

Report of the Portfolio Holder for Environment and Climate Change, and Resources and Personnel Policy

CAPITAL PROGRAMME 2023/24 UPDATE – ALLOCATION OF SECTION 106 FUNDS FOR PARKS AND OPEN SPACES.

1. Purpose of Report

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

2. Recommendation

Cabinet is asked to RESOLVE that the parks and open spaces improvement schemes for Beeston and Eastwood be added to the Capital Programme for 2023/24 at a combined cost of just over £130,000. These improvements will be funded by an allocation from respective 106 contributions.

3. Detail

S106 developer contribution funds have now been received by the Council for improvements within certain parks and open spaces. Once approved, the funds will need to have been spent within a five-year period. A detailed programme of works is now being drawn up for each of the sites detailed in Table 1 below.

Whilst there are no exact restrictions on what the S106 funding must be spent on, the funding 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 will align with the following priorities highlighted in the Council's 'Play Strategy' (2017-2025):

- Improving the quality of play provision.
- Increasing the quality and range of equipped play and recreational provision.
- Providing the necessary resources to improve and develop play and recreational opportunities.

Table 1 details the proposed developments, their funding levels and an outline of the possible associated improvement to the relevant park or open space:

Development	S106 Funding	Site identified for improvement and potential programme of works
20/00541 – 42-44 Brookhill Leys Road, Eastwood	£19,000	Repair or maintenance of Coronation Park, Eastwood – the contribution will assist with the resurfacing of the entrance road and paths in Coronation Park. This will improve safety and enhance accessibility.
20/00745/FUL – Old Station Yard, Station Road, Beeston	£70,000	<p>Maintenance and improvements on Dovecote Lane, Broadgate and Leyton Crescent parks in Beeston. Approximately £4,400 will be used to further enhance security measures which will help protect against unauthorised encampments.</p> <p>Other improvements at these sites will include, refurbishment of existing play equipment, the addition of new accessible play equipment and improvements to park furniture and path surfaces (again to improve accessibility).</p>
19/00668/FUL – Beeston Maltings, Dovecote Lane, Beeston.	£41,000	<p>Maintenance and improvement on Hetley Pearson Recreation Ground. Approximately £2,500 will be used to further enhance security measures which will help protect against unauthorised encampments.</p> <p>Other improvements at these sites will include, refurbishment of existing play equipment, the addition of new accessible play equipment and improvements to park furniture and path surfaces (again to improve accessibility).</p>

Table 1 – Breakdown of S106 allocation funds

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 schemes.

Members are therefore asked to approve that the improvements schemes at Coronation Park, Eastwood (£19,000); Beeston parks (£69,000) and Hetley Pearson (£41,000) be added to the Capital Programme 2023/24. The combined cost of £130,000 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 in relation to Human Resources.

7. Union Comments

There were no Union comments in relation to the report.

8. Data Protection Compliance Implications

There were no data protection comments in relation to the report.

9. Climate Change Implications

Climate change implications are considered within the report.

10. Equality Impact Assessment

An Equality Impact Assessment was not required for this report.

11. Background Papers

Nil.