

BABERGH DISTRICT COUNCIL

From: Head of Economy Head of Environment	Report Number: P13
To: Strategy Committee	Date of Meeting: 8 May 2014

HS32 – REVIEW OF ELIGIBILITY CRITERIA

1. Purpose of Report

- 1.1 This report considers the potential to widen the eligibility criteria for expenditure of commuted sums collected against Policy HS32 of the Babergh Local Plan Alteration No.2 (2006). This planning policy allows the collection of monies to mitigate the added burden on small scale recreation facilities as a result of the construction of housing (up to the threshold of 15 dwellings).
- 1.2 The report also reviews the feedback received about the operation of the scheme reviews outcomes of focused activity to spend monies within Parishes through working with those organisations and gives an update on current monies which are committed and those which are currently unspent.

2. Recommendations

- 2.1 That the changes proposed in this report to expand the eligibility criteria for the expenditure of small scale recreation contributions (secured under planning policy HS32) be agreed.
- 2.2 That focused activity by Officers to spend monies in partnership with Parishes and the Table providing details of spent, committed and unspent monies continues and is noted.

The Committee is able to resolve these matters.

3. Financial Implications

- 3.1 There are no financial implications arising directly from the content of this report.

4. Risk Management

- 4.1 There are no significant risks arising directly from the content of this report.

5. Consultations

- 5.1.1 In view of the content of this report consultation has not been undertaken.

6. Equality Analysis

- 6.1 There are no Equality implications arising directly from the content of this report.

7. Shared Service/Partnership Implications

- 7.1 There are no Shared Service/Partnership Implications arising directly from the content of this report as these monies are obtained through Section 106 Planning Obligations arising from the use of Policy HS32 of the Babergh Local Plan Alteration No.2 (2006) relating to small scale recreations contributions for new dwellings (below the threshold of 15 dwellings).

8. Key Information

- 8.1 Policy HS32 is the planning policy against which these contributions are secured. The evidence behind this adopted policy indicates that across the District as a whole, small scale recreation facilities are generally inadequate and that every new dwelling when built and occupied exacerbates that position.
- 8.2 This report does not consider the larger housing schemes (of over 1.5 hectares in size or up to 15 dwellings) as these are assessed against Policy HS31 where on-site provision of recreation facilities is sought (10% of the site area for public open space and provision of play equipment).
- 8.3 In February 2011 the eligibility criteria for determining how funds collected against policy HS32 would be spent was reviewed by Overview and Scrutiny (Community Services Committee – Paper K196 refers). Members agreed to widen the criteria to allow greater flexibility in expenditure (see Appendix A).
- 8.4 Since that time there has been feedback from Members and Parishes stating that the criteria is still too inflexible, the monies should be capable of being spent on Village Halls (including their repair and improvement) and the repair / maintenance of small scale recreation facilities together with general concerns that expenditure is not occurring fast enough.
- 8.5 This report re-examines the eligibility criteria and addresses the feedback received.

Eligibility criteria

- 8.6 The table in Appendix B sets out the current criteria and outlines what monies can be spent on and what the funds cannot be used for (as this would undermine the planning policy that the contribution is sought for).
- 8.7 Examination of the existing criteria reveals that monies can be spent against new play provision or enhancement of existing provision where there is “added value” or new sites for public open space or where new play equipment is being provided or where there is new infrastructure being provided on site (eg drainage, car parking, landscaping).
- 8.8 However replacement of existing play equipment ie like for like is prevented and where there is no or limited added play value. Likewise works “already started” are excluded. Golf is also expressly excluded. These three exceptions have been reviewed and they are limiting for the following reasons:-

- The prevention of expenditure on like for like replacement schemes ignores the fact that when new dwellings and thereby households are introduced into an environment there is added pressure on existing facilities which causes them to become worn out quicker or require more expensive maintenance regimes. The equipment does not have to be in poor condition to require replacement as replacement by modern day standards would be likely to increase play value and better meet current day play demands.
- Payments do not need to be restricted to schemes that are being proposed; those that are already started but incomplete could be eligible under this review although payment of monies towards completed schemes would be prevented as this would not meet the policy requirements (and be very difficult to administer.)
- Golf is expressly prevented under current eligibility criteria as this sport is normally played on private land through Members' clubs whereas Section 106 monies must be spent on public land. However removing it from the list above in the suggested column would allow any public use of land to have golf facilities upon it and those facilities to be eligible for S106 contributions
- The existing criterion does not allow indoor facilities to be eligible. However many Parishes have indoor facilities such as bowls and badminton which are well used. The proposal is to allow these to be included but as the policy relates to small scale recreation facilities these monies could not extend to village hall provision alteration enlargement or repair /maintenance or refurbishment of such buildings or pavilions. This need by communities would need to be met through CIL at a later date as the expenditure would not fall within the terms of Policy HS32.

