

Bolsover District Council

Executive

3rd October 2015

**Investment of s106 contributions for 'youth and adult recreation'
in Ault Hucknall parish (Doe Lea)**

Report of the Special Projects Officer

This report is public

Purpose of the Report

- To seek approval for the investment of monies received as a formal commuted sum for 'youth and adult recreation' through a Section 106 Agreement with Gleeson Homes Limited and relating to 'The Brambles' development at Doe Lea. This report outlines a number of options to invest the s106 monies, including projects with a value in excess of £50,000.

1 Report Details

- 1.1 As part of the planning process, and particularly for new housing developments, the Council has entered into a number of Section 106 Agreements with developers for the delivery of community facilities. These can be provided by the developer as part of the development or a commuted sum can be negotiated for off-site provision, particularly the enhancement or improvement of an existing facility.
- 1.2 This report concerns a commuted sum for 'youth and adult recreation' of some £130,000 that was paid in December 2011. Since then a number of potential projects have been identified, investigated and ultimately rejected, due to issues relating to access, land availability, land ownership, location or a lack of support.
- 1.3 The A617 running through Bramley Vale and crossing the M1 at junction 29 acts as a major barrier to the development of land to the north of the road for recreation as there is no safe vehicular access from the A617 and limited access for pedestrians, cyclists and horse riders across the A617 due to limited visibility and high traffic speeds.
- 1.4 As part of the development of 'The Brambles', a revised junction (included a signalised crossing for pedestrians, cyclists and horse riders) on the A617 at Doe Lea was included as a condition in the original planning permission. To date there have been no alterations to the junction and the crossing of the A617 is still a major obstacle for pedestrians, cyclists and horse riders.

- 1.5 In addition, the creation of new vehicular accesses off the A617 would not be supported by Derbyshire County Council Highways for safety reasons. This has effectively prevented the development of an area of land of some 1.8ha that was set aside for football pitches as part of the reclamation of the former Glapwell Colliery in the late 1970s.
- 1.6 Ault Hucknall Parish Council leased this land from Derbyshire County Council with a view to developing two additional football pitches. The lack of safe access means that this site has not been developed as it is not possible to provide car parking on site in line with planning requirements. As this was the intended recipient of the funding at the time that the s106 Agreement was signed, it has been necessary to look for other projects.
- 1.7 An early suggestion (2011/12) was the development of the Glapwell Countryside Site (an area of reclaimed land of some 137ha (including land leased for agriculture), owned and managed by Derbyshire County Council) as a multi-disciplinary cycling facility with a closed road cycling circuit, BMX track, mountain bike trail, cycle speedway track and a cyclo-cross circuit. Additional facilities such as car parking, cafe / workshop and camping were also included in the proposal.
- 1.8 Although Ault Hucknall Parish Council and Derbyshire County Council were supportive of the scheme, and an outline proposal / business plan was produced, initial discussions with British Cycling were less positive as they would only potentially fund the elements of the scheme that supported competitive cycling and for which there was a lack of local / regional provision (e.g. the closed road circuit). It was also felt that due to the proposed location that there wasn't a large enough local community of users to support their investment in the scheme.
- 1.9 Since 2013, a number of other schemes have been suggested, including:
- A small mountain bike skills circuit on land adjacent to the play area at Doe Lea
 - A BMX track on the area of land earmarked for football pitches to the north of the A617 (see 1.4)
 - An access ramp to Doe Lea Recreation Ground (the only access from Doe Lea is stepped)
 - An extension to the Stockley Trail – two proposals, north of the A617 to link Doe Lea to the existing Stockley Trail towards Bolsover and south of the A617 to link Doe Lea to Stainsby Mill / Hardwick Park.
 - An additional, small, play area on land at Bramley Vale
 - An informal recreation area with seating on the land earmarked for football pitches to the north of the A617
- 1.10 As outlined above (see 1.2), most of these schemes have been rejected on grounds of access, land availability, land ownership, location or a lack of support. However, both the mountain bike skills circuit and access ramp proposals were taken forward as projects that were to be developed, with schemes designed and costed and approval to proceed sought through Delegated Decisions. The mountain bike skills circuit was subsequently rejected as the area land that had been identified was deemed to be too small and too close to neighbouring properties.

