

Report for Resolution

Report to Executive
9 July 2008
Report of Head of Finance
Subject S106 expenditure 2008/09

Purpose

To seek Executive approval of expenditure on S106 schemes for 2008/09.

Recommendations

1) To approve the following discretionary capital expenditures, arising out of the options assessment in Appendix A, totalling £663,553:-

- a) Fifers Lane, new toddlers play area, £80,000
- b) Fiddlewood, revised proposals, new junior facilities, £70,000 (replaces £93,911 approved 21st March 2007)
- c) Waterloo Park, works to paddling pool and facilities for less able children, £126,000
- d) Woodcock Road, in partnership with NANSA to provide facilities for less able children, £12,800
- e) Bowers Avenue, improved access and facilities, £7,900
- f) Sewell Park, provide additional facilities, £13,430
- g) Gertrude Road, new equipment and improved access, £35,587
- h) St Michaels School, Chapel Break, in partnership with the school to provide multi use games area, £36,000
- i) The Runnel, improve play area and equipment, £16,936
- j) Fourways, refurbishment works to toddler play area, £4,000
- k) Chapelfield gardens, enlarge play area, improve access, and provide new and alternative play facilities, £191,566
- l) Ketts Cave, renew surface and fencing, £15,000
- m) Wooded Ridge, Rouen Road, in partnership with BTCV to provide natural play, £31,434
- n) The Dell, Earlham Road, develop natural play area, £11,500
- o) Jubilee Park, renew equipment, £11,400

The ongoing revenue expenditure required to support these proposals will be £757,907

2) To note the current balances of S106 accounts currently held, as the tables in the following report

Financial Consequences

There are no financial consequences for the City Council's budgets from the proposed expenditure plans within this report as the moneys have already been received from developers under S.106 agreements.

Strategic Objective/Service Priorities

The report helps the following corporate objectives to be met:

- To provide strong and ambitious leadership to make the City proud of its Council;
- To build a successful economic future for Norwich and secure sustainable growth;
- To make Norwich safe and secure, building strong and proud local communities;
- To ensure the City has a clean and healthy environment

and the Service priority to Implement the Norwich Play Strategy

Contact Officers

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Background Documents

None

Report

Proposals for S106 Expenditure 2008/09

Background

1. The planning system aims to ensure that the impact of new development on local services and facilities (such as the need for additional play space, educational facilities, and transportation improvements) is addressed as part of the development process. This is achieved through the current system of planning obligations, under Section 106 of the Town and Country Planning Act 1990.
2. Planning obligations or 'Section 106 agreements' are legal agreements negotiated by the local planning authority with the developer and/or landowner of a proposed development. They identify the specific local facilities, services or improvements necessary to make the development acceptable in planning terms. Where it is not possible to provide such facilities on-site, Section 106 agreements can specify that developers make financial contributions, or 'commuted sums', to the local authority to enable it to provide the required facilities / services outside the site. The expenditure of commuted sums is normally very tightly specified in individual Section 106 agreements, but in some areas there is a certain amount of discretion.
3. Some developments are too small to generate sufficient funds to meet the needs of the area, and officers will seek agreements which allow the Council discretion over the area in which funds may be spent. This allows funds to be pooled, sometimes with other sources of funding, in order to deliver worthwhile facilities. In these cases balances are retained until other developments have generated additional funds. This needs programming to ensure that all funds are available before the work can commence.
4. In addition to the sums for capital works, Planning policy allows sums to be negotiated for future maintenance and provision, to ensure that the initial provision can be maintained and refreshed at the end of its life. In general, for play provision, this is assumed to be in 15 years from the date of installation.
5. As a consequence, maintenance funds are held for many years for this purpose.

