

POLICY & FINANCE COMMITTEE

26 SEPTEMBER 2019

URGENCY ITEMS - MINUTE OF DECISION

Delegation arrangements for dealing with matters of urgency

Paragraph 7.2.1 of the Council's Constitution provides that Chief Officers may take urgent decisions if they are of the opinion that circumstances exist which make it necessary for action to be taken by the Council prior to the time when such action could be approved through normal Council Procedures. They shall, where practicable, first consult with the Leader and Chairman (or in their absence the Vice Chairman) and the Opposition Spokesperson of the appropriate committee (Constitution incorporating a scheme of delegation approved by the Council on 14th May 2013)

Subject: Community Facilities Contributions - Joseph Whitaker Community Leisure Centre Refurbishments Rainworth

Appropriate Committee: Policy & Finance Committee

Background Information:

At its meeting of 22 February 2017 the Councillor's 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;

The Commission further agreed that the scheme of officer delegation be extended to give all the Chief Executive and 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.

Details of Item

The purpose of this urgency item is to seek member approval to allocate a community facilities contribution of £50,294 held under the Section 106 Agreement AG 859 for the purposes of improving community infrastructure in the Parish of Rainworth. The money has a spend-by date of 1 October 2019 and had been ring fenced to a project at Rainworth Village Hall which has not progressed as quickly as anticipated. In order to meet the spend by date of the agreement it is proposed that the money held should be re-allocated as a matter of urgency to another suitable project which will deliver community benefit and can be spent before the 1 October 2019 deadline. If the money is not spent there is a risk that it may have to be repaid to the developer with any accrued interest.

The proposal is therefore to redirect the money held for an extension at Rainworth Village Hall to upgrades and refurbishment of squash courts, dance studio, gymnasium and changing facilities, all part of the community leisure facilities located at Joseph Whitaker School. The current facilities are well used by existing community groups and with further investment will meet the future needs of a growing community as new housing is delivered in the locality.

Members will also be aware that Rainworth and Blidworth are priority areas as identified in the Physical Activity and Sport Plan and the Community Plan in respect of health inequalities therefore investment in community infrastructure can lead to increased participation in sport, recreation and leisure activities which will contribute positively to improved health and wellbeing in the local area. Accordingly, approval to release the money will deliver improvements to the community infrastructure, enable increased participation in physical activity and fulfil the requirements of the S106 agreement.

It is also important to note that the Village Hall proposals can still be delivered as intended through the allocation of a community facilities contribution secured through Agreement AG919a where the spend by date is March 2024.

Budgetary Implications (Finance Officer's Comments) FIN19-20/1575

S106 balances are available as described above. With reference to the recommendations below, the Balance of £50,294 relating to AG859 would need to be transferred to Capital for financing the expenditure.

Decision

- a. **£50,294 from Section 106 Agreement AG859 be transferred to Joseph Whitaker School as a contribution towards improvements to the community leisure facilities as outlined in the report; and**
- b. **appropriate provision be made in the Council's capital programme for this scheme.**

Reason for Urgency

To ensure that the project proceeds without unnecessary delay.

Members Consulted:

Councillor David Lloyd – Leader of the Council and Chairman of Policy & Finance (19/08/2019)

Councillor Paul Peacock – Opposition Spokesperson Policy & Finance (19/08/2019)

Signed 

Date 19/08/2019

Director – Growth & Regeneration