

POLICY & FINANCE COMMITTEE

24 JUNE 2021

TRANSFER OF COMMUNITY FACILITY - CONTRIBUTION TO SUTTON ON TRENT PARISH COUNCIL

1.0 Purpose of Report

- 1.1 To seek approval to transfer the community facility contribution of £239,619.63 received from Section 106 Agreement AG1108 for 'the provision and maintenance of a village hall on the community facilities land' at a development site in Sutton on Trent to the Parish Council in order to enable the proposed building to be developed.

2.0 Background Information

- 2.1 At its meeting of 22 February 2017 the Councillors' Commission agreed that the remit of the Policy & Finance Committee should be amended to make clear that the determination of how S106 monies should be applied or obligations fulfilled, falls within the remit of that Committee rather than the Planning Committee.
- 2.2 The Commission further agreed that the scheme of officer delegation be extended to give the Chief Executive and all Chief Officers delegated powers to determine how S106 monies should be applied or obligations fulfilled where the terms of the S106 Agreement are sufficiently precise or where the amount of the proposed expenditure does not exceed £50,000. However, in cases where the amount of money in question is significant it was agreed that there should be some Member input into this process.
- 2.3 Persimmon Homes was granted planning approval to develop a residential scheme of 50 dwellings and associated infrastructure contributions through a Section 106 agreement. Specifically within the agreement there was an obligation to provide an area of land within the curtilage of the development site which would provide the site for a new community building.
- 2.4 The S106 agreement required the land to be transferred to either the District or Parish Council as deemed appropriate and based on which party would take the lead on the delivery of the new facility. Following discussions between District and Parish Council officers and the developers it was agreed that it would be expedient to transfer the land directly to the Parish Council and this is now subject to processing with HM Land Registry.
- 2.5 In addition to the land transfer offer a community facility contribution of £239,619.63 was agreed and subsequently received by the Council on 31 July 2020. The contribution was specifically towards 'the provision and maintenance of a village hall on the community facilities land'. On the basis that the land has now been transferred to the Parish Council, Policy and Finance approval is now being sought to agree the transfer payment of the community facilities contribution to the Parish Council and its Village Hall project team to enable it to develop its plans to deliver the project.

3.0 Proposals

- 3.1 To seek approval to transfer the community facility contribution of £239,619.63 received from Section 106 Agreement AG1108 for the provision and maintenance of a village hall on the community facilities land at a development site in Sutton on Trent to the Parish Council in order to enable the proposed building to be developed.

3.2 That appropriate provision be made in the Council's capital programme for this scheme.

4.0 Equalities Implications

4.1 There are no equality implications in respect of the various protected characteristic groups in connection with this proposal. The transfer of the community facility contribution will enable further accessible community infrastructure improvements to be delivered for the benefit of all residents of Sutton on Trent. The new hall, when delivered, will be fully DDA compliant and offer a wide range of community activities.

5.0 Digital Implications

5.1 There are no adverse digital implications associated with this report.

6.0 Financial Implications FIN21-22/3667

6.1 The Council is holding the S106 receipt of £236,619.63 for the 'provision and maintenance of a village hall on the community facilities land' specific to the development site and once approved will be transferred to Sutton on Trent Parish Council on request and a signed legal agreement.

6.2 A budget needs to be set up within the Capital Programme and will be financed by the S106 receipt.

7.0 Community Plan – Alignment to Objectives

7.1 The proposal will primarily contribute to the Council's Community Plan objectives of 'create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their area' and 'Improve the health and wellbeing of local residents' through taking a local lead on developing the best use of community facilities with support from the District Council as and where appropriate.

8.0 RECOMMENDATIONS that:

- a) the community facility sum of £239,619.63 secured through S106 AG1108 currently held by the Council be transferred to Sutton on Trent Parish Council under a side agreement: and
- b) appropriate provision be made in the Council's capital programme for this scheme.

Reason for Recommendations

To enable Sutton on Trent Parish Council to progress with the development of the village hall facility with its appointed project team.

Background Papers

Nil.

For further information please contact Andy Hardy on Extension 5708.

Susanne Shead

Director – Housing, Health & Wellbeing