



Adur Joint Strategic Sub Committee  
27 September 2023

ADUR DISTRICT  
C O U N C I L

Key Decision Yes

Ward(s) Affected: Mash Barn

**Release of s106 money for the Replacement of the Play Area at Shadwells Road Open Space**

**Report by the Director of Place**

**Officer Contact Details**

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**Executive Summary**

**1. Purpose**

- 1.1. This report seeks to approve the release of s106 contributions received from the development of land at Mash Barn Estate for the replacement of play equipment at Shadwells Road open space.
- 1.2. The existing open space play equipment in Shadwells Road has been prioritised for upgrading and replacement by officers in the Parks & Foreshore team.
- 1.3. Use of Mash Barn s106 in Shadwell Road directly benefits the nearest community and residencies for which the allocation was intended.

**2. Recommendations**

- 2.1. The Adur Joint Strategic Subcommittee is recommended to:

**2.1.1.** Approve the release of £104,150 of s106 monies and approve an amendment to the capital programme for the new playground improvement scheme.

**2.1.2.** To delegate to the Director of Place, in consultation with the Adur Cabinet Member for the Environment and Leisure, the authority to approve and award a contract for the construction work required to deliver new play equipment at Shadwells Road subject to the development of a procurement strategy; the outcome of a compliant procurement process; and, ensuring that the project is within the authorised budget envelope.

### **3. Context**

- 3.1** The current play area at Shadwell Road is in a poor condition and has come to the end of its life. It has been assessed by officers as inadequate, and outdated, and no longer addresses the needs of local children.
- 3.2** The Council is seeking to select and install equipment which meets the play and developmental needs of as wide a range of children as possible, including children living with disabilities and provide high play value to a wide range of child age groups.
- 3.3** There is a need and demand for better and higher quality play equipment, linked to a better quality service for the local community, especially meeting children's needs and encouraging exercise. This can all be achieved at Shadwells Road by adopting a community partnership redesign of their local playground.
- 3.4** Encouraging positive play reduces antisocial behaviour and helps to deliver improved health in our communities. Evidentially poor play equipment located in public areas in need of replacement and/or improvement can quickly lead to increased anti-social behaviour.
- 3.5** Use of outdoor play areas encourage community interaction, relieving loneliness and offering a free leisure activity, particularly important to those on lower incomes and during the current cost of living crisis.

#### **4. Issues for consideration**

- 4.1** Shadwells Road open area was prioritised for s106 improvements due to the poor condition of its play equipment in relation to the other six Council managed parks in Lancing. Four have benefited from recent replacements of equipment (Hamble 2017, Larkfield 2022, Lancing Manor 2022, Elm Grove 2018) and the remaining two, Sompting Rec and Halewick are in better condition overall. Shadwells Road play area was also highlighted due to its close proximity to the land at Mash Barn, the development responsible for the s106 funds.
- 4.2** The procurement and installation of the new play scheme will be managed by the Council's Engineers team in liaison with the Park Rangers team. The Engineers have significant experience of delivering this type and level of project.
- 4.3** The procurement ITT documentation will include a quality weighting for local/district suppliers, as well the need for suppliers to utilise sustainable materials.
- 4.4** The Council's Park Rangers have already conducted a consultation with stakeholders and the results will be included within tender documentation. Tender returns will be assessed and as part of the process stakeholders will be asked to rate their preference on the shortlisted tendered schemes
- 4.5** The current playground equipment is more than 15 years old and is beyond economic repair and many of the parts and materials required to carry out repairs are discontinued. The impact of this results in additional resources being required to maintain the equipment or equipment being removed as it is unsafe. Where possible useful components from the old scheme at Shadwells Road will be used as 'donor' parts for existing parks equipment although due to their condition this is a limited supply.
- 4.6** All playground equipment must be maintained to the guidelines set out by the Royal Society for the Prevention of Accidents (RoSPA). All playground equipment installed must meet EN1176, BS7188 and EN1177. This is the regulatory standard looked for as standard evidence of good practice. There are a number of Acts which the Council is required to comply with in respect of play grounds and these include Occupiers Liability Act and The Children's

Act as well as government guidance including published Playground Safety Guidance 1998 and Managing Risk in Play Provision.

