

CABINET SPOKESPERSON FOR PLACE**Record of a decision taken on****Section 106 Allocation Mapplewell Park Outdoor Games Court Provision****Subject**

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:

Risk Description	Solution/ Mitigation	Risk Level
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:


- **A total of £61,853 of S106 monies is allocated for the provision of an outdoor games court at Mapplewell Park, and on site improvements.**

Decision / Comments of the Cabinet Spokesperson

Recommendation approved by Cabinet Spokesperson

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 (Signed) Cabinet Spokesperson

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 Date

BARNSELY 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 Allocation Mapplewell Park Outdoor Games Court Provision

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:**

- **A total of £61,853 of S106 monies is allocated for the provision of an outdoor games court at Mapplewell Park, and on site improvements.**

3. Introduction

- 3.1 This report relates to monies totalling £61,853 in the form of a Public Open Space Contribution which have been received from the S106 Legal Agreement relating to the following planning application:-

- 2014/0452 Former North Gawber Colliery

The defined spend condition contained within this legal agreement is specified as:-

- The provision of and/or improvement to informal open space and/or sports and/or recreation facilities within the locality of the application site
- 3.2 The proposed allocation(s) will enhance and provide long term sustainability of a much used community asset within the local area. The proposal is therefore deemed to be compliant with the terms of the legal agreement.
- 3.3 The proposals contained within this report are also deemed to be compliant with the CIL Regulations to be adopted 1st April 2015, where no more than 5 legal agreements can be pooled to fund site infrastructure. S106 allocations to

the sites contained within this report on or after 6th 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 Mapplewell Park is a very popular local park serving the communities of Mapplewell, Staincross and beyond. The two existing tennis courts on site have fallen into a state of disrepair over many years and have long since been unfit for purpose due to a lack of resources available to the authority to maintain/remove.

The proposed allocation of £61,853 will provide a brand new tennis court and also fund refurbishment works which will include removing the old courts and landscaping the site.

6. Implications for local people / service users

- 6.1 The proposals contained in this report will deliver significant benefits for local residents through the retention of a much used community facility.

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 £61,853 as a Public Open Space contribution are available to fund the provision of the scheme identified within this report through the S106 legal agreement established through planning permission for planning application 2014/0452 Former North Gawber Colliery.
- 7.3 There is a time limit associated with the monies that have been received, in that they should be spent within 10 years of receipt of monies, which was April 2016.
- 7.4 Expenditure identified within this scheme will be managed within the resources available.
- 7.5 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 Darton East ward have been consulted and are supportive of the proposal.

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 priority Outcome 9 - People are healthier, happier, independent and active through the provision, improvement and enhancement of sporting facilities and public open space. The proposal will specifically contribute to the following areas:

- Increase the percentage of physically active adults
- Decrease the percentage of inactive adults
- Increase participation of children and young people

12. Tackling Health Inequalities

12.1 The proposals contained within this report will have a positive contribution to tackling health inequalities through the provision, improvement and enhancement of sporting facilities and public open space.

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

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 Equality and Diversity requirements will be factored into the design of the individual delivery schemes.

15. List of Appendices

Appendix A - Financial Implications

Appendix B - CIL Regulation Assessment

16. Glossary

BMBC - Barnsley Metropolitan Borough Council

Office Contact: Russ Boland Telephone No: 3136 Date: 01/11/2017

Financial Implications / Consultation Date:

Consultations have taken place with representatives of the Acting Executive Director, Finance

Appendix B – CIL Regulation Assessments

Mapplewell Park		
Infrastructure	Spend	S106 Legal Agreement
Traditional park infrastructure (paths, boundary treatments, bins, signage, gateway improvements, benches, etc.)	£0	None
Child and Youth Facilities	£0	None
Sports Provision/Formal Recreation	£8,000	2013/0736 344 New Road, Staincross
	£2,000	2015/0646 Cross Street Monk Bretton
Biodiversity Improvements	£0	None

FINANCIAL IMPLICATIONS

i) <u>Capital Expenditure</u>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>
	£	£	£	£
For the provision of an outdoor games court at Mapplewell Park, and on site improvements.	61,853			
	<u>61,853</u>	<u>0</u>	<u>0</u>	<u>0</u>
To be financed from:				
Section 106 planning permission 2014/0452 Former North Gawber Colliery	61,853			
	<u>61,853</u>	<u>0</u>	<u>0</u>	<u>0</u>
ii) <u>Revenue Effects</u>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>
	(£)	(£)	(£)	(£)
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
To be financed from:				
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Impact on Medium Term Financial Strategy

Not applicable in this report

Agreed by:  On behalf of the Director-Finance, Assets & IT Services

