



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Officer Delegated Decision

7th March 2024

Emma Whittaker
Assistant Director – Planning

Distribution of S106 monies in relation to Billingborough 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 £5,831.00 for the purpose of upgrading play equipment at Billingborough playing fields.
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 £6k 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 Billingborough Parish Council have requested funds totalling £5,831.00 to be used towards the upgrade of the Play Equipment at Billingborough playing fields. The works include a replacement swing and see-saw with improvement also to the surfacing.
- 2.2 SKDC is in receipt of £5,831.00 Section 106 contribution S14/3208. The total sum is requested as part payment towards the completion of works valued at £8,419.6, where the Billingborough Parish Council have agreed to pay the remaining balance of £2,588.61. The relevant clauses within the S106 agreement specify the money is for the following purposes:
- 2.3 S14/3208 – The clause states on page 3, Part 1 point 7: Payable to the Council towards the provision or upgrading of existing public open space and/or play equipment in Billingborough.
- 2.4 The existing climbing equipment was worn and incurring maintenance costs to keep it safe.
- 2.5 The play equipment is located in the recreation ground at Horbling Road Billingborough and falls under the ownership of the Parish Council. All future maintenance and insurances will be managed on behalf of the Billingborough 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 Billingborough Parish council Completed the works in November 2021 and went with the best quote for the area.
- 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 S14/3208. Funds were received to South Kesteven District council in July 2016 and the play equipment upgraded falls under the requirement from this S106. No other competing projects or schemes have been submitted.

Signed: Emma Whittaker