**4.7** It should be noted that renewing old play equipment keeps maintenance costs lower, improves quality and increases usage, giving the community a greater feeling of resources being spent on their needs. Including the community in the decision-making and the choice of new equipment gives a feeling of local ownership of their open spaces.

**4.8** Adur & Worthing Councils corporate framework, *Our Plan*, identifies four missions, Thriving People, Thriving Places, Thriving Environment & Thriving Economy with twelve key ambitions, the replacement of play equipment in Shadwells Road aligns to:

- **People** - Everyone is able to enjoy a wide range of cultural, leisure and sporting activities
- **Places** - Places are designed for people and nature. They are clean, safe and feel looked after
- **Places** - People feel a sense of belonging to places and communities. They can influence how places change
- **Economy** - Economic growth regenerates places, and high streets, helping communities to prosper

## **5. Engagement and Communication**

**5.1** In November 2022 Park Rangers undertook an online and in person consultation with the local community and park users. Feedback from this and an additional consultation, relating to preferred play equipment, will form the basis of concept designs for Shadwell Road open space.

**5.2** *Lancing: Now and into the future* (2022) project, conducted by Adur District Council, Participation Lead officers spanned the full breadth of Lancing' demographic in an extensive programme of engagement. Among the project conclusions were the following statements which support the use of s106 in a community environment:

- "People in Lancing want leisure opportunities that they can afford, enjoy and access."
- "People in Lancing want to see the fair use of resources for the benefit of local people."
- "People in Lancing are active and resourceful."

- 5.3** Within the *Lancing: Now and into the future* among 12 key actions 'Better, safer green spaces' was voted 6th (in order of priority) by an action group invited to vote. This prioritised list was preceded by extensive community consultation, including events at a number of venues across Lancing, as well as an online questionnaire.
- 5.4** Working alongside local community groups, the Council, via its Park Rangers team, will continue to engage with users of the Shadwells Road play area during the installation process and answer any questions relating to the build and final product.
- 5.5** It's important that the local community are made aware of any improvements in their locality, therefore the Council will ensure w social media and press releases in relation to the new, improved play area are in place.

## **6. Financial Implications**

- 6.1** The Council has a Section 106 agreement relating to land east of Shadwells Road, Mash Barn Estate, Lancing Planning reference AWDM/0961/17 which totals £104,145.26. Therefore, funding is available for the proposed playground works..
- 6.2** Under the Council's financial regulations, the release of S106 funds of over £100,000 must be approved by the Joint Strategic Committee (or a sub-committee thereof).
- 6.3** The procurement will include the supply of equipment and installation of the new play scheme which is expected to be contained within the approved budget which also includes a provision for professional fees, inflation and contingency.

Finance Officer: Sarah Gobey

Date: 16th August 2023

## **7. Legal Implications**

- 7.1** Section 106 Agreements are entered into between the developer and the local planning authority to mitigate the impacts of a development proposal.

**7.2** This Section 106 Agreement is dated 4th February 2020. One of the obligations is the Play Area Contribution of £100,000.00 (index linked) which was payable prior to occupation of the first dwelling towards improvements to the local equipped area of play on Shadwells Road.

Legal Officer: Caroline Perry

Date: 16th August 2023.

### **Background Papers**

- [Lancing: Now and into the Future, Communities Report June 2023](#)
- [Planning Reference: AWDM/0961/17](#)

## **Sustainability & Risk Assessment**

### **1. Economic**

- Matters considered and no issues identified

### **2. Social**

#### **2.1 Social Value**

- Improvements to our parks and open spaces are important in creating vibrant and well cared for facilities.
- Outdoor play increases well-being, helps to prevent loneliness and reconnects people with nature.
- All elements of a new play area combine to improve the attractiveness of Mash Barn and Shadwells Road.

#### **2.2 Equality Issues**

- Public play areas are free to use and provide a vital social environment for children, young people, adults and seniors alike.

#### **2.3 Community Safety Issues (Section 17)**

- Poorly maintained public areas and old and/or broken play equipment heightens the risk of anti-social behaviour.

#### **2.4 Human Rights Issues**

- Matter considered and no issues identified.

### **3. Environmental**

- Use of local suppliers and sustainable materials will be prioritised within the procurement process.

### **4. Governance**

- Matter considered and no issues identified