

EXECUTIVE DECISION RECORD
Officer

REF No: EDR.51/23

A1 Service Area	Planning
A2 Title	S106 Financial Contributions relating to P/2012/00636 Land to South of Forest School Street, Rolleston on Dove Schedule 6 Community Facilities Contribution
A3 Decision Taken By	Chief Officer
A4 Chief Officer	Please print name: Thomas Deery Please sign name: Thomas Deery (Approval by 23/10/23)
A5 Leader / Deputy Leader consulted?	Please print name: Councillor Rob Hawkins Please sign name: Councillor Rob Hawkins (Approval by email 24/10/23)
A6 Date of Decision	24 th October 2023

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	N/A

Conflict of Interest

Are there any conflicts of interest to declare? No (*please delete as appropriate*)

(If "Yes" please contact the Chief Executive before making the Decision. A note of dispensation should be attached).

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to? *(Please tick as appropriate)*

Scrutiny (Value for Money Council) Committee

Scrutiny (Regeneration Development and Market Hall) Committee

<p>B1 What is the Decision?</p>	<p>To release money from S106 contribution relating to planning application P/2012/00636 schedule 6 Community Facilities Contribution.</p>
<p>B2 What are the reasons for the Decision?</p> <p>B2 Alternative options considered and rejected?</p>	<p>To release money from S106 contribution relating to planning application P/2012/00636 schedule 6 Community Facilities Contribution. The contribution is for the provision and maintenance of community facilities which may include play equipment or a contribution towards the parish room within the vicinity of the development.</p> <p>Amendment to EDR 395 dated 17/01/2022 on spend of final amount of £2,099.75.</p> <p>Originally to be spent as follows:</p> <p><u>Tafflands / Craythorne Woods</u> The remaining funds of £2,099.77 to be used for replacement wheelie bin stores, picnic tables and benches located on Tafflands / Craythorne Woods.</p> <p>Request from Rolleston Parish Council to spend as follows:</p> <p><u>Meadow View</u> Repair and repaint the original play equipment, purchase and install 1 new bench, install a new land drain to take away surplus water which makes the area onto Meadow View exceptionally muddy, and purchase / install 1 replacement litter bin.</p>
<p>B3 What are the contributions to Corporate Priorities?</p>	<p>The award of the S106 monies will contribute to delivering improvements within the village of Rolleston on Dove protecting our heritage and standing up for our communities.</p>
<p>B4 What are the Human Rights considerations?</p>	<p>[here are no Human Rights issues arising from this decision.</p>

Financial Implications

B5 What are the financial implications?	<p>The main financial issue arising from this decision is as follows:</p> <p>The monies have been received by East Staffordshire Borough Council who have a duty to spend the monies in accordance with their intended use.</p> <p>The deadline to spend the money is 05/02/2027, which is 7 years from date of receiving payment.</p> <p>The recommendation is that monies received in relation to the above totalling £2,099.75 are transferred to Rolleston on Dove for when they are ready to commence this final stage of the project.</p>
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Revenue	2023/24	2024/25	2025/26
Rolleston on Dove Parish Council	£2,099.75	All monies would have been spent.	
S106 Contribution Schedule 6	(£2,099.75)		
Impact on MTFS	0.00		

Capital	2023/24	2024/25	2025/26
	N/A	N/A	N/A

The finance section has been approved by the following member of the Financial Management Unit:	<p>Please print name: Anya Murray</p> <p>Please sign name: Anya Murray (Approval by email 12/10/23)</p>
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/A
B6.2 Has it got the appropriate approvals under those provisions?	Yes
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/A
B7.2 Has it got the appropriate approvals under those provisions?	N/A

Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): N/A
B8.2 Negative (Threats): N/A
B8.3 The subject of this decision is a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4 [The equality impact assessment identified the following actions to be carried out: N/A

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): <ul style="list-style-type: none">• Spending the S106 contributions in line with their intended use will ensure continuous improvements to public open space for the community.
B9.2 Negative (Threats): <ul style="list-style-type: none">• Ensuring the money is spent according to the application submitted.
B9.3 The risks do not need to be entered in the Risk Register.

Legal Considerations

B10 What are the Legal Considerations:
B10.1 The main legal issues arising from this decision are as follows: To ensure spending the S106 monies is in line with their intended use for the provision and maintenance of community facilities which may include play equipment or a contribution towards the parish room within the vicinity of the development. The monies are to be spent by 05/02/2027.
This section has been approved by the following member of the Legal Team
Please print name: Sherrie Grant Please sign name: Sherrie Grant (Approval by email 12/10/23)

Sustainability Implications

B11 What are the Sustainability implications:
B11.1 The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes). N/A
B11.2 Positive (Opportunities/Benefits): N/A
B11.3 Negative (Threats):

B11 What are the Sustainability implications:
N/A

Health & Safety Implications

B12 What are the Health & Safety implications:
B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2 [The significant hazards and risks have been identified in the Safety Media Risk Assessment numbered []. Any financial implications to mitigate against these hazards and risks are considered above.] N/A
B12.3 [Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below]
B12.3.1 Positive (Benefits) N/A
B12.3.2 Negative (Threats) N/A

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	N/A
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	N/A

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk