



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	25 SEPTEMBER 2017	11
RELEASE OF S106 MONIES – FLEETWOOD ROAD PLAYING FIELDS, WESHAM			

PUBLIC ITEM

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

SUMMARY

The report details a public open space improvement scheme at Fleetwood Road Playing Fields, Wesham proposed by Medlar-with-Wesham Town Council to be funded by S106 developer contributions of £25,000.

The Tourism and Leisure Committee at the meeting of 7th September 2017, recommended the allocation of the S106 developer contributions of £25,000 relating to the Pastures Development, Wesham to deliver the proposed project at Fleetwood Road, dependant on the approval of the Finance and Democracy Committee to the addition of the scheme to the 2017/18 Capital Programme.

RECOMMENDATIONS

The Finance and Democracy Committee is recommended:

1. To approve a fully-funded addition to the Capital Programme in 2017/18 in the sum of £25,000 fully funded from the S106 developer contribution relating to The Pastures development, Wesham for the same amount.

SUMMARY OF PREVIOUS DECISIONS

Tourism and Leisure Committee 7 September 2017

Following consideration of this matter it was RESOLVED:

1. To recommend to the Finance and Democracy Committee approval of a fully-funded addition to the Capital Programme in 2017/18 in the sum of £25,000 fully funded from the S106 developer contribution relating to The Pastures development, Wesham for the same amount;
2. Subject to the approval of 1 above, to agree to allocate the sum of £25,000 to Medlar-with-Wesham Town Council to carry out open space improvements at Fleetwood Road Playing Fields, Wesham as detailed in the report on condition that the Town 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 within 12 months of the allocation.

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

REPORT

1. The planning process generally requires housing developers to contribute towards improvements to public open space in the vicinity of the new development.
2. 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 The Pastures, Wesham.
3. The terms of the Planning Agreement 11/0763 for The Pastures development in relation to the public open space contribution states that 'the sum of £25,000 to be used by Fylde Borough Council towards improvement works at the Wesham Recreation Ground off Fleetwood Road, Wesham.'
4. Medlar-with-Wesham Town Council have requested that the total section 106 contribution of £25,000 relating to The Pastures development is released and allocated to improvement works at Fleetwood Road Playing Fields, Wesham as stated in the Planning Agreement.
5. The Tourism and Leisure Committee approved the allocation of the total section 106 contribution of £25,000 from The Pastures development to deliver the project as detailed in this report, dependant on the decision of the Finance and Democracy Committee meeting on the 25th September 2017.

SCHEME DETAILS

6. Medlar-with-Wesham Town Council have prepared a costed open space improvement project at Fleetwood Road Playing Fields to meet the requirements of the Planning Application 11/0763, including a new footpath which is a specific requirement of the Planning Agreement.
7. The budget will also be used to install additional play equipment and to carry out improvements to the landscape and drainage.
8. All project costs above the S106 contribution of £25,000 will be met by Medlar-with-Wesham Town Council. The Town Council will also fund a new picnic area with furniture as part of the project.
9. The Town Council has expressed a wish to procure and manage this project 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 S106 agreement not be met by the project.

IMPLICATIONS	
Finance	The Committee are recommended to approve the addition of the Fleetwood Road Playing Fields scheme to the Capital Programme for 2017/18 in the sum of £25,000, 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 Fleetwood Road Playing Fields project, it will be necessary to develop a legal agreement with Medlar-with-Wesham Town 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 and range of open space facilities provides an opportunity to increase public use and reduce nuisance behaviour.
Human Rights and Equalities	None arising from this report.
Sustainability and Environmental Impact	None arising from this report.
Health & Safety and Risk Management	None arising from this report.

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Report, Appendices and Minutes of Tourism & Leisure Committee	7/9/17	Tourism & Leisure Committee 7th September 2017