

## Decision Record – Decisions to be made by the Portfolio Holder for Transport and Planning (and Deputy Leader), Portfolio Holder for Finance and Property and the Portfolio Holder for Environment on or after 30 August 2016

### Reassignment of funds to a Community Buildings Capital Grant Fund and for the Development of Emergency Stopping Places

<b>Cabinet Portfolio Holders taking the decision</b>	Cllr Peter Butlin Transport and Planning (& Deputy Leader)  Cllr Alan Cockburn Finance and Property  Cllr Jeff Clarke Environment
<b>Date of Decision</b> (not before 30 August 2016)	<b>01/09/2016</b>

<b>Decisions Taken</b>
<p>1) The Portfolio Holder for Transport and Planning (and Deputy Leader) endorses the decision taken by Communities Leadership Team (COLT) to reassign £133,000 arising from discharged Section 106 obligations.</p> <p>2) The Portfolio Holder for Finance and Property agrees the addition of a £60,000 programme of 'Community Buildings Capital Grant Fund' to the capital programme and further agrees the addition of a £73,000 programme of 'Development of Emergency Stopping Places' to the capital programme noting that this work will be implemented subject to all necessary planning approvals being received.</p> <p>3) The Portfolio Holder for Environment approves the proposals for use, and the allocation process of the Community Buildings Capital Grant Fund.</p>

<b>Reasons for Decisions</b>
Decisions were required from three Portfolio Holders concerning the reassignment of monies from discharged S106 agreements.

<b>Background Information</b>	
<b>1.0</b>	<b>Context</b>
1.1	Section 106 obligations, often called planning agreements, are used to secure commitments from landowners which are considered necessary to make a development acceptable in planning terms. There is a wide range of such obligations but many (called "developer contributions") involve paying money to fund infrastructure or services that support development. The funded projects may be revenue or capital in nature and may take place on the development site or elsewhere. Unused funding is usually returned to the landowner but there are circumstances in which it may reasonably be used for some purpose other than the one originally envisaged. Examples of such circumstances are when:

	<ul style="list-style-type: none"> <li>• The landowner specifically agrees.</li> <li>• The money was given for purposes expressed in broad terms or without limitation on the use.</li> <li>• The relevant project was initially funded from Council resources which can now be replenished from the developer contribution.</li> <li>• It is not reasonably practicable to trace the person who may be entitled to reimbursement.</li> </ul>								
1.2	If any such funding is identified Communities Leadership Team prioritise alternative proposals that achieve a planning benefit, are consistent with the purpose for which the contributions were originally paid, and support the delivery of the Council's priorities and the core outcomes in the 2014-18 One Organisational Plan.								
1.3	There is a small risk that some person may subsequently come forward and prove entitlement to reimbursement of a particular contribution. In such a case, the reimbursement will be met from within Communities Group revenue budgets.								
<b>2.0</b>	<b>Community Buildings Capital Grant Fund</b>								
2.1	The Community Buildings Capital Grants Fund will help community-based organisations to take on board the changes needed to ensure that communities have the facilities to meet the challenges associated with the delivery of the One Organisational Plan.								
2.2	Specifically, the Community Buildings Capital Grant Fund will support applications that: <ul style="list-style-type: none"> <li>a) Improve the suitability of community buildings for providing services.</li> <li>b) Diversify the range of services being delivered from community buildings; and,</li> <li>c) Encourage a broader range of Warwickshire residents to use community facilities.</li> </ul>								
2.3	The Fund will prioritise those projects which: <ul style="list-style-type: none"> <li>a) Demonstrate an evidenced need for a service.</li> <li>b) Are able to lever in additional match funding in a reasonable timeframe.</li> <li>c) Are able to demonstrate sustainability, for example by meeting on-going maintenance costs.</li> <li>d) Enable residents to actively participate in their communities to bring about positive change; and,</li> <li>e) Address disadvantage, poverty or social isolation.</li> </ul>								
2.4	The Fund will provide grants of between <b>£6,000</b> and <b>£12,000</b> for capital projects. It is proposed to launch the scheme in autumn 2016 with a 12-week application window. Successful applications will be monitored on a quarterly basis and evaluated by the Localities and Partnerships Team.								
2.5	Applications will be scored against the following criteria on a weighted basis. <table border="1" data-bbox="188 1579 1460 1953"> <tr> <td>1 - Evidence of need for the capital improvement and the service provision that will result</td> <td>5 - Alignment of the application to the core purpose of the One Organisational Plan</td> </tr> <tr> <td>2 - Evidence of increased accessibility of the community building</td> <td>6 - Evidence of increased community participation in the building/service</td> </tr> <tr> <td>3 - A clear approach to monitoring the delivery of the capital project within reasonable costs and timescales</td> <td>7 - Evidence of the organisation's ability to sustain costs associated with the capital improvement (e.g. maintenance, utilities)</td> </tr> <tr> <td>4 - Evidence of the project's contribution towards reducing local disadvantage, poverty and/or social isolation</td> <td>8 - Evidence of the contribution of funding from other source/s</td> </tr> </table>	1 - Evidence of need for the capital improvement and the service provision that will result	5 - Alignment of the application to the core purpose of the One Organisational Plan	2 - Evidence of increased accessibility of the community building	6 - Evidence of increased community participation in the building/service	3 - A clear approach to monitoring the delivery of the capital project within reasonable costs and timescales	7 - Evidence of the organisation's ability to sustain costs associated with the capital improvement (e.g. maintenance, utilities)	4 - Evidence of the project's contribution towards reducing local disadvantage, poverty and/or social isolation	8 - Evidence of the contribution of funding from other source/s
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	Approval of successful applications will be made by the Head of Service for Community Services following evaluation by officers from across the County Council. Decisions on grants awarded from the Community Buildings Capital Grant Fund will take into account other funding opportunities and awards across the Council and its Public Sector partners, and will seek to avoid duplication. It is expected that the fund will be over subscribed and that more applications will be received than can be supported.
<b>3.0</b>	<b>Emergency Stopping Places</b>
3.1	The primary duties to identify and make provision for the accommodation needs of gypsies and travellers lies on district and borough councils in their capacities as housing and planning authorities. However, under section 24 of the Caravan Sites and Control of Development Act 1960, the County Council has a power to provide temporary or permanent sites and to manage the sites and do anything appearing to them desirable in connection with the provision of such sites. Use of this power not only helps partner authorities to achieve their statutory duties and planning policy objectives but also supports the achievement of County Council functions and objectives such as those relating to public health and education.
3.2	The County Council has for many years used this power to provide permanent sites and in October 2012 Cabinet resolved to <i>'approve the principle of providing emergency stopping places for travellers and ask the Strategic Director for Communities to obtain all necessary consents and take all other steps as are necessary to provide such place or places as she may identify on terms acceptable to the Strategic Director of Resources.'</i>
3.3	The process for securing the necessary planning approvals (including dealing with any legal matter arising) is underway for two sites within the County and this funding, along with funding already available, will enable the enabling works to be implemented, subject of course to all necessary approvals being received.

<b>Financial Implications</b>
As set out in the report

<b>Report Author</b>	Jane Coates and Rob Leahy
<b>Head of Service</b>	Phil Evans
<b>Strategic Director</b>	Monica Fogarty
<b>Portfolio Holders</b>	Councillor Peter Butlin, Alan Cockburn and Jeff Clarke

### Checklist

<b>Urgent matter?</b>	No
<b>Confidential or Exempt?</b>	No
<b>Is the decision contrary to the budget and policy framework?</b>	No

<b>List of Reports considered</b>
<p>Link to published proposed decision report:</p> <p><a href="https://democratic.warwickshire.gov.uk/cm5/CalendarofMeetings/tabid/128/ctl/ViewMeetingPublic/mid/645/Meeting/3845/Committee/548/Default.aspx">https://democratic.warwickshire.gov.uk/cm5/CalendarofMeetings/tabid/128/ctl/ViewMeetingPublic/mid/645/Meeting/3845/Committee/548/Default.aspx</a></p>

<b>List of Background Papers</b>
None

<b>Members and officers consulted or informed</b>
<p>Portfolio Holder – Councillors Butlin, Cockburn and Clarke          All Strategic Directors          Legal – Ian Marriott,          Finance – Liz Firmstone, Virginia Rennie          Equality – Belinda Blake          Democratic Services – Paul Williams</p> <p>Councillors Dirveiks, N.Davies, Morris-Jones, Western, Johnson, Clark, Lea</p>