



Report to: Strategy, Performance and Finance Portfolio

Decision Date: 9 April 2026

Portfolio Holder: Cllr. Paul Peacock - Portfolio Strategy, Performance and Finance

Director Lead: Matt Lamb - Director of Planning and Growth

Lead Officer: Cara Clarkson – Business Manager - Regeneration and Housing Strategy

<b>Report Summary</b>	
<b>Type of Report</b>	Non-key decision
<b>Report Title</b>	Transfer of Section 106 Open Space Off Site Children’s Play space contribution to Ollerton and Boughton Town Council for play space improvements in Ollerton.
<b>Purpose of Report</b>	To secure Portfolio Holder approval to use Section 106 contributions held by the District Council for improvements to children’s play space in Ollerton.
<b>Recommendations</b>	<p>That the Section 106 contribution of £30,771.38 secured through AG941 (amending AG924) held by the District Council to be transferred to Ollerton and Boughton Town Council as a contribution to children’s play space improvements in Ollerton.</p> <p>That the Council’s Capital Programme is increased by £30,771.38 funded through AG941 (amending AG924) Open Space Off Site Children’s Play space.</p>
<b>Alternative Options Considered</b>	<p>The Section 106 receipts held under this agreement have to be spent on ‘Open Space Off Site Children’s Play Space’ facilities in (the vicinity of the Wellow Road site) Ollerton in accordance with S106 Agreement.</p> <p>Due to the requirements of the Section 106 agreement the monies held can only be spent on projects that are within scope and accordingly Ollerton and Boughton Town Council is the responsible body for the provision of children’s play space in Ollerton and has suitable schemes to allocate the monies to.</p>

	There it is deemed appropriate to transfer the monies to the Town Council to use for suitable schemes to improve the facilities it provides for children and young people.
<b>Reason for Recommendation</b>	To enable S106 monies held for suitable projects in Ollerton to be delivered by Ollerton and Boughton Town Council in accordance with the terms of agreement AG941 to facilitate the improvement of children’s play space in Ollerton.
<b>Decision Taken</b>	9 <sup>th</sup> April 2026

### 1.0 **Background**

- 1.1 Newark and Sherwood District Council is currently holding a Section 106 contribution of £30,771.38 secured through AG941 specifically for Open Space Off Site Children’s Play space in Ollerton.
- 1.2 Ollerton and Boughton Town Council has formally requested the transfer of the receipt held by the District Council for improvements to its children’s play space in Ollerton and the request is now presented to the Council for formal approval.

### 2.0 **Proposal/Options Considered**

- 2.1 It is proposed that a S106 receipt of £30,771.38 funded through AG941 (amending AG924) Open Space Off Site Children’s Play space currently held by the District Council, be transferred to Ollerton and Boughton Town Council to deliver improvements to children’s play space in Ollerton which will contribute to the Council’s Community Plan Objective 1 ‘Improve Health and Wellbeing’, Objective 4: Reduce Crime and Anti-Social Behaviour and Objective 5 ‘Protect and enhance the district’s natural environment and green spaces’.
- 2.2 That the Council’s Capital Programme is increased by £30,771.38 as outlined in section 2.1 above and funded from Section 106 agreement AG941.

### 3.0 **Implications**

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

<b>Implications Considered</b>			
<b>Yes – relevant and included / NA – not applicable</b>			
Financial	Yes	Equality & Diversity	N/A
Human Resources	N/A	Human Rights	N/A
Legal	Yes	Data Protection	N/A

Digital & Cyber Security	N/A	Safeguarding	N/A
Sustainability	N/A	Crime & Disorder	N/A
LGR	N/A	Tenant Consultation	N/A

### **3.1 Financial Implications – (FIN25-26/8253)**

- 3.1.1 The Open Space Off Site Children’s Play space contribution with reference to the legal agreement AG941 has an uncommitted balance of £30,771.38 therefore is available for the above proposal.
- 3.1.2 Due to the expenditure being Capital in nature, the budget and the expenditure for appropriate proposals and projects will be added to the Capital Programme, financed by the S106 receipts.

### **3.2 Legal Implications - ( LEG2526/1834)**

- 3.2.1 The Council’s Infrastructure Funding Statement sets out the procedure for dealing with off-site Section 106 contributions, which the relevant 106 monies are. Where the spend is between £15,000 and £300,000 then any proposals fall to the Portfolio Holder for Finance and the Section 151 Officer, who can either approve it or refer it to Cabinet. The Planning Committee Chairman and Members of affected Wards are to be consulted on proposed spend and the spend shall be added to the capital programme.
- 3.2.2 The Portfolio Holder is therefore the appropriate person to consider the content of this report.
- 3.2.3 AG941 is a S106A deed of modification agreement dated 17 December 2014 between NSDC (1) and Gladedale (South Yorkshire Limited) which modifies the principle S106 agreement dated 31 March 2014 between the council, Anthony Robert Jackson, Louise Jackson and Alan David Gammon.
- 3.2.4 The definition of the spend of the Off-Site Children’s Play Space Contribution is “to be used towards the provision of off-site children’s play space in the vicinity of the site (Wellow Road Ollerton). The proposed spend is in line with this agreement.

### **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***