

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY SERVICES COMMITTEE

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Agenda Item No.

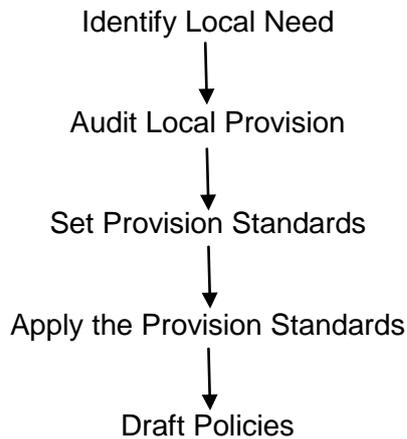
meeting date: 3 SEPTEMBER 2013  
title: OFF-SITE CHARGE IN RESPECT OF OPEN SPACE PROVISION  
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## 1 PURPOSE

- 1.1 To report on progress in identifying a framework for applying developer contributions towards off-site open space/facility provision.
- 1.2 Relevance to the Council's ambitions and priorities
- Council Ambitions – to make people's lives healthier and safer
  - Community Objectives – to be a well-managed Council, providing efficient services based on identified customer needs.
  - Corporate Priorities - to finalise the core strategy; to improve the health of people living and working in the area; to improve the opportunity for young people to participate in recreation and sporting activities.

## 2 BACKGROUND

- 2.1 To provide more detail to the public open space elements of the core strategy, Committee formed a working group to carry out a review of existing provision, and identify any gaps in provisions that emerge as a result of more housing developments.
- 2.2 Any future negotiations between the Council and developers will have to be underpinned by a robust evidence base, which is able to withstand examination by planning inspectorate. If the evidence base is found to be deficient, this could lead to the plan being found unsound, and being incapable of drawing down potential off-site contributions from developers.
- 2.3 There have been changes in legislation restricting the application of Section 106 agreements. In 2010, new arrangements were introduced to clarify the relationship between Section 106 planning obligations and the Community Infrastructure Levy (CIL), in order to avoid the 'double charging' of developers. Section 106 contributions are now restricted to on-site, and site- specific issues, while CIL, charged to fund wider infrastructure projects that support growth and benefit the local community, is discretionary, if local authorities wish to adopt a charging schedule. The challenge is on arriving at a standard for all relevant types of off-site open space contributions.
- 2.4 A formulaic approach to identifying local held or standard charging system – subject to a local audit, and the setting of local standards - can create greater certainty for developers, and speed up the process of negotiation.
- 2.5 The methodology advocated under the Government's Planning Policy Guidance Note 17 'Planning for Open Space and Recreation (PPG17)', and its companion guide 'Assessing Needs and Opportunities' recommends the approach and stages, below:



### 3 CURRENT SITUATION/ISSUES

3.1 An assessment of the investment required to ensure that Sports and physical activity infrastructure will keep pace with increased demand, driven by an increase in the Borough's population through housing development has been arrived at through:

- Auditing existing facility provision
- Identifying needs for facilities and participation levels in activities
- Assessing the impact on current facility provision, in terms of the capacity to cope with an increase in numbers.
- Assessing provision in terms of quality (ie new or upgrade requirements) and accessibility to community use.

3.2 This has enabled key strategic facilities to be identified, which essentially serve the largest centres of population (Clitheroe, Longridge, and Whalley) and the provision and appreciation of overall costs.

3.3 In arriving at a formula to determine financial contributions towards the infrastructure, various options have been considered. The total cost of the identified open space or Sporting infrastructure requirement could be charged to developers according to:-

- (i) Property size  
A scale of charges, based on property type, on the basis that larger houses would have more inhabitants, therefore creating a greater burden on infrastructure.
- (ii) Size of development  
Using the Old District-wide Plan, with subsequent supporting community decisions, there is a framework for determining the level of Open Space expected on a given development.

Both these have limitations, and a preferred approach which now would appear to have been widely adopted, is to express contributions to facility / green space provision as unit costs per person.

3.4 There are standards of facility provision provided by Sport England and it is possible to equate a cost per person in providing the minimum level in each case, across the Borough. The table below shows how the unit costs per person have been constructed from the unit area the population of the Borough and the expected amount of provision to serve an area of Ribble Valley.

