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**Date:** *30 October 2013*

## **NOTIFICATION OF PORTFOLIO HOLDER DECISION**

On 28 October 2013, Cllr Vickers, the Planning and Transportation Portfolio Holder, made the following decision. Any member of the Council, who is not a Portfolio Holder, who considers that this decision should be reviewed should give notice to the Monitoring Officer (Grainne O'Rourke) (in writing or by e-mail) to be received **ON OR BY WEDNESDAY 6 NOVEMBER 2013**.

Details of the documents the Portfolio Holder considered are attached.

### **DECISION:**

To allocate developers' contributions to the following projects:

Rugby Pitches, Newlands Corner, Fawley - £80,000  
3G sports surface, Lloyds Recreation Ground, Marchwood - £19,450  
Feasibility Study, Woodside Pavilion Lymington - £20,000  
Feasibility Study, Lymington Football and Cricket Pavilion - £20,000  
Feasibility Study, Pennington Common Playground - £10,000  
Feasibility Study, Lymington Meadows Playground - £10,000  
Footpath/access enhancements, Sandleheath – exact cost to be agreed  
Footpath sign, Fordingbridge - £500

### **REASON(S):**

As set out in the report considered by the Portfolio Holder

### **ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

As set out in the report considered by the Portfolio Holder

### **CONFLICTS OF INTEREST DECLARED:**

None

### **For Further Information Please Contact:**

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**ALLOCATION OF OPEN SPACE DEVELOPERS' CONTRIBUTIONS:**

- (1) Newlands Corner, Fawley**
- (2) Marchwood 3G Sports Surface at Lloyds Recreation Ground**
- (3) Lymington Open Space Projects – Feasibility / project development**
- (4) Sandleheath Footpath/access Enhancements**
- (5) Fordingbridge sign**

**1 INTRODUCTION**

- 1.1 New Forest District Council, through its planning development control powers, collects contributions (through a Section 106 agreement) to mitigate the impacts of new developments on existing communities in the areas where it is responsible for town planning.
- 1.2 In May 2012 the Council approved a new process for the allocation and spending of developers' contributions for inclusion in the Council's capital programme beginning in 2013/14. Following this, in January 2013, a number of open space projects were identified for which developer contributions could be used. The agreed projects were set out in three lists as follows:
  - (a) Category A - Fully developed projects for inclusion in the 13/14 programme;
  - (b) Category B contained two types of projects:
    - Projects that need to be developed further to determine costs/scope.
    - Projects where insufficient funding currently exists but should be ready if additional funding is made available;
  - (c) Category C - Parishes with no priority projects identified, or a priority project has been identified where no clear implementation strategy is in place.
- 1.3 The January 2013 Cabinet authorised the Portfolio Holder for Planning and Transportation to approve any project within Project List B should the scheme be developed during the course of the year and/or funding become available, providing the cost did not exceed those already listed. Authorisation was also given to the Portfolio Holder to make such amendments to the approved project lists as he deemed appropriate and to include them within the 2013/14 budget.
- 1.4 This report seeks to approve an existing Category B list project at Newlands Corner to enable its implementation immediately; and also to approve a number of new projects which require expenditure before the end of the financial year.

## **2 POLICY FRAMEWORK**

- 2.1 All the projects which are the subject of this report benefit a wide sector of the community and respond positively to Core Strategy policies:
- CS2 Design Quality (high quality environmental design that respects the local context);
  - CS3 Safe and Healthy Communities (safe and well structured open space);
  - CS7 Open Space Sport and Recreation (creating and enhancing high quality public spaces that are fit for purpose).

## **3 PROJECT PROPOSALS**

### **Newlands Corner, Fawley**

- 3.1 An allocation of £80,000 was made in the Category B list for the provision of two rugby pitches at Newlands Corner to enable the local Rugby club to relocate to the site. The proposal involves the widening and extending of the existing football pitch to accommodate rugby and the laying out of one new pitch adjacent to the existing one.
- 3.2 Officers have met with the Parish Council and understand that this project is part of a wider scheme on the site which involves the creation of a further pitch and a new pavilion for which the rugby club and RFU may be able to provide some funding. The creation of the further pitch will involve substantial land filling and a planning application to Hampshire County Council will be required. The request to release the allocated funding now is independent of these further works.
- 3.3 The Parish Council have received a quote of £84,965.72 for the creation of the two rugby pitches. This figure included a sum of £6,150 for infill material which, following detailed survey work, has been determined as not required. However, more expenditure on fees has been incurred by the Parish Council than originally expected and therefore, even with the omission of this sum for infill material, the Parish have requested the full £80,000 is released. This is considered reasonable.
- 3.4 In order to safeguard the Council's investment in these new pitches, the release of this money is on the understanding that, following the completion of these works, the Parish Council will not subsequently change the levels or undertake any further works affecting either of these pitches as part of the wider project. The Council will also not expect any further requests for the release of developer contributions relating to these two pitches.

