

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	23 SEPTEMBER 2019	9
<b>FULLY FUNDED ADDITION TO CAPITAL PROGRAMME – WEETON VILLAGE HALL</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The Committee are requested to agree to allocate section 106 contributions of £6,875 to Weeton Parish Council for public open space improvements at the Village Hall, Weeton.

This matter was considered by the Tourism and Leisure Committee at the meeting held on 5<sup>th</sup> September 2019, which approved a request to the Finance and Democracy Committee for a fully-funded addition to the Capital Programme in 2019/20 in this regard.

### RECOMMENDATION

#### The Committee is recommended:

1. To approve a fully-funded addition to the Capital Programme in 2019/20 in the sum of £6,875, to be met from section 106 monies received from the Meadow View development, Weeton. The monies would be paid to Weeton Parish Council to carry out play area improvements at the Village Hall, Weeton on condition that the Parish Council first enter into an agreement with Fylde Council (i.e. prior to release of funds) and agree to provide details of how the funds have been used before the section 106 agreement expiry date of 1<sup>st</sup> June 2020.

### SUMMARY OF PREVIOUS DECISIONS

Tourism and Leisure Committee, 5 September 2019

It was RESOLVED:

1. To recommend to the Finance and Democracy Committee approval of a fully funded addition to the Capital Programme in 2019/20 in the sum of £6,875 fully funded from the section 106 developer contributions relating to the Meadow View development, Weeton for the same amount;
2. Subject to the approval of 1 above, to agree to allocate the sum of £6,875 to Weeton Parish Council to carry out play area improvements at the Village Hall, Weeton as detailed in this report on condition that the Parish Council be required to enter into an agreement with Fylde Council, prior to release of funds, and to provide details of how the funds have been used before the section 106 agreement expiry date of 1 June 2020.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	✓
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	✓
Working with all partners ( <b>Vibrant Economy</b> )	✓
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	✓
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	✓

## REPORT

1. Fylde Council, as the Planning Authority, has received and is holding funds that have been secured through developer contributions associated with a new housing development at Meadow View (formerly land at the Old Post Office), Weeton.
2. The terms of the Planning Agreement 09/0661 for the Meadow View development in relation to the public open space contribution states that 'sums payable under this part of the schedule are intended to be used by the Council to provide or to facilitate the improvement of public open space or the public realm likely to benefit the occupiers of the dwellings'.
3. Weeton Parish Council have requested that the total section 106 contribution of £6,875 relating to the Meadow View development is released and allocated to open space improvement works at the Village Hall, Weeton, which will meet the requirements of the Planning Agreement.
4. The Tourism and Leisure Committee considered and recommended allocating the total section 106 contribution of £6,875 from the Meadow View development to deliver the works.
5. The project must be completed and paid in full before the section 106 agreement expiry date of 1 June 2020.
6. All project costs above the section 106 contribution of £6,875 will be met by Weeton Parish Council.
7. The Parish Council has expressed a wish to procure and manage the works independently and will therefore be required to enter into an agreement with Fylde Council, prior to the release of funds to ensure accountability on how the funds will be spent and to include an indemnity against Fylde Council being required to pay back the money to the developer should the terms of the section 106 agreement not be met by the project.

IMPLICATIONS	
Finance	The Committee are recommended to approve the addition of the scheme relating to Weeton Village Hall to the Capital Programme for 2019/20 in the sum of £6,875, fully-funded from S106 developer contributions held by Fylde Council for this purpose.
Legal	Section 106 contributions are made by developers under specific planning agreements relating to each new development. The planning agreement will specify how the monies are to be spent in terms of geography and scope and a developer can usually require repayment of S106 contributions, if they have not been spent within 10 years of the Agreement. With reference to the Weeton Village Hall project, it will be necessary to develop a legal agreement with Weeton Parish Council to include how the S106 contributions are to be used, to indemnify Fylde Council against having to pay back the monies to the developer, should the terms of the S106 agreement not be met.
Community Safety	Improving the quality of open space facilities provides an

	opportunity to increase public use and reduce nuisance behaviour.
Human Rights and Equalities	No implications arising from this report
Sustainability and Environmental Impact	No implications arising from this report
Health & Safety and Risk Management	No implications arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Democracy	<a href="mailto:democracy@fylde.gov.uk">democracy@fylde.gov.uk</a>	10/9/19

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Tourism & Leisure	5/9/19	<a href="#">Report and Minutes</a>