

**CABINET SPOKESPERSON FOR PLACE**

Record of a decision taken on:

**Section 106 Allocations St John's Primary, Penistone**

This report seeks approval for the allocation of Section 106 monies as set out in the recommendation section of this report.

**Key Risks Associated with the Proposed Action**

The proposed scheme is considered to be viable from a delivery perspective. The approval report does identify risks which may arise during the delivery phase of the project. It is however anticipated that identified risks can be effectively mitigated through the formal project management arrangements established in relation to delivery. Risk areas include:

<b>Risk Description</b>	<b>Solution/ Mitigation</b>	<b>Risk Level</b>
There is a risk that developers may request the return of monies if the proposals contained within this report are not progressed.	The proposals contained within this report will directly mitigate this risk through the establishment of deliverable schemes.	Low

**Recommendation**

It is recommended that:

- £114,764.32 of S106 monies are allocated towards the phased increase of capacity of Penistone St John's (CE) Primary school providing the following benefits:
  - Additional school places for the Penistone Area
  - Modernisation of the school facilities

**Decision / Comments of the Cabinet Spokesperson**

Recommendation approved by Cabinet Spokesperson

*PR Miller*  
 .....  
 (Signed) Cabinet Spokesperson

*9/1/18*  
 .....  
 Date



## BARNSLEY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the council's definition and has not been included in the relevant Forward Plan

Report of Executive Director, Place

### Section 106 Allocations St John's Primary, Penistone

#### 1. Purpose of report

- 1.1 This report seeks approval for the allocation of Section 106 monies as set out in the recommendations section of this report.

#### 2. Recommendations

##### 2.1 It is recommended that:

- **£114,764.32 of S106 monies are allocated towards the phased increase of capacity of Penistone St John's (CE) Primary school providing the following benefits:**
  - **Additional school places for the Penistone Area**
  - **Modernisation of the school facilities**

#### 3. Introduction

- 3.1 In December 2016, a report was submitted to allocate £108,872 S106 funding towards the phased development of Penistone St. John's (CE) Primary. Within that report it stated that a further report would be submitted to allocate further contributions, once these had been received.

- 3.2 This report relates to education monies totalling £65,154.69 received through stage payments on planning permission 2013/0785 land off Hartcliffe Road, Penistone. The spend conditions of the legal agreement are defined as:

*"...provision or improvement to primary education facilities within Penistone, the need of which arises from the development."*

- 3.3 This report also relates to education monies totalling £49,609.63 received through stage payments on planning permission 2014/0754 Church Lane/Haigh Head Road/Haigh Lane, Hoylandswaine. The spend conditions of the legal agreement are defined as:

*"...provision or improvement to primary education facilities within Penistone East and West wards in order to provide 13 primary school places the need for which arises from the development"*

3.4 The proposals contained in this report relate to the works which will enhance the primary school offer within Penistone and are therefore deemed to be compliant with the conditions of the legal agreement.

3.5 The proposals contained within this report are also deemed to be compliant with the CIL Regulations to be adopted 1<sup>st</sup> April 2015 where no more than 5 legal agreements can be pooled to fund site infrastructure. S106 allocations to the site contained within this report on or after 6<sup>th</sup> April 2010 are shown in Appendix B of this report.

#### **4. Consideration of alternative approaches**

4.1 This report has been prepared within the agreed protocols established for the progression of S106 related projects within the Council.

#### **5. Proposal and justification**

5.1 £114,764.32 of S106 monies are allocated towards a phased development to increase Penistone St John's (CE) Primary school's capacity from 420 places to 630 places. By carrying out this work an additional 210 primary school places will be created in Penistone.

5.2 Penistone St. Johns (CE) Primary consists of an infant block and junior block, separated by the school playing field. In order to increase capacity it is necessary to provide 3 additional classrooms on the infant block and 4 additional classrooms on the Junior Block.

5.3 In addition to the classrooms, it is also necessary to increase the hall capacity, new office and staff accommodation, new school meals facilities and enlarge the external play space on the infant block and provide new entrance facilities, additional staff accommodation and a staff car park on the junior block.

5.4 Because of the tight site and in order to minimise disruption, a phased approach to the works have been undertaken. This work has been ongoing for 3 years on the infant block. The final phase of works on the junior block is due to start in April 2018.