### **Marchwood 3G Surface, Lloyds Recreation Ground**

- 3.5 Marchwood Parish Council has requested the release of £19,450 to install a 3G sports surface at the Lloyds Recreation Ground. The surface will be installed on one side of the 5 a side courts. This project will be fully funded from existing 'community use' Section 106 funds that the District Council currently hold for use in Marchwood.
- 3.6 The courts are available for anyone to hire and with the new flood lights will provide a valuable modern new facility for Marchwood.
- 3.7 This money is currently unallocated and has a payback date of January 2014, it is therefore important this project is implemented now.

## **Lymington Feasibility Studies**

- 3.8 Lymington Town Council has requested that four projects be included in the Category A list for implementation during 2014/15. In order to ensure these projects are implemented in accordance with potential grant monies available. The Town Council has requested the release of £60,000 during this financial year to develop the design, planning and preparation of tender documents. The £60,000 will be moved from the Category C project list to fund this feasibility work. The money is requested for the following projects:

### *Woodside Pavilion (£20k feasibility)*

- 3.9 In total the Town Council has requested a sum of £140,000 be allocated to this project (the further £120,000 will be the subject of a separate report on all allocations for 2014/15). A similar amount from the RFU is also available to fully enhance the existing pavilion to accommodate various clubs and more disciplines, as well as providing a greater community benefit by encouraging a greater use by the public.
- 3.10 The RFU has indicated that their funding is available immediately and therefore the Town Council wish to progress the feasibility work now to ensure this funding remains available.

### *Lymington Football and Cricket Pavilion (£20k feasibility)*

- 3.11 In total the Town Council has requested a sum of £100,000 be allocated to this project (the further £80,000 will be the subject of a separate report on all allocations for 2014/15). A similar amount of funding is also currently available from the FA for improvements to the existing stadium.
- 3.12 The money allocated from developer contributions will be to enhance the community benefits at the pavilion and extending the access of open space facilities to the local community.
- 3.13 The £20,000 requested for release now is to agree the scope of the project and progress the design of the works. The release of the further £80,000 towards this project will be subject to the Town Council demonstrating how the works will broaden access to benefit a wider cross-section of the local community.

### *Pennington Common Playground (£10k feasibility)*

- 3.14 In total the Town Council has requested a sum of £100,000 be allocated to this project (the further £90,000 will be the subject of a separate report on all allocations for 2014/15).
- 3.15 The play area at Pennington Common is no longer fit for purpose with various items of equipment having fallen into disrepair. The play area is quite a distance from the nearest houses and parents are wary about letting their children use the site. The project will go beyond the immediate remit of refurbishing the existing play area and will seek to provide play opportunities that relate to the environment as well as providing traditional play features. The larger community should also benefit from the project with improvements to paths and signboards providing information about the SSSI. Improved access for wheelchair users could be included, as well as a sealed path to accommodate them.

- 3.16 The Town Council has requested that the District Council's Environmental Design team progress this scheme and undertake further feasibility and project development work to bring forward holistic suggestions as to how the area can be better utilised.

*Lymington Meadows Playground – (£10k feasibility)*

- 3.17 In total the Town Council has requested a sum of £66,000 be allocated to this project (the further £56,000 will be the subject of a separate report on all allocations for 2014/15).
- 3.18 There is a need to refurbish the play area at this location. The scheme presents opportunities to provide a range of play equipment, outdoor gym equipment and enhance the wider open site through planting. The current play equipment is no longer fit for purpose.
- 3.19 It is estimated that the entire scheme, as set out in the appendix, would cost £100,000. An application to Veolia will be made and there is a possibility that the Town Council could also allocate some of its own funds towards the scheme.
- 3.20 The Town Council has requested that the District Council's Environmental Design team undertakes further feasibility and project development work to progress this scheme for the improvement of the play area.

#### **Sandleheath footpath/access enhancements**

- 3.21 The Parish Council has expressed a desire to improve a number of footpaths around the Parish in order to make the public rights of way more accessible and to help create circular walks that link to the existing public open space, thus making these areas more accessible to the public.
- 3.22 This project will be taken forward via the Council's Environmental Design team, together with the Council's Transportation team. The District Council currently holds £30,441.73 for use in Sandleheath which was allocated to the Category C project list in January 2013. The exact scope of the improvements is still to be agreed with the Parish Council, however, it is important these monies are allocated now as £7,114 has a payback date of 4 June 2014 and sufficient time is required to design and then implement the scheme before this date.

