



Report to: Cabinet Meeting - 31 October 2023

Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officer: Cara Clarkson, Business Manager - Regeneration & Housing Strategy, Ext. 5923

Report Summary	
Type of Report	Open Report, Non-Key Decision
Report Title	Transfer of Section 106 Community Facility Contributions to Farnsfield Parish Council
Purpose of Report	To secure Cabinet approval to transfer Section 106 contributions held by the District Council for community facilities in the parish of Farnsfield to Farnsfield Parish Council.
Recommendations	<p>That:</p> <ul style="list-style-type: none"> (a) the Section 106 contributions for community facilities held by the District Council for improvements to community facilities in Farnsfield be transferred to Farnsfield Parish Council; and (b) the Council's Capital Programme for 2023/24 is increased by £141,748.08 financed by the Section 106 receipts referenced AG977 and AG975 held for community facilities improvements in Farnsfield.
Alternative Options Considered	<p>The Section 106 receipts held under these two agreements must spent on community infrastructure projects in Farnsfield, therefore it is appropriate that the District Council transfers the receipts held to Farnsfield Parish Council in order that it can determine which community projects should be supported and will deliver good community outcomes.</p> <p>The District Council could continue to determine which projects should be supported but it does not have the local contacts and connection that the Parish Council has with its local clubs and groups, and it is felt appropriate therefore to enable the Parish Council to determine such local priorities for the benefit of its community.</p>

Reason for Recommendations	To enable Farnsfield Parish Council to provide financial support to priority community projects in Farnsfield which will deliver positive outcomes for the local community.
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1.0 Background

- 1.1 Newark and Sherwood District Council is currently in receipt of two Section 106 contributions for community facilities in Farnsfield under agreements AG977 - £73,331.47 and AG975 - £68,416.61. These contributions can be used to improve community facilities in the Parish of Farnsfield either at the Village Hall, Bowls, Football, Cricket or Tennis Club as deemed appropriate. The Parish Council has, for some time, been working on a number of projects that it is keen to see delivered in the Parish and has asked that the monies held by the District Council now be transferred to it. Subject to Portfolio Holder approval this would be done under a 'side agreement', to ensure that the monies are only used as intended and as defined in the two legal agreements in order that the projects being developed can be delivered in a timely manner and are consistent with the legal agreements in place.
- 1.2 As the District Council has no direct local connection with the potential recipients of this funding, it is felt appropriate that the Parish Council should take local ownership of the development of the projects which can receive financial support from the transferred funds and will deliver community value and benefit. This approach has been successful in other Parishes of the District.

2.0 Proposal/Details of Options Considered

- 2.1 It is proposed that the Community Facilities contributions totalling £141,748.08 be transferred to Farnsfield Parish Council in order that suitable community projects that align to the Section 106 agreements referenced as AG977 and AG975 can be delivered in a timely manner and thereby contribute to the achievement of the District Council's Community Plan objectives as well as the priorities of the Parish Council and that the Council's Capital Programme is increased by £141,748.08 financed by the Section 106 receipts reference AG977 and AG975 held for community facilities improvements in Farnsfield.
- 2.2 The Council will work with Farnsfield Parish Council to ensure the Section 106 receipts were spent within requisite timeframes and in accordance with the requirements of the Section 106 Agreements.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Financial Implications (FIN23-24/9788)

- 3.1 The Council is currently holding £141,748.08 for the provision of Community Facilities in Farnsfield, detailed over:

AG No.	Purpose	Spend by Date	Uncommitted Balance
AG975	Community Facility	23/06/2024	68,416.61
AG977	Community Facility	11/08/2024	73,331.47
Total			141,748.08

3.2 Due to the expenditure being Capital in nature, the equivalent budget will need to be added to the Capital programme, financed by the S106 receipts.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None