

Leigh & Bransford Parish Council

Sub Committee: S106 Task Group

Minutes of Meeting 4th May 2022

Present: Dave Fereday (DF), Pete King (PK), Rhys Humm (RH), Trevor Jones (TJ), Simon Bond (SB)

Apologies: N/A

Agenda:

- 1. Introduction**
- 2. Why are we here?**
- 3. Who are S106 Stakeholders and how do we contact them?**
- 4. Next Steps**

1. Introduction

PCK thanked everyone for volunteering and attending. This meeting was to set the scene. Not all group members were known to each other. Members introduced themselves with brief background information.

2. Why are we here?

PCK explained that it was intended the group would continue to seek views of the community on how future S106 funds should be spent and try to enable appropriate projects. Currently there is about £125k (to be checked) still available from the Cala Homes development at Kiln Lane. Post meeting note. PK has since discussed with Mark Hammond, see notes at end of minutes.

There are two local planning applications that could generate additional S106 funds.

(i) The first is the further extension to Kiln Lane on the “christmas tree site”. This application was turned down by MHDC and has been appealed; the appeal will be heard in mid May with a decision some time later. It is expected that this development will generate about £172k, some of which (£30k?) will probably be used for a play area.

(ii) The second application is for 52 dwellings adjacent to the A4103, opposite the school. This site is a proposed allocation in the SWDP Revision and in the Neighbourhood Plan. One reason for the proposal to allocate was that it comes forward with a significant area (5.5Ha: 13.8 acres) that could be made available for sports and recreation. It is likely that this site too would generate something like £175k of S106 community funds.

As part of a Housing Needs Survey in July 2021 (not reported until Dec 2021) the parish council had added a question on community facilities, to which about 274 parishioners replied. DF put tabulated results on screen. Full results attached.

A community group had been meeting in Leigh Sinton since the summer of 2021 and had been seeking feedback from residents; a task group had been formed from within the larger group to investigate possible projects. It was recognised this group was not representative of the whole parish. RH outlined some of the group’s work. It had been the intention to cost a series of options for discussion with the community.

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Leigh and Bransford Badgers Football Club have aspirations to create a “home” for the club at Leigh Sinton. The land adjacent to A4103 has sufficient area for the required pitches and a community room with sports changing facilities. The land is most likely to pass into PC ownership, in which case LBBFC would have permitted use of the land. A charitable trust has been mentioned as an alternative owner/ steward of the land. In either case If LBBFC are enabled to use the community land, FA/Sports England funding could be available for the site (understood to be c£300k).

It is understood that the landowner would gift the land on concession that no S106 funds would be forthcoming. It is not clear whether MHDC, who are responsible for collection and allocation of funds, have been involved (Post meeting note; it is understood the developer has had preliminary discussions with MHDC). There was discussion about the value of the community land versus the value of S106. This will be an early issue to clarify. There may be an opportunity to negotiate around the relative values of S106 and the land but MHDC have the final responsibility and authority for collection and distribution of S106 funds. The benefits of the developer/ contractor carrying out works in kind was also discussed. If the land is allocated to the PC it would be responsible for development and maintenance of the site.

3. Who are S106 Stakeholders and how do we contact them?

Stakeholders were identified as:

a. Community: DF and TJ each commented that the task group may not be properly representative of the community. It was agreed to take measures to expand the group. The intention would be to keep a fairly small core group. Once options have been drafted a public meeting/ exhibition will be held.

Post meeting note: PK suggested contacting two possible new members. Carol Maddock (Kiln Lane) and Pauline Smith (School Sec and has young family): This was not pursued. A note/ invitation will also be included in the June edition of the Sphere and on Leigh Sinton Facebook Group.

b. Parish Council. DF and PK to liaise.

c. MHDC: Prime contact Mark Hammond. PK has had previous conversations with Mark over the past two years in relation to NP and S106.

d. School and WCC education officers. PK to contact Stuart Bill (Headteacher), with whom he has previously had conversations. This situation may be complicated as it is understood the school may be pursuing academy status.

e. Leigh and Bransford Badgers Football Club (LBBFC): Prime contact Simon Secretan (Chair of LBBFC): PK has already made contact.

