

- The funding is spent on facilities that can be demonstrated to be required because of the new development taking place;
- The process is transparent and fair to all;
- Projects supported are necessary, viable, will deliver the required social and community benefits, and will be well managed.

When assessing proposed projects, criteria to be considered include:

- The eligibility of the organisation and project for S106 funding.
- Ownership of the asset and whether consent is in place for any works.
- Endorsement of the local Town or Parish Council.
- Ward Member comments
- Evidence of need for the project (e.g. supported by robust third party evidence, identified as a priority in a Parish Plan, community consultation).
- An increase and/or broader in usage of the asset as a result of awarding the funding where applicable (i.e. a greater number of people will use the facility or use by disabled people, older or younger people who may not have had access previously).
- That a complete funding package is in place with the offer of a S106 grant.
- That there is financial sustainability for the asset into the future.

Available S106 Funds

Within the area of Westward Ho!. Torridge District Council currently hold the following relevant S106 funds:

Planning Reference	Address	Amount (£)	Specified Purpose
1/0836/2013/FUL	Fourwinds Cornborough Road, Westward Ho!	5872	Play provision in area of site
1/1068/2016/FULM	Land at Pebbleridge Road, Westward Ho!,	10745	Off site recreation contribution
1/0586/2016/FULM	Roslyn Gardens, Westward Ho!	18022	Recreation in the vicinity of the site

These funds have not been allocated internally to any Capital projects by TDC.

Assessment

In order for a project to be eligible to draw from S106 funds, it must firstly be ensured that the project complies with the stipulations placed within the S106 legal agreement prior to the benefits of the proposal being considered. In this instance, the amounts held by TDC originates from three separate S106 agreements as detailed above. It is considered that given the central location of the Avon Lane Park within Westward Ho!, and the specified purpose of the obligations, the proposal accords with the S106 agreements allowing funds to be directed towards this project.

The application form (appended to this report) clearly outlines the project, project outcomes, project management, funding streams and quotes. No competing formal applications for funding have been received relating to the particular planning obligations listed above from any other 'not for profit' organisations or relating to any other projects within the immediate area.



3. IMPLICATIONS

Legal Implications

In accordance with the S106 Funds application procedure, before any S106 monies are released to delivery organisations, a legal funding agreement will need to be entered into.

Financial Implications

The proposal will result in the total amount of £34549 of S106 obligations held by TDC being transferred to Northam Town Council as the delivery organisation.

Human Resources Implications

Not applicable.

Sustainability/Biodiversity Implications

Not applicable.

Equality/Diversity

The proposal includes equipment that is accessible to all.

Risk Management

Not applicable.

Compliance with Policies and Strategies

The proposal is considered to accord with the TDC S106 Grant funding guidance notes and accords with the communities, health and housing theme of the Strategic Plan 2020-2023.

Data Protection (GDPR) Implications

Not applicable.

Climate Change

No climate change implications.

Ward Member and Lead Member Views

Date of Consultation – 21st September 2021

Councillor Hodson –

“TDC transferred the Park to NTC after their examination of the NTC Business Plan. This plan identified the budget available including the Section 106 funds set aside for the Park as advised by Rachel Webdell. TDC did not raise any challenge to the Section 106 funding assumption and accepted and validated the Business Plan.”

Councillor Cottle-Hunkin –

“I would like to let the committee know that I am fully supportive of the 106 funds going towards the play facilities at Westward Ho! Park, Avon Lane. The local community and councillors worked so hard to save their park, and it is fantastic that they will now be able to transform it into something very special which will really be enjoyed by everyone, locals and visitors alike. I hope this will see unanimous support by councillors on the C&R committee”



4. CONCLUSIONS

Given the information supplied, the application is considered to accord with the assessment criteria, with the proposal bringing clear wider community benefits to the area. The proposal will enhance an existing community recreational and play facility providing high quality opportunity for play and social interaction for children and young people.

In addition, if the Council were still in ownership of the Park the requested sum would have been used for it's improvements and maintenance without the requirement for a committee decision. It is therefore logical to recommend that the funds are made available to Northam Town Council for those same purposes.

5. RECOMMENDATIONS

That a funding agreement is entered into in order to release the amount of £34549 to Northam Town Council.

SUPPORTING INFORMATION

Consultations:	Date of Consultation – 6 th October 2021 Officers Consulted – Steve Hearse, Sean Kearney, Stacie Dorey.
Contact Officer:	Shaun Harrington

