



Non-key Decision

29th July 2024

Report of Councillor Phil Dilks
Cabinet Member for Planning

The purpose of this report is to seek an amendment to the funding allocation criteria in respect of the s106 allocation at Empingham Road Playing Field Stamford.

Report Author

Gareth Dawkins – Corporate Property Team



01476 406080

Approved
for
publication:

Cllr Phil Dilks - Cabinet Member for Planning

9 August
2024

Recommendation(s) to the decision maker (s)

- 1 The Cabinet Member for Planning is asked to approve a proposed amendment to the funding allocation criteria in respect of the Empingham Road Playing Fields Section 106 Agreement.

1. Implications

The purpose of this report is to ensure that the Council can distribute all Section 106 monies relating to Empingham Road Playing Fields, Stamford can be allocated to achieve the maximum benefit for local residents.

Finance

- 1.1 The report sets out the proposal to seek an amendment to the funding allocation methodology to ensure all the S106 monies are allocated in accordance with the Agreement.

Financial Implications reviewed by Richard Wyles, Deputy Chief Executive and S151 Officer.

Legal and Governance

The proposed expenditure of the financial contribution is in accordance with the requirements and restrictions contained within the S106 Agreement

Legal Implications reviewed by: Mandy Braithwaite, Legal Executive

2. The Purpose of the Report

- 2.1 To seek authority for the variation of the funding allocation criteria for the distribution of the funds from the Section 106 Agreement for Empingham Road Playing Fields, Stamford.
- 2.2 In June 2021 Cabinet approved the distribution of S.106 funds for the improvement of sporting facilities at Empingham Road Playing Fields. The funds were received through a S.106 Planning Agreement relating to planning consent (S12/0864), granted for a sustainable urban extension at Stamford West including residential and affordable housing, a business park and a local centre, associated highways improvements, pedestrian and cycle links, landscaping, and open space.
- 2.3 The S.106 monies were required to be used to *“provide, enhance, or upgrade the existing sports facilities at the Empingham Road Playing Field”*.
- 2.4 Organisations who use or occupy the site were invited to make a request for funds. proposed projects had to meet the criteria set out in the S.106 Agreement.
- 2.5 Approval was given to the following awards of funding.

		Approved S106 Contribution
Stamford Indoor Bowls Club		£18,947.21
Stamford Outdoor Bowls		£2,289.00
Stamford Rugby Club		£228,900.13
Stamford Lions Club		£3,347.66
TOTAL		£253,484.00

- 2.6 Following the Cabinet approval, funding has been allocated to Stamford Indoor Bowls Club, Stamford Outdoor Bowls and Stamford Lions Football Club. The freehold of the Playing Fields has also transferred to Stamford Town Council, responsibility for distribution of S.106 monies has remained with SKDC.
- 2.7 The only remaining recipient for funding is Stamford Rugby Club. The original intention of the allocation was to provide a funding contribution towards the provision of a new clubhouse. However, progress on this matter has been slow and has been further

hindered by limited progress in securing a new lease with Stamford Town Council. At the time of writing this report, no lease or building licence was entered into with the Rugby Club, as originally approved, prior to the transfer of the site to the Town Council. Negotiations are ongoing with the Town Council for the grant of the new lease the Club require to move forward with their plans.

- 2.8 The original grant of funding to the Rugby Club was based on a new Club House being built and the existing Club House being demolished. The Club are still fully focused on improving facilities however, since the original funding allocation, there has been substantial inflation within the construction sector, which has negatively impacted on the Club's ability to fund a completely new building. Contingency plans have now been put in place for a complete refurbishment of existing built and playing facilities.
- 2.9 To assist the Club, it is now proposed that the original allocation criteria be varied to allow the S.106 monies allotted to the Rugby Club, to be used to 'upgrade existing facilities in addition to the building of new facilities.
- 2.10 The original Cabinet made provision for £55k to be allocated to the provision of new play equipment for the adjacent Lonsdale Road Play Area. There is currently no requirement for new equipment, and it is proposed that this allocation be transferred to the Rugby Club's project, the original allowance having been effectively reduced by high inflation since the original Cabinet Decision.

3. Available Options Considered

- 3.1 Option 1 – To approve the proposed changes to the wording of the June 2021 Key Decision to allow the remaining funding to be distributed.
- 3.2 Option 2 – Not to agree a change to the funding criteria. This course of action comes with a high risk that the remaining S.106 funds will not be fully spent on qualifying activity in time.

4. Preferred Option

- 4.1 To approve the proposed changes to the June 2021 Key Decision to allow the remaining funding to be distributed.

5. Reasons for the Recommendations

- 5.1 To allow the Rugby Club to spend the funding allocated to them on a qualifying use, which is currently restricted by the current wording of the Key Decision.
- 5.2 To ensure that there is sufficient time available to ensure that all remaining S.106 funds can be distributed.

Report Timeline:	Date decision due to be made	19 August 2024
	Call-in deadline	27 August 2024
	Date decision effective (subject to call-in)	28 August 2024