

Decision under Delegated Powers

Officer Making the Decision

Head of Neighbourhood Services

Recommendation

That £20,000 of section 106 monies that has been received as a contribution towards the provision of recreational facilities in Syston is paid to Syston Town Council to provide additional match funding towards the redevelopment of the sports pavilion at the Memorial Park.

Reason

To enable section 106 monies that has been received for the provision of recreational facilities in Syston to be spent.

Authority for Decision

Authority to pay over Section 106 monies in respect of non-housing items received by the Borough Council as the responsible authority, but which will not result in expenditure by the Council and where the Head of Service has been determined to be the relevant Head of Service by the Head of Finance and Property Services. (item 8 of the delegations to Heads of Service in section 8.3 of the Constitution)

(For the Head of Service to approve the release of funds they must be satisfied that the works to be carried out fulfil the requirements set out in the S 106 agreement and have written confirmation from the relevant body that the monies will be used for their intended purpose).

Decision and Date



15/2/2022

Background

Under the provisions of the Corporate Strategy 2020 - 24, there is a commitment to ensure that a growth in homes and infrastructure benefits residents through improved community facilities.

Planning agreements negotiated with developers and land owners under Section 106 of the Town and Country Planning Act 1990 (as amended) provide a vehicle for the delivery of contributions towards infrastructure, facilities and amenities which should be:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonable related in scale and kind to the development

Detail

Within Syston there are a number of section 106 agreements that have been negotiated, with contributions for Children's Play and Youth and Adult Recreation.

Syston Town Council have been working on a replacement sports pavilion scheme, recognising that the existing pavilion is in need of upgrade and extension. The pavilion is predominantly used by local football teams including senior, junior, male, female and disabled teams. In addition, it is anticipated that a refurbished / extended sports pavilion will also accommodate other community activities and will provide an additional resource for room hire.

Syston Town Council have been working with the Football Association, who are supportive of the scheme and are assisting with a Football Foundation application. The Town Council have been successful with their Football Foundation application and have been awarded £181,932, the overall project costs inclusive of all fees are in the region of £460,000. DD185 2019 approved the use of £40,479.30 and DD146 2021 approved the use of £25,000 of section 106 monies as part of the 50% match funding towards the Football Foundation application. The additional funding was allocated on the basis that over the period the costs had increased by approximately £25,000 and the Town Council requested some additional s106 monies to be utilised towards the project. Further to that DD being approved the selected contractor informed the Town Council that they were unable to complete the works and the scheme has had to be retendered, incurring additional costs of circa £65,000. A further request for an additional £20,000 s106 monies towards the increased costs has been received. The Town Council are contributing the balance towards the project and have also increased their contribution to meet the deficit.

Officers are satisfied that the scheme meets the criteria for the use of the section 106 monies. The money will not be released to the Syston Town Council until invoices have been received to ensure verification that the money has been spent. It is anticipated that phased payments will be made which will also cover project management costs and construction costs.

Syston Town Council have provided information in relation to this project including planning permission consent, architect design drawings, evidence of security of tenure, confirmation of the management arrangements for the facility and confirmation of the Football Foundation funding.

Section 106 Monies

The following section 106 monies will be utilised towards the schemes :

PA No	Location	Contribution
P/13/0925/2	Land at Barkby Road	£20,000 – Recreational facilities (balance £61,740.53)
		Total - £20,000

Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to Syston Town Council.

Payment will be made on receipt of invoices and confirmation that the scheme is progressing.

The additional monies towards the scheme will need to be added to the Capital Plan and will be included in the next Capital Amendment Plan.

Risk Management

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
All funding not in place	Low	High	Monies will not be released until all funding in place and scheme is affordable
Scheme is over budget	Low	Medium	Tenders to be received, Value engineering to be undertaken

Key Decision: No
Background Papers Section 106 proforma, designs and copies of information provided
Copies of Planning permissions
Evidence re Security of Tenure
DD185 2019
DD146 2021