

NON KEY DECISION: REPORT TO CABINET MEMBER

DECISION TO BE TAKEN BY: Councillor Dr Peter Moseley
Cabinet Member for Environment

REPORT AUTHOR: Phil Jordan

REPORT NO. SEG052

DATE: 04-09-2017

SUBJECT OF NON KEY DECISION:	Use of Section 106 Agreement Open Space Funds
---	--

CABINET MEMBER REMIT:	Cabinet Member for Environment		
CRIME AND DISORDER IMPLICATIONS:	It is considered that the impact of this decision will not result in any significant crime and disorder implications.		
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report is publicly available on the Council's website www.southkesteven.gov.uk via your Council and Democracy link		
INITIAL EQUALITY IMPACT ASSESSMENT	Carried out and appended to report? No	Full impact assessment required? A full assessment is not required as SKDC will not be delivering the project. The equality aspects of the project are to be considered by Stamford Town Council	
BACKGROUND PAPERS:	S13/0150 Section 106 Agreement S13/2586 Section 106 Agreement		

(1) PURPOSE OF REPORT

To seek approval from the Cabinet Member for Environment to contribute Section 106 funds to Stamford Town Council towards projects to improve play facilities at Stamford Recreation Ground.

(2) RECOMMENDATION(S)

To contribute £36,300.40 of Section 106 funds to Stamford Town Council towards the total costs of the following projects to improve play facilities at Stamford Recreation Ground:

- 1 - Fencing around the grass tennis courts and bowling green;
- 2 - Extension to the Shack building;
- 3 - Outdoor play equipment for all abilities.

This is subject to Stamford Town Council providing written confirmation that the additional £33,384.60 match funding that they will provide towards the total project costs is in place.

(3) REASONS FOR RECOMMENDATION(S)

The Section 106 funding towards these projects was secured from two developments at Belvoir Close, Stamford.

S13/0150 was a development for 15 dwellings that was conditionally approved on 5 September 2013. The Section 106 Agreement for this development included a contribution of £30,521.00 (index linked) towards "the cost of the provision of informal/ natural open space or the provision or enhancement or upgrade of existing play facilities in Stamford".

S13/2586 was a development for 7 dwellings that was conditionally approved on 17 January 2014. The Section 106 Agreement for this development included a contribution of £14,715.00 (index linked) towards "the cost of the provision of informal/ natural open space or the provision or enhancement or upgrade of existing play facilities in Stamford".

When index linked £31,335.70 and £14,964.70 respectively was paid by Linden Homes on 28 November 2014. £10,000 of these funds has been allocated to the play facilities as part of the SKDC development off Lincoln Road, Stamford.

These Section 106 funds are time limited and these are subject to expiration on 28 November 2019. All of the funds to be expended comply with the section 106 agreements or have the agreement for expenditure from the developer.

Stamford Town Council has requested that the remaining £36,300.40 of these funds be allocated as match funding towards the following projects to improve play facilities at the Stamford Recreation Ground:

- 1 - Fencing around the grass tennis courts and bowling green;
- 2- Extension to the Shack building (a Youth Centre on the Recreation Ground owned by Stamford Town Council);
- 3- Outdoor play equipment for all abilities.

Stamford Town Council has had quotations to carry out the above projects as follows:

- 1 - Fencing around the grass tennis courts and bowling green (£14,150.00);
- 2 - Extension to the Shack building (£10,440.00);
- 3 - Outdoor play equipment for all abilities (£45,095.00).

Stamford Town Council have indicated that their priority is to fund the first two projects (fencing and Shack building extension) with the match funding for the total project costs (£33,384.60) coming from grant funding and allocated budget resources.

The use of this Section 106 funding towards these improvements on Stamford Recreation Ground will provide new and enhance existing facilities for “play” within Stamford and is therefore appropriate to the wording in the legal agreements.

Comments from Venues and Facilities - Whilst we have several play areas that could also benefit from the 106 funding it is sensible that on this occasion the funding is directed towards the Recreation Ground as there is match funding and significant overall Community benefit which fits with our own ambitions.

(4) COMMENTS FROM FINANCIAL SERVICES

S106 funds are available, relating to the planning references cited above to cover this project.

(5) COMMENTS FROM LEGAL AND DEMOCRATIC SERVICES

Any decision to allocate section 106 monies must be in accordance within the terms of the section 106 Agreement. Any procurement must be in accordance with the relevant authority's contract procedure rules.

(6) OFFICER CONTACT

Paul Thomas
Executive Manager, Development & Growth
Ext 6162
p.thomas@southkesteven.gov.uk

(7) DATE DECISION EFFECTIVE:

If decision taken on 14th September date effective will be 23rd September 2017