S106 balances

6. Table 1 summarises all Section 106 commuted payments currently held by the Council, totalling approx £7.6m.

Table 1: Summary of all S.106 Funds at 1st April 2008

SUMMARY	£'s		
Unapplied Capital Grants and Contributions	capital	revenue	total
General/Miscellaneous	151,562	45,428	196,990
Playspace provision	1,876,564	45,876	1,922,440
Playspace maintenance	0	2,848,916	2,848,916
Open Space	5,541	5,657	11,198
Affordable Housing	473,752	0	473,752
Transportation	182,969	112,593	295,562
Archaeology	0	0	0
Major Infrastructure	1,457,065	0	1,457,065
Off site landscaping	93,638	12,301	105,939
Street trees	10,603	59,872	70,475
Riverside walk	10,410	0	10,410
Chapelfield Gardens Pedestrian Way	6,322	0	6,322
City Walls Repair & Preservation	0	19,755	19,755
St Stephens Churchyard Works	34,606	0	34,606
Cycling	128,916	0	128,916
Totals	4,431,948	3,150,398	7,582,346

7. A total of £5.48m - has either to be spent in a specific way (as agreed by Planning Applications Committee and set out in the relevant Section 106 agreement and therefore does not require Executive approval for its expenditure), or has already been committed previously by the Executive.

8. Major schemes included in these commitments include:-

Old Barge Yard Bridge

City Centre play provision (King Street area)

Northern City Centre Play provision (Anglia Square area)

Jenny Lind play provision

St Clements Park play provision

Affordable Housing contributions

9. Commuted sums from S106 agreements only become due once the development has commenced and the agreed stage has been reached. This may mean that funds negotiated as part of the agreements do not become available for several years. In some cases contributions from several developments are pooled to provide facilities in a suitable location, and this may lead to balances being held, until the final element of the funding is available.

10. The amounts therefore not currently committed are shown in Table 2

Table 2 – S106 uncommitted balances as at 1st April 2008**SUMMARY**

	Capital uncommitted	Revenue uncommitted	Total uncommitted
Unapplied Capital Grants and Contributions			
General/Miscellaneous	151,562	0	151,562
Playspace provision	811,513	0	811,513
Playspace maintenance	0	909,654	909,654
Open Space	0	0	0
Affordable Housing	0	0	0
Transportation	87,517	61,245	148,762
Archaeology	0	0	0
Major Infrastructure	0	0	0
Off site landscaping	85,286	0	85,286
Street trees	0	0	0
Riverside walk	0	0	0
Chapelfield Gardens Pedestrian Way	0	0	0
City Walls Repair & Preservation	0	0	0
St Stephens Churchyard Works	0	0	0
Cycling	0	0	0
Totals Uncommitted (a)	1,135,878	970,899	2,106,777
Add Capital Committed	3,296,070		3,296,070
Add Revenue Committed		2,179,499	2,179,499
Totals Committed (b)	3,296,070	2,179,499	5,475,569
Current Balances (total a + b - reconciled to Table 1)	4,431,948	3,150,398	7,582,346

11. Play facilities are built by funds that are obtained from several sources. Funds that are obtained this way are nearly always linked to the area in which the residential development has occurred. Play facilities are usually grouped into toddler (0-4yrs) , junior (5-11yrs) and facilities for young people (12 – 18yrs or 24yrs for disabled young people). Each age grouping tends to have different requirements, particularly for young people and those who have a disability. For example, younger children tend to need formally equipped play spaces, while young people prefer less organised ‘free’ activities. As a result, all children and young people in an area need to be considered when planning new play facilities. Developing new facilities is achieved by establishing need in an area, consultations and careful design. Local members are contacted prior to, and as part of, any local consultation.

12. In 2007 the Council adopted its ‘Play Strategy’. Its aim is to ‘enhance play opportunities for children and young people’. The strategy was developed after extensive consultation and several priorities have emerged. These priorities show where children and young people feel there are ‘barriers to play’. The strategy also has an action plan that shows how these barriers will be targeted. In addition, the Play Strategy has also introduced design principles aligned to the concept of ‘natural play’. This shows how non – traditional play space can be developed. As a result of the Play Strategy there are some new types of projects for which S106 funding approval is being sought, for example funding a play space specifically for disabled children and the development of play in natural areas.

13. The recommendations in Appendix A follow these strategies and seek approval to spend a further £663,553 on play provision, and commit £757,907 on maintenance and future replacement of play provision. If approved Officers will work

with ward councillors, local children and families to develop the play provision.

