

## PLANNING COMMITTEE

13 JUNE 2013

### REPORT OF HEAD OF REGULATORY SERVICES

#### USE OF S106 FUNDING FOR THE SCALFORD BROOK PLAY AND RECREATION AREA

##### 1.0 PURPOSE OF REPORT

- 1.1 To seek members agreement for the release of the monies paid in respect of a s.106 agreement attached to planning permission 05/00496/FUL granted for the development of 24 flats off Windsor Street, Melton Mowbray, to be used appropriately for an external recreation and exercise provision.

##### 2.0 RECOMMENDATIONS

- 2.1 **Members agree the use of s.106 funding allocated through the s.106 agreement to contribute towards new equipment for Scalford Brook Play and Recreation area.**

##### 3.0 KEY ISSUES

- 3.1 Monies for the provision of off-site open space have been paid as part of the s.106 agreement attached to planning permission 05/00496/FUL for the development of the flats on Windsor Street.
- 3.2 The Development Committee resolved at the meeting on 9<sup>th</sup> August 2005 to permit the development subject to the conditions in the report and further discussions being held with the developer on the siting of the main entrance to the development and *the open space aspect of the Section 106 agreement being reviewed by officers and returned to the Committee with options for further consideration.*
- 3.3 Scalford Brook play and recreation area is around a 10 minute walk from the flat block development and the funding would be used to provide for an outdoor site of recreation and exercise. The expenditure of S. 106 funds are required to be related to the development to which they were acquired (CIL Reg. 122) and it is considered that this is sufficiently close to fulfil this requirement.
- 3.4 This site is the closest suitable site for such activities and the section 106 funds would be used to supplement existing allocated funds thereby enabling new equipment for the play and recreation site to be purchased and installed.
- 3.5 Specific additions to the former facilities will be some 'all ages' outdoor exercise equipment primarily aimed at adults.

##### 4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 There are no direct policy or corporate implications as a result of this report.

##### 5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 The majority of funding identified for new equipment for the Scalford Brook play and recreation site has already been identified. Members approval to release the associated funds in respect of the s.106 agreement attached to the planning permission for the Windsor street Development, 05/00496/FUL, being sought through this report will allow the renewal project to proceed and be realised.
- 5.2 Members are asked to release the open space allocation (£10,000) provided through the

above mentioned s.106 agreement for provision of open space and equipment as stated above.

## 6.0 LEGAL IMPLICATIONS/POWERS

6.1 There are no direct legal implications as part of this report.

## 7.0 COMMUNITY SAFETY

7.2 All the proposed new equipment will be purchased and installed by a national leading supplier and accordingly is expected to meet all required health and safety standards and accordingly is not expected to give rise to any community safety implications.

## 8.0 EQUALITIES

8.1 The new equipment will include outside adult exercise apparatus and therefore will increase the suitability of the site in terms of age ranges able to utilise and benefit from the facility.

## 9.0 RISKS

9.1 There are no specific risks associated with this report.

Probability



Very High A				
High B				
Significant C				
Low D				
Very Low E	1			
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

Impact →

Risk No.	Description
1	Challenge that the linkage between to source and use of the funding is insufficient (see para 3.3. above).

## 10.0 CLIMATE CHANGE

10.1 To consider and give any climate change implications relating to this report.

## 11.0 CONSULTATION

11.1 Residents local to the site in question have been lobbying for the site to have new equipment installed for some time and the proposed addition of adult exercise equipment is supported by the 'Friends of Melton Country Park'.

## 12.0 WARDS AFFECTED

12.1 Melton Country Park is a well patronised public facility that attracts visitors from many a wide area including all parts of the Borough therefore changes to the parks facilities will affect all wards.

Contact Officer        Ramon Salvon  
                                  31 May 2013

Date:

Appendices :

Background Papers:    Planning Application/Permission 05/00496/FUL

Reference :              X : Committees\?