

Single Member Cabinet Decision**Executive
Forward Plan
Reference****E2931****Capital Improvements Works in Parks - Approval to spend financial contributions obtained under section106 Agreements**

Decision maker/s	Cllr Charles Gerrish, Cabinet Member for Finance & Efficiency Cllr Martin Veal, Cabinet member for Community Services
The Issue	Capital Improvements Works in Parks - Approval to spend financial contributions obtained under section106 Agreements
Decision Date	8th March 2017
The decision	Cabinet Members gave an approval for the capital expenditure of £289k on improvement projects located at various B&NES' green spaces, in order for the Council to discharge its responsibilities associated with s.106 agreements in 17/18.
Rationale for decision	Approval of these proposals will enable the Council to deliver the improvements identified in the Council's Green Space Strategy 2015 through the use of contributions secured by way of s.106 Agreements
Financial and budget implications	<p>All works will be funded exclusively from financial contributions received through s.106 agreements associated with developments at a number of sites across the district.</p> <p>All works will be cost neutral to the Authority. Where works are anticipated to carry an additional revenue costs for maintenance, these revenue costs will be managed within existing budgets, or met through separate financial contributions for maintenance which have been collected from developers through s.106 Agreements.</p> <p>Specific s.106 agreements have been identified to fund project proposals and have been chosen to fund projects based on their proximity to sites and by reference to specifications and timetables dictated by the terms of the s.106.</p> <p>The proposed works will allow the Council, as landowner, to maintain its site infrastructure in good order and safe condition.</p>
Issues considered (these are covered in more detail in the report)	Customer Focus; Sustainability; Human Resources; Property; Corporate; Health & Safety; Impact on Staff; Other Legal Considerations

Consultation undertaken	Ward Councillor; Cabinet colleagues; Parish Council; Town Council; Trades Unions; Overview & Scrutiny Panel; Staff; Other B&NES Services; Section 151 Finance Officer; Strategic Director for Place; Monitoring Officer
How consultation was carried out	The detail and timing of the works will be discussed with local ward members as is usual practice.
Other options considered	<p>To not undertake any improvement works. This was discounted as it would:</p> <p>a) Put the Council in breach of its covenants under the appropriate s.106 Agreements incurring possible litigation to compel it to perform its obligations with the attendant costs.</p> <p>b) Lead to a further deterioration of assets which could potentially put the Council in breach of its responsibilities</p>
Declaration of interest by Cabinet Member(s) for decision, including any dispensation granted:	<i>None</i>
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	None

Signatures of Decision Makers	
Date of Signature	
Subject to Call-in until 5 Working days have elapsed following publication of the decision	