1.11 Due to costs associated with the production of planning applications and necessary supporting information and spend on other items including new goal posts; the available s106 monies total £123,000.

1.12 Mountain Bike Trail at Glapwell Countryside Site

More recently, and following further discussions and with Derbyshire County Council (Countryside, Planning and Waste Management) and Ault Hucknall Parish Council, a proposal has been developed to create a 2-3km blue grade (adventure) mountain bike trail within four woodland blocks on the western side of the Glapwell Countryside Site (and within Ault Hucknall parish). This would be directly accessible from Bramley Vale (where there is a pedestrian crossing on the A617) and would provide a facility that would be available for use by local residents and the wider community at no cost. It would also provide a use on part of a wider site that currently has no formal use and would link to the Stockley Trail to encourage users to ride to the trail, rather than travel by car, although there is a small existing car park off Stockley Lane.

1.13 The Glapwell Mountain Bike Trail proposal also includes the development of a short section of greenway through one of the woodland blocks that would extend the existing Stockley Trail by almost 400m in the direction of Doe Lea and would link existing paths within Glapwell Countryside Site to create a circuit for walkers, cyclists and horseriders as well as providing links to the proposed mountain bike trail to allow longer or shorter loops to be ridden. This would be constructed to Derbyshire County Council's existing Greenway Specification.

1.14 A detailed scheme has been developed and a planning application (16/00356/FUL) has been submitted. This was due to be determined in September 2016, but due to concerns raised by The Coal Authority and Derbyshire Wildlife Trust, additional information has been submitted and further consultation has had to be carried out. A new date for determination has been set for 10 October 2016.

1.15 It is estimated that the total cost of the scheme as proposed would be between £75,000 and £100,000. Details of the proposals are contained in the 'Glapwell Mountain Bike Trail Design & Access Statement' that formed part of the planning application (16/00356/FUL). The line of the proposed trail is shown in Appendix 1.

1.16 A similar scheme has recently been developed by Derbyshire County Council at Williamthorpe Nature Reserve (Five Pits Adventurous Bike Trail) and Chesterfield Borough Council is looking to develop a mountain bike trail at Poolsbrook Country Park. Both of these trails would ultimately be accessible from the Glapwell Mountain Bike Trail via the expanding network of greenways across north eastern Derbyshire, which is being developed by Derbyshire County Council and other partners.

1.17 Access Ramp to Doe Lea Recreation Ground

Ault Hucknall Parish Council is keen to provide an additional, ramped access to Doe Lea Recreation Ground as there is currently only stepped access from East Street, Doe Lea, which does not provide access for all potential users of the

recreation ground. The original plan for The Brambles suggested that a ramped access would be created from the south of the development. However, this has never been developed.

- 1.18 It is possible to construct an access ramp from an area of land owned by Derbyshire County Council that was originally the garden of a property known as Dunholme that fell into disuse and was subsequently demolished. As part of the development of 'The Brambles' a tarmac access was created into this area of land as it was suggested that a car park could be constructed to service the recreation ground to alleviate potential parking problems on East Street during football matches.
- 1.19 As the land on which the foot of the proposed access ramp and connecting path would be developed is owned by Derbyshire County Council and is potential development land, Ault Hucknall Parish Council has been in discussions with Derbyshire County Council to acquire the necessary land for the access ramp and a legal right of access across the land for a footpath to link the access off East Street to the foot of the access ramp. At the time of writing, negotiations are still ongoing.
- 1.20 Ault Hucknall Parish Council invited Groundwork Creswell to draw up a scheme including a car park and the access ramp. However, as the total cost was estimated to be in the region of £90,000, the scheme was put on hold. At the time, it was estimated that the cost of just the ramp and link path would be in the region of £25,000, which is the approximate budget for the revised / simplified scheme that is currently proposed.
- 1.21 A planning application has been submitted (16/00350/FUL) based on the scheme developed by Groundwork Creswell, but without the car park. This application was due to be determined in September 2016, although at the time of writing additional information and a revised plan had been requested. It is hoped that the application would have been resolved by the end of September 2016. The proposed line of the path and location of the ramp is shown in Appendix 2.

