

## Decision under Delegated Powers

### Officer Making the Decision

Head of Neighbourhood Services

### Recommendation

That the sum of £23,400 of section 106 monies that has been received as a contribution towards the provision or enhancement of children's play facilities in Thurmaston is paid to Thurmaston Parish Council for the upgrade of play facilities at Silverdale Park. Payments will be paid on receipt of invoices and confirmation that the scheme is progressing and completed.

### Reason

To enable section 106 monies that have been received for the provision or enhancement of children's play facilities 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 10 on page 3 – 36)

( 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

  
7/12/12

### 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 open spaces, play facilities and to encourage healthier lifestyles through the delivery and promotion of sporting and recreational 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.

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## **Detail**

Thurmaston Parish Council have been developing a number of play and youth / adult recreation projects to meet the needs of residents in Thurmaston. There are a number of section 106 agreements that have been negotiated, with contributions for youth / adult recreation and play facilities in Thurmaston.

Officers have been working in partnership with Thurmaston Parish Council to identify projects that the identified section 106 monies could be used towards.

The following project has been identified locally and local consultation has been undertaken in relation to the scheme and feedback incorporated where practical and reasonable.

### **Upgrade of Play Equipment at Silverdale Park**

The upgrade / refurbishment of children's play facilities at Silverdale Park has been identified as a local priority by children and young people living in the surrounding area. The existing play area is very dated and limited in the play equipment that is currently provided. Thurmaston Parish Council has led a series of consultation exercises with children and young people from Junior STEP, which is a Junior School Council, that includes pupil representatives from all schools in Thurmaston and surveys have been undertaken in local schools regarding the equipment that children and young people would like to see provided on this site.

Thurmaston Parish Council received designs and quotes from three playground suppliers, which was used to undertake further consultation with children and young people to determine the final scheme.

The scheme has been approved by Thurmaston Parish Council. The scheme has been costed and a design and quotes have been received for £47,400.

Approval is therefore sought for £23,400 of section 106 monies to be transferred to Thurmaston Parish Council for this scheme.

The Parish Council are also looking at a Phase 2 scheme for this site, which will look at fencing and access paths, plus additional equipment.

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.

The scheme above utilises £23,400 of section 106 monies and a written statement has been obtained from the Parish Council that the money will be used for this purpose as stated in the authority and that they will take on the ongoing maintenance responsibilities of the facility. The Parish Council have also confirmed that all other funding is in place to finance the scheme, with a range of external funding secured. The Parish Council have also confirmed that they own the freehold of the site.

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

PA No	Location	Contribution
P/05/3836/2	Land at 82 Humberstone Lane	£23,400 – children’s play contribution
		Total - £23,400

### Financial Implications

There are no financial implications for the Borough Council, the monies will be paid directly to Thurmaston Parish Council and the monies have been received from the developers listed above. 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	Confirmation received that all funding in place
Scheme is over budget	Low	Medium	Quotes received, Resources already received

Key Decision:  
Background Papers

No  
Thurmaston Parish Council letter, drawings and copies of quotes

