

# **Cabinet**

## **8 December 2020**

### **Recommendations for the allocation of developer contributions for the enhancement of recreation and community infrastructure provision in Dorchester**

#### **For Decision**

**Portfolio Holder:** Cllr D Walsh, Planning

**Local Councillor(s):** Cllr L Fry; Cllr M Rennie; Cllr S Jones; Cllr A Canning; Cllr R Biggs; Cllr N Ireland; Cllr D Taylor; Cllr R Tarr.

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Andrew Galpin

Title: Infrastructure and Delivery Planning Manager

Tel: 01305 838214

Email: [andrew.galpin@dorsetcouncil.gov.uk](mailto:andrew.galpin@dorsetcouncil.gov.uk)

**Report Status:** Public

#### **Recommendation:**

1. That Cabinet agrees the recommendations of the member panel that s106 developer contributions for community infrastructure collected in Dorchester be awarded as follows:

1a - Great Field Poundbury – new recreation facilities, £455,786.00

1b - Arts in Dorchester Project – improvements to Municipal Buildings and Thomas Hardy School Theatre to provide enhanced performance space and associated facilities, £1million. Payment subject to the submission of a comprehensive business case to be approved by the Executive Director for Place in consultation with the Portfolio holder for Planning.

## **Reason for Recommendation:**

To enable the award of developer contributions in Dorchester to local projects for the enhancement of community infrastructure.

### **1. Executive Summary**

Developer contributions have been collected by Dorset Council and its predecessor councils for many years. In Dorchester, the Council has collected significant recreational related financial contributions through the Poundbury development. Other development schemes in Dorchester have provided a modest top-up of funds for related community infrastructure purposes including open space, community venues, allotments, and play areas. The contributions have each been secured by way of a Section 106 legal agreement which provides a set of parameters for their use including the type of infrastructure and location which it serves.

By 2016, almost £2million had been collected specifically for recreation and community related infrastructure in Dorchester. As a result, a bespoke officer/member panel was established by West Dorset District Council to invite and assess proposals for funding. The panel made recommendations which resulted in over £500,000 being awarded towards infrastructure projects including Shire Hall, the enhancement of Dorset County Museum, Dorchester Town Football Club 3G pitch and the relocated Dorchester Boxing Club. The panel disbanded in March 2019 prior to Local Government Reorganisation with a legacy of approximately £1.5m of commitments to other projects in Dorchester including £1m towards Maltings Arts (Maltings Arts Trust), and Poundbury Great Field (Duchy of Cornwall).

An officer/member panel was reformed under Dorset Council to review these commitments in light of changes that had occurred since March 2019. The panel met on the 7<sup>th</sup> October 2020 to review the financial position outlined in this report and received presentations from the Duchy of Cornwall, and Dorchester Arts / Thomas Hardy School on the main funding commitments.

The panel resolved to reconfirm the predecessor councils funding commitment to the Great Field project which would see significant investment in formal and informal play and recreation equipment and facilities. Once completed it will become Dorchester's largest formal open space helping to serve the needs of the county town.

The panel heard how the Maltings Arts Centre project had been formally abandoned by the Maltings Arts Trust in January 2020 after difficulties in raising the necessary £12m plus investment to deliver a 450 seat cultural venue at the

heart of Brewery Square, Dorchester. The panel heard how the need and demand for an improved arts offer still existed in Dorchester and that other options had been explored to service those needs through the upgrade and renovation of other buildings including the Thomas Hardy School Main Theatre, and Municipal Buildings including the Corn Exchange, located on High East Street, Dorchester, which currently provides office and performance space for Dorchester Arts.

The panel recommended that the Arts in Dorchester/Thomas Hardy School joint venture receive the £1m funding previously committed to the Maltings Arts project. That recommendation was on the basis that a comprehensive business plan would be submitted and agreed before transfer of any funding. Details of the business case requirement are set out in this report.

## **2. Financial Implications**

The developer contributions referred to in this report are currently held by the council. The award of developer contributions to specific projects will avoid the risk of repaying unspent contributions to developers where monies have been unused for 10 years or more.

