

Decision under Delegated Powers

Officer Requesting Decision

Developer Contributions Monitoring Officer

Officer Making the Decision

Head of Planning and Growth

Recommendation

To authorise the reallocation of residual funds totalling £3,885.24 of section 106 money received as a Youth and Adult Recreation Contribution attached to planning application P/13/1343/2 Land at Derby Road, Hathern. The contribution was committed to the expansion of Hathern Village Hall, the project has been completed and delivered under budget. Confirmation has been received from the developer that the residual funds can be utilised at an alternative project in Hathern and an extension of time to commit the funds extended to 14th September 2024.

Reason

To enable section 106 money that has been received for the provision of Youth and Adult Recreation in Hathern to be spent on an alternative project by the 14th September 2024.

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



25 September 2023

Background

Charnwood Borough Council received £50,197.04 of section 106 money for the Youth and Adult Recreation Contribution attached to planning application P/13/1343/2 Land at Derby Road, Hathern on 22nd March 2016.

Hathern Parish Council, in conjunction with the Hathern Village Hall Committee committed a scheme of work to create additional community space on the First Floor of Hathern Village Hall, recognising that the population of Hathern is expanding and there was additional demand and requests of use of the existing facilities. The whole amount of £50,197.04 was committed to this project outlined in full in DD009 2022.

Works at the Village Hall Hathern were completed in September 2022 and invoices received by Charnwood Borough Council totalling £46,311.80 leaving a residual amount of committed unspent funds totalling £3,885.24. Confirmation has been received from the Chairman and Treasurer of Hathern Village Hall Committee that no further invoices are outstanding as the project was delivered under budget.

In line with the relevant clause of the s106 unspent funds were due to be returned to the developer on the 22nd March 2021, an extension of time was obtained from the developer extending the spend deadline initially to 31st March 2022. Further confirmation has been obtained from the developer to extend the 'spend by date' of the unspent funds totalling £3,885.24 to 14th September 2024 and to reallocate the money to any alternative project in Hathern, allowing the money to be fully utilised in the community.

Financial Implications

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

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/13/1343/2