvements are anticipated to increase residents' health and wellbeing and will be freely available to anyone who wants to use them.

Strategic Risk Management Issues

- 6.5 S106 contributions will need to be refunded should they not be allocated in accordance with the respective legal agreement. Future maintenance costs associated with this project will be met by Winkfield Parish Council.

Assistant Director: Planning

- 6.6 The proposed improvements to outdoor play ground facilities at Fernbank Road, is in compliance with the terms of the relevant S106 agreement in Annex 1. Providing these new facilities will help to improve the quality and capacity of outdoor leisure in the area, thereby mitigating the impact of the relevant development in this regard.

Climate Change Implications

- 6.7 The recommendations are expected to have no impact on emissions of CO2 and should be carbon neutral. This is for the following reasons:

The equipment is targeted for use by residents who live near Fernbank Road play area, with the majority likely to walk to site to use it, thereby keeping the carbon footprint low.

There will only be a small carbon impact when transporting the equipment to site, but this should be offset by the carbon saved by the points raised above.

Health & Wellbeing Considerations

- 6.8 This scheme has the potential to improve residents' health and wellbeing, particularly for younger families.

See Annex 5 The wide ranging benefits of 'play'.

7. Background Papers

Annex 1: S106 allocation details – map and table
Annex 2: P&C S106 funding application form
Annex 3: Initial Equalities Screening Record Form
Annex 4: Equipment specification
Annex 5: The wide ranging benefits of 'play'.

8. Contact for further information

Rose Wicks

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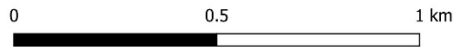
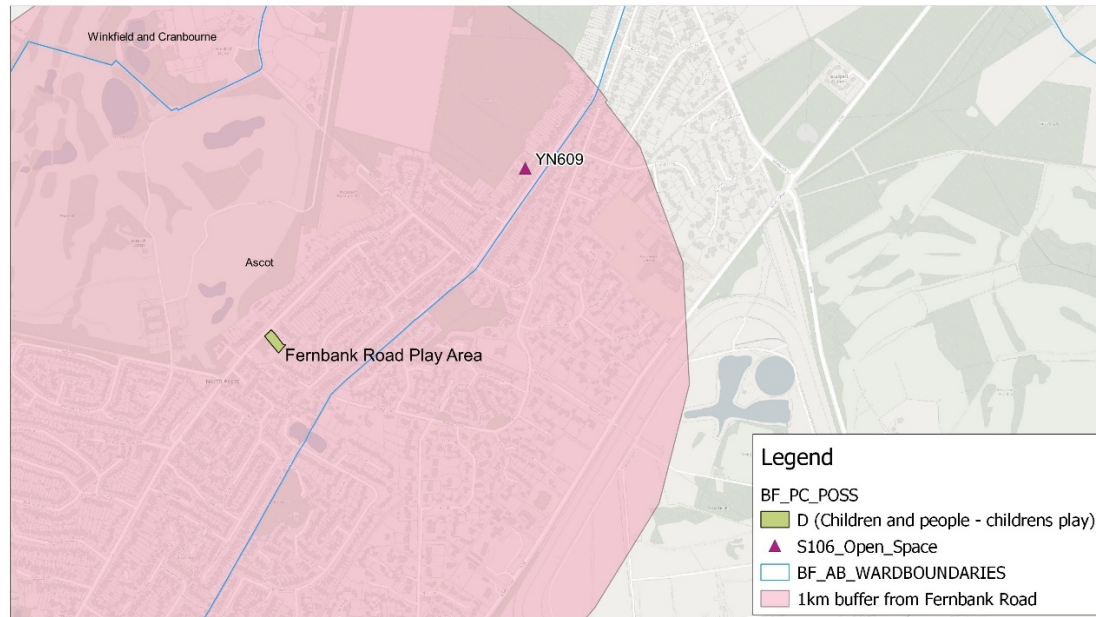
Tel: 01344 354118.

Annex 1 S106 Allocation details and location map

YN CODE	PLANNING REF.	PLANNING SITE NAME	WARD	AMOUNT AVAILABLE	AMOUNT TO ALLOCATE	TERMS	SPEND APPLICATION DATE
YN609	16/00043/FUL	152 New Road, Ascot	Ascot	£22,316.87	£22,316.87	For providing, expanding or improving open space and/or outdoor recreational facilities with 3km.	27/09/2024

Total: £22,316.87

S106 development contribution less than 1km from Fernbank Road play area



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Annex 2: P&C S106 funding application form

Open space and outdoor recreational facilities (S106):
Proforma for consideration of potential parks and open spaces improvement projects.

No.	Question	Please complete this column with your answers
1.	Name of organisation	Winkfield Parish Council
2.	Lead contact Position (Officer / Member)	Marcia Milsom (Clerk)
3.	Project title	Fernbank Play area Upgrade
4.	Project location (address, postcode, grid reference)	Fernbank Play area Kaynes Park Ascot SL5 8DP Grid reference: SU 91050 69820
5.	Project parish and ward	Winkfield (Ascot Ward)
6.	Project description (actions, outputs and outcomes)	Replacement of all existing play equipment and safety surfacing to provide a new and exciting play area for local residents. Range of equipment suitable for 1-7 year olds. The existing equipment was installed in 1994 and there are numerous items that no longer comply to current legislation.
7.	Proposed project start date	Mid 2023
8.	Proposed project end date	Mid 2023
9.	Policy / strategy objectives being delivered (parish, borough, national)	Provision of appropriate play equipment at Parish owned facilities

No.	Question	Please complete this column with your answers
10.	Impact on climate change?	None.
11.	Detail of project consultation undertaken.	Liaison with staff members at The Old School Day Nursery (next to site) who use the equipment regularly to determine suitable and most popular equipment
12.	Total cost	£40,000 - £60,000
13.	Amount of S106 funding requested	£22,316.87
14.	Other funding sources	Winkfield Parish Council Earmarked Play Equipment Replacement Reserve / CIL reserves
15.	Future maintenance / revenue considerations	Earmarked Reserves additions each financial year. Annual play inspections carried out by qualified contractors, maintenance and repairs carried out by in-house staff where possible.
16.	Additional information to include proposed project delivery arrangements and anticipated timescales for drawing down S106 contributions.	Project is due to be tendered through ESPO. Tenders are currently expected to be returned by February/March 2023. A Working Party has been set up to review tenders and will make a final recommendation to Council in Apr/May 2023. Anticipated installation date Jun – Sep 2023 (dependent on availability of contractor). S106 funds would be required on completion of project.

Date: 15 December 2022

Annex 3: Initial Equalities Screening Record Form

Date of Screening: March 2023	Directorate: Place, Planning and Regeneration		Section: Parks and Countryside service and Winkfield Parish Council.
1. Activity to be assessed	To release s106 payment towards new outdoor recreational facilities at Fernbank Road play area.		
2. What is the activity?	<input type="checkbox"/> Policy/strategy <input type="checkbox"/> Function/procedure <input checked="" type="checkbox"/> Project <input type="checkbox"/> Review <input type="checkbox"/> Service <input type="checkbox"/> Organisational change		
3. Is it a new or existing activity?	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing		
4. Officer responsible for the screening	Rose Wicks		
5. Who are the members of the screening team?	Rose Wicks and Annemarie Edwards		
6. What is the purpose of the activity?	<p>Please briefly describe its aims, objectives and main activities as relevant.</p> The aim is to enhance play facilities at Fernbank Road play area, using s106 developer contributions.		
7. Who is the activity designed to benefit/target?	Bracknell Forest residents, particularly those who are local to Fernbank Road play area		
Protected Characteristics	Please tick yes or no	Is there an impact? What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral please give a reason.	What evidence do you have to support this? E.g. equality monitoring data, consultation results, customer satisfaction information etc Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data
8. Disability Equality – this can include physical, mental health, learning or sensory disabilities and includes conditions such as dementia as well as hearing or sight impairment.	Y <input checked="" type="checkbox"/>	N Positive impact. The new proposed play equipment is more accessible, being of a varied height and is wheelchair friendly. <i>Suitable for special needs?</i> The new equipment will be freely available to use and is anticipated to increase younger residents' health and wellbeing.	The suitability of this equipment for all abilities is supported by the suppliers advice on purchase of inclusivity. This has been marked by industry professionals on inclusivity of each part of play equipment. A further overview of the equipment's accessibility is provided in Annex 4.