3.5 This is believed to equitably represent the amount that any new resident would be expected to contribute in accessing the sporting infrastructure irrespective of the proximity to their residence. So it is a charge applied to all occupants of new housing

and the developer contributions will be pooled and allocated to projects according to priority and deliverability at a point in time.

## STANDARDS OF PROVISION

Item	Standard	Unit Cost	Unit Area	Notes Based upon facility dimensions/ area	Ribble Valley Actual Provision- (58,000 pop.)
Synthetic Pitch	0.03 per 1000 population 1.74 facilities based on 58,000 pop.	S.E cost of new=£660,000 for 1.74 facilities or £19.80 per person Cost of upgrade to 3G= £295,000 for 1.74 facilities or £8.85 per person	0.226m sq. per person	Sand based 106 x 71m fenced (7526 m sq.) and floodlit. 1.74 = 13,095 m sq.	2.0 facilities- 15, 052 sq. m or 0.23 m per person. Only 1 available to community use.
Sports Hall	80.7 m sq. per 1,000 pop. or 4,680.6 m sq. based on 58,000 pop. Or S.E calculator 15.2 courts / 3.8 Halls	S.E cost of new= £2,845,000 per facility x 3.8= £10,811,000 or £186.40 per person	0.0807m sq. per person	4 court S.Hall – S.E dimensions 34.5 x 20m or 690m sq.(S.E.1,530 m sq. (includes changing provision, reception)	12 facilities- (All in Educational settings)- 111.84 m sq.
Swimming Pool- Main	13.07 m sq. per 1,000 pop. or 758 m sq. based on 58,000 pop. 2.88 pools (25x10.5m)	S.E cost of new= £3,600,000 x 2.88 = or £179 per person	0.013m sq. per person	25 metre x 10.5m, 5 lane pool –262.5m sq.(S.E.1344 m sq. with ancillary provision; changing, reception).	2.0 Pools or 11.36 m sq. (1 in Educational restricted access)
Natural Turf- Grass Pitch	No standard NPFA- 16 m sq. per person. 1 Adult Pitch per 1,400 dwellings (2.4 per dwelling) = 3,360	S.E. cost of natural turf pitch –Senior = £75,000 and Youth = £65,000 and Mini = £25,000 Upgrade costs- (PPF Programme- see notes re typical budget costs- £40,000	No standard NPFA- 16 m sq. per person. Adult Pitch (Football)- One 2ha pitch per 1,400 dwellings. New Pitch = £22.32 rate per m sq. Upgrade = £11.90 rate per m sq.  Junior Pitch (Football)- One 1ha pitch per 1,500 dwellings.	Senior Pitch- (107.9m x 71.3m= 7,693m sq.) Youth- (98.8mx62.2m= 6,141m sq.) Mini Football- (53mx 34.8m= (1,844m sq.)	Senior Pitches- 43 Youth and Mini-71 (17 Senior and 7 Junior not available to community use)

- 3.6 It is possible to set a charge for specific facility infrastructure contributions, as set out in the table above/below. These facilities are believed to represent greatest need, and are identified as either new, or upgraded provision. Other facilities ie Athletics facilities could be included in the same way and included as an off site charge if there was under provision and there was community need.

Whilst this provides a measure against overall provision across the Borough, it does not contain an accessibility standard (provision within a set distance for travelling time). It is expected that contributions would be made to the identified strategic sites as identified in the report to committee in January, and or those sites/ projects to be identified by local organisations and Parish Councils

- 3.7 Informal open space provision is more difficult to standardise, and, before being in a position to set a minimum quantity per person, and a charge relative to the cost of provision and maintenance of that space, more assessment must be undertaken.

Firstly, there will have to be agreement on the typology for off-site contributions for application to developments in Ribble Valley. There is good reason to suggest that a charge for Parks & Gardens, and provision for children and young people's space should be included, but access to informal green space, which is readily available across the Borough, and allotments / community gardens, may be excluded.

