

**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 Community Buildings contributions.**

**Cabinet Member: Cllr Andrew MacNaughton**

**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 – contributions were collected for the improvements to the public toilets at East Court.

**Record of decision taken.**

Authorise release of £49,999.00 from the Community Buildings fund.

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

The public toilets at East Court were last refurbished over 30 years ago and are now in need of an upgrade to improve accessibility. The revised layout has been designed to meet the majority of needs of wheelchair users and people with mobility impairments.

Officers consider this an appropriate expenditure of Community Building contributions.

Date of decision:- 25-9-18

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)

N/A

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

Date of decision can be implemented (on the Thursday after publication of the Member Information Service unless already protected from call-in)

## REPORT TO CABINET MEMBER FOR PLANNING

### RELEASE OF S.106 CONTRIBUTIONS FOR COMMUNITY BUILDINGS INFRASTRUCTURE.

REPORT OF Contact Officer	Divisional Leader for Planning and Economy Elizabeth Lancaster, Infrastructure Officer, Planning Policy and Economic Development Email: <a href="mailto:Section106Monitoring@MidSussex.gov.uk">Section106Monitoring@MidSussex.gov.uk</a> Tel: 01444 477066
Wards affected	All
Key decision	No

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#### Purpose of Report

1. East Grinstead Town Council (EGTC) is requesting the release of S106 Community Buildings contributions.

#### Recommendation

2. It is recommended that £49,999.00 be released to EGTC from Community Building contributions arising from developments at land at former Martells, Queens Road (PL12-001864), land at Heathcote, Maypole Road (P35/617) and land at 1a-3a Whitehall Parade, London Road to fund this project.
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#### Background

3. East Court, due to its designation as a Suitable Alternative Natural Greenspace (SANG), has seen an increase in visitors following the enhancements made to the area which has included a circular walk providing improved access for all visitors.
4. The East Court Public toilets are freehold and owned by East Grinstead Town Council (EGTC). It is thought they were last refurbished over 30 years ago and are now in need of an upgrade to improve accessibility for all users of the East Court Estate.
5. EGTC, in consultation with Disability Access, acknowledges the current facilities fall short of current expected standards. The revised layout has been designed to meet the majority of needs of wheelchair users and people with mobility impairments.
6. On the 30<sup>th</sup> January 2017 Full Council of EGTC recommended a capital budget of up to £30,000.00 be allowed for the East Court Toilets. It was noted S106 funding would also be sought to contribute to the scheme.
7. EGTC are requesting £49,999.00 from S106 community buildings contributions held at Mid Sussex District Council (MSDC) to part fund the project with the balance of £12,411.00 being met by EGTC.

#### Financial Implications

8. This project is considered to represent an appropriate expenditure of the Community Buildings contributions from the agreements below.

<b>S106 Agreement</b>		
PL12-001864	Former Martells Store, Queens Road	£46,963.00
*P35/617	Land at Heathcote, Maypole Road	£ .43
P35/620a	Land at 1a – 3a Whitehall Parade	£ 3,035.57
<b>Total</b>		<b>£49,999.00</b>

\*43p is the unspent sum from a larger contribution relating to this development.

9. EGTC has confirmed and acknowledged that should the actual project cost exceed the estimated total project costs they will not request an increase in S106 funding.
10. No S106 funding will be released to EGTC until MSDC is in receipt of the contractors invoice(s)

### **Legal Implications**

11. The planning permission for the development at the former Martells Store secured financial contributions to be used for improvements to the public toilets at East Court
12. The planning permissions for the developments on land at Heathcote, Maypole Road and 1a – 3a Whitehall Parade, London Road secured financial contributions towards Community Buildings
13. EGTC will submit a copy of their purchase order raised on the contractor once the S106 funding has been confirmed.
14. The project is considered to be beneficial to the local community.
15. It is proposed the decision be signed off by the Cabinet Member for Planning.
16. Decisions on the distribution of Section 106 monies up to £50,000.00 are delegated to individual Cabinet Members in the Council's Constitution.

### **Programme**

17. EGTC has sought three tenders and has chosen their preferred contractor (GB Services).
18. EGTC anticipates, once S106 funds have been confirmed, the works will be undertaken within three months.

### **Statutory consents**

19. No planning permission is required.

### **Equalities impact.**

20. EGTC have given assurances all work undertaken will conform to the Equalities Act 2010.