

## Decision under Delegated Powers

### Officer Making the Decision

Head of Neighbourhood Services

### Recommendation

That the sum of £367,617.56 of section 106 monies that has been received as a contribution towards the provision of community facilities in Rothley is paid to Rothley Parish Council to provide funding towards the upgrade of the Rothley Centre.

### Reason

To enable section 106 monies that has been received for the provision of community facilities in Rothley 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*  
*28/8/20*

### 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 Rothley there are a number of section 106 agreements that have been negotiated, with contributions for Children's Play and Youth and Adult Recreation and Community Facilities Contributions.

Rothley Parish Council have been working on a scheme to upgrade the Rothley Centre, recognising that the existing facility is in need of upgrade and redevelopment to meet the future needs of the village. The Rothley Centre is owned by the Borough Council who lease it to Rothley Parish Council who manage the building.

The Rothley Centres main use has been for many years, and is presently, to further the social wellbeing and interests of the local community. The building provides office space for the Parish Council and a small office for use by local Police. There are three rooms of various sizes available for hire by local groups and individuals. Regular users include: the bridge club, whist group, sewing group, adult and children's dance classes, art group, history society. In addition, there are many ad hoc users such as craft fairs, birthday and anniversary celebrations, public consultation events etc.

The Neighbourhood Plan Survey results of June 2017 identified the need to refurbish and upgrade the facility. In addition, it is anticipated that a refurbished / upgraded facility would be more attractive to local users and lead to the generation of more income.

Rothley Parish Council have been in dialogue with the Borough Council (as Landlord) about the upgrade of the Rothley Centre and the renewal of the lease going forward. The proposal is that the Parish Council will employ Project Management support, along with the relevant specialist technical support, to oversee the development of a wholistic plan for the building, identifying the works that are required and opportunities to create additional space for community use and identify all associated costs and oversee the construction works. The split of these costs will then be agreed between Rothley Parish Council and the Borough Council.

Running in parallel to the redevelopment of the building will be the lease renewal process. The current lease runs until 2027.

Officers are satisfied that the scheme meets the criteria for the use of the section 106 monies. The money will not be released to Rothley Parish Council until invoices have been received to ensure verification that the money has been spent. It is anticipated that phased payments will be made which will also cover project management and technical costs and construction costs.

Rothley Parish Council have provided information in relation to this project including draft business plan, various technical reports, evidence of security of tenure, confirmation of the management arrangements for the facility.

### Section 106 Monies

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

PA No	Location	Contribution
P/14/0058/2	Land at West Cross Lane	£367,617.56 – community facilities contribution
		Total - £367,617.56

### Financial Implications

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

It is anticipated that the payments will be made in instalments. Payment will be made on receipt of invoices and confirmation that the scheme is progressing.

The additional monies towards 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	Monies will not be released until all funding in place and scheme is affordable
Scheme is over budget	Low	Medium	Tenders to be received, Value engineering to be undertaken

Key Decision: Yes  
 Background Papers Section 106 proforma and business plan, designs and copies of information provided  
 Evidence re Security of Tenure

