

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: e.g. AHWB/062/2018

BOX 1

DIRECTORATE: Adults, Health & Wellbeing

DATE: 17th August 2018

Contact Name: David Ridge

Tel. No.: 735925

Subject Matter: Shaw Wood, Armthorpe Section 106 Funded Improvements

BOX 2**DECISION TAKEN**

1. To approve the allocation of £13,941 of Section 106 monies for the enhancement of Shaw Wood
2. To include the scheme in the Adults, Health & Wellbeing Capital Programme
3. To approve scheme implementation

BOX 3**REASON FOR THE DECISION**

Improving Shaw Wood will help to enhance and promote the site as an area of local natural interest. It is anticipated that by providing better facilities this will help to increase visitor numbers and give a better visitor experience both from a recreational and biodiversity perspective.

Enhancing the site will also assist the Council in its attempt to attract volunteers and the potential set up of a 'Friends of' group to support the future management and maintenance of the site.

The Section 106 resource will support the following improvements:

- Entrance off Basil Avenue – Bollard to be installed to stop unauthorised vehicle entrance on to site.
- Park Avenue entrance – Bollard

- Mere Lane entrance 3.6m 2 in 1 York two way gate, Hang post, Slam post
- Path repair - 140msq of path repair to be done – 30 tonnes of crushed recycled stone needed 40mm - dust
- Way marker post installation to create waymarked walking routes – 100mmx100mmx2.4m way marker posts, 20 posts needed
- Benches
- Bird boxes, habitat homes
- Interpretation panels x 2
- Pond improvements – de silting and dredging of the pond to improve water quality and pond life
- Tree felling - around larger pond to improve daylight and clearance of willow scrub from the margins
- Hire of plant & equipment
- CDM (if required)

It is proposed to use S106 resources for this scheme from the following Section 106 agreements:

- Former NFD Depot, Doncaster Road, Armthorpe (02/4565/P) – Full balance of £6,558 to be used
- Rands Lane, Armthorpe (06/00545/FULM)

It is estimated that these works will cost approximately £13,941 (which includes a 15% contingency).

Works associated with this project will be procured in accordance with the Council's Contract Procedure Rules pertinent to the financial threshold associated with the project. Where appropriate, relevant quotations will be sought to maximise value for money.

There are no anticipated ongoing maintenance works associated with the above.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

There are no viable alternative options currently available.

The only viable option is to deliver the scheme using Section 106 monies from the above planning references subject to approval from Legal Services that the individual agreements concerned are appropriate to use at this site and for the purposes outlined.

BOX 5

LEGAL IMPLICATIONS

The section 106 agreement for former NFD Depot, Doncaster Road, Armthorpe (02/4565/P) allows the Council to use the public open space contribution (which was provided in lieu of the provision of an area of public open space within the development) for the “provision of off-site public open space”. The section 106 agreement for Rands Lane, Armthorpe (06/00545/FULM) allows the Council to use the public open space contribution for the “provision/enhancement of public open space elsewhere within the Council’s area”.

The proposed works would enhance the public open space at Shaw Wood. It is appropriate given the nature of the obligations in the Section 106 agreements, and the policy reasons that the monies were sought, that the money should be used for the funding of the works as described in this ODR.

The report author has confirmed within the body of the report that the works will be subject to a Contract Procedure Rule compliant procurement process.

Name: Heidi Lehane **Signature:** By email **Date:** 28.08.18

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 AH&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 Shaw Wood Improvement scheme detailed in the report above will be funded from Section 106 monies, which are all expected to be spent in 2018/19 and is estimated to cost £14k. There is a 15% contingency of £1,826 included in this figure.

It is anticipated that there will be no ongoing maintenance costs; if any maintenance costs do arise they will be met from existing area team budgets.

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:** 29/08/2018

**Signature of Assistant Director of Finance & Performance
(or representative)**

S106 reference - (02/4565/P) Former NFD Depot, Armthorpe

There is currently an uncommitted balance of £6,558 on the above public open space commuted sum. Approval of this ODR will use all of that for this purpose.

£1,932 of the money is time limited and already out of time, so there is a risk of claw back by the developer if the monies are not allocated to projects. The risk is regarded as low as to date no developer has invoked claw back in relation to S106 monies. The remainder of the money is accrued interest so should not be subject to clawback.

S106 reference - (06/00545/FULM) Rands Lane, Armthorpe

There is currently an uncommitted balance of £71,134 on the above public open space commuted sum. Using £7,383 for the purpose of this ODR will leave a remaining balance of £63,751. There are no time restrictions on the use of this money.

Name: Dave Rosser Signature: ^{redaction}

Date: 24th August 2018

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 7

EQUALITY IMPLICATIONS: (To be completed by the author).

We are aware of the Equalities 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.

All Equalities issues will be considered during the delivery of the work and where practical and appropriate mitigation will be factored in.

An initial desktop assessment indicates there will no adverse discriminatory impact as a result of proposals.

BOX 8

RISK IMPLICATIONS: (To be completed by the author)

Failure to approve the use of Section 106 funding will mean that the improvement works will not be completed and we will lose an opportunity to develop and improve the amenity value and biodiversity importance of the site.

There may be as yet unforeseen cost implications during the delivery stage of the scheme. A 10% contingency has been included to help mitigate such risk.

**BOX 9
CONSULTATION**

Elected Members have been consulted regarding this project and are supportive.

Officer consultation has also taken place with representatives from the Built & Natural Environment Team (R&G), Trees & Woodlands Officer (Street Scene) and Strategy & Performance Unit (Corporate Resources).

**BOX 10
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, redacting only the signatures.

Name: Gillian Parker Signature by email Date: 30/08/2018

Signature of FOI Lead Officer for service area where ODR originates

**BOX 11
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR ~~YES~~/NO

(If YES please list and submit these with this form)

**BOX 12
AUTHORISATION**

Name: Debbie John-Lewis **Signature:** ^{redaction} **Date:** 06/09/2018

Assistant Director of Adults Health & Wellbeing

Does this decision require authorisation by the Chief Financial Officer or other Officer

YES/NO

If yes please authorise below:

^{redaction}

Name: Steve Mawson **Signature:** **Date:** 11/09/18

Chief Finance Officer & Assistant Director of Finance

Consultation with Relevant Member(s)

Name: _____ **Signature:** _____ **Date:** _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.