#### **Fordingbridge Sign**

- 3.23 The Town Council has requested the release of £500 to install a permanent sign at the Salisbury Street entrance to the Riverside Development. A public footpath was retained through the development via a 106 agreement. To date the Town Council have placed two signs on the building adjacent to the gated entrance, both of which have been removed by persons unknown. A solution to promote and encourage use of this public footpath would be to place a permanent cast iron sign with internal fixings which will be much more resistant to tampering.
- 3.24 As this sign will help to encourage the use of the public open space then it is a suitable use of developer contribution monies. There are sufficient unallocated monies for use in Fordingbridge to fund these works.

#### **4 FINANCIAL IMPLICATIONS**

- 4.1 By approving these projects it will enable the monies to be spent in the financial year 2013/14 and assist in delivering the implementation programme and spend the currently held developer contribution monies on suitable projects.
- 4.2 It is important that both the Marchwood and Sandheath projects are approved as they both have potential payback dates to the developers in early 2014. As this money was collected to provide infrastructure to support development that has already taken place it is important that this money is spent on the suitable projects identified.
- 4.3 In Lymington it is important that the money for feasibility is released now in order to allow the Town Council to develop the projects sufficiently to ensure that the match funding available from the RFU and FA is still available to enable the projects to be implemented in 2014/15.
- 4.4 Should the Council become aware that, following the completion of the two pitches in Fawley, further works are then carried out that disrupt these pitches, the Council will look to reclaim the contribution made from the Parish Council.

## **5 CONSULTATION INPUT**

- 5.1 In respect of the proposed allocations, the projects were discussed at a series of informal member meetings held October 2013, so local members have already indicated their support for the allocation of resources to these projects.

## **6 ENVIRONMENTAL IMPLICATIONS**

- 6.1 Delivery of these open space schemes will bring a range of environmental benefits, including community safety, aesthetic, biodiversity and sustainability.

## **7 CRIME AND DISORDER IMPLICATIONS**

- 7.1 No project-specific implications, but open space provision and enhancement tailored to local community needs, in general, tends to reduce crime and anti-social behaviour.

## **8 EQUALITY AND DIVERSITY IMPLICATIONS**

- 8.1 Good community engagement as part of the design and feasibility process will help ensure that schemes respond to the needs of the whole community rather than narrow sectors.

## **9 ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 9.1 Not approving this allocation at this time would slow down the implementation of the open space programme and the expenditure of funds held for the specific purpose of delivering much-needed open space provision across the district.

## **10 RECOMMENDATIONS**

- 10.1 **It is RECOMMENDED that the open space developers' contribution allocation of £80,000 for Newlands Corner is moved from project list Category B to Category A to enable the implementation of the project in 2013/14.**

- 10.2 It is **RECOMMENDED** that a new community project is added to the Category A list for a new 3G sports surface at Lloyds Recreation Ground with an allocation of £19,450 to enable the implementation of the improvements in 2013/14.
- 10.3 It is **RECOMMENDED** that an open space developer's contribution allocation of £60,000 be moved from the Category C project list to the Category A project list, for a feasibility study of 4 open space projects to enable the scope, design and tender documentation to be produced in 2013/14.
- 10.4 It is **RECOMMENDED** that the open space developers' contribution of £30,441.73 for Sandleheath be moved from the Category C project list to the Category A project list for public footpath/ access improvements to enable the implementation of the project in 2013/14.
- 10.5 It is **RECOMMENDED** that an open space developers' contribution of £500 for a new sign to promote and encourage the use of an area of public open space in Fordingbridge be added to the Category A project list for installation in 2013/14.

**11 PORTFOLIO HOLDER DECISION**

I have agreed to the recommendations of this report.

**Signed:**                   CLLR F P VICKERS  
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**Date:**                     28.10.13  
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<p>For further information contact:</p> <p>Dean Brunton          Planning Policy Officer          Policy and Plans Team          Tel: 023 8028 5588          E mail: <a href="mailto:dean.brunton@nfdc.gov.uk">dean.brunton@nfdc.gov.uk</a></p> <p>or</p> <p>Neil Williamson          Environmental Design Manager          Tel: 023 8028 5588          E mail: <a href="mailto:neil.williamson@nfdc.gov.uk">neil.williamson@nfdc.gov.uk</a></p>	<p>Background Papers:</p> <p>16 January 2013 Cabinet Paper "Allocation of developer contributions"  <a href="http://forestnet2/committeedocs/cab/CDR08046.pdf">forestnet2/committeedocs/cab/CDR08046.pdf</a></p>
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Date on which notice of this Decision given – 30 October 2013  
 Last date for call-in – 6 November 2013