8.9 The above suggested relaxations would allow more flexibility for expenditure, allow Towns and Parishes to maintain and invest in their existing play facilities both outdoor and indoor in accordance with the terms of the existing planning policy (HS32).

8.10 The comparison table below sets out the existing and new suggested criteria:-

What the monies can be spent on

Existing Criteria (Paper K196 – Feb 2011 refers)	Suggested Changes
For the provision of new public open space with/without play equipment on a nearby alternative site or	Remains the same
To enhance and improve the nearest existing provision (either provided by the District Council or Town/Parish Council as follows:- <ul style="list-style-type: none"> • Provision of play equipment • Provision of a pitched sports area such as tennis courts bowling greens and sports training areas 	To enhance and improve the nearest existing provision (either provided by the District Council or Town/Parish Council as follows:- <ul style="list-style-type: none"> • Remains the same • Remains the same • Remains the same

Existing Criteria (Paper K196 – Feb 2011 refers)	Suggested Changes
<ul style="list-style-type: none"> • Drainage and ground works • Provision of seating areas • Replacement of existing play equipment in poor condition (where this would result in a real upgrade or an addition to the type of facilities available) 	<ul style="list-style-type: none"> • Remains the same • Replacement of existing play equipment
<ul style="list-style-type: none"> • Upgrading access to an area so as to conform to the Disability Discrimination Act 	<ul style="list-style-type: none"> • Upgrading access to an area including so as to conform to the Disability Discrimination Act
<ul style="list-style-type: none"> • Tree and Shrub planting and the provision of waste disposal facilities for existing sites and the provision of car parking for existing Parish/Town/District owned village sites 	<ul style="list-style-type: none"> • Tree and Shrub planting and the provision of waste disposal facilities for existing/new sites and the provision of car parking for existing/new Parish / Town/ District owned village sites
<ul style="list-style-type: none"> • Other facilities or provision as the Council considers eligible under the terms of the relevant Section 106 Obligations(s) 	<ul style="list-style-type: none"> • Remains the same
	<ul style="list-style-type: none"> • Payment of anything already started
	<ul style="list-style-type: none"> • Routine repairs and maintenance of public open space facilities and or play equipment
	<ul style="list-style-type: none"> • Replacement of play equipment on a like for like basis
	<ul style="list-style-type: none"> • Indoor play facilities within Village Halls (e.g such as indoor bowls and badminton)
	<ul style="list-style-type: none"> • Golf facilities providing they are provided on land which is not private but publicly owned or maintained (by Town/Parish or District)

What the monies cannot be used for:-

Existing Criteria	Suggested Changes
<ul style="list-style-type: none"> • Payment of anything already started or completed 	<ul style="list-style-type: none"> • Payment of anything already completed
<ul style="list-style-type: none"> • Routine repairs and maintenance of public open space facilities and or play equipment 	<ul style="list-style-type: none"> • This criteria is retained
<ul style="list-style-type: none"> • Replacement of play equipment on a like for like basis and where there is no or or limited ,added play value 	<ul style="list-style-type: none"> • This criteria is deleted
<ul style="list-style-type: none"> • No indoor facilities (including Village Hall provision) or golf 	<ul style="list-style-type: none"> • No village hall provision alteration enlargement or repair /maintenance or refurbishment of such buildings or pavilions.
<ul style="list-style-type: none"> • Anything not connected with recreation and /or directly related to the impact of development 	<ul style="list-style-type: none"> • Remains the same

Feedback received

8.11 It was agreed that we would work with Parishes and Town Councils when this scheme was first implemented and this work continues. Regular updates are sent to all Parishes with invitations for the submission of schemes to facilitate available expenditure. Some Parishes have also been proactively contacted by Officers where the monies accrued have been significant in order to kick start expenditure. The total sum and expenditures is published on the website although this faltered in October 2012. However regular updates have now been reinstated from January 2014.

8.12 Addressing the feedback through this review the following points are emphasised:-

- The eligibility criteria can be widened as now suggested which addresses the question of inflexibility
- It is correct that the monies cannot be spent on Village Halls (as stated above). However this is because the works would be outside the terms of reference of the planning policy which these contributions are collected under.
- Proactive contact with Town and Parishes continues and has so far allowed schemes as shown in Appendix C to be developed, agreed and/or implemented.

8.13 Since the introduction of this Policy in 2008 Appendix B shows the total amount of monies collected Parish by Parish, the total amount of monies spent , funds that are committed (because a scheme has been approved) and the monies that are unspent and outstanding. It is considered that this report which relaxes the criteria for spend will allow money to be available more widely to Parishes and could result in faster expenditure..

9. Recommendation

9.1 That the suggested changes to the eligibility criteria be agreed.

9.2 That the focused activity with Parishes and Members to make them aware of monies collected committed and available continue with the achievements to date being noted.

