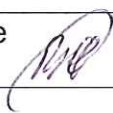



Record of an individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Roger Cox, Cabinet Member for Planning
Key decision?	Yes (capital grant over £25K)
Date of decision (same as date form signed)	
Name and job title of officer requesting the decision	Adrian Duffield Head of Planning
Officer contact details	Tel: 01235 422601 Email: adrian.duffield@southandvale.gov.uk
Decision	To create a budget of £28,782.00 using s106 contributions and release funds, subject to a legal agreement, to the Boundary Park Sports Association for the construction of two fully enclosed outdoor cricket practice nets on Boundary Park, Great Western Park, Didcot (in the parish of Harwell)
Reasons for decision	<p>We have received a request for funds from Boundary Park Sports Association in conjunction with Didcot Cricket Club for a total of £28,782 from s106 contributions (14V32) arising from the new development at Alder View, Grove Road, Harwell.</p> <p>The s106 agreement is not 'clear and unambiguous' about how the contributions are to be used and the sum requested is in excess of £20,000, but below £100,000. Thus, in accordance with our constitution (paragraphs 74 and 75, Finance and Procedure Rules) the Cabinet Member for Planning in consultation with the Cabinet Member for Finance can agree to set up a budget and release the funds requested for the project described above.</p> <p>The s106 agreement secured £80,000.00 and we have received £81,891.00 (including indexation) for 'sports facilities in the parish' (Harwell) 'and in the vicinity' (within ten miles of the development site).</p> <p>The proposed project will prepare the area, including excavation and preparation of ground surface for the laying of playing strips. Erection of a two bay cricket practice area with a heavy-duty cricket practice cage consisting of</p>

	<p>galvanised tubular steel. A white back net to act as a sight screen and one entrance gate complete with knotted netting to sides and full roof sewn in with central division nets to extend between the lanes. All secured to the ground via a tensioned wire system.</p> <p>Planning permission (P17/V0833/FUL) has been granted for the project. The total project cost is £28,782.00, which can be funded from the s106 secured contribution of £81,891.00. The balance of £53,109.78 can help fund other sports facilities in accordance with the terms of the s106 agreement.</p> <p>Both Leisure and Grant teams have been consulted and support the proposal and use of s106 monies. Harwell Parish Council also support the proposal and use of funds.</p>			
Alternative options rejected	None considered			
Legal implications	It is recommended that the Boundary Park Sports Association enter into a legal agreement which sets out what the funds can be used for and includes a spending deadline to ensure delivery of the project. Once the agreement is complete the parish will be advised of the allocation of the funds in a letter			
Financial implications	The total project cost is £28,782.00, which can be funded from the s106 secured contribution of £81,891.00. The balance of £53,109.78 can help fund other sports facilities in accordance with the terms of the s106 agreement.			
Other implications	Cabinet Member for Finance <i>I agree with the decision</i>  ROBERT SHARP			
Background papers considered	None			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillors	Janet Shelley Reg Waite	Advised Advised	17/10/2017 17/10/2017
	Legal	Ian Price	Approved.	16/10/2017
	Finance	Paul Sheppard	Approved	12/10/2017
	Human resources	N/A	N/A	N/A
	Sustainability	Heather Saunders	Approved	17/10/2017
	Diversity and	Cheryl Reeves	No negative	16/10/2017

	equality		equality implications of releasing the funds for this project. Consideration should be given to ensuring that the two fully enclosed outdoor cricket practice nets are accessible for people with disabilities.	
	Communications	Gavin Walton on behalf of Andy Roberts	Approved	12/10/2017
	SMT	SMT	Approved subject to ARD response to WJ	18/10/2017
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?				
Cabinet member's signature To confirm the decision as set out in this notice.	Signature <u></u> Date <u>10 November 2017</u>			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY

For Democratic Services office use only		
Form received	Date: 10-11-17	Time: 14:15
Date published to all councillors	Date: 10-11-17	
Call-in deadline	Date: 17-11-17	Time: 17:00

