



North Devon Council

Report Date: Monday, 7 April 2025

Topic: Approval and release of S106 Public Open Space Funds - Chulmleigh

Report by: Richard Slaney, Parks, Leisure and Public Open Space Officer

1. INTRODUCTION

1.1. This report seeks to allocate S106 public open space funds to a project in Chulmleigh.

2. RECOMMENDATIONS

- 2.1. That Strategy and Resources allocates £36,935.60 to Chulmleigh Parish Council towards the cost of delivering improvements at Red Lion Corner.
- 2.2. To consider the outcomes of the Equality Impact Assessment as summarised in paragraph 6 of the report.
- 2.3. Subject to the approval of 2.1 and consideration of 2.2, that Strategy and Resources Committee recommends Council vary the capital programme by £36,935.60 and the funds be released subject to a funding agreement upon such terms and conditions as may be agreed by the Senior Solicitor and Monitoring Officer for external projects.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To allocate funds in line with the requirement of the S106 agreement.
- 3.2. To protect and enhance public open space.

4. REPORT

- 4.1. Chulmleigh Parish Council have outlined plans to provide public realm improvements at Red Lion Corner, Chulmleigh, EX18 7DD. These improvements will include the provision of a shelter, planters, seating and cycle stand.
- 4.2. This report seeks to allocate Chulmleigh Parish Council £36,935.60 towards the total project cost of £41,230.60. Chulmleigh Parish Council will fund the shortfall.

5. RESOURCE IMPLICATIONS

5.1. The total cost of delivering this scheme is £41,230.60. It is proposed that £36,935.60 be funded from the following source:

Development Description	Application No	Amount
Land of Leigh Road, Chulmleigh	56158	£36,935.60

5.2. The shortfall in project costs are to be funded by Chulmleigh Parish Council.



6. EQUALITIES ASSESSMENT

6.1. Red Lion Corner is an open area of public open space where individuals can access either on foot, bike or by mobility scooters and wheelchairs. There is no restriction as to who can use the open space. Chulmleigh Parish Council want to encourage use of the area as a communal public area to enable a place for people to congregate, get out of their houses and socially interact.

7. ENVIRONMENTAL ASSESSMENT

7.1. The project has been designed to minimise the impact on the natural environment and increase planting.

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: the allocation of the S106 Public Open Space funds for these projects provides benefit to the local community and enhances the facility provision.

8.1.3. Regeneration or economic development: the projects will use local suppliers where possible and provide investment in local public assets.

9. CONSTITUTIONAL CONTEXT

9.1. Save as provided in paragraph 9.2 below, the decision in respect of the recommendations in this report can be made by this Committee pursuant to delegated powers provided in paragraph 1 of Annexe 1 to Part 3 of the Constitution.

9.2. As noted in the report, the power to decide on one or more of the recommendations in this report is reserved to Council pursuant to Article 4.4 and as such the recommendation must be referred to Council to ratify.

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

The following background papers were used in the preparation of this report:

* S106 Public Open Space Expression of Interest Form Chulmleigh Parish Council (February 2025).



12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Richard Slaney , Leisure and S106 Public Open Space Officer.