10. Appendices

Title	Location
A Copy of Paper K196 prepared for consideration by Strategy which considered the expansion of eligibility criteria to allow expenditure.	Attached
B Current Table for Commuted Sums against Policy HS32 (detailing monies collected committed and unspent)	Attached
C List of Schemes referred to in paragraph 8.12	Attached

11. Background Documents

None.

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BABERGH DISTRICT COUNCIL

FROM: Head of Natural and Built Environment

REPORT NUMBER: **K196**

TO: OVERVIEW AND SCRUTINY (COMMUNITY SERVICES)

DATE OF MEETING: 1 February 2011

RECREATION CONTRIBUTIONS FOR THE PROVISION OF OUTDOOR RECREATION FACILITIES AND OPEN SPACE SECURED FROM DEVELOPERS UNDER SECTION 106 PLANNING OBLIGATIONS UNDER LOCAL PLAN POLICY HS32

1. **PURPOSE OF REPORT**

- 1.1 This report provides an update and proposes changes to the eligibility criteria for expenditure of S106 monies secured under Local Plan policy HS 32 (development sites of up to 1.5ha). This follows concerns raised by Members at Strategy Committee on 13 January.

2. **RECOMMENDATIONS**

- 2.1 That the proposed additions to the eligibility criteria set out in paragraph 6.6 below be adopted.

The Committee is asked to make a recommendation to Strategy Committee on the above matter.

3. **FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications to the Council in respect of the proposals.
- 3.2 However, the proposals in this report should help to accelerate the expenditure of S106 contributions (HS32 only).

4. **RISK MANAGEMENT**

- 4.1 Key risks are set out below:

Risk Description	Likelihood	Seriousness or Impact	Mitigation Measures
Return of unspent monies	Almost impossible	Critical	Expenditure of the Section 106 monies in accordance with robust procedures
Risk of challenge if monies misspent	Almost impossible	Critical	Operation of robust Procedures

5. **EQUALITY AND DIVERSITY IMPACT**

5.1 There are no equality and diversity issues arising from this report.

6. **KEY INFORMATION**

6.1 Planning obligations, are intended to make acceptable development which would otherwise be unacceptable in planning terms. They might be used to prescribe the nature of a development e.g. affordable housing, or to secure a contribution from a developer to compensate for loss or damage created by a development e.g. loss of open space, or to mitigate a development's impact e.g. increased public transport.

6.2 In Babergh the majority of contributions are secured for affordable housing or recreation. On large developments recreation is usually provided "on site" e.g. open space, play equipment. On small developments of less than 1.5 ha recreation is normally provided "off site" under Policy HS32 and the supplementary planning guidance in the form of contributions according to the bedroom size of the dwelling i.e. the more bedrooms, the greater the contribution.

6.3 The implementation of Policy HS 32 commenced in summer of 2008. Babergh's Recreation Contributions Fund process which includes the eligibility criteria approved by Members in 2008 is attached as Appendix 1. The position as at 17 January 2011 for each parish showing S106 contributions under HS32 only is also attached as Appendix 2.

6.4 Since the policy was implemented just over £800,000 has been collected. Of this about £300,000 is either committed, or has already been spent. Officers are working with parish and town councils to spend the remaining sum on appropriate schemes linked to S106.

6.5 Whilst this policy allows parish/town council to be proactive in applying for funding, and being prepared to maintain the recreational facility once provided, Babergh has recently been more proactive and developed some schemes working with parish/town councils to deliver projects e.g. Belle Vue Park.

6.6 Following the discussion at Strategy Committee officers have re-evaluated the approved eligibility criteria in line with evolving national guidance. On this basis and in order to assist with an acceleration of expenditure of the HS32 monies, additions to the eligibility criteria are proposed for consideration by Members as follows:-

- provision of allotments provided they are managed by town/parish councils or vested in an allotment association which exists for community benefit in perpetuity;
- provision of appropriate equipment which will improve or upgrade the leisure usage of parish/town sports and recreation clubs (not necessarily owned by the parish/town council) provided the land on which the equipment is provided is public land or has public access for the benefit of the community in perpetuity;
- car parking subject to it improving access and the quality of recreational provision.

- 6.7 Members are also advised of the existence of Planning Policy Guidance (PPG) No 17 audit recently undertaken by the Council which shows the deficiency in provision in parishes, issues of quality and indicates where funding can be used depending on the type of provision. Proposals submitted under the eligibility criteria will have regard to the audit as this now provides a robust evidence base.
- 6.8 Members are advised that the following other measures are in the course of being implemented with the intention of them being fully in place by 1 April 2011:-
- Improve publicity especially the web site and make the spending summary attached available online. Email parishes quarterly rather than bi-annually with updated funds available and encouraging them to participate.
 - Provide quarterly feedback to Members to advise on activity in their parishes.
 - Advise members and parish/town councils of the results of the PPG 17 audit and that proposals for spend need to have regard to the need identified in the audit.
 - Officers will engage with Glemsford and Long Melford Parish Councils and Hadleigh Town Council where funding available is substantial with a view to agreeing schemes for implementation as soon as possible.