1.22 **Alternative Projects (should planning permission not be granted)**

In the event that planning permission for one or both of the schemes outlined above is refused or a legal agreement with Derbyshire County Council for the access ramp cannot be completed in time, two additional projects that would not require planning permission have been identified. These are outlined below.

1.23 **Resurfacing of Ault Hucknall FP49 between Doe Lea and Bramley Vale**

Ault Hucknall FP49 has previously been surfaced (pre-2001) with a crushed limestone surface, but over time has become overgrown. However, the path material still exists and would provide a sub-base for a new surface. There is evidence that the path is used by horseriders to link to the existing Bridleway through Doe Lea Nature Reserve.

- 1.24 As the existing footways alongside the A617 between Bramley Vale and Doe Lea are narrow and traffic volumes and speed are high, FP49 is seen as a safer alternative for walkers, cyclists and horse riders between the two settlements.

Ultimately, the path could form part of an extended Stockley Trail, with options to develop a new path heading north from the A617 at Bramley Vale to link to the existing Stockley Trail as it passes through Glapwell Countryside Site.

1.25 As the path is gently sloping towards Doe Lea, it is suggested that the path is surfaced with Flexi-Pave™ (which uses recycled car tyres, stone and a unique bonding agent to form a highly porous paving product) to avoid the path material being washed out during periods of heavy rain as has occurred in other similar locations. The bridleway heading west into Doe Lea Nature Reserve (Ault Hucknall BW 22) is particularly susceptible to such damage, as it slopes steeply and has an unbound surface.

1.26 The path is approximately 485m in length and consists of three distinct sections as illustrated in Appendix 3. An estimate for resurfacing the path with Flexi-Pave™ has been received, which is as follows:

Section A: 185m x 2.0m (370m²) = £18,247

Section B: 230m x 2.0m (460m²) = £22,500

Section C: 70m x 2.5m (140m²) = £7,000

Total: 485m x 2.0m (970m²) = £48,000

NB. The estimated prices do not include any allowance for vegetation clearance. Resurfacing Section B (where the path crosses a grassy 'meadow' area) would be optional, so resurfacing sections A and C only would reduce the cost to under £26,000.

1.27 **Resurfacing of foot / cycle path from Doe Lea to M1 junction 29**

As part of the development of junction 29 a path was developed that runs around the inside of the junction and links Heath (via the truncated spurs of Church Lane and Mansfield Road) to Doe Lea, finishing adjacent to the bus shelter on Mansfield Road.

1.28 The path is just under 800m in length, generally 1.8m wide (although encroaching vegetation has reduced this in places to 0.6m wide) and with a tarmac surface. Over time the surface has deteriorated and has broken up in a number of places.

1.29 Clearing the encroaching vegetation and resurfacing the path would provide a vastly improved, safe route between Doe Lea and Heath that would allow walkers, cyclists and horse riders to cross M1 J29 safely and would provide a significant part of a link between the Stockley Trail and the Five Pits Trail.

1.30 It would also be beneficial to resurface the 170m long link path to Mansfield Road that was constructed as part of the development of Riverside Depot. This path would also link to the woodland walk alongside the River Doe Lea.

1.31 An estimate for resurfacing the path (approximately 980m, including the link to Doe Lea) with Flexi-Pave™ has been received, which is as follows:

Doe Lea to J29: 790m x 1.8m (1,425m²) = £57,000
Link to Mansfield Road: 170m x 1.8m (306m²) = £15,000

Total: 980m x 1.8m (1,666m²) = £72,000

NB. The estimated prices do not include any allowance for vegetation clearance.

2 Conclusions and Reasons for Recommendation

2.1 All of the schemes outlined above comply with the spirit of the s106 agreement ('youth and adult recreation') and meet an identified community need.