S106 Fund Request

Author: Dawn Cox

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Head of Service: Adrian Duffield

Cabinet Members (Vale): Cllr Roger Cox and Cllr Robert Sharp

S106 Request – Boundary Park Sports Association and Didcot Cricket Club

Purpose of paper

We have received a request for funds from Boundary Park Sports Association in conjunction with Didcot Cricket Club for a total of £28,782 from s106 contributions arising from the following development:

Development: Alder View, land south of Grove Road
Address: Harwell OX11 0EF
Planning Ref: P13/V1040/O
S106 Ref: 14V32
Date of agreement: 01 May 2014

As the s106 agreement is not 'clear and unambiguous' about how the contributions are to be used and the sum requested is in excess of £20,000, this paper seeks the approval of the Cabinet Member for Planning in consultation with the Cabinet Member for Finance to release the funds requested for the purposes described below.

The s106 contributions

The extracts below set out the requirements of the s106.

- *The sports and recreation contribution is defined in clause one of the agreement as 'the sum of £80,000 towards sports facilities in the Parish and in the Vicinity'.*
- *'the Parish' means the parish of Harwell in the County of Oxfordshire'.*
- *'Vicinity' means within ten miles of the Site'.*

There is no further information of how the contributions should be allocated in the agreement. However, during the consideration of the planning application it was understood that the contributions were intended to be used towards sports and recreation within 10 miles around the village of Harwell.

The figures for the outdoor sport sums requested by Boundary Park Sports Association and Didcot Cricket Club are set out in the summary table below.

S106 14V32 – Alder View development of land south of Grove Road, Harwell – Boundary Park Sports Association and Didcot Cricket Club application for funds

Infrastructure category	Contribution towards (extracts from s106 agreement)	Amount in Agreement	Contributions received (incl indexation)	Amount requested	Balance
Outdoor sport	'sports facilities in the Parish and in the Vicinity' '"the Parish" means the parish of Harwell in the County of Oxfordshire' '"Vicinity" means within ten miles of the Site'	£80,000.00	£81,891.78	£28,782.00	£53,109.78

The applicants are seeking funding to construct two fully-enclosed outdoor cricket practice nets at the new Boundary Park development on Great Western Park which falls within the Harwell Parish boundaries.

The project

Project description

Preparation of the area via excavation and preparation of ground surface for the laying of playing strips.

Erection of a two bay cricket practice area with a heavy-duty cricket practice cage consisting of galvanised tubular steel. A white back net to act as a sight screen and one entrance gate complete with knotted netting to sides and full roof sewn in with central division nets to extend between lanes. All secured to the ground via a tensioned wire system.

Planning permission

Planning permission for the project has been granted. The application reference is P17/V0833/FUL.