7. **APPENDICES**

Appendix 1 - Eligibility criteria for HS32 spend

Appendix 2 - Project spending on a Parish basis showing funding available for HS32 only

8. **BACKGROUND PAPERS REFERRED TO**

None

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Babergh Recreation Contributions Funds**Summary**

This page contains information on Babergh Recreation Contributions Funds. This includes eligibility, what the funds can and cannot be used for, the application process and Frequently Asked Questions (FAQs)

1. Quick links;

- [Introduction.](#)
- [Who is eligible?](#)
- [What funds can be used for.](#)
- [What funds cannot be used for.](#)
- [The process.](#)
- [Maintenance of completed project.](#)
- [Summary of Policy.](#)
- [How proposals will be processed.](#)
- [FAQs](#)

2. Introduction

The Recreation Contributions present an opportunity for parishes to be involved with the District Council in utilising contributions secured by the authority, for recreation purposes, from developers who have developed property ranging from a single dwelling up to sites of 1.5 hectares. These recreation contributions have been paid over to the Council in order to offset the impact of the development. Whilst it is the responsibility of Babergh District Council to improve the recreational opportunities in the area through these obligations, the Council is keen to engage with parish and town councils to involve local communities in developing such schemes.

3. Who is eligible for funding?

- Town and Parish Council
- Organisations acting on behalf of Town and Parish Councils (eg management committees)
- Babergh District Council

4. Funds can be used

- For the provision of new public open space with/without play equipment on a nearby alternative site or
- To enhance and improve the nearest existing provision (either provided by the District Council or Town/Parish Council) as follows:
 - Provision of play equipment
 - Provision of pitched sports areas such as football, hockey and rugby
 - Provision of non pitched sports areas such as tennis courts, bowling greens and sports training areas
 - Drainage and ground works
 - Provision of seating facilities
 - Replacement of existing play equipment in poor condition (where this would result in a real upgrade or an addition to the type of facilities available)

- Upgrading access to an area to conform to the Disability Discrimination Act
- Tree and shrub planting and the provision of waste disposal facilities for existing sites and the provision of car parking for existing Parish/Town/District owned village sites
- Other facilities or provision as the Council considers eligible under the terms of the relevant Section 106 Obligation(s)

Please note: Projects must meet relevant standards, with play equipment or related items this is primarily EN 1176.

5. Funds cannot be used for

- Payment of anything already started or completed.
- Routine repairs and maintenance of public open space facilities and/or play equipment
- Replacement of play equipment on a like for like basis and where there is no, or limited, added play value
- Indoor facilities (including village hall provision) or golf
- Anything not connected with recreation and/or directly related to the impact of development

6. Process

Babergh District Council will inform Parish Councils on a six monthly basis of the current total available for each parish

Any proposals should be discussed with the District Council prior to any scheme being submitted to:

- Ensure the scheme qualifies for funding
- Determine whether the proposal requires planning permission
- Ensure the proposal meets the Council's protocol relating to distance between play areas and residential properties
- Determine whether the proposal is suitable for the proposed site and the needs of the community
- Scheme to be submitted with competitive quotations where appropriate
- Babergh Ward member to be advised of application for information
- Application will be assessed by council technical officers, decision made and offer made by the Head of Contract and Asset Management
- On completion of the scheme, or an agreed phase of it, inspection to be undertaken by the District Council and, if satisfactory, funding released.

7. Maintenance

- Once the process above is complete, the applicant takes on responsibility for operating and maintaining the recreational facility

8. Policy

- This policy was adopted by Babergh District Council on 31st July 2008. It applies to the allocation of financial contributions received by the Council under the terms of Section 106 Obligations in respect of off-site recreational facilities.

- A contribution secured under a [Section 106 Obligation](#) is paid over to the Council in order to offset the impact of the development. The contribution has to be spent in accordance with the provisions of the Section 106 Obligation and not for any other purpose. The contribution has to be expended by the authority within a fixed period of years as set out in the Obligation, failing which any unspent amount has to be returned with accrued interest. In order to involve fully local communities Babergh District Council will engage with parish and town councils to develop suitable schemes even when Babergh owns the land for which is for recreational purposes. However, it is stressed that first and foremost it is Babergh District Council's responsibility to improve the recreational opportunities in the area through these Section 106 Obligations
- It is the obligation for Babergh District Council to interpret and apply this policy at its sole discretion. The Council's decision on the allocation of Section 106 Obligations for recreational purposes is final.