OFFICIAL SENSITIVE (COMMERCIAL)/OFFICIAL SENSITIVE (PERSONAL)

9. Racial equality	Y ✓	N	No expected impact. The equipment is designed to be used by everyone, regardless of their ethnicity.	Instructions are not required for using the equipment, so it can be used by anyone even if English isn't their first language.
10. Gender equality	Y	N ✓	No expected impact. The equipment is designed to be used by everyone, regardless of gender.	N/A
11. Sexual orientation equality	Y	N ✓	No expected impact. The equipment is designed to be used by everyone, regardless of sexual orientation.	N/A
12. Gender re-assignment	Y	N ✓	The equipment is designed to be used by everyone, regardless of gender re-assignment.	N/A
13. Age equality	Y ✓	N	The new proposed play equipment is suitable for use by 1-7 year olds (toddlers and young children).	Evidence from 2 suppliers for specification in quote and testimonials from councils who have bought this equipment. Experience of WPC grounds staff.
14. Religion and belief equality	Y	N ✓	No expected impact. The equipment is designed to be used by everyone, regardless of their religion or belief.	N/A
15. Pregnancy and maternity equality	Y	N ✓	No expected impact. The equipment is designed to be used by young children.	N/A
16. Marriage and civil partnership equality	Y	N ✓	No expected impact. The equipment is designed to be used by everyone.	N/A
17. Please give details of any other potential impacts on any other group (e.g., those on lower incomes/carers/ex-offenders, armed forces communities) and on promoting good community relations.	<p>Please explain.</p> <p>The proposed development will provide a more attractive destination to the local community particularly the local school communities.</p>			

OFFICIAL SENSITIVE (COMMERCIAL)/OFFICIAL SENSITIVE (PERSONAL)

<p>18. If an adverse/negative impact has been identified can it be justified on grounds of promoting equality of opportunity for one group or for any other reason?</p>	<p>Please explain. There should be no negative or adverse impacts as the equipment is all inclusive for all.</p>		
<p>19. If there is any difference in the impact of the activity when considered for each of the equality groups listed in 8 – 14 above; how significant is the difference in terms of its nature and the number of people likely to be affected?</p>	<p>Please explain. No difference on groups listed 8 to 14</p>		
<p>20. Could the impact constitute unlawful discrimination in relation to any of the Equality Duties?</p>	<p>Y</p>	<p>N ✓</p>	<p>Please explain for each equality group N/A</p>
<p>21. What further information or data is required to better understand the impact? Where and how can that information be obtained?</p>	<p>N/A</p>		
<p>22. On the basis of sections 7 – 17 above is a full impact assessment required?</p>	<p>Y</p>	<p>N ✓</p>	<p>Please explain your decision. If you are not proceeding to a full equality impact assessment, make sure you have the evidence to justify this decision should you be challenged. If you are proceeding to a full equality impact assessment, please contact Harjit.Hunjan@bracknell-forest.gov.uk</p>
<p>23. If a full impact assessment is not required; what actions will you take to reduce or remove any potential differential/adverse impact, to further promote equality of opportunity through this activity or to obtain further information or data? Please complete the action plan in full, adding more rows as needed.</p>			
<p>Action</p>	<p>Timescale</p>	<p>Person Responsible</p>	<p>Milestone/Success Criteria</p>
<p>To explore inclusion of equipment that is suitable for a range of special needs, such as stimulating children's senses, helping them to develop social skills and regulating their energy levels.</p>	<p>As part of the s106 application</p>	<p>Annemarie Edwards and Paul Craven</p>	<p>Inclusion of special needs equipment.</p>

OFFICIAL SENSITIVE (COMMERCIAL)/OFFICIAL SENSITIVE (PERSONAL)

