

**Decision under Delegated Powers****Officer Requesting Decision**

Developer Contributions Monitoring Officer

**Officer Making the Decision**

Head of Planning and Growth

**Recommendation**

That the sum of £11,758 of Section 106 monies that has been received as a contribution towards the provisions of Allotments in Quorn be paid to Highborne Lane Allotment Society Ltd to create additional capacity and improve ancillary facilities at Highborne Lane Allotments, Quorn.

**Reason**

The release of this funding is in accordance with the relevant clauses in the section 106 agreements attached to planning permission P/19/2139/2 which states the contribution will be used “to improve local allotment provision in the vicinity of the Development”.

**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**

28 March 2024

## Background

Planning permission was granted for 150 dwellings with associated infrastructure, landscaping and public open space (P/19/2139/2) including a Section 106 agreement which made provision for an allotments contribution totalling £11,976.54 + indexation towards improving local allotment provision in the vicinity of the Development.

When considering the proposal in relation to application P/19/2139/2 (Land at Loughborough Road, Quorn) The Open Space team at Charnwood Borough Council commented that no allotment provision has been made on site so, a recommended off-site contribution of £11,976.54 was sought to improve local allotment provision to meet additional demand created by the development.

Founded in 1992 and situated along Highthorne Lane in Quorn, the Highthorne Lane Allotment Society oversees a site comprising of 96 allotment plots of varied size, all currently leased with a notable waiting list for prospective plot holders. As the exclusive provider of allotment spaces in Quorn, residents of Quorn are given priority when allotments become available.

The society intends to enhance the capacity and accessibility of the site. At the site's central location, there is a dilapidated pig pen with an asbestos roof, which will be removed to accommodate four additional plots. A registered company has already undertaken the hazardous asbestos roof removal. The society seeks reimbursement for the associated costs.

Moreover, the society has identified and intends to rectify existing accessibility challenges, observed at the entrance where the deteriorating conditions such as potholes and corroding kerbs pose access issues. Proposed remedial measures encompass the removal of surplus stone, installation of concrete edging, and resurfacing of the entrance. These proactive enhancements are designed to optimise vehicle access, thereby catering to the diverse needs of all users, including mobility vehicles.

Project costs:

Project element	Net	Vat	Total
Asbestos Removal	£2,795	£559	£3,354
Pig Pen removal including skip hire	£760	£190	£950
Entrance works	£6,211	£1,242.20	£7,453.20
			£11,758

The full cost of the project is £11,758 (including VAT).

Having reviewed the costs associated cost of the works, Officers are content that the request would support the provision towards improving local allotment

provision in the vicinity of the Development and that the proposed works are in keeping with the provisions of the respective S106 agreement.

Application	Purpose	Amount	Expiry date
P/19/2139/2 Land at Loughborough Road, Quorn	Off-Site Allotments Contribution - improve local allotment provision in the vicinity of the Development.	£6,911.31	10/11/2032
P/19/2139/2 Land at Loughborough Road, Quorn	Off-Site Allotments Contribution - improve local allotment provision in the vicinity of the Development.	£4,846.69	27/01/2033
	Total	£11,758	

### Financial Implications

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

The scheme will be added into the capital plan 2023/24

### 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/19/2139/2