

**Bolsover District Council**

**Executive**

**27 April 2015**

**Investment of Section 106 contributions in various sport and recreation schemes  
across the District**

**Report of the Cllr A Syrett, Portfolio Holder for Leisure**

This report is public

**Purpose of the Report**

- To seek approval for the investment of monies received as formal and informal commuted sums through Section 106 Agreements with developers in projects with a value in excess of £50,000.

**1 Report Details**

- 1.1 As part of the planning process, and particularly for new housing developments, the Council has entered into a number of Section 106 Agreements with developers for the delivery of community facilities. These can be provided by the developer as part of the development or a commuted sum can be negotiated for off-site provision, particularly the enhancement or improvement of an existing facility.
- 1.2 Over the last few years, the Council has received significant amounts of money as commuted sums to be invested in providing new or improved leisure / recreation (informal) and sports (formal) facilities. This report seeks approval for the investment of some of these commuted sums in enhancing and improving a number of facilities across the district. These are outlined below.
- 1.3 **South Normanton**
- Over recent years South Normanton has seen, and continues to see, a significant amount of new housing development. In all but a few cases, commuted sums have been negotiated for the enhancement and improvement of off-site sport and recreation facilities within the parish.
- 1.4 In order to maximise the community benefit from the investment of these commuted sums, it has been necessary to combine a number of commuted sums to allow larger projects to be undertaken. A list of projects has been drawn up and discussed with local members and South Normanton Parish Council. Consultation has also been carried out with local residents where necessary and appropriate.

## **1.5 Drainage works to football pitches at Common Meadow Recreation Ground and South Street Recreation Ground**

Bolsover District Council owns two football pitches at Common Meadow Recreation Ground off Lea Vale, Broadmeadows, which are managed by South Normanton Parish Council and used by local football clubs. These were originally installed in the late 1970s as part of the development of the estate.

- 1.6 Over recent years the pitch drainage has become less effective and an increasing number of games have had to be called off during the winter months due to waterlogged pitches.
- 1.7 In order to resolve this problem and to extend the life of the pitches by up to 20 years, a number of options have been proposed for a comprehensive drainage scheme across the recreation ground. The estimated cost of the drainage scheme is between £50,000 and £60,000 depending on the spacing of the drains.
- 1.8 Approval is sought for the investment of 'formal' commuted sums from the developments at Birchwood Lane (£25,086), Carnfield Close (£11,526) and Thornhill Drive (£15,347), total £51,959 in the works outlined above.
- 1.9 In addition, a further 'formal' commuted sum of some £28,004 is available from the development at Carter Lane East. Local Elected Members, South Normanton Parish Council and South Normanton Colts have requested a similar scheme for the pitch at South Street Recreation Ground, which is owned and managed by South Normanton Parish Council and suffers from similar issues to the pitches at Common Meadow, with games being cancelled as recently as April 2015.
- 1.10 Although this is significantly below £50,000 in value and is the subject of a separate delegated decision (as are a number of other schemes in South Normanton), it may be prudent to procure both schemes at the same time, giving an overall tender value of up to £79,963 for pitch drainage works.
- 1.11 In order to avoid any potential claw back of these commuted sums, works are scheduled to be carried out in the off-season over the summer of 2015.

## **1.12 7v7 3G Multi-Use Games Area at Frederick Gent School**

As part of the development of the Joint Service Centre in South Normanton which resulted in the loss of an existing football pitch, a commuted sum of £60,000 was agreed for the development of a replacement pitch within the parish.

- 1.13 Although a number of options were explored, including a new pitch to the rear of the Post Mill Centre, it soon became apparent that it would not be possible to develop a 'new' grass pitch due the lack of available land and, even if land were available, sufficient funding to both purchase land and develop a new grass pitch.
- 1.14 Following discussions with Legal, Planning, local Elected Members, South Normanton Parish Council and Frederick Gent School, the enhancement of the existing Multi-use Games Area at Frederick Gent School was identified as the best (and only) option for the development of a new pitch.

- 1.15 The existing MUGA, which is part of a community use facility managed by Bolsover District Council through a shared use agreement with Frederick Gent School, was installed approximately 10 years ago with a rubber crumb surface that had begun to wear out in places. As a result usage of the facility had dropped off to a point where, without investment, usage would potentially dry up.
- 1.16 A scheme to replace the surface with a sand filled carpet and to repair the perimeter fencing was costed at approximately £60,000. At the same time an approach was made to the Football Association (FA) for funding for the works to improve the existing MUGA.
- 1.17 Due to the location of the school, the FA (through the Football Foundation) were keen to invest in the facility on the proviso that it could be replaced with a 7v7 3<sup>rd</sup> Generation (3G) surface and that it would be available for local football clubs for training and matches. This investment is potentially of the order of £140,000, subject to Bolsover District Council investing the s106 monies (£60,000) into the scheme.
- 1.18 Due to the deadline imposed by the Football Foundation, it has been necessary to secure planning permission for the development and to secure approval from both Derbyshire County Council (the land owner) and the school (site managers) to allow the development to proceed. The funding application will be considered at the Football Foundation's funding panel at the end of April 2015.
- 1.19 Approval is sought for the investment of the £60,000 s106 commuted sum from the development of the Joint Service Centre into the development of a new 7v7 3G MUGA at Frederick Gent School. If approved, and subject to funding being awarded by the Football Foundation, the new MUGA will be constructed in summer 2015.

