

Agenda Item 8

Development Services
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Report

Subject : Release of R2 Financial Contributions in Dinton for new safety barrier fence on the Recreation Ground

Report to : Western Area Committee

Date : 13 September 2007

Author : Sarah Wright, Development Services Support Supervisor

Reason for report to members

The Head of Forward Planning and Transportation also does not consider it prudent to exercise his delegated powers as there is a dispute between Dinton Parish Council and the Dinton Recreation Ground Charitable Trust over the use of R2 funds to provide safety fencing. Members are asked to determine the matter

Report Summary:

The purpose of this report is to request Members' to consider the application from the trustees of Dinton recreation ground for the release of R2 funds to provide safety fencing at the site to prevent cars driving onto the grass playing field. Dinton recreation ground is controlled by a charitable body called the Dinton Recreation Ground Trust

The Parish oppose the use of these funds to provide safety fencing at the recreation ground. In their letter objecting to the use they stated, "Recently the Planning Inspectorate (on appeal) refused permission to establish a car park in the recreation ground thus the use of R2 money to facilitate the same would not be in accord with the Inspector's ruling." The appeal was against a refused planning application to allow Dinton Recreation Ground trustees to create a car park for 25 cars by laying a hardstanding.

The Inspector's report for the appeal however, acknowledged that "car parking currently occurs on the site and this could continue without the hard surface sought". As such the safety fencing would ensure that cars could not approach the recreational areas. It is understood that arecent ROSPA report brought attention to the danger of cars being able to drive over the recreation field on this site.

Policy Background:

Developer contributions under policy R2 are secured by a section 106 agreement which provides for payment to the district council and states that the funds will be used by the district council or the parish

council or an adjoining parish council for provision, improvement or maintenance of recreation facilities. Whilst in most cases funds are released to the parish council to fund projects identified by them, the funds are controlled by the district council and could be spent on a relevant district council project or used to fund the project of another body or parish council if it provided a recreation facility available to the public over the long term. If funds are not spent within 5 years they are returned to the developer.

The proposal:

The Dinton Recreation Ground trustees have requested that the available contributions be used to pay for new safety barrier fencing on the Recreation Ground at Dinton. The safety fencing will ensure that cars are not able to drive on to the recreation field.

The Dinton Recreational Ground Charitable Trust is responsible for the management of the recreation site in the centre of Dinton and is one of the only places that R2 funds can be spent in Dinton. Two quotations have been received. The Trustees have reviewed both the quotations and have unanimously agreed to proceed with the quotation from Matthews Fencing at a cost of £705.00. This was the cheaper of the quotes received.

It is considered that the proposed scheme is an appropriate use of R2 contributions. In accordance with policy R2 it will ensure the safety of the children using an outdoor recreation facility that is publicly available for use by youth and adults.

R2 funds available.

Financial contributions have been received from a number of separate residential developments in the village. There is approximately £11,290.31 of youth and adult money, plus accrued interest, available for expenditure on appropriate off-site recreational facilities, because the relevant developments have started. £1622.10 of this money will have to be repaid to the original developer if unallocated to an appropriate scheme by 13/12/07

Recommendations:

It is recommended that £705.00 of the R2 contributions be released to Dinton recreation Ground Trust to assist with the funding of the recreational scheme outlined above, and that the release of monies be made following receipt of invoices for the works undertaken.

Background Papers:

Salisbury District Local Plan Adopted June 2003 Policy R2.

Implications:

Legal: In report

Financial: There are no budgetary considerations for the Council as the works will be financed from Developer Contributions.

Personnel: None.

Environmental: None.

Human Rights: None at this stage.

Council's Core values: Excellent Service; Fairness and Equality; open, learning Council and a willing partner; Communicating with the public; Supporting the disadvantaged.

Consultation Undertaken: Dinton Parish Council.

Parish Affected: Dinton.