

**STROUD DISTRICT COUNCIL**  
**STRATEGY AND RESOURCES**

**AGENDA**  
**ITEM NO**

**12 APRIL 2018**

**13**

<b>Report Title</b>	<b>Littlecombe Section 106 Unilateral Undertaking Community Facilities Contribution</b>
<b>Purpose of Report</b>	To agree the allocation of funding for community facilities from the Littlecombe section 106 agreement
<b>Decision(s)</b>	<p><b>The Committee <u>RESOLVES</u> to:</b></p> <p><b>1. Allocate the £355,000 Community Facilities Contribution to which the report refers, as follows:</b></p> <p style="padding-left: 40px;">a) £200,000 to The Chantry Centre b) £35,000 to Dursley Tabernacle c) £25,000 GL11 Community Hub d) £95,000 Dursley Community Centre</p> <p><b>2. Delegate authority to the Director of Development Services in consultation with the Chair and Vice Chair to agree amendments to the allocations if the relevant recipient scheme(s) are unable to proceed.</b></p>
<b>Consultation and Feedback</b>	Both Cam Parish Council and Dursley Town Council have been involved in considering bids for the funding as set out in the report.
<b>Financial Implications and Risk Assessment</b>	<p>The allocation of the contribution identified in the S106 deed is set out in the decision box. Paragraphs 5 and 6 of the report sets out the conditions around the S106 deed including a payback obligation and the trigger point for the developer to release the s106 contribution.</p> <p>The Council cannot forward fund these projects from its own limited resources, given the conditions around the release of the payment from the developer. If the 194<sup>th</sup> dwelling is not completed, no s106 contribution would be received.</p> <p>David Stanley – Accountancy Manager Tel: 01453 754100 Email: <a href="mailto:david.stanley@stroud.gov.uk">david.stanley@stroud.gov.uk</a></p>

<b>Legal Implications</b>	<p>Legal advice has been provided on the correct interpretation of the deed.</p> <p>Craig Hallett, Solicitor &amp; Deputy Monitoring Officer  Tel: 01453 754364  Email: <a href="mailto:craig.hallett@stroud.gov.uk">craig.hallett@stroud.gov.uk</a>  (Ref: r16.3c21.3d29.3)</p>
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<b>Options</b>	<p>It is for the District Council to determine the allocation of funding for the projects identified in the Section 106 Unilateral Undertaking.</p>
<b>Performance Management Follow Up</b>	<p>The District Council will ultimately need to establish that the funding has been spent in accordance with the requirements of the Section 106 Unilateral Undertaking or risk the potential that the money is returned to the developer.</p>
<b>Background Papers/ Appendices</b>	<p>None</p> <p><b>Appendix A</b> - All projects identified in the Unilateral Undertaking for which bids were made to Dursley Town Council or Cam Parish Council</p> <p><b>Appendix B</b> - Project outlines</p>

## Introduction and Background

1. The Littlecombe development is covered by two planning applications relating to two delivery phases. The first planning permission granted in July 2008 included provision for up to 600 dwellings and was conditional on a 'Section 106 Deed'. This document required the developer to build a 'Community Hall Building' within the site. Stroud District Council granted another planning permission in May 2016, part of which included an outline permission for 282 dwellings. Further assessment of existing community facilities near the development indicated that the social and recreational needs of the Littlecombe residents would be better met by improving the quality of the existing community facilities and not adding an additional facility.
2. Consequently, the second planning permission was granted subject to a requirement to replace the new community hall facility on the site with a financial contribution of £355,000 to be used by Stroud District Council for alternative off-site community facilities including:
  - Upgrading the facilities at the Dursley Community Centre, Listers Hall, Chantry Centre and Kingshill House
  - Improve the accessibility of the Tabernacle
  - Provision of a new lift at the Dursley Town Hall
  - Refurbishment of the Woodfields Youth and Community Hall
  - A new floor/facilities at Winterbottom Hall

- Refurbishment of the Holywell Community Orchard
- Update and improve the GL11 community building at Cam / Upgrading and improving the facilities at Ashmead Hall at Cam
- Providing facilities at the Rackleaze Nature Reserve; and
- Upgrading the facilities at Everlands Scout Hut near Cam

### Allocation of the Funds

3. Notwithstanding the legal undertaking giving the District Council the sole discretion in prioritising how the fund should be spent, at the request of SDC, Dursley Town Council and Cam Parish Council invited proposals relating to the above projects and formed assessment panels to review the applications received. Each took in to account the merits of the individual projects, ability to satisfy the planning criteria and meet the recreational and social needs of the Littlecombe residents, accessibility issues, financial soundness, facility management and governance.
4. Both Dursley Town Council's and Cam Parish Council have since each set out how they consider the fund is allocated, as outlined below:

<b>Project</b>	<b>Dursley Town Council Recommendations</b>	<b>Cam Parish Council Recommendations</b>
Chantry Centre	£200,000	£222,800
Kingshill House	Nil	£50,000
Dursley Tabernacle	Nil	£50,000
GL11 Community Hub	£20,000	£32,200
Dursley Community Centre	£100,000	Nil
Emergency Contingency	£35,000	Nil

5. The S106 Unilateral Undertaking contains a payback obligation which only applies to any part of the contribution "unspent and unallocated" within a period of 5 years of the date of the deed (23<sup>rd</sup> May 2016). Therefore, if the money is spent or allocated within five years of the deed, the two conditions (not to spend and not to allocate) are unmet, thus no repayment would be triggered. In resolving the recommendations the council would be allocating the money and thereby removes the risk of the payback trigger be activated.
6. As agreed by the Council, the timing for payment of the £355,000 by St Modwen is prior to completion of the 194<sup>th</sup> Dwelling. It is currently expected that the 194<sup>th</sup> dwelling will be constructed between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020. The fact that the Council has not yet received the money does not mean that it is unable to allocate the money. Nevertheless, as the agreed timing for the payment may cause some challenges for some recipients, officers will be approaching St Modwen to encourage earlier payment.

## Issues for Consideration and Recommendation

7. Although the Council has complete discretion in terms of how the money is distributed between the identified projects in the deed and is not bound by the recommendations coming from the town and parish councils, the work undertaken by them in adding shape and priority to the list of projects outlined in the S106 Deed, has been helpful. However there remains a divergence in views between the Parish and Town Councils. The full list of projects submitted for consideration is set out in appendix A and project outlines at appendix B.
8. There is broad agreement concerning funding for the Chantry Centre (£200K). Given the nature of the facility and its location it is well placed to support the needs of the Littlecombe community. The split of funding between the three other prioritised projects is intended to be an equitable split between the schemes. Provision has been made in recommendation 2 for this split to be adjusted in the event the identified projects are unable to proceed for any reason.
9. While not being supported for funding by Dursley Town Council, Kingshill House is also a well-recognised and well placed community facility and was designated as an asset of community value by the Town Council. Cam Parish Council where supportive of a contribution towards Kingshill House. Subsequent to the views of the Town and Parish Councils being expressed, the District council has made an additional provision of £100,000 towards the facility in its 2018/2019 budget and therefore removes the need to fund the facility from the 106 monies.

## Appendix A

### All projects identified in the Unilateral Undertaking for which bids were made to Dursley Town Council or Cam Parish Council

<b>Project No.</b>	<b>Project Name</b>	<b>Amount Requested</b>	<b>Total Project Costs</b>	<b>% of total costs</b>
1.	Dursley & District Community Centre	£114,200	£120,000	95%
2.	The Chantry Centre (aka. Listers Hall)	£325,000	£652,000	50%
3.	Kingshill House	£150,000	£150,000	100%
4.	Dursley Tabernacle	£212,451	£288,751	74%
5.	Youth & Community Centre (Woodfields)	£102,300	£98,000	104%
6.	Arthur Winterbotham Memorial Hall	£120,000	£120,000	100%
7.	Holywell Community Orchard	£25,000	£25,000	100%
8.	GL11 Community Hub	£32,195	£82,195	39%
9.	Ashmead Village Hall	£9,143	£13,143	69%
10.	Rackleaze Nature Reserve	£69,200	£69,200	100%
11.	Everlands Scout Hut	£7,500	£15,090	50%
	<i>Total Amount Requested</i>	£1,166,989		
	<i>Total Amount Available</i>	£355,000		

## **Appendix B**

### **Project outlines**

#### **1. Dursley Community Centre**

Dursley Community Centre is a multi-use community venue hosting over 30 recreational groups of all ages. It is one of the closest community venues nearest to the Littlecombe development. The project proposal is to create a new separate entrance and porch, together with the refurbishment of the main hall and Lister Lounge, complete external and internal fabric repair and redecoration to the Walker Room, refurbishment and re-configuration of the toilets, and refurbishment of the centre manager's office.

