



North Devon Council

Report Date: Monday, 4th September 2023

Topic: Approval & Release of S106 Public Open Space Funds - Fremington

Report by: Head of Environmental Enhancement

1. INTRODUCTION

1.1. This report seeks to allocate S106 public open space funds to two projects in the Fremington ward.

2. RECOMMENDATIONS

2.1. That Strategy and Resources Committee allocates:

2.2. £55,215 to Fremington Parish Council for the replacement of play equipment at Ellerslie Road play area

2.3. £39,868 to Fremington Parish Council towards the replacement of play equipment at Beechfield

2.4. Subject to approval of 2.1, 2.2 and 2.3 above, that Strategy and Resources Committee recommends Council vary the capital programme by £95,083 and that funds be released subject to a funding agreement upon such terms and conditions as may be agreed by the Senior Solicitor for external projects.

3. REASONS FOR RECOMMENDATIONS

3.1. To allocate funds in line with the requirement of S106 agreements.

3.2. To protect and enhance public open space.

4. REPORT

4.1. Over recent years, Fremington Parish Council has had to remove several pieces of play equipment from the Ellerslie Road play area due to its old age and poor condition. The remaining equipment is old and also in need of replacement. There is a high demand for the play area, as recently demonstrated by a group of pupils from Sticklepath School approaching NDC Councillors and asking for the equipment to be replaced.

4.2. Fremington Parish Council has received and produced written quotes from a supplier to replace this equipment and requested that this is funded using S106 Public Open Space Funds.

4.3. Similarly, equipment at Beechfield Play Area is in need of refurbishment and replacement. The last time a similar overhaul was undertaken here was 10 years ago in 2013, so Parish Council Committee members have again requested a contribution for this scheme from S106 Public Open Space funds. The Parish Council will part fund this project itself.

5. RESOURCE IMPLICATIONS

5.1. Replacement of play equipment at Ellerslie Road Play Area – Fremington Parish Council

Financial – Total Project Cost £55,215

It is proposed the £55,215 is funded from the S106 capital budget from the following sources:

Development Description	Application No	Amount
50 Oakland Park South, Sticklepath	64203	£55,215

5.2. Refurbishment and replacement of play equipment at Beechfield Play Area – Fremington Parish Council

Financial – Total Project Cost £66,927.12

It is proposed that £39,868 is funded from the S106 capital budget from the following sources:

Development Description	Application No	Amount
Land South of Yelland Road	50265	£39,868

Any shortfall or overspend will be met by Fremington Parish Council.

6. EQUALITIES ASSESSMENT

6.1. There are not any equalities implications anticipated as a result of this report.

7. ENVIRONMENTAL ASSESSMENT

7.1. Environmental Assessment completed and sent to the Sustainability and Climate Change Officer.

8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: No Impact

8.1.2. Improving customer focus: Allocation of S106 Public Open Space funds to these projects benefits the local community by enhancing the local environment with up to date play spaces.

8.1.3. Regeneration or economic development: Positive impact by improving the local area's play facilities.

9. CONSTITUTIONAL CONTEXT

9.1. Part 3 Annexe 1 paragraph 1, Delegated



9.2. Article 4, referred

10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

None

12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Mark Kentell, Head of Environmental Enhancement