

**TO: THE MONITORING OFFICER (TOM CLARK, SOLICITOR TO THE COUNCIL)**

**RECORD OF ACTION TAKEN BY A CABINET MEMBER UNDER DELEGATED POWERS**

**Subject: Release of S106 Local Community Infrastructure contributions for Burgess Hill Infrastructure.**

**Cabinet Member:** Cllr Gary Marsh

**Has the Cabinet Member received a report prior to taking the decision?**

Yes

**In the case of a key decision and where the Cabinet Member has received a report.**

This is not a key decision.

**Alternative options considered and rejected.**

None as considered a benefit to the pond inhabitants and protected species – contributions are collected for the purposes of improving Local Community Infrastructure.

**Record of decision taken.**

Authorise release of £3,820.70 from the Local Community Infrastructure fund.

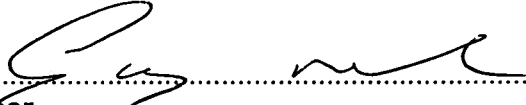
**Statement of reasons for making the decision.**

For the benefit of improving the habitat for the Great Crested Newts. Officers consider this an appropriate expenditure of Local Community Infrastructure contributions.

Date of decision:- 11-1-18

Is the decision to be protected from call-in? (i.e.if any delay would seriously prejudice the Council's or the public's interest) - see Scrutiny Procedure Rule 14 (M)	No
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Signed:

  
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Cabinet Member

This record must be forwarded immediately to the Monitoring Officer (TC) and copied to the relevant Cabinet Member.

For Monitoring Officer

Date of publication of Member Information Services	
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Date of decision can be implemented (on the Thursday after publication of the Member Information Service unless already protected from call-in)	
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## REPORT TO CABINET MEMBER FOR COMMERCIAL SERVICES AND CONTRACTS.

### RELEASE OF S.106 CONTRIBUTIONS FOR BURGESS HILL LOCAL COMMUNITY INFRASTRUCTURE.

REPORT OF Divisional Leader for Commercial Services & Contracts  
Contact Officer Stephen Witchell, Deputy Landscape Contracts Manager, Landscapes  
Email: stephen.witchell@midsussex.gov.uk Tel: 01444 477028

Wards affected  
Key decision No

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#### Purpose of Report

1. Mid Sussex District Council (MSDC) is requesting the release of S106 Local Community Infrastructure (LCI) contributions to improve the pond and enhance the surrounding area at the Royal George Recreation Ground.

#### Recommendation

2. It is recommended that £3,820.70 be released to MSDC from Local Community Infrastructure contributions arising from the development at land on the eastern side of Manor Road (P35/716).
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#### Background

3. The pond within Royal George Recreation Grounds is a breeding site for the Great Crested Newt. Every year the water level drops causing the pond to dry out. This is due, in part, to the Willow trees surrounding the pond.
4. MSDC plan to remove the surrounding trees and install a French drain running from the basketball courts down the hill to the pond. This would increase the rainfall caught and reduce *water* loss, therefore allowing moisture to remain in the pond for a longer period of the year thus providing a better environment for the Newts to breed.
5. *The Coppice beside the Pond has had several reports of dens being built and loud music and drinking late into the night.* In an attempt to reduce this anti-social behavior the trees will have the lower branches cut back exposing the area beneath them.

#### Financial Implications

8. This project is considered to represent an appropriate expenditure of the Local Community Infrastructure contributions from the agreement below.

<b>S106 Agreement</b>		
P35/716	£3,820.70	Land on the eastern side of Manor Road
<b>Total</b>	<b>£3,820.70</b>	

## **Legal Implications**

9. The Planning Permission for the development of 122 dwellings at land on the eastern side of Manor Road secured financial contributions towards local community infrastructure provision within the South area.
10. The project conforms to the requirements of the Section 106 Agreement and is considered to be beneficial.
11. It is proposed the decision be signed off by the Cabinet Member for Commercial Services and Contracts.
12. Decisions on the distribution of Section 106 monies up to £25,000 are delegated to individual Cabinet Members in the Council's Constitution.