9. How proposals will be processed

All proposals received will be considered by Babergh District Council against the following criteria:

- Proposals must comply with the policy and eligibility criteria as detailed above
- The proposal must be considered to relate reasonably to the development or developments that provided funding under the [Section 106 Obligation](#). Usually this will be within the same Parish, however, the Council has the discretion to consider exceptions to this, where proposals relate to development the subject of the Section 106 Obligations, but fall outside the Parish boundary
- The level of recreational value afforded by the proposal as tested against a range of questions
- Local Areas of Play, Neighbourhood Equipped Areas of Play and Local Equipped Areas of Play must adhere to the Council's advice for planning a play area. This is particularly relevant for a skateboard park (available from the Open Spaces Section of Babergh District Council).
- Multiple schemes in one parish will have to be prioritised. The parish council will have the opportunity to submit reasons for suggested priorities in such cases
- Where two or more schemes are submitted in close proximity (eg adjoining parishes) the relevant parish councils will be encouraged to work together but ultimately Babergh District Council will use its discretion to determine which scheme or schemes will proceed.

10. Frequently Asked Questions

FAQs will be added to this page as they arise



Planning Obligations Public Open Space Off-Site Project spending by Parish and Case - Summary v2

This report lists by Parish the planning obligation funds; received, available to spend, pre-allocated to projects, allocated to projects under evaluation, allocated to projects which have been approved but not yet paid, allocated to projects which have been approved and paid, and the funds remaining for the parish.

APPENDIX 2

Date: 17 Jan 2011

	Amount Received for Parish	Funds Unavailable	Funds Available to Spend	Funds Pre Allocated	Funds allocated to projects under evaluation	Funds approved but not yet paid	Funds approved and paid	Funds remaining
Acton	£20,454.57	£1,906.00	£18,548.57					
Funds Remaining								£18,548.57
Assington	£5,639.71	£0.00	£5,639.71					
Funds Remaining								£5,639.71
Belstead	£7,536.21	£0.00	£7,536.21					
Funds Remaining								£7,536.21
Bentley	£3,943.09	£0.00	£3,943.09					
Funds Remaining								£3,943.09
Bildeston	£29,420.24	£1,087.00	£28,333.24	£13,000.00		£5,500.00		
Funds Remaining								£9,833.24
Boxford	£5,614.52	£0.00	£5,614.52				£2,784.52	
Funds Remaining								£2,830.00
Brantham	£24,840.48	£0.00	£24,840.48			£6,052.27	£8,522.83	
Funds Remaining								£10,265.38
Brettenham	£1,134.10	£0.00	£1,134.10					
Funds Remaining								£1,134.10

	Amount Received for Parish	Funds Unavailable	Funds Available to Spend	Funds Pre Allocated	Funds allocated to projects under evaluation	Funds approved but not yet paid	Funds approved and paid	Funds remaining
Bures St Mary	£16,656.50	£0.00	£16,656.50	£16,656.50				
Funds Remaining								£0.00
Capel St Mary	£11,007.96	£0.00	£11,007.96					
Funds Remaining								£11,007.96
Chelmondiston	£5,674.14	£0.00	£5,674.14					
Funds Remaining								£5,674.14
Chilton	£9,728.30	£0.00	£9,728.30					
Funds Remaining								£9,728.30
Cockfield	£25,079.42	£0.00	£25,079.42				£13,760.00	
Funds Remaining								£11,319.42
Copdock & Washbrook	£1,984.00	£0.00	£1,984.00					
Funds Remaining								£1,984.00
Great Cornard	£71,423.86	£566.00	£70,857.86			£7,111.00	£16,366.98	
Funds Remaining								£47,379.88
East Bergholt	£21,954.09	£0.00	£21,954.09			£5,248.00		
Funds Remaining								£16,706.09
Elmsett	£1,951.74	£1,906.00	£45.74					
Funds Remaining								£45.74
Glemsford	£63,178.24	£0.00	£63,178.24					
Funds Remaining								£63,178.24

	Amount Received for Parish	Funds Unavailable	Funds Available to Spend	Funds Pre Allocated	Funds allocated to projects under evaluation	Funds approved but not yet paid	Funds approved and paid	Funds remaining
Hadleigh	£94,667.79	£1,132.00	£93,535.79				£8,700.00	
Funds Remaining								£84,835.79
Harkstead	£1,134.79	£0.00	£1,134.79					
Funds Remaining								£1,134.79
Hartest	£15,436.74	£0.00	£15,436.74					
Funds Remaining								£15,436.74
Hintlesham	£19,202.58	£1,984.00	£17,218.58				£10,006.00	
Funds Remaining								£7,212.58
Hitcham	£11,385.54	£0.00	£11,385.54				£11,385.54	
Funds Remaining								£0.00
Holbrook	£9,282.01	£3,522.00	£5,760.01					
Funds Remaining								£5,760.01
Kersey	£6,226.00	£0.00	£6,226.00				£2,830.00	
Funds Remaining								£3,396.00
Lavenham	£1,136.11	£0.00	£1,136.11					
Funds Remaining								£1,136.11
Lawshall	£12,852.58	£2,830.00	£10,022.58				£5,949.03	
Funds Remaining								£4,073.55
Layham	£8,379.00	£0.00	£8,379.00				£5,660.00	
Funds Remaining								£2,719.00

