

<p align="center">Cabinet Decision: Grants Determination Sub-Committee</p> <p align="center">1st August 2018</p>	 <p align="center">TOWER HAMLETS</p>
<p>Report of: Denise Radley, Director, Health, Adults and Community</p>	<p>Classification: Unrestricted</p>
<p>Marnier Family and Community Space Project: Approval of Allocation of S106 totalling £34,000</p>	

Lead Member	Councillor David Edgar, Cabinet Member for Environment and Air Quality
Originating Officer(s)	Melanie Sirinathsingh
Wards affected	Bromley North
Key Decision?	No
Forward Plan Notice Published	Yes
Reason for Key Decision	IDSG recommended Grant funding be sought for the project as the Diocese (landowner) stands to benefit from the proposed regeneration.
Community Plan Theme	A healthy and supportive community

Executive Summary

This report relates to the release of £34,000 of section 106 resources to LBTH Public Health to deliver community engagement, co-design and delivery of a mixed-use, accessible, community garden on the St Leonards Priory Park site in the Bromley North.

The site is the location of a cemetery has local historical significance. The land is owned by the London Diocese, which has a long-standing agreement with the local authority for maintenance. However, no long term plan or process for maintaining the site has resulted in an overgrown, inaccessible and underutilised green space in an area where healthy, green space is scarce.

Tower Hamlets' Health and Wellbeing Strategy 2017-20 recognises the importance of healthy physical environments on the health and wellbeing of the local community, and names air quality, the safety of our local parks and access to green space, and access to places for social activity, as key elements within Priority 2: Creating a Healthy Place.

The project consists of two phases: a community engagement phase, which is currently underway and is due to be completed in March, and the delivery phase, due to take place across Autumn and Winter 2018/19.

Recommendations:

The Grants Determination Sub-Committee is recommended to:

1. Approve the grant funding of £34,000 to Public Health to complete the community engagement phase of the project and deliver co-designed improvements to the site to improve the look and feel, improve accessibility and safe use, increase biodiversity/counteract air pollution through wild planting, and provide needed outdoor green space for the local community.

1. REASONS FOR THE DECISIONS

- 1.1 Bromley North is one of the most deprived wards in the UK, which has well known impacts on health. In addition, the LBTH Air Quality Action Plan 2017-22 notes that “Nitrogen Dioxide levels are high across the borough with 40% of our residents living in areas of exceedance of the annual NO2 objective and 48 of our schools (37 primary and 11 secondary) being located in areas of unacceptable NO2 levels.” Given this site represents one of few green areas in the ward, and noting the capacity of large trees and well-planted gardens to counteract air pollution as well as provide social spaces that reduce social isolation and mental ill health, the proposal to regenerate the site into a useable space represents a benefit to the local community.
- 1.2 Attempts have been made in the past, by a partnership between the Council, Poplar Harca and Trees for Cities, to make improvements to the site. In 2012, this consisted of laying pathways to create walkways around the gravestones; installing stone and wooden benches, and installing interpretation panels explaining the history of the site. Evidence suggests that the lack of a sustainable maintenance and management plan is the reason the site fell back into neglect and had become overgrown again since. This time, community engagement has been prioritised in the budget and in the project plan, to generate community buy in and explore potential local partnerships that can maintain the site (ie a Friends of St Leonards group). The current engagement requires evaluation to assess how far this is possible.
- 1.3 The site as it is currently represent a health and safety hazard for local children, people with mobility issues, the elderly, and the general public. The fencing along the eastern side, which runs alongside the A12, is at risk of falling down; there are broken gravestones and open vaults, which represent trip hazards, scattered in some areas of the site and are hidden by overgrown weeds, nettles and cow parsley; and the overgrown areas at the back mean it is used at times for drug use and sex work. In addition, the large London Planes, of which there are 6, require trimming back and there are two visible dead branches that could fall onto pathways. Even without major changes to

the appearance of the site, the above require resolving as a priority for the health and safety of local people.

- 1.4 The London Diocese, who have been engaged as part of the project, have agreed to cover the costs of closing the two open vaults on site.
- 1.5 The project will ultimately allow for the regeneration of a historical cemetery site that dates back to the 13th century.

