

## Decision under Delegated Powers

### Officer Making the Decision

Head of Neighbourhood Services

### Recommendation

That the sum of £32,264.57 of section 106 monies that has been received as a contribution towards the provision of children's / youth / adult recreation and children's play in Thurmaston is paid to Thurmaston Parish Council to assist with the provision of recreational and play facilities at Silverdale Park and Elizabeth Park.

### Reason


To enable section 106 monies that has been received for the provision of children's / youth / adult recreation and children's play in Thurmaston 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

 17/12/18

### Background

Under the provisions of the Corporate Plan to 2016 - 20, there is a commitment to ensure that a growth in homes and infrastructure benefits residents through improved community 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 Thurmaston there are a number of section 106 agreements that have been negotiated, with contributions for Children's Play, Youth and Adult Recreation, community facility provision and Public Art.

Thurmaston Parish Council have been working on providing some additional children's play and youth / adult recreation facilities within both Silverdale Park and Elizabeth Park for some time and have undertaken a range of consultation.

Thurmaston Parish Council have been out for a range of quotes for various options prior to going out for consultation.

The provision proposed is :

### Silverdale Park

Trim Trail (youth & adult)	-	12604
Big Train (play)	-	<u>8270</u>
		20,874

### Elizabeth Park

Aerial Runway (youth & adult)	-	8200
Multi play unit (play)	-	<u>6736</u>
		14,936

The total of the proposed provision is £35,810 which is to be funded by £32,264.57 of section 106 monies, with the Parish Council funding the balance of £3545.43.

Planning permission is not required for the scheme and copies of the proposed scheme and quotes have also been provided.

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 Thurmaston Parish Council until appropriate invoices have been received to ensure verification that the money has been spent.

Thurmaston Parish Council have provided information in relation to this project including design drawings, evidence of security of tenure and associated costings.

## Section 106 Monies

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

PA No	Location	Contribution
P/12/0558/2	Land at Lonsdale Road	£642.25 – youth & adult recreation
P/12/0558/2	Land at Lonsdale Road	£10,842.08 – children's recreation
P/11/2357/2	Land off Colby Rd	£8,275.41 – children's play – Silverdale Park
P/11/2357/2	Land off Colby Rd	£12,504.83 – youth / adult – Silverdale Park
		Total - £32,264.57

## Financial Implications

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

Payment will be made on receipt of invoices and confirmation that the scheme is 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	High	Monies will not be released until all funding in place and scheme is affordable
Scheme is over budget	Low	Medium	Quotes received and within budget

Key Decision:  
Background Papers

Yes  
Section 106 proforma, designs and copies of information provided  
Evidence re Security of Tenure & planning permission