	Amount Received for Parish	Funds Unavailable	Funds Available to Spend	Funds Pre Allocated	Funds allocated to projects under evaluation	Funds approved but not yet paid	Funds approved and paid	Funds remaining
Leavenheath	£11,088.26	£0.00	£11,088.26				£5,000.00	
Funds Remaining								£6,088.26
Long Melford	£82,831.93	£2,830.00	£80,001.93					£80,001.93
Funds Remaining								£80,001.93
Monks Eleigh	£6,622.55	£0.00	£6,622.55				£2,985.00	£3,637.55
Funds Remaining								£3,637.55
Nayland with Wissington	£4,903.66	£0.00	£4,903.66					£4,903.66
Funds Remaining								£4,903.66
Nedging with Naughton	£6,720.00	£0.00	£6,720.00					£6,720.00
Funds Remaining								£6,720.00
Newton	£2,039.61	£0.00	£2,039.61				£2,039.61	£0.00
Funds Remaining								£0.00
Polstead	£0.00	£0.00	£0.00					£0.00
Funds Remaining								£0.00
Raydon	£5,438.00	£0.00	£5,438.00				£5,438.00	£0.00
Funds Remaining								£0.00
Shimpling	£11,304.21	£0.00	£11,304.21				£5,725.21	£5,579.00
Funds Remaining								£5,579.00
Shotley	£11,425.28	£0.00	£11,425.28					£11,425.28
Funds Remaining								£11,425.28

	Amount Received for Parish	Funds Unavailable	Funds Available to Spend	Funds Pre Allocated	Funds allocated to projects under evaluation	Funds approved but not yet paid	Funds approved and paid	Funds remaining
Sproughton	£20,092.43	£0.00	£20,092.43					
Funds Remaining								£20,092.43
Stoke by Nayland	£1,984.00	£0.00	£1,984.00			£1,984.00		
Funds Remaining								£0.00
Stratford St Mary	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Stutton	£8,670.19	£1,174.00	£7,496.19				£7,496.19	
Funds Remaining								£0.00
Sudbury	£126,371.05	£2,720.00	£123,651.05	£7,000.00		£94,843.82	£10,797.25	
Funds Remaining								£11,009.98
Great Waldingfield	£2,935.00	£2,935.00	£0.00					
Funds Remaining								£0.00
Wattisham	£1,984.00	£0.00	£1,984.00					
Funds Remaining								£1,984.00
Whatfield	£2,826.90	£0.00	£2,826.90					
Funds Remaining								£2,826.90
Woolverstone	£2,719.00	£0.00	£2,719.00			£1,500.00		
Funds Remaining								£1,219.00

Total Amount Received	Funds Unavailable	Funds Available to Spend	Funds Pre Allocated	Funds allocated to projects under evaluation	Funds approved but not yet paid	Funds approved and paid	Funds remaining
£816,880.38	£24,592.00	£792,288.38	£36,656.50	£0.00	£122,239.09	£125,446.16	£507,946.63



Planning Obligations (Section 106 Agreements) Recreation Contributions (Policy HS32) Public Open Space Off-site

Date of report: 29 Apr 2014

Funds Status as of 29 Apr 2014

This report lists by Parish/Town Council the current status of the Recreation Contribution funds received by the Council for expenditure on public open space off-site to the development. Go to the last page of the report for a glossary of the terms used.

N.B. ONLY PARISHES/TOWNS WHICH HAVE RECEIVED FUNDS UNDER PLANNING OBLIGATIONS ARE LISTED HERE, IF YOUR PARISH/TOWN NAME IS NOT SHOWING, THIS MEANS THAT NO PLANNING OBLIGATIONS FUNDS HAVE BEEN RECEIVED FOR YOUR PARISH/TOWN

	Amount Received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
Acton	£32,371.57	£0.00	£32,371.57				£18,419.00	
Funds Remaining								£13,952.57
Aldham	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Assington	£12,295.16	£0.00	£12,295.16					
Funds Remaining								£12,295.16
Belstead	£10,196.78	£0.00	£10,196.78					
Funds Remaining								£10,196.78
Bentley	£6,194.09	£0.00	£6,194.09					
Funds Remaining								£6,194.09
Bildeston	£35,878.58	£0.00	£35,878.58			£108.82	£35,769.76	
Funds Remaining								£0.00

