



Doncaster Council

OFFICER DECISION RECORD

For staff restructures, please also complete an RA1 form to update the HR Portal. (See Annex 2 on Intranet.)

Decision Ref. No:
**AHWB/043/2018 Section
106 Grant for Public Open
Space Improvements at
Moorends Recreational
Ground**

Box 1

DIRECTORATE: Adults, Health & Wellbeing

DATE: 31 May 2018

Contact Name: Michael Eardley

Tel. No.: 01302 735916

Subject Matter: Section 106 Funded grant to Thorne and Moorends Town Council for Public Open Space Improvements at Moorends Recreational Ground.

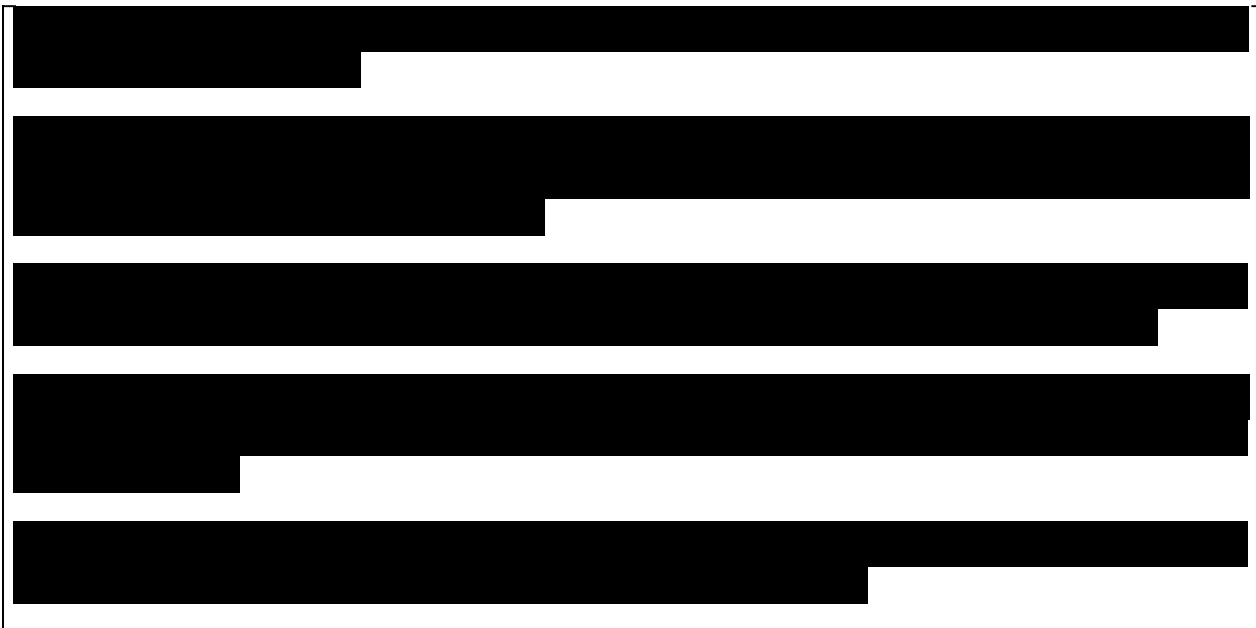
Box 2

DECISION TAKEN:

1. To approve a grant of £45,247 to Thorne-Moorends Town Council to contribute towards the overall being delivered by the Town Council to the total value of £165,000.

£40,000 of the grant total will be used to provide additional equipment to a wider scheme being procured by the Town Council. The remaining £5,247 will be used to offset/contribute towards the costs associated with the pre-teen facility which will be paid for by the Town Council.

2. The grant will consist of utilising 3 separate available Section 106 balances which are:
 - The first available Section 106 balance to be used is from planning reference 14/02876/FULM (Land on the South side of Alexander Road, Moorends) which the wording of the agreement reads "for the provision or enhancement of public open space at Moorends Welfare Recreation Ground". The available amount is £30,212 of which all the amount will be utilised, this will leave a zero balance.
 - The second available Section 106 balance to be used is from planning reference 02/1361/P (Former school site, Marshland Road, Moorends). The wording on the agreement reads "In lieu of the provision of public open space on the land". The available amount is £12,000 of which all the amount will be utilised, this will leave a zero balance.
 - The third available Section 106 balance to be used is from planning reference 05/0742/P (Marshland Road, Moorends). The wording on the agreement reads "In



Box 4

OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:

If other options were considered, please specify and give reasons for recommended option

Option 1 – not to approve the grant spend

If the proposal of this grant is not approved then there is a potential risk that the Council could be requested to return the unspent S106 monies back to the developer.