## **3. Well-being and Health Implications**

The recommendations of the panel support projects which will enhance health and wellbeing. Investment in the Great Field will see the installation of 16 pieces of play equipment for children of all ages and a Parkour area for teenagers and adults. 2,400m of pathways will be installed designed to support the walkable community and regular use of the pathways is planned by the Parkrun organisation. Landscaping and wildflower meadow planting will provide areas of relaxation and tranquillity that can help people's mental and physical wellbeing.

The Arts in Dorchester joint venture between Dorchester Arts and Thomas Hardy School will significantly improve access to arts and culture for people of all ages. Participation in arts and culture can help meet major challenges facing health and social care including ageing, long term conditions, loneliness and mental health.

## **4. Climate implications**

Investment in existing buildings can help improve their environmental performance. Investment in outdoor spaces can improve connectivity to existing walking and cycling networks helping to reduce the need to travel by car and offering more attractive recreation choices.

## **5. Other Implications**

The recommendation to support the Dorchester Arts project will help sustain the future of key municipal buildings, providing greater community access and improving the local economy. This investment also strengthens the links between the voluntary sector, schools, museums and local churches.

## **6. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

## **7. Equalities Impact Assessment**

It is important to health and wellbeing that sports, cultural and community facilities are sufficient to meet the needs of the growing community and are in accessible locations. An EqIA screening report has been completed for this item. It has concluded that a Equalities Impact Assessment is not required given the scrutiny of the panel.

## **8. Appendices**

None

## **9. Background Papers**

None

## **10. Background**

10.1 Developer contributions from the early phases of Poundbury together with developer contributions secured in Dorchester via the West Dorset District Council Planning Obligations Supplementary Planning Document (2010) provided over £2million of contributions for investment in recreation and community related infrastructure. The funding spans a number of infrastructure categories including, recreation, play areas, community facilities, amenity space and natural greenspace.

10.2 Given the extent of funding available to work with, West Dorset District Council established an officer/member panel as a platform for identifying projects and guiding decisions on funding, the approach was agreed via a report to former West Dorset District Council Executive Committee on the 9<sup>th</sup> August 2016.

- 10.3 To inform the allocation of development contributions, the former District Council worked in partnership with Dorchester Town Council to develop an evidence base establishing the needs for community facilities. That evidence provided a basis to invite expressions of interest and detailed funding applications.
- 10.4 A similarly titled report was considered by West Dorset District Council on the 14<sup>th</sup> March 2017, that report included the recommendation to fund recreational enhancements at the Great Field (£220,786) and Maltings Arts Centre £1,000,000 – the recommendation was time limited. A number of other projects listed in that report including Shire Hall, Dorchester, Dorchester Town Football Club, Dorset County Museum and Dorchester Boxing Club have gone on to become recipients of s106 developer contribution funding between 2017 and 2018. The awards totalled £541,000.
- 10.5 Subsequent panel meetings received progress updates from the Maltings Arts Trust and the Duchy of Cornwall. By March 2019, the Panel had resolved to recommend an increased award of £455,786 for the Great Field and maintain the £1m funding commitment for the Maltings.

## **11. The Need to Review**

- 11.1 With local government reorganisation taking effect from the 1st April 2019, the West Dorset District Panel ceased with the express wish that their recommendations were to be taken forward by Dorset Council at a later stage.
- 11.2 The catalyst for the panel reconvening was twofold. Firstly, The Maltings Arts Trust's decision in January 2020 to abandon their plan to convert the former Maltings building at Brewery Square into a regional arts venue. In coming to this decision, Dorchester Arts, a key provider of Arts provision in Dorchester and revenue funded by Dorset Council, had prepared a 'plan B' which provided an improved arts offer for Dorchester.
- 11.3 Secondly, with work already underway transforming the Poundbury Great Field, it was necessary to seek reconfirmation of the funding award through Dorset Council members.
- 11.4 A newly formed officer/member panel from Dorset Council met on the 7th October 2020. The panel contained representatives from the following wards:
- Dorset Council ward members for Dorchester
  - Dorset Council ward member for Crossways
  - Dorset Council ward member for Charminster St Marys

- Dorset Council ward member for Winterborne and Broadmayne
- Dorset Council Portfolio Holder for Planning

11.5 The panel received an update on the financial position with regard to the remaining s106 monies available to spend in Dorchester for the purposes set out in table 1. The terms of the s106 agreements provide Dorset Council with a degree of flexibility to spend the developer contributions on projects of its choosing within the parameters of each category. The work of the predecessor council identified arts and open space recreation as priorities and the best fit for the categories set out in table 1 below.