<p>To ensure the equipment can be accessed and enjoyed by children in wheelchairs,</p>	<p>As part of the s106 application</p>	<p>Annemarie Edwards and Paul Craven</p>	<p>Inclusion of wheelchair friendly equipment.</p>
<p>24. Which service, business or work plan will these actions be included in?</p>	<p>Parks and Open Spaces Strategy - S106 quality improvement programme, based on the Plus 1 Principle.</p>		
<p>25. Please list the current actions undertaken to advance equality or examples of good practice identified as part of the screening?</p>	<p>Please list See above.</p>		
<p>26. Assistant Director/Director signature.</p>	<p>Signature:</p>		<p>Date:</p>

Annex 4: Equipment specification

The existing play equipment pieces at Fernbank Play Area were installed in 1995 and no longer conform to current regulations and play guidance. The equipment offers little play value and some of the equipment has come to the end of its life, with some items already removed for safety reasons.

Winkfield Parish Council wishes to replace the equipment to cater for children 1-7 years of age. A variety of fixed play equipment will provide a series of challenging play experiences which will encourage young visitors to progress from more simple experiences to more challenging ones within a safe environment, helping to improve their mobility and develop their balance, strength, spatial perception and sense of rhythm. The project will incorporate areas of safer surfacing.

There is a preference to have a solid area of safety surfacing encompassing all play equipment to make all areas accessible and eliminate the need for mowing between play segments however, to ensure the project falls within budget, separate safety surface areas with connecting pathways will be considered.

Aims:

- Provide a new imaginative, physically challenging, co-ordinated and inclusive play experience for the children and families of Winkfield, situated within the fenced play area at Fernbank Play Area.
- Create an inspiring play space that will excite, challenge and stimulate the children's imagination both of their own self-development as well as the surrounding environment.
- Promote positive attitudes to children in the community through play opportunities by providing a safe environment for play as part of our approach to a sustainable community.
- Recognise the importance of community life for children growing up in Winkfield.

Design Principles:

1. The key attributes of the play area are expected to be:
 - Open access for all within the confines of the fenced area
 - A high level of accessibility and inclusive design
 - Creative and inspiring spaces for play
 - A sustainable provision that can be maintained with the minimum of cost
 - An environment in which children can play freely and test their boundaries in a rich imaginative way
 - Designs that do not expose users to unacceptable levels of risk of serious injury
 - Designs that do not include water play
 - Different equipment to that found in other local play areas
2. All play equipment will meet current safety recommendations and be installed on impact absorbing surfacing.
3. Equipment should cater for both toddlers (1-4 years) and juniors (5-7 years).
4. The equipment supplied will take into consideration varying needs of children with disabilities, including accessible low level features such as tactile panels on multi play units, special seats and good accessibility to all play items.

Annex 5: The wide ranging benefits of 'play'.

Physical benefits:

1. Play leads to improved motor skills
2. It can improve overall health
3. Play builds muscle strength
4. It leads to better quality sleep

Mental benefits:

1. It can lead to improved academics
2. Play aids in brain development
3. It can increase attention spans
4. Play limits labels and preconceived ideas
5. Playtime helps build leadership skills
6. Your child will see improved communication skills

Emotional benefits:

1. It stimulates all seven senses – sight, hearing, smell, taste and touch, vestibular (the ability to maintain balance and body posture) and proprioceptive (inform kids' ability to position their bodies correctly to perform certain activities).
2. It builds self-esteem
3. Kids experience a range of emotions
4. It can help their brains develop
5. Kids will develop a sense of independence

Social benefits:

1. It encourages interaction with others:
2. It still allows for solo play
3. The playground equipment for social development provides a place for inclusive play
4. Play increases openness with parents and caregivers
5. It increases your child's ability to listen and collaborate

Other benefits:

1. Develop a stronger sense of community
2. Create a dynamic relationship with nature
3. Bring a little excitement to a child's day

For further information, see this web page by playground equipment provider Miracle Recreation: [Playground Developmental Benefits | Miracle Recreation \(miracle-recreation.com\)](https://www.miracle-recreation.com) NB – this isn't the equipment supplier for this project.