Option 2 – approve the grant spend

This option is the only option that enables compliance with the requirements of the Section 106 Agreements.

Option 2 is the recommended option

Box 5

LEGAL IMPLICATIONS:

It is appropriate given the nature of the obligations and the policy reasons that it was sought that the money should be used for the funding of the works as described in this ODR.

Name: Heidi Lehane **Signature:** By email **Date:** 13th June 2018

Signature of Assistant Director of Legal and Democratic Services (or representative)

Box 6

FINANCIAL IMPLICATIONS:

Capital

The approved 2018/19 Adults, Health & Wellbeing Capital Programme does not currently include this project.

This scheme will be approved via approval route B.10 Relevant approval is required before a project can commence or commit to capital spend. This new addition to the A,H&WB capital programme will be approved by CFO and relevant Director, in consultation with the relevant Portfolio Holder. Any changes will then be reported to Cabinet on a quarterly basis.

The capital cost of the Thorne and Moorends Town Council for Public Open Space Improvements scheme at Moorends Recreational Ground detailed in the report above will be £45,000; no contingency has been included in this figure.

The proposed grant for Thorne and Moorends Town Council is for Public Open Space Improvements at Moorends Recreational Ground and is to contribute towards the overall being delivered by the Town Council; this will be funded from Section 106 monies. The Town Council will be fully responsible for the ongoing maintenance once completed.

In line with financial procedure rules E14-16 relating to 3rd party grants, the relevant Director must ensure that the Council's interests are protected at all times and must be in a position to provide assurance that the detailed list of requirements have been met, or will be met, before any grant is made. Included in this list is the requirement to ensure that a formal legally binding agreement is in place between the Council and the body receiving the grant.

On approval of the report, the Capital Programme will be updated to include this project and a capital sub cost centre will be created and allocated for the projects use.

Name: Cheryl Slade **Signature:** C Slade/FM-AHWB **Date:** 18/06/18
Signature of Assistant Director of Finance & Performance
(or representative)

S106

(14/02876/FULM) Alexander Road Moorends

There is currently an uncommitted balance of £30,212 on the above planning reference, a commuted sum in relation to S106 monies, Alexander Road Moorends. This project is seeking to use the remainder of the available monies for the enhancement of the public open space at Moorends Welfare Recreational ground, leaving a nil balance.

(02/1361/P) Former School site, Marshland Road, Moorends

There is currently an uncommitted balance of £12,000 on the above planning reference, a commuted sum in relation to S106 monies, former school site, Marshland

Road, Moorends. This project is seeking to use the remainder of the available monies for the enhancement of the public open space at Moorend Welfare Recreational ground, leaving a nil balance.

(05/07/42/FULM) Marshland Road, Moorends

There is currently an uncommitted balance of £3,035 on the above planning reference, a commuted sum in relation to S106 monies, Marshland Road, Moorends. This project is seeking to use the remainder of the available monies for the enhancement of the public open space at Moorends Welfare Recreational ground, leaving a nil balance.

[redaction]

Name: Dawn Fisher **Signature:** **Date:** 11/06/18
Signature of Assistant Director of Finance & Performance
(or representative)

Box 7
HUMAN RESOURCE IMPLICATIONS:

There are no Human Resources Implications.

Name: Kelly Wilks **Signature:** By Email **Date:** 11th June 2018
Signature of Assistant Director of Human Resources and Communications (or representative)

Box 8
PROCUREMENT IMPLICATIONS:

There are no direct procurement implications associated with this ODR.

The monies will enable to Town Council to deliver a much needed wider and inclusive scheme for service users. The monies will be used to provide additional equipment to the wider scheme. Schemes and projects which are delivered are to be done in line with Contract Procedure Rules and EU Procurement Regulations.

