

Executive Committee

14 March 2017

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

For Decision

Portfolio Holder:

Cllr Ian Gardner - Planning
Cllr Mary Penfold - Enabling

Senior Leadership Team Contact:

S Hill, Strategic Director

Report Author:

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Statutory Authority:

Town and Country Planning Act 1990 (as amended)
The Community Infrastructure Levy Regulations 2010 (as amended)

Purpose of Report

1. To present to the committee recommendations for the allocation of the developer contributions received by the council for the enhancement of community infrastructure in Dorchester.

Officer Recommendations

2. That the Committee agrees the recommendations of the member panel and that developer contributions collected in Dorchester be initially allocated as follows:

Project	Amount allocated
Maltings arts centre	£1 million
Great Field' Poundbury – new recreation facilities	£220,786
Shire Hall – educational and cultural facility	£84,000
Dorchester Rugby Club - clubhouse improvements	£150,000

Dorchester Town Football Club - artificial turf pitch	£252,000
Dorset County Museum – visual arts and performance area	£134,000
Dorchester Amateur Boxing Club – new club facilities	£25,000
Dorchester Town Council – climbing rock for Borough Gardens	£8,300
Total allocated:	£1,874,086

3. That the Committee agrees that the offers of funding as set out in recommendation 2 be limited to a 12-month period from the date of this committee meeting with the potential to extend the offer of funding for an additional 12-month period subject to a review by the Executive Committee of the progress made by each project against agreed targets.
4. That the Corporate Manager - Planning (Community and Policy Development) be given delegated authority to agree the terms of grant agreements in relation to the allocations set out in recommendation 2.
5. That the member panel be reconvened in September 2017 and February 2018 to monitor progress made by each of the projects in receipt of a grant and to make recommendations to the Executive Committee as to whether funding should be reallocated to alternative projects.

Reason for Decision

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

Background and Reason Decision Needed

(a) Audit of sport, cultural and community facilities

7. To inform the allocation of developer contributions, the district council, in partnership with Dorchester Town Council, undertook a thorough audit of sports and cultural facilities and community venues in 2014. This audit included site visits, meetings with club representatives and some consultation with governing bodies for sport (such as the Dorset County Football Association).
8. In summary, the key development/enhancement projects (as opposed to works that are primarily maintenance or like-for-like replacement) which are planned by local organisations are set out below, although at the stage of the audit not all the projects had established their financial viability or potential to secure match funding.

Location	Project
Dorchester Sports Centre	Expansion of fitness facilities.
Dorchester Town Football Club	Installation of artificial turf pitch.
Dorset County Museum	Major expansion of galleries and storage.
The Great Field	Toilet/changing facilities.
The Maltings, Brewery Square	Conversion of old malthouse to arts centre / theatre.
Poundbury Cemetery	Roadways and boundary wall
Shire Hall	Development as tourist attraction and educational resource.
St Osmunds Community Sports Centre	New fitness facilities and exercise studio.
Thomas Hardy School	New arts facility for school and community use.

9. In addition to the above 'major' projects, the audit identified many other smaller projects for the enhancement of existing facilities. These projects, included new accommodation for Dorchester Amateur Boxing Club.
10. The audit also highlighted the lack a significant, high-quality arts/theatre venue (excluding the cinemas) which is designed and fitted out for this purpose. The nearest such venue is the Pavilion theatre in Weymouth, operated by a community interest company, and with a maximum capacity of 1000 seats. Further afield, the nearest arts/theatre facilities (not including private school venues) are the Lighthouse in Poole (2,500 seats) and the Octagon Theatre in Yeovil (626 seats).
11. It should be noted that the outline planning permission for phases 3 and 4 of the Poundbury development requires the provision of a 300-seater community hall prior to the occupation of the 600th house. Given the current level of provision across the town and the potential need for a bespoke arts venue, it may be appropriate to review this requirement in due course if significant progress is made with the Maltings arts centre.

(b) Available developer contributions

12. The following S106 money is currently held by the district council for Dorchester (as at February 2017):

Purpose	Amount
Public Open Space	£6,570
Recreation	£1,829,856
Parks, gardens & outdoor sport	£42,828
Play areas	£35,592
Allotments	£4,956

Amenity Space	£2,225
Natural greenspace	£15,581
Community venues	£60,434
Total:	£1,989,042

In addition, further smaller sums will be received from developments in Dorchester over the coming year and the allocation of this money can be discussed with the member panel at future meetings.