**1.20 Vale Park, Carr Vale, Bolsover**

A commuted sum of some £83,000 for informal recreation has been received from the development of the former Mercol site in Carr Vale, Bolsover. Although this was initially earmarked for the enhancement and improvement of Vale Park, which is opposite the development, local Elected Members were keen to see some investment in the play facilities at New Bolsover Model Village Green, which is also with 400m of the development.

- 1.21 New Bolsover Model Village is likely to receive a significant investment from the Heritage Lottery Fund, subject to approval of a stage 2 application in the summer of 2015. As part of the HLF project the green (including the play area) is likely to see both significant investment and significant changes, potentially including the removal of the existing formal play area and the development of informal opportunities for play as part of the redesign of the green.
- 1.22 As such, approval is sought for the investment of the whole of the informal commuted sum (£83,000) in the enhancement and improvement of Vale Park. The park is some 1ha in area and already is the main informal recreational facility for both Carr Vale and New Bolsover, catering for all ages from toddlers to grandparents. Suggested improvements include a multi-use games area, a bike track, new equipment (toddler, junior and teenage) and additional seating / picnic tables.

- 1.22 As the HLF application is to be submitted in the summer of 2015, and the s106 commuted sum may need to be included as match funding in the bid, any works to Vale Park will not be started until such a time as this would not jeopardise the bid.
- 1.23 Should the HLF bid be unsuccessful, the allocation of the commuted sum may need to be reconsidered.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 All of the schemes outlined above comply with the requirements as set out in the respective s106 agreements and meet an identified community need.

## **3 Consultation and Equality Impact**

- 3.1 All of the South Normanton projects have been subject to consultation with local Elected Members, South Normanton Parish Council and representatives of local football clubs. Extensive consultation has also been carried out with local residents as part of a consultation exercise to establish priorities for the enhancement and improvement of South Street Recreation Ground undertaken by South Normanton Parish Council.
- 3.2 The Vale Park project has been the subject of consultation with local Elected Members, Old Bolsover Town Council, Carr Vale Residents Association, local residents through a 'Have Your Say' event in October 2014 and New Bolsover residents through the meetings and consultation events as part of developing the HLF project.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 As the need for pitch drainage works in South Normanton has been identified by a number of parties including user groups, local Elected Members and South Normanton Parish Council, no alternative options have been considered.
- 4.2 Due to insufficient funding and the lack of available land, it was not possible to develop a new grass pitch. Quotes for enhancement of the existing MUGA at Frederick Gent School were sought, but following the offer of funding from the Football Foundation, this option was rejected (although it may be resurrected should the funding from the Football Foundation not be forthcoming).
- 4.3 The enhancement and improvement of Vale Park was the preferred option for the 'informal' commuted sum from the development of the former Mercol site. Although the need to enhance and improve the existing play area at New Bolsover is recognised, spreading the available monies across both sites would not necessarily provide the best outcome. The potential for HLF funding to facilitate the improvement of play facilities at New Bolsover means that the whole of the s106 commuted sum could be invested at Vale Park to create a facility for Carr Vale and New Bolsover.

## **5 Implications**

## 5.1 **Finance and Risk Implications**

All of the identified schemes can be funded from existing s106 budgets. However, the Frederick Gent MUGA will only be developed if additional funding from the Football Foundation is approved. A decision will be made at the end of April 2015.

If this funding is not approved, the original proposal to enhance the existing MUGA will be implemented.

## 5.2 **Legal Implications including Data Protection**

Where necessary, agreements with land owners (parish councils) will be drawn up to allow the schemes to proceed,

## 5.3 **Human Resources Implications**

None.

## 6 **Recommendations**

6.1 To invest £52,000 of 'formal' s106 monies in the drainage of the football pitches at Common Meadow Recreation Ground, South Normanton

6.2 To procure pitch drainage works up to the value of £80,000 as a single contract to cover Common Meadow Recreation Ground and South Street Recreation Ground, South Normanton

6.3 To invest £60,000 of s106 monies from the Joint Service Centre, South Normanton in a new 7v7 3G MUGA at Frederick Gent School, subject to securing additional funding from the Football Foundation.

6.4 To invest an £83,000 'informal' s106 commuted sum in the enhancement and improvement of Vale Park, Carr Vale

## 7 **Decision Information**

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	Yes
<b>District Wards Affected</b>	Bolsover West South Normanton East South Normanton West
<b>Links to Corporate Plan priorities or Policy Framework</b>	

**8 Document Information**

<b>Appendix No</b>	<b>Title</b>
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
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Report Reference –