

ALLOCATION OF SECTION 106 FUNDS TO CLIPSTONE WELFARE

1.0 Purpose of Report

- 1.1 To seek approval for the transfer of S106 funds to Clipstone Welfare.

2.0 Background Information

- 2.1 At its meeting held on 9 March 2017 Full Council 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 In 2010 the Council received S106 funds to the value of £85,790 from the Gladedale Homes development on Mansfield Road, Clipstone. These were generated by a S106 agreement (AG842A) which stated that, in relation to open space, there should be a financial contribution for the purposes of providing off-site children's playing space. The actual wording of the agreement was that the contribution should be used 'towards the provision, improvement and maintenance of children's playing space in Clipstone as the Council in its absolute discretion shall decide'. Despite a number of projected schemes being brought forward over the past 7 years there has been only limited use of the funds and £78,047 remains unspent. There is no time limit attached to the expenditure of the funds.

3.0 Proposals

- 3.1 Clipstone Welfare, in partnership with Clipstone Parish Council, is planning to provide sports and play facilities for older children on land it owns adjacent to Clipstone Youth Centre and has requested that the District Council release £49,180 of S106 open space funds from AG842A to allow it to progress this project. The Welfare wishes to provide a new multi-use games area, together with lighting and fencing, skate equipment, fitness equipment for adults and young people and other play facilities. The Welfare has already received grants from Nottinghamshire County Council (£40,000), the National Lottery (£10,000) and the Garfield Weston Foundation (£20,000) towards the project. The total cost of the project is £109,180, however Clipstone Welfare wishes to retain £10,000 of the Garfield Weston grant to enable it to carry out repairs to the youth club building. Clipstone Parish Council is supportive of the project and has agreed to assist with the inspection and maintenance of the facilities once they are in place.
- 3.2 Prior to the funds being transferred Clipstone Welfare will be required to enter into a legal agreement which binds it to spending the funds in a manner which is consistent with the S106 agreement.

4.0 Equalities Implications

- 4.1 The design of the new facilities will take full account of equalities implications.

5.0 Comments of Director - Resources and s151 Officer

5.1 Confirmation that the s106 funds are currently available via the Council's balance sheet.

6.0 RECOMMENDATIONS that:

- (a) the transfer of open space Section 106 funds totalling £49,180 arising from AG842A to Clipstone Welfare be approved, subject to an appropriate legal agreement being entered into by Clipstone Welfare; and**
- (b) the sum of £49,180 be added to the Council's Capital Programme in order that its expenditure can be appropriately recorded and monitored.**

Reason for Recommendations

To ensure that S106 funds are spent in an appropriate fashion, for the benefit of the community in which they were generated and that their use is properly monitored.

Background Papers

The relevant S106 agreement is available upon request.

For further information please contact Phil Beard on ext. 5714 or Andy Hardy on ext. 5708.

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