

## Decision under Delegated Powers

### Officer Requesting Decision

Planning Enforcement Assistant

### Officer Making the Decision

Head of Planning and Regeneration

### Recommendation

That the sum of £84,167.49 of Section 106 monies attached to planning application P/18/0586/2 - Removal of Condition 23 (open space provision for recreation use by adults, youth and general amenity) of planning permission P/17/0424/2 (relating to development of 380 dwellings and associated works) located at Land of Tickow Lane, Shepshed. The Section 106 contribution has been received to contribute towards the provision of a skate bowl at Shepshed Town Council's Oakley Road Playing Fields, Shepshed.

### Reason

The release of this funding is in accordance with the relevant clauses in the section 106 agreement attached to planning permission P/18/0586/2

### 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 has been determined to be the relevant Head of Service by the Head of Finance and Property Services" (Item 8 on Page 8-10)

For all Head of Service to approve the release of funds they must be satisfied that the works carried out fulfil the requirement as set out in the section 106 agreement and have written confirmation from the relevant body that the monies are to be 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



14 December 2021

## Background

Under the provisions of the Corporate Plan 2020 - 24, 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 play facilities.

A business case has been received from Shepshed Town Council for the installation of a skate park at Oakley Road Playing Fields, Shepshed. The Green Spaces Development Officer has confirmed the scheme is acceptable. The total expenditure of the project including design and installation is £90,000.00; the project will utilise all the available funds received £84,167.49 with the remaining funding being paid by Shepshed Town Council.

Breakdown of costs included in the delivery of the project:

Price element	Cost Allowance
Preliminaries	
Bespoke design	£2,250.00
Engineering	£2,250.00
Construction drawings	£2,700.00
Site setup	£4,500.00
Mobilisation	£2,250.00
Supply chain and sub-contractor setup	£900.00
CDM 2015 duties discharge	£2,700.00
<b>Construction activities</b>	
Reinforcement and Sub-base preparation	£7,600.00
Galvanised steel copings and reinforcement	£6,375.00
Poured in situ concrete	£56,525.00
Drainage	£1,500.00
ROSPA safety inspection	£450.00
<b>Total exc VAT</b>	<b>£90,000.00</b>

## Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to Shepshed Town 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	Overall Risk	Risk Management Actions Planned
There are no risks identified with this decision	Unlikely	None	Very Low (1 - 2)	N/A

**Key Decision:**

No

**Background Papers:**

All contained on planning file P/18/0586/2