Whilst an audit of green space and playing areas has been produced in the form of actual locations, there has been no assessment made so far; to quantify the total area available, or as to the cost of providing parks and gardens, and play space for children and young people. As not all green space is under council control the assessment of the areas, identification of costs and priorities for provision needs to be produced in conjunction with the Parish Councils. The standards commonly adopted in expressing provision/ availability of Parks/ Gardens and Play Space is minimum quantity per person within a maximum straight line distance.

There can be significant variations in rates determined by authorities; For example Central Lancashire who have subjected their rates through a CIL process have set a cost per meter square for Parks and Gardens and Provision for children/ young people of £32 and £70 respectively compared to £122 and £280 in the case of North Warwickshire. As with Sporting infrastructure it is necessary to firstly determine a cost per meter square and then apply a local standard appropriate to the location ie Ribble Valley.

- 3.8 To get closer to a position were by the Council is able to justify the charging of off-site rates in respect to new developments and set a charging schedule there needs to more evidence of economic viability and community needs. There will also have to be a consultation process with the local communities regarding any proposed rates. At some stage it may be decided to subject any charging schedule to public examination (Planning Inspectorate). Whilst this is taking place negotiations with new developers are still able to continue in drawing down off-site contributions and which can give rise to open space improvements or facility provision within the immediate community area.

- 3.9 The next steps of the process in reaching a situation to be able to apply a standard charge per Open Space and Sporting Infrastructure are to:

- (i) Continue with the internal auditing and assessment of open space in terms of quantity, quality and accessibility, especially Parks& Gardens and play sites. Determine Open Space Standards in terms of quantity per person and an overall rate per square metre which is realistic / appropriate to this area, and add to those already produced for sporting infrastructure;-indoor sporting provision, swimming and artificial pitch facilities.

- (ii) Include parish councils in the audit/information-finding process, and request that they produce their own plans for local delivery / implementation. Parish councils are able to receive developer contributions towards off-site provision and this is especially relevant if new developments are planned in the more remote areas away from the three main recognised population areas.
- (iii) Consider how the standards are to be applied. Identify circumstances which may exempt developments from off site charges;- Sheltered accommodation for example. Determine whether charges should apply to an individual or per dwelling within each typology. Investigate the factors which would shape the setting of a local standard which might be applied to the charges in making them Ribble Valley Specific.
- (iv) Produce a Ribble Valley specific process, that determines forms of developer contributions (on-site and off-site) towards new or improved open space and recreation facilities. This will facilitate negotiations with developers and help to clarify the decision process as to whether off-site contributions are appropriate and which can be applied consistently to developers.

## 4 RISK ASSESSMENT

### 4.1 The approval of this report may have the following implications:

- Resources – There are no direct financial implications associated with this report. Recognising that the Council will not be in a position to provide capital funds, facility investment to maintain and meet increasing future demand will need to be drawn from external funding sources. The potential to utilise commuted sums from section 106 agreements and possibly CIL in time, could help contribute significantly towards new and upgraded facilities. Currently this tends to involve the provision and or contribution to play facilities, and is restricted to the immediate locations. Larger development proposals and the introduction of a robust evidenced based charging policy can impact upon the strategic infrastructure.
- Technical, Environmental and Legal – The evidence base in assembling standards and charges in this report has largely been built upon Sport England guidelines and data sources. The methodology applied is also consistent with approved good practice as referenced in ‘improving culture, arts and sporting opportunities through planning’, and every attempt has been made and will continue to be made in anticipating potential challenges to the standards and charges.
- Political – as part of the planning process it is important that the council ensures that developers contribute to the improvement of infrastructure, where increased use puts pressure on existing capacity. The production of this Open Space Study will help to advise decisions as to how best to direct future funding towards open space, facilities and infrastructure.
- Reputation – The Council’s leadership role will be important in shaping future infrastructure. There are likely to be future development opportunities which require negotiation with schools, private sector and voluntary sector operators of facilities, as well as housing developers and it is anticipated that the evidence will help with decision making when challenged.

**5 RECOMMENDED THAT COMMITTEE**

Approves the action identified in 3.8 and 3.9 of this report, which is considered necessary by the Open Space Working Group in strengthening the evidence-base in charging for off-site developer contributions and determining a charging structure for Ribble Valley.

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Community Services 3.9.13/Off-site charge in respect of provision of Open Space/Colin Winterbottom/IW