

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 16 November 2020

SUBJECT: KINGLEY GATE DEVELOPMENT, LITTLEHAMPTON - COMMUNITY FACILITIES AND S106 FUNDING

REPORT AUTHOR: Joe Russell-Wells – Group Head of Neighbourhoods
DATE: October 2020
EXTN: 37914
PORTFOLIO AREA: Neighbourhood Services

EXECUTIVE SUMMARY:

This report seeks authority to draw down S106 contributions from the Kingley Gate development – ref LU/355/10.

These sums are provided for the management and maintenance of the community facilities including changing facilities, sports pitches, play areas and public open space provided on site and as a contribution for a community building to be delivered by Littlehampton Town Council at Eldon Way, Wick, Littlehampton

RECOMMENDATIONS:

Subject to the various S106 sums being received Cabinet is requested to approve:

1. The drawing down of the following sums to fund the Council's ongoing maintenance commitments on receipt of the sums on transfer of the facilities:
 - Public open space sum £ 334,798 - plus indexation
 - Play areas sums £ 24,000 - plus indexation
 - Playing fields sum £ 24,144.00 – plus indexation
 - Changing facilities sum £16,324 - plus indexationTotal - £399,266 plus indexation
2. Additional annual revenue expenditure of up to £30,000 plus indexation in respect of the Council's maintenance commitments for the public open space areas, play area and changing facilities as outlined in 1 above. This to include the extension of an existing temporary post in the Greenspace service to use the 5% management sum.
3. The transfer of the Community Facilities commuted sum of £263,464.37 (held by ADC) to Littlehampton Town Council by way of a Deed of Agreement toward construction of the replacement community facility building known as the Keystone building at Eldon Way, Littlehampton.

1. BACKGROUND:

The outline planning permission for the Kingley Gate development on the edge of Littlehampton was granted in March 2012 – ref LU/355/10.

A S106 agreement formed part of the permission to deliver various community facilities comprising public open space, sports provision, changing facilities and sums towards a community building. These facilities are provided in accordance with the Council's planning policy.

The facilities listed within the recommendations are being provided on site and are due to be transferred to the Council together with commuted sums. See photographs in Appendix.

2. FUNDING DRAW DOWN

On the transfer of the facilities to the Council these sums (plus any indexation sum) will be credited to the revenue budgets to be used for future maintenance / management of these facilities for the public. The Council's existing grounds maintenance contracts with Tivoli will be extended to allow for the maintenance extending the value for money already received under the contract. The expenditure for the new changing facility is anticipated to be minimal for the first years; the funds will be held over to future years when these sums will be required.

An area of 4.5 hectares of public open space (POS) comprising greenspace and sports pitches, which includes trees and areas of biodiversity interest together with footpaths and a car park are being provided with the development.

A LEAP (Local Equipped Area for Play) is located within the POS comprising of a range of fenced play facilities.

A new four room changing facility has been constructed within the POS with an associated car park which will be used in association with the new sports pitches. The pitches are anticipated to be used for rugby and football.

The sums have been calculated to include a 5% management fee. This sum allows for extending the existing post within the Greenspace service for the management of these new facilities, assisting in the development of Friends Groups and volunteer coordination which plays an important role in integrating the existing and new communities in this part of Littlehampton; this will be paid for entirely through the S106 sums and not at public cost, or cost to the Council.

3. COMMUNITY FACILITIES SUM

A Community Facilities sum was provided as part of the infrastructure contribution for the Kingley Gate development. This sum has been identified for use as a contribution to the replacement of the Keystone building at Eldon Way, Littlehampton.

This project is a partnership scheme between ADC and the Town Council and is subject to an existing Cabinet approval ref. C/022/121118. The report gave authority to finalise the

Deed of Agreement being delegated to the Director of Services, in consultation with the Group Head of Corporate Support to provide a grant sum of £250,000 from the capital programme for this project. The Deed of Agreement is proposed to be used on approval of the Community Facilities sum for transfer to Littlehampton Town Council.

The report seeks approval for the drawing down of these sums for use in revenue, capital and reserve budgets.

2. PROPOSAL(S):

The drawing down of the following funding for expenditure:

1. Public open space areas – £334,798
2. Play area sums - £24,000
3. Of which a sum of £17,940 to be used to extend the existing Greenspace post subject to gaining authority.
4. Playing fields sum - £24,144
5. Changing facilities sum- £16,324
6. All of the above sums will be subject to indexation; approval to take account of this is additionally requested.

The transfer of the Community Facilities sum of £263,464.37 to Littlehampton Town Council by Deed of Agreement toward construction of the replacement community facility building known as the Keystone building at Eldon Way, Littlehampton

3. OPTIONS:

1. To approve the expenditure as set out in the recommendations
2. Not to approve the recommendations

4. CONSULTATION:

The S106 from the original outline application dates from 2010 and has been subject to planning application.

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	Yes	
Relevant District Ward Councillors	Yes	
Other groups/persons (please specify)		No
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	Yes	
Legal	Yes	
Human Rights/Equality Impact Assessment		No

Community Safety including Section 17 of Crime & Disorder Act		No
Sustainability		No
Asset Management/Property/Land	Yes	
Technology		No
Other (please explain)		No

6. IMPLICATIONS:

Financial and Legal – the obligations as out in the S106 detailing the conditions and timescale of funding would be set out in a Deed of Agreement. The proposal to delegate authority to the Director of Services, in consultation with the Group Head of Corporate Support to finalise the Deed of Agreement will allow for a full financial and legal appraisal to be undertaken of the proposal before any funding is transferred.

Asset Management/Property/Land – These commuted sums will enable the future management and maintenance of the POS and associated facilities for the public.

7. REASON FOR THE DECISION:

To approve the transfer of funding into revenue budgets and reserve budgets.

In addition to enable the transfer of the Community Facilities sum contributing to a partnership project meeting several of the objectives set out as the Council's Corporate Plan and Vision 2020 with the aim of providing for a facility for use of residents in one of the districts most deprived wards.

8. EFFECTIVE DATE OF THE DECISION: 25 November 2020

9. BACKGROUND PAPERS:

Remember to list background papers and insert required links:

[Cabinet report ref C/022/121118 12 November 2018 - minute 240 refers](#)