(c) Recommendations for allocation of developer contributions

13. To inform the allocation a member panel was established comprising the following (reflecting the membership of the panel created to inform the Local Plan review):

- district council ward members for Dorchester;
- district council ward members for Puddletown, Winterborne St Martin, Cerne Valley, Broadmayne & Crossways – this wider rural view will be useful given the likely strategic nature of the projects to be considered;
- district council portfolio holders for Enabling and for Planning.

The panel has met three times to date and has been supported by officers from the district council's Planning and Leisure & Commissioning services and the Dorchester Town Clerk. At these meetings, the panel has established criteria which was then used to assess both initial Expressions of Interest and subsequent detailed applications.

14. At its most recent meeting on 20th February 2017, the Panel considered officers' assessment of the detailed applications received from the short-listed projects. This meeting was attended by 15 of the 17 members nominated to the Panel.

15. When initial Expressions of Interest were received these were judged against the following criteria

- a) Does the project relate to the purpose the money was secured for (e.g. play areas)?
- b) Does the project enhance the facility and increase its capacity to accommodate more users (in response to a growing community)?
- c) Is the project likely to take place within a reasonable timescale (given that some S106 agreements contain time-limits) - this is influenced by issues such as planning permission and match funding?

Some projects proposals did not progress beyond this point, primarily as they were either like-for-like replacement or were not for capital expenditure and were, therefore, not eligible to benefit from developer contributions.

16. When short-listed projects submitted full applications (accompanied by detailed business cases and further financial information) they were assessed by officers against the following criteria:

- a) **Evidence of need:** does the project meet an identified deficit in recreation provision and does it enhance the infrastructure of the community and increase its capacity to accommodate more users (in response to a growing community)?
- b) **Sustainability:** is the project sustainable in the long-term and has provided a robust business plan providing revenue predictions?
- c) **Relevance:** Does the project relate to the purpose the money was secured for?
- d) **Deliverability:** Is the project likely to take place within a reasonable timescale and has plans for securing the necessary match funding?

In addition, the member panel considered that any developer contributions should make up no more than 50% of a project's total budget and would require at least 50% match funding.

17. The Panel agreed the allocation of all the available developer contributions (with the exception of money collected for allotments) and the Executive Committee is now asked to consider supporting the following recommended awards:

Project & specific conditions	Recommended funding allocation
<p>Project 1: New arts facility</p> <p>Applicant: The Maltings Arts (charitable trust)</p> <p>Grant requested: £1 million</p> <p>Summary: Creation of new arts facility at the redundant maltings in Brewery Square, Dorchester.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) A full review of the project and any award of funding in 12 months (i.e. February 2018) to assess progress and the likelihood of the project coming to fruition. 	<p>£1 million</p>
<p>Project 2: Great Field enhancements</p> <p>Applicant: Duchy of Cornwall</p> <p>Grant requested: £600,000</p> <p>Summary: Creation of recreation facilities, including skate park and cycle path.</p> <p>Specific grant conditions: Funding ring-fenced subject to submission of following:</p>	<p>£220,786 ring-fenced for later consideration by member panel</p>

<ul style="list-style-type: none"> a) Submission of full details of the scheme – including costings and designs. b) Information on long-term management arrangements. c) Evidence of efforts to secure match funding to reduce the demand on Section 106 money. 	
<p>Project 3: Shire Hall</p> <p>Applicant: Shire Hall Dorchester Trust</p> <p>Grant requested: £374,000</p> <p>Summary: Creation of cultural and educational facility at the Old Shire Hall in Dorchester.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Funding only to be released if other grant applications (e.g. Dorset LEP) are unsuccessful or do not provide sufficient funds. b) Funding only to be released following the provision of evidence of expenditure and if other sources of funding currently being applied for are not forthcoming. 	<p>£84,000</p>
<p>Project 4: Clubhouse extension and improvements</p> <p>Applicant: Dorchester Rugby Club</p> <p>Grant requested: £300,000</p> <p>Summary: Extension and refurbishment of clubhouse to provide improved sports and recreational facilities in order to assist the club to better meet the needs of its growing membership.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Submission of revised business plan, costings and plans. b) Information on sources of match funding c) The clubs accounts for the last two years. 	<p>£150,000</p>
<p>Project 5: 3G Artificial Turf Pitch for community use at the Avenue Stadium</p> <p>Applicant: Dorchester Town Football Club</p> <p>Grant requested: £252,000</p> <p>Summary: Installation of a 3G artificial turf pitch within the Avenue Stadium for use by the community.</p> <p>Specific grant conditions:</p>	<p>£252,000</p>

