

Decision under Delegated Powers

Officer Requesting the Decision

Head of Leisure Services

Officer Making the Decision

Director of Leisure and Environment

Recommendation

That the sum of £100,000 of section 106 monies that has been received as a contribution towards the provision or enhancement of youth / adult recreational facilities in Sileby is paid to Sileby Parish Council for the provision of a new sports pavilion in Memorial Park.

Reason

To enable section 106 monies that has been received for the provision or enhancement of youth / adult recreational facilities in Sileby to be spent.

Authority for Decision

Part 3 of the Constitution includes a delegation to all Directors to pay over Section 106 monies in respect of non-housing items received by Charnwood Borough Council as the responsible authority, but which will not result in expenditure by the Council where the Director has been determined to be the relevant Director by the Chief Finance Officer (item 17 page 3-33)

(For the Director 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

Background

Under the provisions of the Corporate Plan to 2009 - 2010, we are committed to investing in and supporting sustainable development in a dynamic economic context.. To that end we aim to ensure for Charnwood that we plan for sustainable growth in terms of the need for homes and work places and supporting the infrastructure

required for a growing population. In pursuit of that aim we will ensure that new developments are carried out to high standards of design and sustainability.

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 reasonably related in scale and kind to the development proposed and necessary to discharge fully the policy expectations of the Development Plan.

Detail

During the past couple of years there have been several housing developments within Sileby, with a number of section 106 agreements having been negotiated, with contributions for Children's Play facilities, Youth and Adult Recreation provision and for provision of and contribution to enhancement of open space within the area.

Officers have been working in partnership with Sileby Parish Council to identify projects that the identified section 106 monies could be used towards. One of the projects identified is a replacement sports pavilion at Memorial Park, Sileby. The Parish Council have been working proactively with Sileby Town Football Club to develop the scheme. The Parish Council have developed a comprehensive football development plan for the site and the pavilion and have been successful in securing Football Foundation Funding towards the scheme.

Sileby Parish Council have been out to tender for the replacement sports pavilion and planning permission has been received. The cost of the overall scheme is £414,977.95 plus VAT, which is to be funded by a combination of Parish Council money, Football Foundation monies and Section 106 Monies. Approval is therefore sought for £100,000 of section 106 monies to be transferred to the Parish Council for this purpose.

Officers are satisfied that the scheme meets the criteria for the use of the section 106 monies. The money will be released to the Parish Council against receipt of appropriate invoices having been received to ensure verification that the money has been spent on the intended purpose. It is intended to release the monies as stage payments against receipt of invoices.

Sileby Parish Council have submitted comprehensive information in relation to this project, including drawings, a copy of the planning permission and information regarding usage.

The scheme meets the requirement of the section 106 agreement and a written statement has been obtained from the Parish Council that the money will be used for this purpose as stated in the authority.

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

PA No	Location	Contribution
P/3/1759/2	Land off King St	£4066.53 (balance) – Childrens Play – received 22/03/2004
P/03/1759/2	Land off King St	£19,000 – provision of recreational

		facilities – received 22/03/2004
P/03/2002/2	Springfield Close	£7013.73 – provision of recreational facilities – received 30/06/2004
P/02/2887/2	Albion Rd	£12465.29 – Youth / Adult Recreation – received 09/09/2005
P/04/2716/2	Brabazon Works, off King St	£57,032.28 – Play / Youth / Adult Recreation – received 21/10/2005
P/05/2156/2	99-101 Swan St	£422.17 – Youth / Adult Recreation – received 14/11/2007
		Total - £100,000 received

Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to Sibley Parish Council and the monies have been received from the developers listed above. 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 external funding not in place	Low	High	Confirmation received that all funding in place
Scheme is over budget	Low	Medium	Quotes received, Resources already in place and Parish Council have agreed to underwrite it

Key Decision: Yes

Background Papers Planning Application
Letter, quote and drawings from Parish Council
Section 106 Agreements