

## Report of the Portfolio Holder for Resources and Personnel Policy

**CAPITAL PROGRAMME 2023/24 UPDATE – PARKS AND OPEN SPACES LONG LANE RECREATION GROUND AND HICKINGS LANE RECREATION GROUND – ALLOCATION OF SECTION 106 FUNDS**

1. Purpose of Report

To seek approval for Section 106 (S106) open space contributions to be used to fund improvements to the parks and open spaces and for the capital schemes to be included in the Capital Programme for the relevant years.

2. Recommendation

**Cabinet is asked to RESOLVE that the schemes for Parks and Open Spaces improvements at Long Lane Recreation Ground in Attenborough and; Hickings Lane Recreation Ground in Stapleford; be added to the Capital Programme 2023/24, at a combined cost of £50,050, to be funded by an allocation from the respective Section 106 contributions.**

3. Detail

S106 developer contribution funds have now been received by the Council for improvements within certain parks and open spaces. The proposed developments, their funding levels and the associated improvement to the relevant park or open space is shown below:

Development	S106 Funding	Site Identified for improvement
17/00778 - Ready Mix Concrete, Long Lane, Attenborough	£27,956 (index linked £30,149)	Long Lane Recreation Ground, Attenborough – The resurfacing of the car park and improvement to equipment on the play area at Long Lane has been identified as a site where the contribution could be spent to make improvements for residents and visitors to the park.
20/00675 - Maults Yard, land to the rear of 68 Nottingham Road, Stapleford	£18,943 (index linked £19,913)	Hickings Lane Recreation Ground, Stapleford – Once the final layout of the recreation ground refurbishment through the Towns Fund has been established, the S106 contributions will go towards improvements within the play area, for example, new play equipment or a contribution towards a new skate park.

Whilst there are no exact restrictions on what the S106 funding must be spent on it does have to be spent on the sites identified in the S106 agreements. When completed the works will improve the Borough's open space and play areas for site users and aligns with the priorities within the Play Strategy.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

Although the respective S106 agreements have been agreed and these receipts will provide the necessary funding for the Parks and Open Spaces improvements, the Capital Programme 2023/24 to 2025/26 does not currently include these three schemes.

Members are therefore asked to approve that the improvements schemes at Long Lane Recreation Ground in Attenborough (£30,150); and Hickings Lane Recreation Ground in Stapleford (£19,900) be added to the Capital Programme 2023/24. The combined cost of £50,050 will be funded by an allocation from the respective Section 106 contributions.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Planning obligations are covered by Section 106 of the Town and Country Planning Act 1990 and known as Section 106 agreements. By law, planning obligations can only be required where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and in kind to the development. Payments can be made in the form of a capital or revenue contribution, as a lump sum or phased payments, due on defined dates or triggered as the development progresses. Local planning authorities are required to use the funding in accordance with the terms of the individual Section 106 agreement and if not spent by the date specified in the agreement must be returned to the developer.

6. Human Resources Implications

There were no comments from the HR Manager.

7. Union Comments

The Union comments were as follows.

N/A

8. Data Protection Compliance Implications

N/A

9. Equality Impact Assessment

N/A

10. Background Papers

None.