



SOUTH
KESTEVEN
DISTRICT
COUNCIL




Officer Delegated Decision

7th March 2024

Emma Whittaker
Assistant Director – Planning

Distribution of S106 monies in relation to Long Bennington Parish council

Phil Jordan, Development Management & Enforcement Manager

 phil.jordan@southkesteven.gov.uk

Decision made by:	Emma Whittaker, Assistant Director – Planning
Decision:	To approve the expenditure of the section 106 funds totalling £26,434.25 for the purpose of partial funding the replacement play equipment at the Long Bennington Play Park, which supersedes the previous Officer Delegated Decision dated 12 th December 2023 committing S106 funds to Long Bennington Parish Council.
Public or Exempt:	Public
Reasons for exemption:	N/A
Conflicts of interest:	No
Policy compliant:	Yes
Details of delegation:	The Assistant Director of Planning has the necessary delegated authority in Part 3(c) of the Council's Constitution (Responsibility for Functions) and the thresholds set out in the Council's Financial Regulations at Part 4 of the Constitution (Rules of Procedure).

1 Implications

Taking into consideration implications relating to finance; and legal and governance, the following implications have been identified:

Finance

- 1.1 It is important to ensure that the spending of S106 funds is compliant with the conditions set out in the S106 agreement and in accordance with the Council's Financial Regulations as set out in the constitution. Beyond being accountable for the proper spending of the contributions, there are no other financial implications for the Council. The 2023-24 General Fund Capital Budget will be amended by £26k to reflect the transfer of the funds to Long Bennington Parish Council.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 The Assistant Director of Planning has the authority to take this decision, as set out at the top of this notice.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

2 The Purpose of the Report

- 2.1 Long Bennington Parish Council have requested funds totalling £26,434.25 to be used on the Long Bennington Play Equipment. The proposal is for the replacement of the sandpit with a composite surface, and its Toddler Multi-Play with a more modern unit, plus the replacement of the current Roundabout with an 'Inclusive' Roundabout.
- 2.2 SKDC is in receipt of £26,434.25 Section 106 contribution S21/0655 The total sum is requested as part payment towards the quotation of £28,934.96 from Playdale, where the Long Bennington Parish Council have agreed to pay the remaining balance of £2,500.71. The relevant clauses within the S106 agreement specify the money is for the following purposes:
- 2.3 S21/0655 – The clause states on page 19, Part D point 2: To be used to upgrade play equipment solely for the purposes of the provision or upgrade of the children's play facilities at Long Bennington playing fields or such other relevant project as mitigating the development.

- 2.4 In total six Play Equipment Companies were contacted. Two could not meet the Parish Councils requirements. Due to the value and time scale this eliminated the two out of the three companies that provided a quote.
- 2.5 The existing climbing equipment is now worn and incurring maintenance costs to keep it safe. Also, the sand is a safety issue with occasional broken glass and other hazards being reported. The replacement equipment would be installed on an approved surface for playground equipment, therefore removing this issue.
- 2.6 The inclusive roundabout would replace the old one in situ, again, coming to the end of its life and provides a much-improved option given the inclusivity.
- 2.7 The Parish Council invited five tenders for the works, receiving two quotes, the Parish Council resolved to accept the lowest quote which totals £28,934.96 (VAT inc.).
- 2.8 The land on which the Car Park is located, is in ownership of the Parish and future maintenance and insurances will be managed on behalf of the Long Bennington Parish Council. South Kesteven District Council will not be acquiring any additional assets which are subject to liabilities or insurances from this project.

3. Available Options Considered

- 3.1 Long Bennington Parish council recently had an approved Officer Delegated Decision published on the 12th December 2023, for the sum of £26,565.60, which also included drawing on these funds received from planning reference S16/1451. This application would therefore supersede the previously approved decision.
- 3.2 Due to an opportunity to make some substantial improvements to the sports pavilion at Long Bennington, these new plans would include access over the planned new car park. Long Bennington Parish Council has decided that the car park work should be delayed until the other improvement works on the pavilion have been completed, negating any possible surface damage.
- 3.3 Also, the Long Bennington Parish Council has been recently advised there is also the possibility to include the development of the car park in this larger proposed project and the funds from S21/0655 should be deployed in other projects.
- 3.4 No other projects or bids for the funds have currently been received.

4. Reasons for the Decision(s)

- 4.1 The proposed project is considered to meet the requirements of the S106 funding specified within the agreement S21/0655. No other competing projects or schemes have been submitted.

Signed by:

Emma Whittaker