11.6 The contributions set out in table 1 cannot be used for other unrelated infrastructure priorities such as education, transport and coastal defence works. Other financial obligations have been secured for those categories and more. The majority of the financial obligations for other infrastructure categories relate to specific infrastructure improvements such as classroom extensions/new schools, highway improvements and coastal protection schemes where there isn't a degree of choice. Details of developer contributions secured by Dorset Council and its predecessor will be set out in a comprehensive monitoring report to be published in December 2020.

Table 1

<b>Infrastructure Category</b>	<b>Value</b>
Public Open Space	£6,543.99
Recreation (from Poundbury phases one & two)	£1,404,566.82
Play areas	£36,912.08
Allotments	£5,276.13
Amenity Space	£2,361.80
Natural greenspace	£16,593.90
<b>Total</b>	<b>£1,472,254.72</b>

11.7 The panel received presentations from the Duchy of Cornwall in respect of the Great Field project, and Dorchester Arts/Thomas Hardy School in respect of the Arts in Dorchester project.

## **12. The Great Field Project**

- 12.1 The Poundbury Great Field currently provides approximately 30 acres (12 hectares) of public open space. The Duchy of Cornwall who own the site, are bringing forward plans to create new community facilities on the site. When complete, the Great Field will have been transformed into an area containing wildflower meadows, natural and formal play areas with extensive tree and shrub planting, a network of pathways and an amphitheatre. £30,000 of Dorchester S106 funding has already supported the construction of a new Pavilion providing toilet and café facilities and a home for the Alcohol Education Trust.
- 12.2 The Poundbury Great Field project was a funding commitment of the predecessor panel. Works have already commenced on-site to establish new planting and the funding being sought through s106 developer contributions is expected to help meet the cost of purchasing and installing play equipment, pathways and an amphitheatre. There are 16 pieces of play equipment planned for construction which will be of a robust timber construction. A parkour facility will provide activity space for teenagers and adults alike. The pathways are being designed for use as part of the walkable community and will serve as a basis for a Parkrun course.
- 12.3 The Duchy of Cornwall have worked closely with Dorchester Town Council to develop the project and the proposals have been the subject of public consultation with Poundbury Residents Association. The improvements are designed for longevity and Town Council management and use.
- 12.4 Due to delays as a result of Covid-19, the project is expected to be completed by mid-2021. The total capital cost of the project is estimated at £1.315m. The existing s106 funding commitment of £455,786 and contributions towards play from later phases of Poundbury which amount to £280,000 leave the project with a funding shortfall of £579,214. The Duchy of Cornwall sought to secure further s106 funding to meet 50% of that shortfall, but the panel recommended against that.

## **13. Arts in Dorchester**

- 13.1 The Maltings Arts project was a £12m plus project that would see a 450 seat regional arts venue established on the site of the former Maltings building at Brewery Square. West Dorset District Council agreed to the allocation of £1m of s106 funding to the project in March 2017. It was intended that the s106 contribution would act as a catalyst for other funders to come forward. Due in part to cuts to Arts Council England, and Heritage Lottery Funding, funding support did not materialise as expected and the scheme was formally abandoned in January 2020. Although the

project didn't come forward, the need and demand for an improved arts and cultural offer still exists in Dorchester as evidenced by Artreach 2014 and Dorset LEP Strategic Plan.