14. Should these proposals be approved, the total unapproved/uncommitted S106 contributions within current balances and available for playspace provision and maintenance would therefore be as shown in Table 3.

15. Table 3 Potential remaining S106 playspace balances after current proposals

Category	Existing uncommitted balances	Current proposals	New balance after proposals
Playspace Provision	£811,513	£663,553	£147,960
Playspace Maintenance	£909,654	£757,907	£151,747

16. Officers are monitoring further anticipated receipts and will bring plans to use these sums to a future Executive.

CAPITAL EXPENDITURE PROPOSALS - PLAY PROVISION 2008/09

PROPOSED EXPENDITURE IN CATTON GROVE WARD

Proposals for Expenditure 2008/09	Play Sector	Project Code	Development	Ward	£ Capital	£ Revenue
Opening Balances		4106	s.106 Former Officers Mess, Fifers Lane. (Bloor Homes) 4/2002/0312/F	Catton Grove	£126,067	£119,104
1. Fifers Lane Developments :- Install new toddler play area on 'Fifers Lane' Open Spaces. Prior consultation with residents proposed.	1			Catton Grove	-£55,000	-£51,953
2. Fiddlewood :- Build new junior facilities near to community centre.	1			Catton Grove	-£70,000	-£66,138
Projected closing Balances:-		4106		Catton Grove	£1,067	£1,012

PROPOSED EXPENDITURE IN CATTON GROVE & MILE X WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4107	s.106 Land Off Fifers Lane (Persimmon/Wimpey) 4/2000/0565/F	Catton Grove	£150,871	£227,636
1. Proposed expenditure Waterloo Park Play Area	4			Mile X	-£126,000	-£190,097
a. Improve or replace paddling pool. Approx cost £70,000.						
b. Renew paddling pool surround to alleviate problem with sand clogging pool drains. Approx cost £10,000						
c. Improve access for those children and adults less able £10,000						
d. Provide play equipment that includes activities for less able children. Approx cost £20,000						
e. Contingency & fees £16,000.						
2. Fifers Lane Developments :- Install new toddler play area on 'Fifers Lane' Open Spaces. Prior consultation with residents proposed.	1			Catton Grove	-£25,000	-£37,719
Projected closing balance		4107			-£129	-£180

PROPOSED EXPENDITURE IN CATTON GROVE WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance:-		4036	Land at Aylsham Road. (Former Pointers Abattoir) - Catton Grove	Catton Grove	£71,958	£68,010
Proposed expenditure : NANSA,Woodcock Road. Installation of play facilities.	4			Catton Grove	-£12,800	-£12,099
Projected Closing Balance		4036			£59,158	£55,911

PROPOSED EXPENDITURE IN MILE CROSS WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4109	GNHDFP Bowers Avenue	Mile X	£7,900	£11,920
proposed expenditure -: Bowers Avenue. Project included construction of new path.	3			Mile X	-£7,900	-£11,920
Projected closing balance		4109			£0	£0

PROPOSED EXPENDITURE IN SEWELL WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4112	GNHDFP Lefroy Road	Mile X	£13,430	£20,264
Proposed expenditure-: Sewell Park - To include installation of Hopscotch game.	4			Sewell	-£13,430	-£20,264
Projected closing balance		4112			£0	£0

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4123	Start Rite site Crome Road.	Sewell	£35,587	£53,603
proposed expenditure -: Gertrude Road Play Area:- Renew equipment and improved access. Approx cost £33,000.	5			Sewell	-£35,587	-£53,603
Projected closing balance		4123			£0	£0

PROPOSED EXPENDITURE IN BOWTHORPE WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4095	S106 Chapel Break, 4/2002/0730/F	Bowthorpe	£79,827	£77,789
proposed expenditure -: Multi Use Games Area at St Michaels School, Chapel Break - Project to install new MUGA. Very few new areas that can be de developed in Chapel Break or Clover Hill. This proposal the subject of a separate report. School have asked to consider 50% match funding of a total projected cost of £72,000. Approx cost £36,000. Expenditure of remaining balance subject to further consultation with local community.	7			Bowthorpe	-£36,000	-£35,075
Projected closing balance		4095			£43,827	£42,714