	Amount Received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
Boxford	£16,127.61	£0.00	£16,127.61				£2,784.52	
Funds Remaining								£13,343.09
Brantham	£30,026.75	£0.00	£30,026.75				£26,930.75	
Funds Remaining								£3,096.00
Brent Eleigh	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Brettenham	£3,385.10	£0.00	£3,385.10					
Funds Remaining								£3,385.10
Bures St Mary	£17,275.50	£0.00	£17,275.50	£5,000.00				
Funds Remaining								£12,275.50
Burstall	£5,513.00	£0.00	£5,513.00					
Funds Remaining								£5,513.00
Capel St Mary	£16,606.29	£0.00	£16,606.29				£5,659.16	
Funds Remaining								£10,947.13
Chelmondiston	£7,867.54	£0.00	£7,867.54				£7,867.54	
Funds Remaining								£0.00
Chelsworth	£3,361.39	£0.00	£3,361.39					
Funds Remaining								£3,361.39
Chilton	£9,728.30	£0.00	£9,728.30					
Funds Remaining								£9,728.30

	Amount Received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
Cockfield	£28,639.18	£0.00	£28,639.18				£26,303.83	
Funds Remaining								£2,335.35
Copdock & Washbrook	£11,409.95	£0.00	£11,409.95				£2,097.80	
Funds Remaining								£9,312.15
Great Cornard	£113,179.88	£5,985.00	£107,194.88		£35,000.00		£23,477.98	
Funds Remaining								£48,716.90
East Bergholt	£57,000.81	£0.00	£57,000.81				£5,042.00	
Funds Remaining								£51,958.81
Edwardstone	£2,568.00	£0.00	£2,568.00					
Funds Remaining								£2,568.00
Elmsett	£1,993.70	£0.00	£1,993.70				£1,993.70	
Funds Remaining								£0.00
Freston	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Glemsford	£86,186.42	£0.00	£86,186.42				£51,446.69	
Funds Remaining								£34,739.73
Hadleigh	£135,421.80	£7,431.00	£127,990.80			£2,500.00	£108,616.92	
Funds Remaining								£16,873.88
Harkstead	£1,134.79	£0.00	£1,134.79					
Funds Remaining								£1,134.79

	Amount Received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
Hartest	£15,436.74	£0.00	£15,436.74					
Funds Remaining								£15,436.74
Hintlesham	£25,857.53	£0.00	£25,857.53				£10,006.00	
Funds Remaining								£15,851.53
Hitcham	£24,772.22	£0.00	£24,772.22				£11,385.54	
Funds Remaining								£13,386.68
Holbrook	£21,961.40	£0.00	£21,961.40					
Funds Remaining								£21,961.40
Holton St Mary	£5,462.00	£0.00	£5,462.00					
Funds Remaining								£5,462.00
Kersey	£6,312.31	£0.00	£6,312.31				£6,312.31	
Funds Remaining								£0.00
Lavenham	£13,191.89	£1,967.00	£11,224.89					
Funds Remaining								£11,224.89
Lawshall	£39,234.43	£2,935.00	£36,299.43				£16,949.03	
Funds Remaining								£19,350.40
Layham	£8,379.00	£2,719.00	£5,660.00				£5,660.00	
Funds Remaining								£0.00
Leavenheath	£22,259.59	£2,251.00	£20,008.59				£5,000.00	
Funds Remaining								£15,008.59

	Amount Received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
Lindsey	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Long Melford	£106,261.47	£9,252.00	£97,009.47			£387.50	£52,475.00	
Funds Remaining								£44,146.97
Milden	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Monks Eleigh	£6,676.84	£0.00	£6,676.84				£6,676.84	
Funds Remaining								£0.00
Nayland with Wissington	£6,251.80	£0.00	£6,251.80					
Funds Remaining								£6,251.80
Nedging with Naughton	£6,833.05	£0.00	£6,833.05				£6,833.05	
Funds Remaining								£0.00
Newton	£9,515.61	£0.00	£9,515.61				£2,039.61	
Funds Remaining								£7,476.00
Pinewood	£16,393.10	£0.00	£16,393.10					
Funds Remaining								£16,393.10
Polstead	£2,251.00	£0.00	£2,251.00					
Funds Remaining								£2,251.00
Preston st Mary	£2,975.39	£0.00	£2,975.39					
Funds Remaining								£2,975.39

	Amount Received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
Raydon	£13,008.70	£0.00	£13,008.70				£5,438.00	
Funds Remaining								£7,570.70
Shimpling	£11,304.21	£0.00	£11,304.21				£5,725.21	
Funds Remaining								£5,579.00
Shotley	£24,702.49	£0.00	£24,702.49			£2,370.00		
Funds Remaining								£22,332.49
Sproughton	£34,909.38	£3,211.00	£31,698.38				£15,000.00	
Funds Remaining								£16,698.38
Stanstead	£3,932.00	£3,313.00	£619.00					
Funds Remaining								£619.00
Stoke by Nayland	£3,139.26	£0.00	£3,139.26				£1,984.00	
Funds Remaining								£1,155.26
Stratford St Mary	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Stutton	£10,000.78	£0.00	£10,000.78				£7,496.19	
Funds Remaining								£2,504.59
Sudbury	£187,551.04	£1,284.00	£186,267.04	£62,525.39			£123,741.65	
Funds Remaining								£0.00
Tattingstone	£5,484.00	£0.00	£5,484.00					
Funds Remaining								£5,484.00

