

SUBJECT:	Uploading S106 Capital Sums into 2024/25 Capital Budget
MEETING:	Cabinet
DATE:	10th April 2024
DIVISION/WARDS AFFECTED:	

1. PURPOSE:

To authorise the uploading of capital sums from Section 106 Agreements received from the developments specified into the 2024/25 Capital Budget

2. RECOMMENDATIONS that:

- 2.1 a capital budget of £95,000 be created in 2024/25 to fund play area improvements at the Cas Troggi Open Space in Caldicot, and that this is funded by corresponding contributions of £69,120 from the Section 106 balances held by the council from the S106 Agreement in relation to the former White Hart Public House in Caldicot (Planning Ref: DC/2013/00796) and £25,880 from the Section 106 balances held by the council from the S106 Agreement in relation to the development of land east of Church Road, Caldicot (Planning Ref: DM/2018/00880).
- 2.2 a capital budget of £144,456 be created in 2024/25 to fund works at one or more of three beneficiary sites (Caldicot Greenway, Caldicot Castle Country Park and Caldicot Town Centre Regeneration) and that this is funded by a corresponding contribution of £144,456 held by the council from the S106 Agreement in relation to the development of land east of Church Road, Caldicot (Planning Ref: DM/2018/00880).
- 2.3 A decision on the allocation of the remaining balance of £144,456 be delegated to the Chief Officer for Customer, Culture and Wellbeing in consultation with the Cabinet Member for Equalities and Engagement, following consultation with the local members for that area.
- 2.4 a capital budget of £24,629 be created in 2024/25 to fund play area improvements at Rockfield Farm, Undy and that this is funded by a corresponding contribution of £24,629 from the Section 106 balances held by the council from the S106 Agreement relating to the development of land at Vinegar Hill, Undy (Parcel A) (Planning Ref: DM/2019/01937).
- 2.5 a capital budget of £13,422 be created in 2024/25 to fund advance planning works on land at Knollbury to establish increased recreation facilities for the Magor with Undy area and that this is funded by a corresponding contribution of £13,422 held by the council from the S106 Agreement relating to the development of land at Vinegar Hill, Undy (Planning Ref: DM/2019/01937).

- 2.6 the above amount (specified in para 2.5) be utilised to offset the costs of obtaining planning permission for the recreational use of land adjacent to Rose Cottage, Knollbury, Magor currently held on capital budget code 90847.
- 2.7 a capital budget of £120,000 be created in 2024/25 for play area improvements at Mardy Playing Field and that this is funded by a corresponding contribution of £120,000 from the Section 106 balances held by the council from the S106 Agreement in relation to the development of land at Deri Farm, Abergavenny (Planning Ref: DM/2014/01360).
- 2.8 when uploaded into the 2024/25 capital budget, the funding of £120,000 set out in para 2.7 above is transferred to the Llantilio Pertholey Community Council, as owners of the Mardy Playing Field, and that officers work closely with the community council to agree and implement a range of play area improvements.
- 2.9 A capital budget of £13,230 be created in 2024/25 for play area improvements at Bailey Park, Abergavenny and that this is funded by a corresponding contribution of £13,230 from Section 106 balances held by the council from the S106 Agreement for the development of land at The Hill, Abergavenny (Planning Ref: DC/2015/01585)

3. KEY ISSUES:

- 3.1 When new residential developments in the county are granted planning permission, this invariably involves the developer entering into a Section S106 Agreement to provide new or upgrade existing play areas, public open spaces and recreation sites. The S106 Agreements contain clauses specifying the areas or sites where the funding is to be used (the beneficiary sites) and the timescale in which the money has to be spent (the spend by dates).
- 3.2 The funding set out in Section 2 (recommendations) of this report has all been received by the council and it is proposed to spend this on the projects specified in the following paragraphs, beginning with para 3.4.
- 3.3 Members will be aware that in Wales, play is a statutory duty of local authorities and every three years councils have to undertake a detailed play sufficiency assessment, together with an annual review. The proposals outlined in this report relating to play are in line with the council's adopted play sufficiency assessment. The council has also adopted in principle the Fields in Trust six-acre standard that contains guidance on outdoor play, but it has adopted a more strategic approach to developing playparks in recent years, to avoid a proliferation of small pocket parks, which provide very little in terms of play value.
- 3.4 The play area at Cas Troggi (also known as the Hall Park Open Space) in Caldicot was installed back in the 1960s/70s and it is proposed to replace the play equipment and enclose the play area, using the funding

identified in recommendation 2.1 of this report. The works were scheduled to start in December 2023 but have been delayed due to the wet conditions on site. The footpaths around the play area have been improved and resurfaced in advance of the play equipment installation.

- 3.5 The £144,456 referred to in para 2.2 is the remaining balance of the offsite recreation contribution from the Church Road (east) development site. It is proposed that this sum is held in the capital budget and utilised towards one or more of the three remaining beneficiary sites, namely Caldicot Greenway, Caldicot Castle & Country Park and Caldicot Town Centre Regeneration, and that a decision on the allocation of this funding is delegated to the relevant Chief Officer and Cabinet Member.
- 3.6 The sum of £24,629 (para 2.4) will be used to carry out improvements to the play area at Rockfield Farm, as specified in the S106 Agreement.
- 3.7 The £13,422 referred to in paras 2.5 and 2.6 is the remaining balance of offsite recreation funding received from the Vinegar Hill development and is to be used to offset the current overspend in the capital budget as a result of expenditure incurred on plans and surveys undertaken to support the submission of a planning application for the Knollbury site. It is proposed to utilise this sum to offset the overspend and cover the costs of submitting a formal planning application.
- 3.8 When planning permission for the Deri Farm site north of Abergavenny was granted, there was limited space to provide a new neighbourhood play area, so provision was made for an offsite contribution to improve the existing play area at Mardy Playing Field, which is a short walk away from the new development. The £120,000 (referred to in paras 2.7 and 2.8) will be sufficient to cover the costs of a substantial upgrade of the existing play facilities. As Mardy Playing Field is not owned by this council, officers will work with the site owners (Llantilio Pertholey Community Council) to make sure that the play area improvements are carried out.
- 3.9 The sum of £13,230 (para 2.9) will be used to carry out improvements to the play area and surfacing at Bailey Park.

4. INTEGRATED IMPACT ASSESSMENT (INCORPORATING EQUALITIES, FUTURE GENERATIONS, WELSH LANGUAGE AND SOCIO ECONOMIC DUTY)

The Integrated Impact Assessment is attached at Appendix1. This highlights the positive impacts of play and outdoor recreation on children/young people, families and communities.

5. OPTIONS APPRAISAL

In reality, there are no options to appraise – the funding referred to in this report has been given for specific purposes as specified in Section 106 Agreements, under which the council has a contractual obligation.

6. EVALUATION CRITERIA

Progress will be monitored in October 2024 to assess progress with the various projects referred to in this report.

7. REASON

This is a continuation of the council's continued investment, sometimes in partnership with town and community councils and other bodies, in recreation and play to achieve significant community benefits, but there needs to be an approved budget in place to cover the costs incurred.

8. RESOURCE IMPLICATIONS

There are no additional resource implications, as the expenditure involved will be covered by Section 106 balances, and by the grants and contribution set out in the report.

9. CONSULTEES

Cabinet Local Members Senior Leadership Team
Chief Officer – Customer, Culture and Wellbeing

10. BACKGROUND PAPERS

None

11. AUTHOR & CONTACT DETAILS:

Mike Moran, Community Infrastructure Coordinator

Email: mikemoran@monmouthshire.gov.uk

Tel: 07894 573834