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4140	s.106 Old Barn site, Toyle Road, 04/00242/F	Bowthorpe	£16,936	£25,541
proposed expenditure -: The Runnell Play Area :- Large play area that concentrates most of the equipped play for this part of Bowthorpe	7			Bowthorpe	-£16,936	-£25,541
Projected closing balance		4140			£0	£0

Proposals for Expenditure 2008/09	Play Sector	Project	Development		£ Capital	£ Revenue
Opening balance		4132	238a Dereham Road	Wensum	£4,455	£6,710
proposed expenditure -:Renew edging at Fourways toddler play area. Approx cost £4000.	8			Bowthorpe	-£4,000	-£6,024
Projected closing balance		4132			£455	£686

PROPOSED EXPENDITURE IN MANCROFT WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
proposed expenditure-: Chapelfield Gardens.	14		Projected costs	Mancroft	-£191,566	-£184,102
1.Enlarge play area, replace, fence, remove shrubs, install new play equipment, upgrade safety surface and improve access paths						
2. Provide opportunities within the Gardens for alternative play such as a sensory garden, water play, sculptures, living willow and boulders. Also to improve teen provision. Consultation with stakeholders to take place before final plans drafted.						
As above		4037	S.106 Recorder Road 4/2001/0133/F	Thorpe Hamlet	£15,984	£8,751
As above		4047	s.106 Chapelfield Shopping Mall 4/2000/0320/F	Mancroft	£47,421	£44,766
As above		4056	s.106 Baltic Wharf 4/2002/0261/F	Thorpe Hamlet	£23,985	£22,669
As above		4124	s.106 Foulgers House, Foulgers Opening 4/2006/0184/F	Mancroft	£17,010	£25,620
As above		4127	s.106 Land at Oak Street/New Mills Yard 4/2000/0732/F	Mancroft	£47,165	£44,489
As above		4142	s.106 Jarrolds, Fishergate 4/2003/0293/F	Mancroft	£40,001	£37,807
Projected closing balance					£1	£0

PROPOSED EXPENDITURE IN THORPE HAMLET WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4125	Land at Sprowston Road, Norwich.	Sewell	£17,377	£0
proposed expenditure -: Ketts Cave Play Area -: renew the safety surface and fence play area. £15,000 was allocated from 2006/07 budget. (From St James Meadow 4103). Approx cost £30,000	5			Thorpe Hamlet	-£15,000	£0
Projected closing balance		4125			£2,377	£0

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4133	S.106 Duke Street Apartments/St Andrews Car Park. 4/2002/1229/F	Mancroft	£32,425	£30,646
proposed expenditure -: Wooded Ridge, Rouen Road :- Develop natural play area by clearing and opening up the area, renewing fences, steps and seating. Include signage about this historic area. Work in conjunction with BTCV. Approx cost £31,434.	14			Thorpe Hamlet	-£31,434	-£29,710
Projected closing balance		4133			£991	£936

PROPOSED EXPENDITURE IN NELSON WARD

Proposals for Expenditure 2008/09	Play Sector	Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4139	S.106 Stephens Terrace	Town Close	£13,533	£19,367
proposed expenditure -: The Dell, Earlham Road - Develop natural play area clearing the undergrowth and improving tree growth. Commission local artist to install natural sculptures or nature trail. Approx cost £11,500	13			Nelson	-£11,500	-£16,462
Projected closing balance		4139			£2,033	£2,905

PROPOSED EXPENDITURE IN LAKENHAM WARD

Proposals for Expenditure 2008/09		Project	Development	Ward	£ Capital	£ Revenue
Opening balance		4141	Clarence Harbour PH	Thorpe Hamlet	£12,257	£18,493
proposed expenditure -:Improve facilities at Jubilee Park . Renew equipment. Approx cost £11,400.	17			Lakenham	-£11,400	-£17,199
Projected closing balance		4141			£857	£1,295

GRAND TOTALS -£663,553 -£757,907