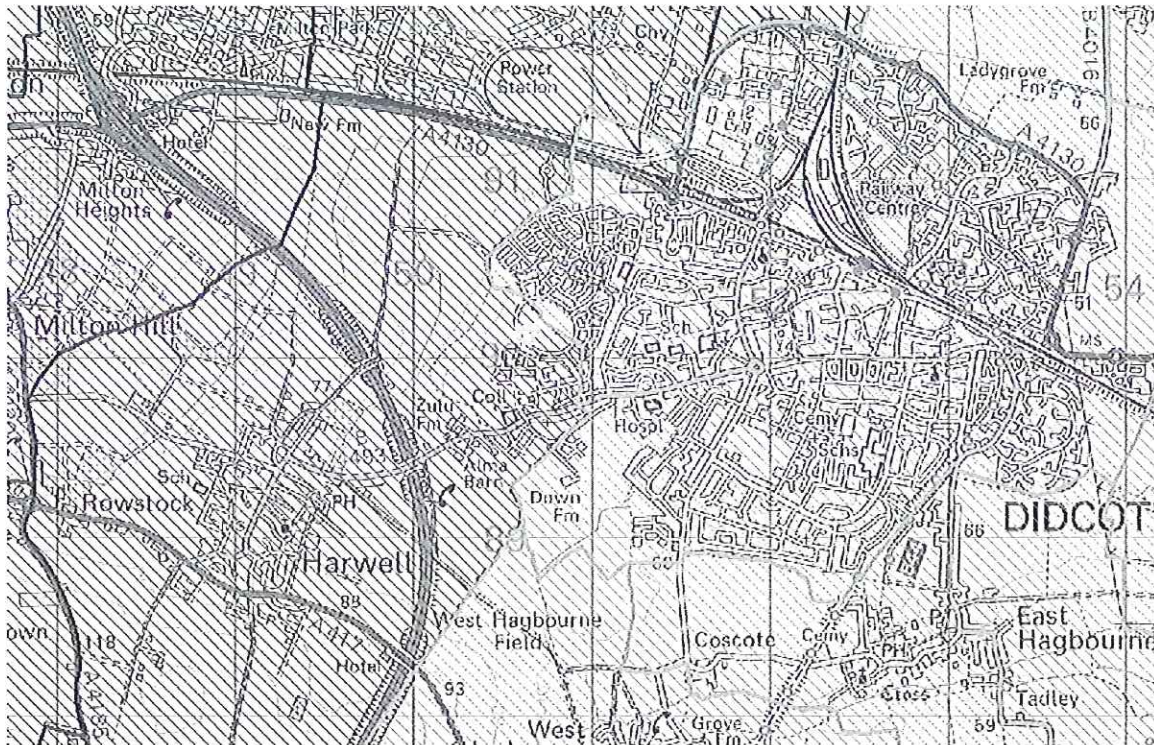
Total project cost and funding

The total project cost is calculated as £28,782.00, the project is expected to be fully funded from the s106 contribution being applied for in this report.

Consultations

The Council's Leisure Service and Grants Team have been consulted on the application for funding.

Council's Leisure Service: Are very happy with the project which is identified in the leisure strategy. Leisure Services fully support the application.



Grants Team: Raised concern regarding value for money and asked if the nets could be used for any other sports to widen the range of beneficiaries. The quotation was sent to Leisure Services to obtain their technical opinion – they advised the quote as a 'good value for money product'. The applicant also noted the following on the application form.

'Whilst the cricket nets would be primarily for the use of Didcot Cricket Club and visiting teams during practice sessions and matches, outside these times they would be available to be booked for use by the general public regardless of age, gender, ability or disability.

Whilst the nets' primary purpose would be for use by Didcot Cricket Club members and visiting teams, when they are not being used for these purposes they would be available to be booked for use by the general public.'

The Grants Team have no objections following the additional information received.

Harwell Parish Council: A letter of support from Harwell Parish Council has been received for this application.

Recommendation

Does the project fall within the spending parameters of the s106?

The applicants have shown that the proposed project will further support outdoor sports facilities in the parish.

Is it a suitable use of the fund?

The proposed project conforms to the spending parameters of the s106 agreement and is a suitable use of the funds.

Can the project be delivered?

With the s106 contribution sought in this application Boundary Park Sports Association and Didcot Cricket Club will have the necessary funds available to deliver the project. The applicant has shown the proposed project is well developed and hope to complete the works within 6 weeks of instruction to the supplier once the monies have been received.

What alternative uses have been considered?

There have been no other proposals for the use of the outdoor sports contribution.

In view of the above factors it is recommended that a budget is created which allocates the requested £28,782.00 to the practice nets project and the funds be released to Boundary Park Sports Association.

It is recommended that the Boundary Park Sports Association enter into a legal agreement (template attached) which sets out what the funds can be used for and includes a spending deadline to ensure delivery of the project. Once the agreement is complete the parish will be advised of the allocation of the funds in a letter.