3 Consultation and Equality Impact

3.1 All of the projects have been subject to consultation with local Elected Members and Ault Hucknall Parish Council.

3.2 Both of the main projects (mountain bike trail and access ramp) have been designed to benefit local residents and to enhance opportunities for active recreation. The access ramp specifically addresses a need for people with limited mobility, particularly users of mobility scooters and wheelchairs as well as parents with young children in prams and pushchairs to access Doe Lea Recreation Ground.

4 Alternative Options and Reasons for Rejection

4.1 A number of alternative schemes were considered and have been rejected on grounds of access, cost, land availability, land ownership, location or a lack of support.

These include:

- Two football pitches on land to the west of Coverworld / Eve Trakway and north of the A617 at Bramley Vale (*access*)
- A multi-disciplinary cycling facility on Glapwell Countryside Site (*cost / lack of support from British Cycling*)
- A small mountain bike skills circuit on land adjacent to the play area at Doe Lea (*location*)
- A BMX track on the area of land earmarked for football pitches to the north of the A617 (*access*)
- An extension to the Stockley Trail – two proposals, north of the A617 to link Doe Lea to the existing Stockley Trail towards Bolsover and south of the A617 to link Doe Lea to Stainsby Mill / Hardwick Park. (*lack of support*)
- An additional, small, play area on land at Bramley Vale (*location*)

5 Implications

5.1 Finance and Risk Implications

All of the identified schemes can be funded from an existing s106 budget. However, there is a limited window in which this money has to be spent. If planning permission is granted, it should still be possible to procure and carry out works before the claw back date in December 2016.

If planning permission is not granted for the two main schemes identified in this report (mountain bike trail and access ramp), it will be necessary to develop alternative schemes. Given the very limited amount of time to spend the s106 monies, two alternative schemes have been proposed.

Ultimately, if it proves not be to be possible to complete any of the identified schemes by the claw back date, it will be necessary to enter into negotiations with the developer.

5.2 Legal Implications including Data Protection

Where necessary, agreements with land owners (Derbyshire County Council and others) will be drawn up to allow the schemes to proceed. Ault Hucknall Parish Council is, at the time of writing, at an advanced stage in negotiations with Derbyshire County Council to secure the necessary land for the construction of the access ramp and footpath link across land in its ownership off East Street, Doe Lea.

5.3 Human Resources Implications

None.

6 Recommendations

- 6.1 To invest up to £100,000 of 'formal' s106 monies in the construction of a mountain bike trail and section of greenway at Glapwell Countryside Site, Bramley Vale, subject to planning approval.
- 6.2 To invest £25,000 of 'formal' s106 monies in the construction of an access ramp and footpath to provide an accessible link from East Street, Doe Lea to Doe Lea Recreation Ground, subject to planning approval.
- 6.3 In the event that planning permission is not granted, to invest s106 monies in the one or both of the following projects:
 - Resurfacing of Ault Hucknall FP49 between Doe Lea and Bramley Vale (approximate cost circa £26,000 to £48,000 (depending on options), plus vegetation clearance)
 - Resurfacing of the foot / cycle path from Doe Lea to M1 junction 29 (approximate cost £57,000, plus vegetation clearance) (the link to Mansfield Road, Doe Lea would be an additional £15,000, plus vegetation clearance).
- 6.4 Delegated powers be given to the Joint Assistant Director – Leisure in Consultation with the Chief Executive Officer and Portfolio Holder to carry out the procurement process and let the contracts.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	Yes
District Wards Affected	Tibshelf (Ault Hucknall parish only)
Links to Corporate Plan priorities or Policy Framework	None

8 Document Information

Appendix No	Title
1	Appendix 1: Glapwell Countryside Site Mountain Bike Trail: Proposed Trail Line
2	Appendix 2: Doe Lea Recreation Ground Access Ramp
3	Appendix 3: Doe Lea to Bramley Vale path - resurfacing (Ault Hucknall FP49)
4	Appendix 4: Doe Lea to M1 J29 path - resurfacing
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Glapwell MTB Trail Design and Access Statement v3.1	
Report Author	Contact Number
Matthew Connley	01246 242359

Report Reference –