- 13.2 The Arts in Dorchester project is a partnership between Dorchester Arts, Dorchester Town Council and Thomas Hardy School. The Council and the School will upgrade and adapt some of their buildings to create venues from which Dorchester Arts will offer a performing arts programme, supplemented at the Town Council's Municipal Buildings with a community venue and community participation programme.
- 13.3 It is proposed that the improvements to the municipal buildings on High East Street would be delivered across two phases. Phase one would involve the significant improvement of the Corn Exchange auditorium and associated facilities to ensure they meet the widest range of users. Improvements are proposed to the seating, lighting and sound and projection facilities. In addition, separately funded works undertaken by Dorchester Town Council would improve dressing room facilities, provide sustainable biomass heating system, create shared office space and repair the roof of the building. Phase one would also start to address the lack of front of house space through the relocation of the Dorchester Arts office and subsequent reallocation of space for bar, lobby, catering and hire use – it is anticipated this phase would be complete by September 2021. The focus of Phase two is to re-site the toilets, enhance the resulting space, and improve the accessibility, circulation, flexibility and income potential of the front part of the building for both arts use and wider community purposes, it is anticipated this phase would be complete by October 2022. It is anticipated that the cost of Phases one and two will be covered by a confirmed contribution of £250,000 from Dorchester Town Council and £500,000 from Section 106 funds
- 13.4 The improvements to Dorchester Thomas Hardy School would see significantly upgraded existing facilities and greater access to performance space. The school theatre is in need of refurbishment and, through partnership working with Dorchester Arts, a plan has been developed that meets the needs of the school at the same time as providing a fit-for-purpose venue for professional arts performances for larger audiences (425 seats). Improvements will be made to the seating, lighting, sound, stage, backstage and catering facilities. Feedback from other arts organisations has also been worked into the plans for the auditorium and associated facilities to ensure that they meet the needs of a widest range of users.
- 13.5 A partnership agreement between Dorchester Arts and the school will ensure access to the facilities on enough dates for Dorchester Arts to be able to provide a significantly enhanced arts offer for the town and wider

county. The Dorchester Arts programme in the venue will also support the curriculum and a closer working relationship between Dorchester Arts and the school.

- 13.6 An initial feasibility estimate resulted in a cost of £1,115,020 for the Thomas Hardy School project. The school has already committed £125,000 to fund initial designs and a feasibility study. In addition to the £500,000 share of S106 funds, Thomas Hardy School have reserves available to fund the remaining cost of the project.
- 13.7 The proposals by Dorchester Arts project seek to utilise the entire £1m formerly awarded to the Maltings Arts project. The panel were supportive of the request recognising that the plan B approach still provided a step-change in arts provision in Dorchester but in a more sustainable and resilient way.
- 13.8 In coming to their recommendation, the panel sought a detailed business plan to be submitted and approved prior to the transfer of any award. A three year business plan specification has been subsequently agreed with Dorchester Arts and Thomas Hardy School, which includes:
- *Consultation with the wider arts community in order to assess the needs of the wider cultural community*
  - *A site options appraisal of both existing and potentially new venues that currently promote arts activity in the town.*
  - *Consideration of the best operating model to deliver an inclusive and eclectic arts service for Dorchester and beyond.*
  - *A three year financial budget showing operational costs including all maintenance and revenue costs*
  - *A forecasted budget of all capital costs and an indication of where external funding needs to be sought in order to meet any gaps in funding*
  - *All permissions (including licensing and planning permissions) are granted.*
  - *The recipient of the grant should send to the council their Safeguarding Policies, Environmental Policy, Equalities and Diversity Policy.*
- 13.9 It is recommended that the business case is approved by the Executive Director for Place in consultation with the Portfolio holder for Planning.
- 13.10 Table 2 sets out which categories of s106 funding will support each project. The recommendations leave a residual balance of £16,468.72 for other more modest community infrastructure proposals which may come forward in the future.

Table 2

<b>Infrastructure Category</b>	<b>Available</b>	<b>Great Field</b>	<b>Dorchester Arts</b>	<b>Remaining</b>
Public Open Space	£6,543.99	£6,543.99	£0	£0
Recreation (from Poundbury phases one & two)	£1,404,566.82	£393,374.23	£1,000,000	£11,192.59
Play areas	£36,912.08	£36,912.08	£0	£0
Allotments	£5,276.13	£0	£0	£5,276.13
Amenity Space	£2,361.80	£2,361.80	£0	£0
Natural greenspace	£16,593.90	£16,593.90	£0	£0
<b>Total</b>	<b>£1,472,254.72</b>	<b>£455,786.00</b>	<b>£1,000,000.00</b>	<b>£16,468.72</b>

**Footnote:**

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.