



Report to: Strategy, Performance and Finance Portfolio

Decision Date: 05 May 2026

Portfolio Holder: Cllr. Susan Crosby - Portfolio Holder for Health, Wellbeing and Leisure delegated to Cllr. Paul Peacock - Portfolio Holder for Strategy, Performance and Finance

Director Lead: Matt Lamb - Director of Planning and Growth

Lead Officer: Cara Clarkson – Business Manager – Healthy Places

Report Summary	
Type of Report	Non-key decision
Report Title	Use of Section 106 contribution for improvements to Thoresby Sporting Trust’s facilities at Fourth Avenue, Edwinstowe.
Purpose of Report	To secure Portfolio Holder approval to use Section 106 contributions held by the District Council for improvements to community sports facilities in Edwinstowe.
Report Recommendations	<p>That part of the contribution for community facilities and sports pitch contributions secured through the s106 Agreement AG1180 and held by the District Council in the sum of £26,000 to be used as a contribution towards improvements to the community sports facilities at Thoresby Sporting Trusts’ ground at Fourth Avenue, Edwinstowe for improvements to the Clubhouse and the purchase of sporting equipment for the benefit of all user groups.</p> <p>That the Council’s Capital Programme is increased by £26,000 funded by the community facilities and sports pitch contribution from Section 106 agreement AG1180.</p>
Alternative Options Considered	The Section 106 receipts held under this agreement have to spent on community facilities and sports pitches in (the vicinity of the Thoresby Vale site) Edwinstowe within an agreed timescale in accordance with S106 Agreement AG1180.

	<p>This is a project that can be supported; however, the alternative option is to not support the project which would then not be delivered.</p> <p>Accordingly, if the monies are not spent in accordance with the s106 agreement spend by date the receipt would have to be repaid to the developer with any interest accrued whilst the Council has held the contributions.</p> <p>Therefore, in respect of this proposal it is deemed appropriate to transfer the monies to Thoresby Sporting Trust to use for the project outlined which will enable the Trust to improve its facilities and equipment and future proof its continued offer.</p>
Reason for Recommendation	To support the project recommended by the Working Group and to enable the s106 contribution for community facilities and sports pitches held for suitable projects in vicinity of Edwinstowe to be delivered by Thorsby Sporting Trust in accordance with the terms of agreement AG1180 to facilitate the delivery of improvements to its facilities.
Decision Taken	As per the recommendations

1.0 Background

- 1.1 Newark and Sherwood District Council is currently holding Section 106 contributions for both community facilities and sports pitches secured through the s106 Agreement between the Council, Nottinghamshire County Council, Harworth Estates Mine Property Ltd and Harworth Estates (Agricultural Land) Ltd dated 14 February 2019 (AG1180) as part of the planning approval pursuant to application reference 16/02173/OUTM. This was for the development on the former Thoresby Colliery site now referred to as Thoresby Vale, Edwinstowe. This agreement secured, amongst other contributions, a financial contribution for community facilities specifically for the provision, maintenance, repair or enhancement community facilities in the vicinity of the site, and a sports pitch contributions for the provision, maintenance or enhancement of existing or new outdoor sports facilities in the parish of Edwinstowe.
- 1.2 The S106 agreement also required a “Working Group” to be setup with representatives from the owners of the site, the District Council and Edwinstowe Parish Council with the aim of meeting to discuss and advise the District Council on discreet projects on which any part of the community facilities contribution and/or the sports pitch contribution may be spent. The District Council may at its absolute discretion spend or apply the money to those projects referred by the Working Group.
- 1.3 Thoresby Sporting Trust submitted a proposal to the aforementioned Working Group on 4th March 2026 to secure a contribution towards maintenance and

improvements at its ground to improve its overall facilities and offer to its users. The request will enable the purchase of new furniture, replacement of some windows and new doors to improve security and a new heating system to improve the efficiency of the building from the community facility allocation. The sports contribution will enable the purchase of a new sight screen, new cover for the wicket and a replacement mower to ensure that the Trust can continue to maintain its cricket pitch to a high standard. Accordingly, the request was supported unanimously by the Working Group and the proposal is now presented to the District Council for formal approval.

- 1.4 Thoresby Sporting Trust is the long-term lease holder of the former Thoresby Colliery Welfare sports ground and clubhouse situated at Fourth Avenue, Edwinstowe and provides a valuable community and sporting facility for the benefit of its members and user groups and is becoming a wider hub for community activity. The club host's a wide range of activities to support the local community in addition to its primary function of providing excellent sports pitch provision for cricket and football in Edwinstowe.

2.0 Proposal/Options Considered

- 2.1 It is proposed that a transfer of £26,000 funded by £15,000 from the community facilities contribution and £11,000 from the sport pitch contribution, secured through s106 agreement AG1180, currently held by the District Council, be transferred to Thoresby Sporting Trust as a contribution towards maintenance and improvements at its ground to improve the Trusts' community and sporting facilities for the benefit of all user groups. The split from the different contributions is representative of the different elements within the proposal from the Thoresby Sporting Trust to comply with the requirements of the s106 Agreement.
- 2.2 Officers are content that these proposals comply with the requirements of the s106 agreement and with the policy requirements contained in the Developer Contributions and Planning Obligations Supplementary Planning Document ("SPD"). These proposed works would be detailed in a side agreement between the District Council and the Thoresby Sporting Trust to secure that the spend aligns with the purposes of the s106 agreement.
- 2.3 The award will make a positive contribution to the Council's Community Plan Ambition 1, 'Break down barriers to opportunity to enable residents and businesses to prosper and fulfil their potential', Ambition 3 'Improve health and wellbeing with an emphasis on communities with lower levels of life expectancy', Ambition 4: 'Reduce crime and anti-social behaviour, improving community feelings of safety' and Ambition 5 'Promote, maximise and celebrate the diversity of Newark and Sherwood's heritage, culture and community spirit'.
- 2.4 It is proposed that the Council's Capital Programme is increased by £26,000 as outlined in section 2.1 above and funded from Section 106 agreement AG1180.

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.

Implications Considered			
Yes – relevant and included / NA – not applicable			
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	Yes	Crime & Disorder	N/A
LGR	N/A	Tenant Consultation	N/A

3.1 **Financial Implications (FIN26-27/7188)**

3.1.1 The community facilities contribution with reference to the legal agreement AG1180 has an uncommitted balance of £208,372.04. Therefore £15,000 is available for the above proposal, leaving an uncommitted balance of £193,372.04.

3.1.2 The sports pitch contribution with reference to the legal agreement AG1180 has an uncommitted balance of £365,460.85. Therefore £11,000 is available for the above proposal, leaving an uncommitted balance of £354,460.85.

3.1.3 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 - LEG2627/2574**

3.2.1 The Council's Infrastructure Funding Statement sets out the procedure for dealing with off-site Section 106 contributions, which the relevant s106 monies are. Where the spend is between £15,000 and £300,000 then any proposals are referred 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 have been consulted and have confirmed that they agree with the proposed spend.

3.2.2 The spend complies with the requirements of the s106 Agreement and the SPD. Legal Services will need to be instructed in relation to the drafting and completion of a side agreement to transfer the money to the Thoresby Sporting Trust.

3.2.3 Under paragraph 5.6, Section 2, Part C of the Council's Constitution where the Leader has a conflict of interest they must ensure that they do not influence the decision to be taken and that the decision is taken by a Cabinet Member who does not have such a conflict of interest.

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