Name: H Donnellan **Signature:** H Donnellan **Date:** 11/06/18
Signature of Assistant Director of Finance & Performance
(or representative)

Box 9
ICT IMPLICATIONS:

There are no ICT implications associated with this decision.

Name: Peter Ward (Technology Governance & Support Manager)
Signature: [redaction] **Date:** 07/06/18
Signature of Assistant Director of Customers, Digital & ICT (or representative)

Box 10**ASSET IMPLICATIONS:**

Moorends recreational ground is not owned by Doncaster Council. The land is owned by CISWO and is leased to the Thorne-Moorends Town Council for 125 years from February 1998.

This area of open space is of great importance to the local community as it stands and the further development of it through delivery of the proposed works will serve to enhance its appeal, promote increased use and encourage health and wellbeing/social activity for local residents (in particular young people) thus ensuring Thorne-Moorends Town Council is meeting the on-going needs of service users. As such, the proposal is fully supported from an assets perspective.

The post installation maintenance of the equipment will be the responsibility of the Thorne-Moorends Town Council.

Name: Gillian Fairbrother (Principal Property Surveyor)

Signature:

By email **Date:** 7th June, 2018

**Signature of Assistant Director of Trading & Property Services
(or representative)**

Box 11**RISK IMPLICATIONS:****To be completed by the report author**

If the proposal of this grant is not approved then there is a potential risk that the Council could be requested to return the unspent S106 monies back to the developer.

The monies will enable to Town Council to deliver a much needed wider and inclusive scheme for service users. The monies will be used to provide additional equipment to the wider scheme.

There will be no maintenance responsibility for Doncaster Council as the entire scheme will become the responsibility of Thorne-Moorends Town Council upon completion and handover.

There are no identified or anticipated risks associated with the actual delivery of the scheme.

Box 12**EQUALITY IMPLICATIONS:****To be completed by the report author**

We are aware of the Equality Act 2010 and the Council's commitment to show 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relationships between those who share a 'protected characteristic' and those who do not share a protected characteristic.

The proposals put forward within this scheme present no specific equality implications and also as a result of this no 'due regard' statement was completed.

Name: Michael Eardley **Signature:** [redaction] **Date:** 31st May 2018
(Report author)

Box 13**CONSULTATION****Officers**

(In addition to Finance, Legal and Human Resource implications and Procurement implications where necessary, please list below any other teams consulted on this decision, together with their comments)

Discussions have taken place with the Programmes team staff in relation to the Section 106 commuted sums.

Members

Under the Scheme of delegation, officers are responsible for day to day operational matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters affecting their Wards.

Please list any comments from Members below:

Councillor Durant emailed the report author on 11/05/18 as follows:

'I am happy with the proposal and for the additional monies to be used towards the play area'.

Councillor Houlbrook emailed the report author on 14/05/18 as follows:

'I am happy for you to proceed with the S106 monies for the Moorends Welfare Ground scheme'.

Box 14**INFORMATION NOT FOR PUBLICATION:**

In accordance with the Freedom of Information Act 2000, it is in the Public's interests for this decision to be published in full, apart from the signatures, plus commercially sensitive information contained in Box 3

**Name: _Gillian Parker_ Signature: _by email_ Date: _20/06/2018_
Signature of FOI Lead Officer for service area where ODR originates**

Box 15

[redaction]

**Signed: _____ Date: _28/06/2018_
Debbie John-Lewis Assistant Director**

[redaction]

**Signed: _____ Date: 05/07/18
Steve Mawson Chief Financial Officer & Assistant Director Finance**

**Signed: _____ Date: _____
Signature of Mayor or relevant Cabinet Member consulted on the above decision (if required).**

- This decision can be implemented immediately unless it relates to a Capital Scheme that requires the approval of Cabinet. All Cabinet decisions are subject to call in.
- A record of this decision should be kept by the relevant Director's PA for accountability and published on the Council's website.
- A copy of this decision should be sent to the originating Directorate's FOI Lead Officer to consider 'information not for publication' prior to being published on the Council's website.
- A PDF copy of the signed decision record should be e-mailed to the LA Democratic Services mailbox