#### **2. Chantry Centre – (Listers Hall)**

A key consideration in the Littlecombe planning application and revision of the S106/UU based on a needs and demand study. The centre is located within easy walking distance of the Littlecombe site and is a multi-use community hub catering for activities of all kinds, with potential to expand its usage and activity. Its flexible space offers scope for a wide range of community activities from large theatre performances to weddings. A complete redesign of the internal area will support the growth in activities and anticipated footfall. The focus of the application is to completely redevelop the front foyer and access.

#### **3. Kingshill House**

The Kingshill House Trust is working to acquire the freehold interest from SDC and becoming self sufficient. In order to do this, the building must be upgraded to be able to continue to cater for current users and enhance the facilities to accommodate a projected increase in usage. A comprehensive improvement programme proposes to remodel rooms, create new storage (to free up other more accessible rooms on lower levels for new activities), creating expanded dance provision in the Littleford Room by upgrading the floor, new toilet and shower facilities, development of new studios, upgrading lift, external improvements to windows and rain water systems and a full kitchen refurbishment to allow cookery classes. Kingshill House is within easy walking distance of Littlecombe and has significant growth potential. It was recently added to the Register of Assets of Community Value at the request of Dursley Town Council.

#### **4. Dursley Tabernacle**

The historic nature of the site makes for a complex layout, which is 'zoned' into 5 areas; 1) Dursley Youth Centre 2) main church sanctuary 3) community rooms 4) Upper Hall and adjacent rooms 5) Upper Parsonage. The Upper Parsonage area is the favoured direction for funding as a complete redesign of the external area will create whole new external access opportunities. Previously restricted areas will be made available by removing boundary walls and adding new path ramp links to the local area. This part of the site has identified potential for offering additional community facilities especially for specialist support provision for vulnerable groups and family services. With the exception of the main church area (not recommended for funding) all other

rooms are open and already used for a variety of non-faith activities and help serve niche social needs.

### **5. Cam Youth & Community Centre (Woodfields)**

The project proposes the construction of new activity room with access to open area, complete with disabled toilets, ICT suite & storage. Current space is restricted and limits the facilities potential for growth. The new room extension and upgraded facilities would allow for increased accessibility, usage and income. This is the only specialist youth centre in Cam and is well regarded for its support provision for young carers.

### **6. Arthur Wintherbotham Memorial Hall**

The Memorial Hall is well used and highly regarded locally. The project proposals seek to 1) replace the floor in main hall which is becoming dangerous 2) create technically suitable stage facility for performing arts 3) provide an improved side entrance corridor and reception 4) upgrade storage and replace the asbestos roof improving safety. The new side entrance and reception would allow further rooms to be used when the main hall is in use, currently the buildings full potential is unmet due to the restrictive layout which they wish to improve.

### **7. Holywell Orchard**

Improvements to an area of public open space within Cam. The project proposes a visitor pressure management scheme to help protect site and improve public accessibility, including works to improve paths, walkways and drainage. The land is owned by SDC and the project would be delivered in partnership with the Stroud Valleys Project, with plans for public engagement and events.

### **8. GL11 Community Hub**

The building is leased by a community partnership to who deliver a wide range of educational, social and support services. They have an excellent reputation for their work helping groups of vulnerable people and from the most disadvantaged and deprived areas. The design of the building isn't well suited for growing and changing needs, and improvements to accessibility especially in the form of a new Lift to the first floor is urgently needed. Upgrading the heating system (changing from oil to gas) is also a key priority.

### **9. Ashmead Village Hall**

Ashmead Village Hall offers flexible multi-use space one mile from Littlecombe, on the edge of Cam. It is visited by people of a wider area for specific activities such as WI and party hire. The Hall is in need of a replacement of roof and they are interested in installing solar panels to help lower energy bills and generate possible income.

### **10. Rackleaze Wetland Nature Reserve**

The project seeks to improve access for local people to a special area of wildlife interest in Cam. The work will be undertaken by both professional contractors and volunteers, creating boardwalks, footpath improvements, a new pond with pond-dipping platform, bridge improvements, gates, benches

and wildlife improvement areas. Facilities will all be suitable for visitors of all ages and abilities, including people with disabilities.

### **11. Everlands Scout Hut**

Everlands Scout Hut currently has asbestos roof which leaks badly. This limits the buildings usage and ability to open its doors to other groups. This project will be to fully replace the roof and guttering, thus making the building safer and more comfortable. Current users will benefit, but with these improvements it is anticipated the building could then be offered for other groups especially more clubs for young people. The Scout Association have said match funding could be found to support project delivery if some additional funding could kick-start the project.