<ul style="list-style-type: none"> a) Production of joint usage plan with Dorchester Sports Centre to show that the new pitch does not leave the existing pitch unviable and underused. b) Establishment of sinking fund of £25,000 per year. c) Ensuring community use (i.e. not the first team and reserves) of the pitch for at least 50% of available time equivalent to at least 52 hours per week. d) Confirmation from Dorset FA that the league matches for the youth football club can be played on the proposed 3G pitch at the Avenue Stadium. 	
<p>Project 6: Visual arts and performance space</p> <p>Applicant: Dorset County Museum</p> <p>Grant requested: £180,000</p> <p>Summary: Creation of a visual arts gallery and performance space as part of the major development project at the museum.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) That the funding allocated is used specifically for the creation of the visual arts and performance space within the project. 	<p>£134,000</p>
<p>Project 7: New clubhouse.</p> <p>Applicant: Dorchester Boxing Club</p> <p>Grant requested: £125,000</p> <p>Summary: Creation of new clubhouse. The Panel recommends a smaller grant to enable the club to refurbish an existing building – if one becomes available:</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Submission of information on predicted usage and opening times. b) A review of membership fees to generate more income. c) Provision of independent estimates for the capital works. 	<p>£25,000</p>
<p>Project 8: Climbing boulder</p> <p>Applicant: Dorchester Town Council</p> <p>Grant requested: £8,300</p> <p>Summary: Installation of concrete climbing boulder in Borough Gardens.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Supply of information relating to life expectancy 	<p>£8,300</p>

18. **Appendix A** sets out each grant awarded and indicates which category of Section 106 money has been used. Any money not allocated will need to be considered at the next meeting of the member Panel when more detailed plans for the enhancement of the Great Fields in Poundbury are discussed.
19. It is recommended that the grant awards set out above are offered for an initial 12-month period with a review of progress to be submitted by the applicants on 1st September 2017 and 1st February 2018. At these two key milestones, progress will be measured against targets to be agreed with each organisation and included in the grant agreement. The key targets for each project will include:
 - amount of match funding secured (firm offers of funding);
 - securing relevant permissions (e.g. planning permission or leases).
20. All grant agreements will need to include 'claw-back' provisions in the event that a project, following completion, fails either to provide the level of public access / service as stated in the application for at least a 10-year period or fails to comply with the grant conditions.
21. In order to assist the monitoring of projects, it is proposed that the member panel be reconvened in late September 2017 and in late February 2018 to critically review progress made by the projects that have been offered funding and, if necessary, to recommend to the Executive Committee the reallocation of funds. At this point, projects which have been unsuccessful to date in securing any Section 106 money may wish to reapply and present a revised and robust proposal in order to seek an award of money from either unallocated money or from sums reallocated from those projects that have made insufficient progress.
22. In addition, an update on progress will be included in the council's Section 106 and Community Infrastructure Levy monitoring reports which are published online in May and October annually.

Implications

23. **Corporate Plan.** *Empowering Thriving and Inclusive Communities.*
24. **Financial.** The developer contributions referred to in this report are currently held by the council.
25. **Equalities.** 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.
26. **Economic Development.** Many sports and cultural facilities make a significant contribution to the local economy either as employers (as in the case of sports centres) or as tourist attractions (e.g. museums and arts facilities). The enhancement of these facilities can, therefore, benefit the

community not only in terms of education and wellbeing, but also from an economic perspective.

27. **Risk Management (including Health & Safety).** The council will require each organisation in receipt of funding to enter into a grant agreement and to provide regular progress reports. In addition, no funding will be released until a project is in progress and its deliverability is certain. The setting of targets and the monitoring of progress against these on 1st September 2017 and 1st February 2018 will ensure that the council is fully informed as to the success or otherwise of the project, and also enable the council re-allocate the developer contributions if insufficient progress has been made.
28. The allocation of developer contributions to specific projects will avoid the risk of repaying unspent contributions to developers. However, there is also a risk that the allocation of developer contributions to a specific project could be challenged by the developer on the basis that the project does not fulfil the statutory criteria.

Consultation and Engagement

29. Over the last two years, officers have liaised closely with Dorchester Town Council with regard to both the audit of facilities and the proposed process for the allocation of the developer contributions. In addition, there has been consultation with the Duchy of Cornwall with regard to the allocation of its contributions made via the S106 agreements for Poundbury.
30. The portfolio holders for Planning (Cllr Ian Gardner) for Enabling (Cllr Mary Penfold) have also been consulted on the proposals set out in this report.

Appendices

31. **Appendix A** – Panel recommendations for the allocation of developer contributions in Dorchester.

Background Papers

32. Audit for sports, cultural and community facilities in Dorchester 2014-15.

Footnote

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

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