

## Decision under Delegated Powers

### Officer Making the Decision

Head of Neighbourhood Services

### Recommendation

That £4799.96 of section 106 monies that has been received as a contribution towards the provision of recreational facilities in Anstey is paid to Anstey Parish Council towards the provision of additional outdoor fitness equipment at Mitchell's Field. 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 in Anstey 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

*On the 11/10/17*  
*John Robinson*

## **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**

Within Anstey there are section 106 agreements that have been negotiated, with contributions for Children's Play facilities and Youth and Adult Recreation provision.

Officers have received a proposal from Anstey Parish Council regarding provision of children's play and youth / adult recreation outdoor fitness equipment provision in the locality. The Parish Council wish to provide a wider range of facilities aimed at older young people and adults on their park to encourage greater outdoor activity.

The Parish Council have provided some outdoor fitness equipment at Mitchell's Field but wish to add some additional equipment and have been out for quotes for the additional equipment. DD145 16/17 allocated £9,996.59 towards the provision of outdoor fitness equipment. Copies of the three quotes have been received. The Parish Council propose to accept a quote of £5200 exclusive of VAT for the additional equipment.

Anstey Parish Council own the freehold of the proposed site on Mitchells Field, Anstey and have provided evidence of security of tenure.

The cost of the overall scheme is £5200 exclusive of VAT, which is to be funded from Section 106 Monies and the balance from the Parish Council.

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 Parish Council until the scheme has been completed and appropriate invoices have been received to ensure verification that the money has been spent on the intended purpose.

Anstey Parish Council has provided information in relation to this project, including confirmation that they will be responsible for ongoing maintenance.

The scheme above utilises £4799.96 of 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 following section 106 monies will be utilised towards the schemes :

PA No	Location	Contribution
P/07/2671/2	Land adj to Link Rd / Bradgate Road	£4799.96 recreation provision
		Total - £4799.96

### Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to Anstey Parish Council and the monies have been received from the developers listed above.

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

The monies will be paid from revenue, as they are below the £10,000 threshold.

### 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  
Anstey Parish Council letter, drawings and copies of quotes for schemes – along with all required permissions  
DD145 16/17