	Amount Received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
Thorpe Morieux	£0.00	£0.00	£0.00					
Funds Remaining								£0.00
Great Waldingfield	£4,067.00	£0.00	£4,067.00					
Funds Remaining								£4,067.00
Little Waldingfield	£6,227.00	£3,976.00	£2,251.00					
Funds Remaining								£2,251.00
Wattisham	£3,101.39	£0.00	£3,101.39					
Funds Remaining								£3,101.39
Whatfield	£7,318.78	£0.00	£7,318.78				£7,052.78	
Funds Remaining								£266.00
Wherstead	£3,360.06	£0.00	£3,360.06					
Funds Remaining								£3,360.06
Woolverstone	£14,331.00	£0.00	£14,331.00				£1,500.00	
Funds Remaining								£12,831.00

Amount received for Parish/Town	Funds held in a reserve account	Funds available to Spend	Funds pre allocated to projects	Funds allocated to projects under	Funds allocated to approved projects but	Funds paid out to approved projects	Funds left to spend for Parish/Town
£1,314,712.48	£44,324.00	£1,270,388.48	£67,525.39	£35,000.00	£5,366.32	£607,684.86	£554,811.91

GLOSSARY OF TERMS USED IN THIS REPORT

Planning Obligations (Section 106 Agreements): Planning Obligations or Section 106 Agreements are legal agreements between the applicant of a planning application, the District Council (and any other affected landowner). They are drawn up when it is considered that a development will have negative impacts on the local area that cannot be mitigated by means of conditions attached to the planning permission. Planning obligations aim to mitigate any negative impact of a development and balance the extra pressure created by new development, with improvements to the surrounding area to ensure that wherever possible, a development makes a positive contribution to the local area and community. These may also be known as planning gain, planning benefits or community benefits.

Recreation Contributions (Policy HS32) - Public Open Space off-site: This policy was adopted by Babergh District Council on 31st July 2008 and amended in February 2011. It applies to the allocation of financial contributions received by the Council under the terms of Section 106 Obligations in respect of off-site recreational facilities. These recreation contributions have been paid over to the Council in order to offset the impact of the development. Whilst it is the responsibility of Babergh District Council to improve the recreational opportunities in the area through these obligations, the Council is keen to engage with town and parish councils to involve local communities in developing such schemes. Funds secured under obligations are not normally paid to the council until the said development has commenced.

Amount received for Parish/Town: This column shows the total amount of money received by the Council from the developer/applicant.

Funds held in a reserve account: This column shows money received in advance of the development commencing, the Council will hold these funds in a reserve account until development commences, in accordance with the terms of most planning obligations.

Funds available to spend: This shows the amount received less any funds held in a reserve account, and is the actual amount which can be spent within the parish/town.

Funds pre-allocated to projects: This column shows money which has been pre-allocated to potential projects by the Open Space Team, for more information, contact a member of the Open Space Team.

Funds allocated to projects under evaluation: This column shows money allocated to projects which are being evaluated by the Open Space Team, for eligibility and suitability.

Funds allocated to approved projects but not yet paid: Monies which has been allocated to projects that have passed the eligibility and suitability criteria but which have not been fully completed and subsequently paid for are show in this column.

Funds paid out to approved projects: Money which has been paid out to the relevant contractors on completed projects will show in this column.

Funds left to spend for Parish/Town: This column shows the amount received, less any money allocated to or spent on projects, and so shows the current amount of money left to spend in the Parish/Town.

APPENDIX C

Parish	Project	value	date (paid)	Comments
Glemsford	New Play areas at Kings Road and Schoolfields	£51,447	03/12/2012	applied for by Parish Council but with input prior to application by BDC staff
Hadleigh	Calais Street – multi games area with goal target wall, seating etc	£24,994	04/05/2012	applied for by BDC Open Spaces Dept following extensive consultation in conjunction with HTC
Hadleigh	Easthouse Meadow Play Area – upgrading facilities	£50,000	19/07/2012	applied for by BDC Open Spaces Dept following extensive consultation in conjunction with HTC
Hadleigh	Timperley Road	£16,993	05/08/2013	applied for by HTC with advice from BDC staff and using information provided by the consultation exercise above
Sudbury	Belle Vue Park Upgrades/new equipment/improvement to skateboard ramp	£98,122	25/11/2011	applied for by BDC Open Spaces dept with consultation and liaison with STC
Sudbury	Belle Vue Park – provision of the current balance of S106 funds for Sudbury has been put aside for further skatepark improvements	£62,000	current funds	to be used by BDC with consultation/liaison with sudbury Town Council
	Total	£303,556		