

## Decision under Delegated Powers

### Officer Making the Decision

Head of Neighbourhood Services

### Recommendation

That the sum of £13,906.90 of section 106 monies that has been received as a contribution towards the provision or enhancement of children's play facilities in Rearsby is paid to Rearsby Parish Council for improvements to Rearsby Jubilee Play Area.

### Reason

To enable section 106 monies that have been received for the provision or enhancement of children's play and youth / adult recreation facilities in Rearsby 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 13/2/14*

### Background

Under the provisions of the Corporate Plan to 2012 - 16, 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 / 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 reasonably related in scale and kind to the development proposed and necessary to discharge fully the policy expectations of the Development Plan.

## Detail

Within Rearsby there is a section 106 agreement that has been negotiated, with contributions for Children's Play facilities and Youth and Adult Recreation provision.

Officers have been working with Rearsby Parish Council to develop the Rearsby Jubilee Play area upgrade. A committee has been established to oversee the refurbishment of the play area and delivery of the project. The committee has been actively fundraising and has managed to secure additional external funding to fund the play area upgrade. The committee has also been undertaking consultation with children and young people through the local schools to ensure the project delivers what the children and young people in the area want.

The existing play area is 23 years old and in need of refurbishment. The Parish Council / committee has been out for quotes. Copies of the three quotes have been received. The Parish Council propose to accept a quote of £40,728.01 plus VAT

Rearsby Parish Council own the freehold of the proposed site on Brookside, Rearsby.

The cost of the overall scheme is £40,728.01 plus VAT, which is to be funded from £13,906.90 of Section 106 Monies and other funding that has been raised by the committee. The Parish Council / committee have confirmed that all of the required monies are now confirmed.

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 Parish Council until the scheme has been completed and appropriate invoices have been received to ensure verification that the money has been spent on the intended purpose.

Rearsby Parish Council has provided information in relation to this project, including confirmation that they will be responsible for ongoing maintenance.

## Section 106 Monies

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

PA No	Location	Contribution
P/09/1434/2	New Avenue, Rearsby	£13,906.90 – Childrens Play Contribution
		Total - £13,906.90

## Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to Rearsby Parish Council and the monies have been received from the developers listed above.

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	Confirmation received that all funding in place
Scheme is over budget	Low	Medium	Quotes received, Resources already received. Contingency included

Key Decision:

Background Papers

No

Rearsby Parish Council / Play Committee, Scheme details and Quotations

Letter & e-mails from Rearsby Parish Council

Copies of Quotes