2. ALTERNATIVE OPTIONS

- 2.1 Do nothing. The Councils is currently committed to 4 rough cuts of the site per year, which is not enough to maintain the vegetation at a level that makes the site accessible and the hazards/health and safety risks will remain and worsen over time.
- 2.2 Leave oversight to the Diocese. As the landowner, an argument could be made that the Diocese takes formal control of the maintenance of the land. The current maintenance agreement between the Diocese and the local Council, however, has not been strong enough to ensure the site is properly looked after, and there appears to be a lack of willingness to take on maintenance responsibilities.
- 2.3 Commission a landscape designer or urban designer to produce a design based on community input, balanced with site constraints and limited maintenance costs.

3. DETAILS OF THE REPORT

- 3.1 Marner Family and Community Space is identified in the Pocket Parks Programme 2018 PID, which has been recently approved by the Infrastructure Delivery Steering Group. This PID is led by LBTH Parks and Open Spaces, and each of the 4 projects named in the programme are being led by different officers. Marner Family and Community Space is being led by Public Health.
- 3.2 In January 2018, the project was handed to the current lead officer with the project plan already drafted and the commissioning partners identified. In March this year, Women's Environmental Network and Friends of Tower Hamlets Cemetery Park were commissioned to deliver the first phase of the project, which is a three month community engagement process with activities on and off site, to gather insight and views from local community residents and stakeholders, and provide feasibility assessments.
- 3.3 This phase will be rounded off in late July, when a co-design process will begin. Following co-design workshops, a plan will be set in place for delivering works on site, guided by the community responses and the feasibility work undertaken. Following a design process we expect works to begin on site in

Project Outputs/Milestone and Spend Profile				
ID	Milestone Title	Baseline Spend	Baseline Date	Delivery
1	Community engagement activities	£12,500	May/June 2018	
2	Air quality monitoring report	£750	End June 2018	
	Engagement and feasibility report written	(As part of above spend)	Early July 2018	
3	Community co-design workshops	£2,000	End of July 2018	
4	Delivery schedule agreed	-	End of August 2018	
5	Delivery	£17,750	Oct 2018 - March 2019*	
6	Completion event, launch and workshop	£1,000	April 2019**	
Total		£34,000		

4. EQUALITIES IMPLICATIONS

- 4.1 An EqIA has been undertaken as part of analysis for the Pocket Parks Programme. This can be found in the attached documents.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are

required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

5.2 None

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 A project to develop four Pocket Parks within the borough was approved under authority delegated to the Infrastructure Delivery Steering Group in accordance with the terms of the Council's Infrastructure Delivery Framework. Section 106 resources totalling £150,000 were allocated to the initiative.
- 6.2 Commitments to fund schemes are only made following the receipt of the relevant developer contributions. The specific planning contributions associated with the Section 106 funding of the Pocket Parks project are detailed in section 2 of the Project Initiation Document that is included as an appendix to this report.
- 6.3 Although the project and funding has been agreed, the works associated with one element - the Marner Family and Community Space pocket park - will take place on land owned by the London Diocese which will therefore benefit from the improvement works undertaken. As such, the allocation of £34,000 to these works also requires the approval of the Grants Determination Sub-Committee.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Council has the power to award £34,000.00 to the London Diocese (Grant) for the purposes of maintaining St Leonards Priory Park (Site). The Localism Act 2011 provides the Council with a general power of competence in relation to actions for its benefit, its area or persons resident or present in its area.
- 7.2 The content of this report demonstrates that the Council, by virtue of making the Grant, will enable improvements to the Site with regard to its aesthetics, accessibility, use, and biodiversity considerations. Therefore, the Grant's purpose will benefit persons and the area. This in turn should assist the Council with its Health and Wellbeing Strategy 2017-2020.

- 7.3 The Grant does not appear to allow for the London Diocese to make any profit from it. Rather, the Grant's purpose is to cover the costs of maintaining the Site in its various forms. In light of this, the Grant is unlikely to constitute procurement activity for the purposes of European procurement law.
- 7.4 The payment of the Grant should be conditional upon the works to the Site being properly completed. This should ensure that the funds are only spent on the Grant's specific purpose. However, this must also be supported by an appropriate agreement which details both the expected outcomes and the Council's monitoring processes. As such, it would allow the Council to demonstrate that it is continuing to comply with its best value statutory duty.
- 7.5 The payment of the Grant should not constitute or infringe rules in relation to State Aid given the amount of Grant being awarded.
- 7.6 The payment of the Grant in itself does not attract any particular equality issues. It is noted that an equality impact assessment has been undertaken for the purposes of Equality Act 2010.
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Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Pocket Parks Programme PID
- EqIA Pocket Parks

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

Officer contact details for documents:

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