5.5 The project costs for developing the infant block was £1.715m and has been funded through the Basic Need Capital Grant (£1.324m), received from the DFE, Locally Coordinated Voluntary Aided Programme (LCVAP) funding (£0.252m), School Funding (£0.030m) and £108,872 S106 funding.

5.6 Plans for the proposed expansion on the Junior Block are currently being developed and will be funded through the Basic Need Capital Grant (£1.550m) and £114,754.32 S106 funding for the Penistone Area.

#### **6. Implications for local people / service users**

6.1 The proposals contained within this document will deliver significant benefits for local people by enhancing the primary school offer within the Penistone area.

**7. Financial implications**

- 7.1 Consultations on the financial implications have taken place with representatives of the Director of Finance, Property & Information Services.
- 7.2 Section 106 monies totalling £114,764.32 are available to fund the provision of the scheme identified within this report.
- 7.3 Expenditure identified within this scheme will be managed within the resources available.
- 7.4 The financial implications relating to this proposal are shown in Appendix A of this document.

**8. Employee implications**

- 8.1 There are no employee implications arising through this proposal.

**9. Communications implications**

- 9.1 There are no communications implications.

**10. Consultations**

- 10.1 Consultations have taken place with colleagues within Finance, Public Health, Economic Development, Culture Housing & Regulation, Communities Highways and Legal Services.
- 10.2 Local Councillors within the Penistone East & West wards have been consulted in respect of the proposal to increase capacity of Penistone St. Johns (CE) Primary.

**11. Community Strategy and the Council's Performance Management Framework**

- 11.1 The proposals contained within this report will have a direct contribution to the Council outcome of every child attends a good school

**12. Tackling Health Inequalities**

- 12.1 There are no health inequality issues associated with this proposal.

**13. Risk Management Issues**

- 13.1 A high level analysis of risks assessment has been carried out and can be found below. The overall risk assessment of this proposal is low. Formal risk management arrangements will be established and managed through the delivery project.

Risk Description	Solution/ Mitigation	Risk Level
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There is a risk that developers may request the return of monies if the proposals contained within this report are not progressed.	The proposals contained within this report will directly mitigate this risk through the establishment of deliverable schemes.	Low
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**14. Promoting Equality & Diversity and Social Inclusion**

14.1 The proposals contained within this report will have a positive equality impact as accessibility will be factored into the final scheme design.

**15. List of Appendices**

- Appendix A - Financial Implications
- Appendix B - CIL Regulation Assessment

**16. Glossary**

BMBC - Barnsley Metropolitan Borough Council

Office Contact: Richard Waterhouse Telephone No: 3612 Date: 01/12/2017
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<p>Financial Implications / Consultation ..... Date: .....</p> <p>Consultations have taken place with representatives of the Acting Executive Director, Finance</p>
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**Appendix B – CIL Regulation Assessments**

<b>St John's Primary School</b>		
<b>Allocated S106 Funding</b>	<b>Spend</b>	<b>S106 Legal Agreement</b>
£64,148.54	£64,148.54	2013/0785 land off Hartcliffe Road, Penistone
£44,723.46	£44,723.46	2014/0754 Church Lane/Haigh Head Road/Haigh Lane, Hoylandswaine





FINANCIAL IMPLICATIONS

i) <b>Capital Expenditure</b>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>
	£	£	£	£
To provide additional school places/modernisation for St John's Primary, Penistone.	114,765			

<b>114,765</b>	<b>0</b>	<b>0</b>	<b>0</b>
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**To be financed from:**

Section 106 planning permission 2013/0785 Land off Hartcliffe Road, Penistone	65,155			
Section 106 planning permission 2014/0754 Church Lane/Haigh Head/Haigh Lane.	49,610			

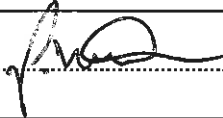
<b>114,765</b>	<b>0</b>	<b>0</b>	<b>0</b>
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ii) <b>Revenue Effects</b>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>
	(£)	(£)	(£)	(£)
	0	0	0	0

**To be financed from:**

0	0	0	0
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<p><b>Impact on Medium Term Financial Strategy</b></p> <p>Not applicable in this report</p>
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<p>Agreed by:  .....On behalf of the Director-Finance, Assets &amp; IT Services</p>
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