

WILTSHIRE COUNCIL

AGENDA ITEM NO. 11

SALISBURY AREA BOARD
3 DECEMBER 2009

RELEASE OF 106 RECREATIONAL CONTRIBUTION

1. Purpose of the Report

- 1.1 To ask the Area Board members to determine whether to release 106 R2 recreational contributions towards the South Wilts Sports club pavilion and if so, the level of contribution.

2. Background

- 2.1 At the City Area Community Committee on 20 January 2009 members considered the report from the principal sports development manager (attached as appendix) and:

Resolved – that:

- (1) the Committee contributes £100k towards the project.
- (2) the full amount be released from Developers Contributions (R2).
- (3) funding approved for South Wilts Sports Club is subject to;
 - (a) a successful planning application, including a footpath from Wilton Road to Lower Bemerton;
 - (b) confirmation of secured funding for the balance of capital works

- 2.2 Following this resolution, this proposal also needed to be considered by the City Area Planning Committee who had the powers to release the funds, but was not taken to committee before Unitary. It is now being brought before the area board who has delegated authority to release this money, to consider this scheme and make the final decision on the amount to be contributed from R2 in the light of any other competing projects.

3. Main Considerations

- 3.1 The project is considered to comply with the criteria for R2 funding.
- 3.2 R2 funds are collected to meet local need for outdoor sport and recreation. The R2 policy recognises that there are different recreational needs which can best be divided by age group. Thus to meet these different needs money is collected for;
- Children from birth to 12 years
 - Youth and adult 13 years and over

- 3.3 Spending should reflect these different needs
- 3.4 The legal agreement signed by the developer dictates the expenditure of R2 funds. Although money is collected prior to issuing a planning approval, the agreements dictate that the money cannot be spent until the relevant development commences. If unspent by the 5 year expiry date or where development has never taken place, moneys and accrued interest can be reclaimed by the developer.
- 3.5 At present £399,989.50 of R2 funds are held by the council for the city area. Of this money only £114,540.59 of adult funds and £101,399.49 of children funds are available to use at present as the balance of £184,049.42 is already committed to developments that have been approved.
- 3.6 Of the available £101,399.49 for children funds, £95,000 has been committed for the play scheme at Hudson's Field leaving £6,399.49 available for immediate release.
- 3.7 Of the available £114,540.59 for adults, £75,000 has been committed for a project at broken bridges (extract minutes attached as appendix). However a further £72,046.88 from S/1998/1723 (Laverstock Parish) is available to use for adult activities within the city area as agreed in the original 106 document. This means that at present £111,587.47 of adult funds is available for immediate release.
- 3.8 Officers have not been approached for funding for any further projects at the time of submitting this report.
- 3.9 To sum up, at present £111,587.47 of adult funds and £6399.49 of children's funds are available for immediate release and further funds will only be available if and when developments on the other city sites commence.

4. Environmental Impact of the Proposals

- 4.1 The environmental impact of the proposals was considered at planning stage – The Southern Area Planning Committee resolved to grant planning permission subject to the completion of S106 Agreement. relating to a travel plan, R2 and the requirement to keep the existing facilities open until the new ones are completed.

5. Financial Implications

- 5.1 None - funds to come from R2.

6. Legal Implications

- 6.1 None.

7. HR Implications

- 7.1 None.

8. Equality and Diversity Implications

- 8.1 None.

9. Recommendation

- 9.1 The South Wilts Sports Club would comply with the legal regulations on the use of the 106 recreational funds and it is the opinion of the officer that this would provide a valuable sporting facility within the city.
- 9.2 It is therefore recommended that the area board approves in principle for the release of £100k from Developers contributions towards this scheme subject to;
- a successful planning application, including a footpath from Wilton Road to Lower Bemerton.
 - confirmation from the club of secured funding for the balance of capital works.

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Appendices:

Appendix 1 – Report from Principal Sports Development Manager together with minutes of the meeting

No unpublished documents have been relied upon in the preparation of this report