

Decision under Delegated Powers

Officer Requesting Decision

Developer Contributions Monitoring Officer

Officer Making the Decision

Head of Planning and Growth

Recommendation

To authorise the release of £29.79 of section 106 monies attached to planning permission P/13/0925/2 Land at Barkby Road, Syston for the erection of up to 149 dwellings with associated landscaping, public open space, infrastructure and access to Syston Town Council for the purchase of waste bins at The Utility building at Syston and District Cemetery.

The contribution has been received towards the provision of an extension to the cemetery in Syston. The cemetery project has been completed and delivered under budget leaving a residual amount unspent. Confirmation has been received from the developer that the spend by date can be extended to the 1st August 2024.

Reason

To enable section 106 money that has been received as a Cemeteries Contribution in Syston to be spent on an alternative project in Syston.

Authority for Decision

There is a delegation in the Constitution to all Heads of Service “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 by the Head of Finance and Property Services” (Item 8 on Page 8-15)

For all Heads of Service to approve the release of funds they must be satisfied that the works to be carried out fulfil the requirement as set out in the section 106 agreement and have written confirmation for the relevant body that the monies are used for their intended purpose. Any unspent monies after 5 years of receipt by the Borough Council shall be returned to the developer as per the relevant clause within the section 106 agreement.

Decision and Date



16 January 2024

Background

Charnwood Borough Council received £17,833.88 of section 106 money as a Cemeteries Contribution attached to planning application P/13/0925/2 Land at Barkby Road, Syston on the 14th January 2019.

Syston Town Council completed the cemetery expansion works after recognising that the provisions in place were close to capacity. The whole amount of £17,833.88 was committed to this project outlined in full in DD063 2019.

The expansion of the cemetery were completed in 2018 and invoices have been received by Charnwood Borough Council. A residual amount of committed unspent funds totalling £29.79 remains.

In line with the relevant clause of the section 106 agreement unspent funds are due to be returned to the developer on the 14th January 2024, an extension of time has been obtained from the developer until the 1st August 2024 to allow for the money to be spent.

The Utility building at Syston and District Cemetery provides shelter for people in inclement weather when they are attending funerals at the cemetery, the building has tea and coffee making facilities which is heavily used, the Town Council wish to purchase 2 waste bins; 1 for recycling and 1 for general waste to help keep the area clean and tidy.

The purchase of the bins exceeds the amount held and the shortfall will be made by Syston Town Council.

Item	Cost	Cost
2 x Floor standing swing bins	£13.40	£26.80
	VAT	£5.36
	Total	£32.16

Financial Implications

The money has been received and there are no financial implications for Charnwood Borough Council.

The payment will be coded to the capital scheme Syston Town Council - Cemeteries Contribution (Z499 Z0105)

Risk Management

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
			Very Low (1 - 2)	

Key Decision

No

Background Papers

All contained on planning files P/13/0925/2