

Decision under Delegated Powers**Officer Making the Decision**

Head of Neighbourhood Services

Recommendation

That the sum of £39,620 of section 106 monies that has been received as a contribution towards the provision of a new tennis court and associated infrastructure in East Goscote is paid to East Goscote Parish Council. Payments will be paid on receipt of invoices and confirmation that the scheme is completed.

Reason

To enable section 106 monies that have been received for the provision of a tennis court in East Goscote 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

Julie Robinson
3/8/15

Background

Under the provisions of the Corporate Plan to 2012 - 16, there is a commitment to promoting physical and economic growth and promote development across the Borough including new homes and supporting infrastructure. In addition the Corporate Plan makes a commitment to protect and enhance green and open spaces and support the creation of open spaces, play facilities and to encourage healthier lifestyles through the delivery and promotion of sporting and recreational 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 reasonably related in scale and kind to the development proposed and necessary to discharge fully the policy expectations of the Development Plan.

Detail

East Goscote Parish Council have been developing the tennis court project for a number of years to meet the needs of residents in East Goscote. The Parish Council have provided Parish minutes where the scheme was approved and a letter from the Borough Councillor at the time of the decision stating their support.

Officers are aware of some local opposition to the tennis court, but the Parish Council has undertaken consultation and approved the scheme. In addition the section 106 monies can only be used on a tennis court and associated infrastructure as per the terms of the legal agreement.

Tennis Court and infrastructure at Jubilee Playing Fields

The need for a tennis court was identified in the Parish Plan and in the Open Spaces, Sport and recreation Study 2010. The Parish Council has been out for quotes and the Parish Council at its meeting on the 14 May 2014 evaluated the quotes and resolved that the quote from Charles Lawrence Tennis Courts represented best value for money.

East Goscote Parish Council has received designs and quotes from four suppliers and the scheme has been approved by East Goscote Parish Council. The scheme has been costed and quotes have been received for £39,620.

Approval is therefore sought for £39,620 of section 106 monies to be transferred to East Goscote Parish Council for this scheme.

The section 106 monies can only be spent on a tennis court and associated infrastructure as identified in the Deed of Undertaking.

Criteria

Officers are satisfied that the schemes meet the criteria for the use of the section 106 monies. The money will not be released to the Parish Council until the schemes have been completed and appropriate invoices have been received to ensure verification that the money has been spent on the intended purpose.

The scheme above utilises £39,620 of the £46,847.29 section 106 monies received 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 and that they will take on the ongoing maintenance responsibilities of the facility. The Parish Council have also confirmed that they own the freehold of the sites.

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

PA No	Location	Contribution
P/12/1709/2	Land at Rearsby Roses	£39,620 – tennis court provision (leaves balance of £7227.29)
		Total - £39,620

Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to East Goscote 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 funding not in place	Low	High	Confirmation received that all funding in place
Scheme is over budget	Low	Medium	Quotes received, Resources already received

Key Decision:
Background Papers

No
East Goscote Parish Council letter, drawings and copies of quotes for both schemes and Parish Council minutes