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f. Football Association/ Sport England: Prime contact Martin Collier. For the time being Martin is acting as contact with Football Foundation and Sport England, from whom any funds are likely to come.

Post meeting note: Since the meeting PK has contacted Martin Collier (FA) and Mark Hammond (MHDC S106 Officer):

Martin Collier: indicated that if we wanted to apply for funds from the Football Association/ Sports England there are three routes:

1. We agree scheme with Badgers and MHDC and Football Foundation/ Sports England. Badgers apply for funding and LBPC would give them a lease to use the assets (min term 25 years)
2. We agree a scheme with Badgers MHDC and MHDC and Football Foundation/ Sports England. Badgers apply for funding and we issue a Letter of Authorisation enabling Badgers to enhance our asset (the land). This is a more open-ended and rare option...need careful legal drafting.
3. We agree a scheme with Badgers MHDC and MHDC and Football Foundation/ Sports England. PC applies for grant with support from FA/SE.

Martin said that one of the first steps must be to get a Pitch Power Report from the Grounds Management Association. This would be a necessity before a grant could be applied for. Practically we would also need it if we take the land over.

Mark Hammond: Mark has had preliminary discussions with the developer of the site adjacent to A4103. The developer indicated that the landowner wished to grant the land but expected not to pay S106 as a concession. Mark is of the opinion that the value of S106 exceeds the land value and MHDC will value the land. He agreed that it would be possible, and probably advantageous to negotiate the excess in kind. Cash will hit developer/ landowner bottom line more than works in kind. I requested the values of any outstanding S106 funds. Mark later replied by email with following:

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S106: Kiln Lane Leigh Sinton 13/00952/OUT; £171,035; Public open space/recreation; Valid to 05/06/2028

"Off-Site
Recreation
Purposes"

means the purchase provision improvement and/or maintenance (excluding maintenance which is simply the normal ongoing maintenance cost of existing facilities not attributable to the Development) of public open space, including sport and recreation facilities and/or equipment including outdoor sports facilities, parks and gardens, semi/natural green space, amenity space, allotments, cemeteries and civic spaces within the Parish of Leigh and Bransford (whether, for the avoidance of doubt, via the District Council or otherwise) including fees and disbursements incurred in connection with such purposes including those of any consultants commissioned in the design of any such facilities and/or equipment proposed (whether or not such facilities and equipment are thereafter installed or carried out)

S106: Bransford Bowling Club 15/00878: £43,716: Public open space/sports and recreation: Valid to 11/12/2028

"Off-Site Recreation
Purposes"

means (i) the provision of play equipment and associated enhancement and maintenance works at Leigh Hurst Play Area (Bransford); and (ii) the provision of a playing pitch provision within the Leigh and Bransford parish

S106: Interfields (Kiln Lane/Christmas treesite) MHDC are seeking a contribution of up to £172,674. Planning appeal pending.

S106: Site off A4103 (allocated site): £22,000

In a further email of 3rd June Mark Hammond confirmed that after allowing the concession from the developer of gifting land the surplus for community projects will be £22,000

Actions:

1. PK to contact MHDC to establish the process and likely timing on whether the land would form part of the planning 'deal' for the 52 potato field houses. This to include:
 - a. How the land value would be arrived at.
 - b. The rationale for choosing land versus money and/or a split.
2. At the next meeting we would agree a plan as to:
 - a. How to ensure fair representation across the community in the 'task' group.
 - b. A full set of questions and actions to establish all the facts.
 - c. The communication, options and decision plan.

Comments from TJ

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1. We should not be engaging stakeholders unless we have agreed the purpose and how we position questions. The view of the task group is key in presenting an open and non-biased position.
2. Where money is potentially available, we need to understand the minimum requirement to obtain this money.

Next meeting: Tuesday 8th June at 7pm

Signed...Peter King

Date...08 June 2022