

5. Section 106 Fund from Lewes District Council

REPORT OF: Capital Improvements for Worlds End Recreation Ground and Bedelands Farm LNR path Network
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Wards Affected: Burgess Hill, St Andrews
Key Decision No

Purpose of the report

1. The purpose of this report is seek approval from the Grants Panel for installing a footpath across MSDC Property Railway North, improving the path network of Bedelands Farm LNR and refurbishing the playground at Worlds End Recreation Ground. The funds are from the Lewes District Council Development – Theobald’s that is adjacent to Valebridge Road, Burgess Hill

Summary

2. The Theobald’s development is within the boundary of Lewes District Council, but the closest conurbation is Burgess Hill, which is in Mid Sussex District Council boundary. When the residents were consulted about the allocation of the S106 fund they felt it appropriate for it to be used on facilities for which they would have easy access. The details of the fund are as follows

Facility Grants

Project	Purpose of the project	Approximate Cost
Railway Land North and Bedelands Farm LNR	Installation of all-weather paths	80,000
Worlds End Recreation Ground	Refurbish the play provision in the recreation ground	200,000
Total		280,000

Recommendations

Members of the Panel are requested to approve:

- a) ***the release of capital funds supplied by Lewes District Council for the projects detailed on the attached Capital Justification Sheets.***

Background

1. The Theobald’s development is on the north east side of Burgess Hill and just outside the boundary of Mid Sussex District Council.
2. The closest conurbation to the development in Lewes District Council is Burgess Hill and the residents stated choice has been to use the fund on facilities close to them as there isn’t a similar conurbation within easy travelling distance to their properties.
3. The projects identified to be covered by the fund have been agreed by consultation with the residents of the Theobald’s estate. Mid Sussex District Council agreed to accept their consultation, but hold project specific consultations as part of the project plan.

4. The District Council has an agreement with Lewes that commits Lewes District Council to provide the project funds on demand and Mid Sussex District Council to complete the projects. Completion of the agreement will be dependent on approval of the Grants Panel.
5. Mid Sussex District Council will assume project management and award the contracts for each project.
6. The funding is project specific so will be allocated provided at the point of contract award.
7. The Section 106 agreement is time constrained and if not used the developer is entitled to request reimbursement of the fund. Lewes District Council and Mid Sussex District Council are keen to complete the agreement to ensure the projects are delivered in a timely fashion and contractors are lined up and therefore it is important approval is given for the works this month.

Assessment and Policy Context

8. The assessment criteria for this fund have been agreed by Lewes District Council based on consultation.
9. The projects are in keeping with Council policies for wellbeing and healthy lifestyles and play provision in the community.

Other Options Considered

10. The fund is being supplied by a neighbouring authority and Mid Sussex District Council has agreed to accept the options they have obtained via consultation of their residents.

Financial Implications

11. Whilst there is an ongoing maintenance responsibility for the provision of a new path on Railway Land North, the provision for Bedelands path network and Worlds End Playground will be improvement of existing provision.

Risk Management Implications

12. The main associated risks are to each authority to act according to the terms of the agreement.

Equality and customer service implications

13. The improvements are intended to be inclusive for a wide scope of abilities with access and opportunities to play and recreation.

Legal Implications

14. Both Authorities have entered into a legal agreement to deliver and fund the projects identified in the Capital Justification Proforma.

Background Papers

- Capital Justification Proforma for the projects.