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EXECUTIVE DECISION RECORD

A1 Service Area	Planning Policy
A2 Title	S106 Financial Contributions relating to P/2012/00636 Land to South of Forest School Street, Rolleston on Dove Schedule 6 Community Facilities Contribution
A3 Decision Taken By	Leader
A4 Chief Officer	Please print name: Sal Khan Please sign name: Approval by email 190422
A5 Leader	Please print name: Councillor G Allen Please sign name: Approval by email 120522
A6 Date of Decision	12 th May 2022

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	N/A

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?	(Please tick as appropriate) ✓
Scrutiny (Audit & Value for Money Council Services) Committee	
Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee	✓

<p>B1 What is the Decision?</p>	<p>To release money from S106 contribution relating to planning application P/2012/00636 schedule 6 Community Facilities Contribution. The contribution is for the provision and maintenance of community facilities which may include play equipment or a contribution towards the parish room within the vicinity of the development.</p> <p>Rolleston on Dove Parish Council have contacted the council and requested if they can use this money for improvements as detailed below.</p> <p><u>Meadow View Play Area</u> To provide additional infant play equipment, including fencing and safer surfacing at a cost of £43,428.00.</p> <p><u>Craythorne Road Playing Field</u> Replacement of posts and railing separating the Craythorne Road playing field car park from the playing field at a cost of £11,753.23.</p> <p><u>Tafflands / Craythorne Woods</u> The remaining funds of £2,099.77 to be used for replacement wheelie bin stores, picnic tables and benches located on Tafflands / Craythorne Woods.</p> <p>All monies have been paid by the developer to the Borough Council, totalling £57,281.00 and is to be used as designated above.</p>
<p>B2 What are the reasons for the Decision?</p>	<p>The monies have been received and the Parish Council would like to make improvements within the Rolleston are in accordance with the spending of the S106 agreement, as above.</p>
<p>B3 What are the contributions to Corporate Priorities?</p>	<p>The award of the S106 monies will contribute to delivering improvements within the village of Rolleston on Dove and contribute to the following priorities:</p> <ul style="list-style-type: none"> • Value for Money; • Community Regeneration; • Environment and Health & Wellbeing.

B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.
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Financial Implications

B5 What are the financial implications?	<p>The main financial issues arising from this decision are as follows:</p> <p>The monies have been received by East Staffordshire Borough Council who have a duty to spend the monies in accordance with their intended use.</p> <p>The deadline to spend the money is 05/02/2027, which is 7 years from date of receiving payment.</p> <p>The recommendation is that monies received in relation to the above totalling £57,281.00 are transferred to Rolleston on Dove when they are ready to commence each stage of the project.</p>
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Revenue	2021/22	2022/23	2023/24
Rolleston on Dove Parish Council	N/A	£57,281.00	Schemes may not all be completed
S106 Contribution Schedule 6		(£57,281.00)	
Impact on MTFS		0.00	

Capital	2021/22	2022/23	2023/24
	N/A	N/A	N/A

The finance section has been approved by the following member of the Financial Management Unit:	<p>Please print name: Anya Murray</p> <p>Please sign name: Approval by email 300322</p>
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	Yes

B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	Yes

Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): Spending the S106 contributions in line with their intended use will ensure continuous improvements to public open space for the community.
B8.2 Negative (Threats): Ensuring the money is spent according to the application submitted.
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required
B8.4 N/A

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): Spending the S106 contributions in line with their intended use will ensure continuous improvements to public open space for the community.
B9.2 Negative (Threats): Ensuring the money is spent according to the application submitted.
B9.3 The risks do not need to be entered in the Risk Register.

Legal Considerations

B10 What are the Legal Considerations:	
B10.1 The main legal issues arising from this decision are as follows: To ensure spending the S106 monies is in line with their intended use for the provision and maintenance of community facilities which may include play equipment or a contribution towards the parish room within the vicinity of the development. The monies are to be spent by 05/02/2027.	
This section has been approved by the following member of the Legal Team:	Please print name: John Teasdale Please sign name: Approval by email 240422

Sustainability Implications

B11 What are the Sustainability implications:
B11.1 The proposal would result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below
B11.2 Positive (Opportunities/Benefits):
B11.3 Negative (Threats):

Health & Safety Implications

B12 What are the Health & Safety implications:
B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2 N/A
B12.3 N/A
B12.3.1 Positive (Benefits)
B12.3.2 Negative (Threats)

Key Decision

B13 Is this a Key Decision?	No
Note: A Key Executive Decision is one where: <ol style="list-style-type: none"> 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000 2. CAPITAL – Any capital project with a value in excess of £150,000 3. A decision which significantly affects communities living or working in an area comprising two or more wards. 	
B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	No
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk

Developer/ Applicant	Clause and Definitions	Total
Bellway	<p style="text-align: center;">SCHEDULE 6 COMMUNITY FACILITIES CONTRIBUTION</p> <p>1. DEFINITIONS</p> <p>In this Schedule, the following expressions shall have the following meanings:</p> <p>1.1 "the Community Facilities Contribution" means fifty thousand pounds (£50,000) Index Linked.</p> <p>1.2 "the Community Facilities Contribution Purpose" means for the provision and maintenance of community facilities which may include play equipment or a contribution towards a parish room within the vicinity of the Development.</p> <p>2. PLANNING OBLIGATIONS</p> <p>2.1 The Owner covenants with the Council with the intent that this is a planning obligation for the purposes of Section 106 of the Act not to Commence the Development without having first paid the Community Facilities Contribution to the Council.</p> <p>3. COUNCIL'S OBLIGATIONS</p> <p>The Council covenants with the Owner to spend the Commuted Sum solely for the Community Facilities Purpose within 7 years of its receipt by the Council .</p>	£57,281.00

The questions contained in this questionnaire are not to be altered in any way. If you have any queries regarding the contents of this document, please contact Andrea Davies Ext 1306 or refer to Part 3 Section 6 of the Constitution.