

# Allocation of S106 monies: Application 07/00147/OUT (Land to the rear of the Royal Oak, Hill Ridware)



Report of the Cabinet Member for Economic Growth, Environment & Development Services:  
Councillor I. Pritchard

Date: 12<sup>th</sup> June 2018  
Agenda Item: 6  
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**CABINET**

Key Decision? No  
Local Ward Cllr Shirley Barnett, Colton and The Ridware  
Members

## 1. Summary

- 1.1 The District Council is in receipt of £71,054.19 through the Section 106 Agreement associated with the planning application 14/00147/OUTM (Land to the rear of Royal Oak, Hill Ridware).
- 1.2 Cabinet approval requires that the Community Infrastructure Levy (CIL) Governance and Administration Procedures should be used to enable the allocation of such funds, which has resulted in the allocation being considered by the Strategic Infrastructure Group (SIG) and the Joint Members and Officer Group (JMOG) prior to Cabinet.
- 1.3 Funding applications have been encouraged from Mavesyn Ridware Parish Council for the provision of improvements to public open space.
- 1.4 Recommendations will result in available funding being distributed to support one project located in Mavesyn Ridware Parish Council which will result in improvements to play equipment enabling the continued and increased use of existing public open space.

## 2. Recommendations

- 2.1 Cabinet recommend the allocation of the Section 106 monies identified paragraph 1.1 of this report be allocated to:
  - Renovation and replacement of play equipment at Hill Ridware Village Hall - £71, 054.19.

## 3. Background

- 3.1 On the 5<sup>th</sup> December 2017 Cabinet approved the use of the established CIL Governance and Administration Procedures to enable the allocation of non-site specific Section 106 monies. As such this report articulates recommendations that have been considered and supported by both SIG and JMOG.

- 3.2 Mavesyn Ridware is a small parish situated in the Trent Valley. It forms part of what are locally known as The Ridwares, which includes the settlements of Mavesyn Ridware, Hill Ridware and Pipe Ridware. Hill Ridware is the largest of the villages, with a population of approximately 500.
- 3.3 The District Council is in receipt of £71,054.19 of developer contributions to support the **“provision of off – site public open space contribution purpose means the improvements to and/or provision of public open spaces within the vicinity of the Development and within the District of Lichfield”** secured through Schedule 3 Part 1 of the Section 106 Agreement associated with the planning application 14/00147/OUTM (Land to the rear of Royal Oak, Uttoxeter Road, Hill Ridware).
- 3.4 The planning application approval grants permission for the erection of 39 dwellings to the rear of the now demolished Royal Oak pub on Uttoxeter Road, Hill Ridware.
- 3.5 The Section S106 Agreement was secured before the District Council adopted its CIL Charging Schedule (April 2016) and current Regulation 123 List (February 2017).
- 3.6 The District Council encouraged the submission of funding applications for capital projects that would result in improvement or provision of public open space from Mavesyn Ridware Parish Council in February 2018.
- 3.7 One application was submitted which focuses on improvements to the outdoor play equipment at Hill Ridware Village Hall. The application illustrates a range of benefits relating to the provisions identified with the Agreement. Table 1 below summaries the project submitted.

**Table 1**

<b>Applicant</b>	<b>Project Title</b>	<b>Project Summary</b>	<b>Project Costs</b>
Mavesyn Ridware Parish Council	Renovation and replacement of play equipment at Hill Ridware Village Hall	To renovate and replace the play equipment, which is now over 8 years old, on the open space to the rear of the Village Hall. The surrounding fenced area will be extended by 2 metres to provide an increased play area and a greater range of play equipment can be provided.	£81,054.19

- 3.10 It should be noted that the Parish Council have allocated £10,000.00 of their own funds to facilitate delivery of the project.
- 3.11 It is recommended that the application to renovate and replace the play equipment at Hill Ridware Village Hall receives the full obligation available which has been secured through planning application 14/00147/OUT.

<b>Alternative Options</b>	1. Non-site specific Section 106 monies could be allocated to infrastructure priorities identified by the District Council. Without the input of the Parish Council it is very likely that those priorities would not address local infrastructure need.
<b>Consultation</b>	1. Allocation of Section 106 monies: Application 07/00147/OUT (Land to the rear of the Royal Oak, Hill Ridware) has been considered by the Strategic Infrastructure Group (SIG) and the Joint Members Officer Group (JMOG),

	<p>both groups support the recommendation articulated within Section 2 Recommendations of this report.</p> <p>2. An invitation to attend and make representations at JMOG was extended to relevant wards members.</p>
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Financial Implications	<p>1. The Section 106 Obligation identified within the report is time restrictive, failure to spend the secured monies within a set time period would enable the developer to claw back such funding. Specifically there is a seven year period from the date of payment spend requirement identified within (Schedule 3, Para 2.2). The District Council was in receipt of such monies in December 2017.</p> <p>2. The application process supported by the previously adopted CIL Governance Structure has ensured the meaningful allocation of developer contributions, thus reducing the impact on Council resources.</p>
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Contribution to the Delivery of the Strategic Plan	<p>1. The allocation, investment subsequent delivery of improved play equipment will contribute the following outcomes identified within the District Council's Strategic Plan 2016-20.</p> <ul style="list-style-type: none"> <li>• More people will be active and healthy</li> <li>• More people will use parks and open spaces.</li> </ul> <p>1. The allocation, investment and subsequent delivery of improved infrastructure will contribute the following outcomes identified within the District Council's Strategic Plan 2016-20.</p> <ul style="list-style-type: none"> <li>• More people will be active and healthy.</li> <li>• More people will use parks and open spaces.</li> <li>• More people will be involved in volunteering and community activity.</li> </ul> <p>Our heritage and open spaces will be well maintained or enhanced.</p>
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Equality, Diversity and Human Rights Implications	<p>1. None</p>
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Crime & Safety Issues	<p>1. None</p>
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	That the Allocation of funding to a third party will reduce the District Councils ability to ensure timely delivery.	The Officer Working Group (OWG) that is part of the adopted CIL Governance and Administration Procedures will undertake a project monitoring role.	Yellow
C	That the monies are subject to claw back within a 7 year time horizon if projects are not delivered, and/ or money is not allocated.	The Officer Working Group (OWG) that is part of the adopted CIL Governance and Administration Procedures will undertake a project monitoring role.	Yellow

<p>Background documents</p> <p><a href="#">CIL, Governance Structure and Administration Arrangements</a></p>
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## Relevant web links

<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Community-Infrastructure-Levy-CIL/CIL-governance-administration-procedures.pdf>