

## Decision under Delegated Powers

### Officer Making the Decision

Head of Contracts (Leisure, Waste and Environment)

### Recommendation

That the sum of £51,686.58 of section 106 monies that has been received as a contribution towards the provision of Children's Recreation Facilities in Mountsorrel be paid to Mountsorrel Parish Council to improve play provision at Halstead Road Park, Mountsorrel.

### Reason

To enable Section 106 monies that have been received for the provision of open space and children's play facilities in Mountsorrel 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 S106 agreement and have written confirmation from the relevant body that the monies will be used for their intended purpose).

### Decision and Date

Agreed



Matt Bradford  
Head of Contracts (Leisure, Waste and Environment)  
14<sup>th</sup> June 2023

### Background

Under the provisions of the Corporate Plan to 2020 - 24, there is a commitment to ensure that a growth in homes and infrastructure benefits residents through improved services and 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 which should be:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonable related in scale and kind to the development

## **Detail**

Within Mountsorrel there are a number of Section 106 agreements that have been negotiated, with contributions for community facilities, children's play, open space, youth and adult recreation.

Mountsorrel Parish Council have been working on several schemes to improve community and recreational facilities within the village, including the provision of additional children and young peoples play facilities to meet an identified local need.

New facilities are proposed at Halstead Road Park, creating a new play area with imaginative and inclusive play equipment that will meet the needs of children aged 3-7 along with some provision for older children. The area will be accessible and include infrastructure for parents to encourage family recreation.

There has been significant growth of family housing in Mountsorrel in recent years. This project responds to this growth and will improve children's play provision in a location that meets demand and addresses local priorities. The project has been identified as a priority in the Parish Councils Strategic Plan, based on local consultation and community engagement.

Mountsorrel Parish Council has consulted on the proposed play area and there is good community support for the project. Ward Councillors have been consulted and are supportive.

The project will compliment wider improvements planned for Halstead Road Park and adjoining network of open space, creating a community sports and recreation hub with accessible facilities for all ages. The planned improvements will benefit the health and well-being of residents, helping to create quality open space, fostering a sense of local pride and building community cohesion. The provision of affordable community facilities will increase life chances, helping to tackle inactivity and reduce obesity particularly amongst children and young people.

The Parish Council have tendered the works via contract finder in compliance with the public sector procurement rules for contracts over £30k. Two quotes for the work have been obtained. The total cost of the project is £125,000. The Parish Council has allocated £75,000 of its own reserves to the project.

The land is owned by Charnwood Borough Council and leased to Mountsorrel Parish Council. The current lease expires in 2029 but an early extension (25 years) has been requested. A section 123 Notice has been advertised and Heads of Terms proposed. Funding will be subject to agreement of the lease extension and Landlord's consent to the proposed works.

Mountsorrel Parish Council has provided information in relation to this project including s106 proforma, funding and the management arrangements for the facilities.

## Section 106 Monies

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

PA No	Location	Contribution
P/14/0058/2 & P/16/1183/2	Land at West Cross Lane, Mountsorrel.	£8,472.00 – Open Space contribution
P/14/0058/2 & P/16/1183/2	Land at West Cross Lane, Mountsorrel.	£12,782.00 – Open Space contribution
P/10/2845/2	The Limes, Boundary Close, Mountsorrel.	£13,163.03 – Children's Recreation contribution
P/12/1042/2	Land at Mountsorrel Day Centre, Marsh Road, Mountsorrel.	£17,269.55 – Children's Recreation contribution
		<b>Total - £51,686.58</b>

## Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to Mountsorrel Parish Council.

Payment will be made on receipt of invoices and confirmation that works have been completed.

The scheme will need to be added to the Capital Plan and will be included in the next Capital Amendment Plan Report.

## Risk Management

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
All funding not in place	Low	Medium	All s106 monies received. Confirmation of match funding.

Scheme is over budget	Low	Medium	Fixed price contract. Contingency sums included.
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Key Decision: No  
Background Papers Section 106 proforma