



## Democratic Services

**Location:** Phase II  
**Ext:** 0693  
**DDI:** 01895 250693  
**Ref:** CMD 392

**To:**

**OUNCILLOR IAN EDWARDS  
LEADER OF THE COUNCIL**

**OUNCILLOR EDDIE LAVERY  
CABINET MEMBER FOR ENVIRONMENT,  
HOUSING AND REGENERATION**

**OUNCILLOR SUSAN O'BRIEN  
CABINET MEMBER FOR FAMILIES, HEALTH AND  
WELLBEING**

**OUNCILLOR MARTIN GODDARD  
CABINET MEMBER FOR FINANCE**

c.c. All Members of the Environment, Housing & Regeneration Select Committee  
c.c. Perry Scott, Corporate Director of Place  
c.c. Nicola Wyatt, Place Directorate  
c.c. James Bell, Place Directorate  
c.c. Priscilla Simpson, Place Directorate  
c.c. Ward Councillors for Townfield and Uxbridge South  
c.c. Conservative and Labour Group Offices (inspection copy)

**Date:** 10 February 2022

## Non-Key Decision request

## Form D

### NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2021/22: Environmental & Recreational Initiatives: Enhancement of Cricket Facilities in Hillingdon - CR 3

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Friday 18 February 2022** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Steve Clarke  
Democratic Services Officer

**Title of Report:** NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2021/22: Enhancement of Cricket Facilities in Hillingdon - CR 3

**Decision made:**

**Reasons for your decision:** (e.g. as stated in report)

**Alternatives considered and rejected:** (e.g. as stated in report)

Signed ..... Date .....

*Leader of the Council / Cabinet Member for Environment, Housing & Regeneration / Cabinet Member for Families, Health & Wellbeing / Cabinet Member for Finance*

# NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2021/22: Environmental & Recreational Initiatives: Enhancement of Cricket Facilities in Hillingdon - CR 3

<b>Cabinet Member(s)</b>	Councillor Ian Edwards Councillor Martin Goddard Councillor Eddie Lavery Councillor Susan O'Brien
<b>Cabinet Portfolio(s)</b>	Leader of the Council Cabinet Member for Finance Cabinet Member for Environment, Housing & Regeneration Cabinet Member for Families, Education and Wellbeing
<b>Officer Contact(s)</b>	Nicola Wyatt – Place Directorate James Bell – Place Directorate Priscilla Simpson – Place Directorate
<b>Papers with report</b>	Appendix A with capital release requests for approval Location Plans

## HEADLINES

<b>Summary</b>	To seek Cabinet Member approval to allocate £20k from the S106 contribution held at E/80/249F and release funds totalling £77k to enhance of cricket facilities, specifically, a non turf pitch and 2-lane net system at Grassy Meadows and Cowley Recreation Ground.
<b>Putting our Residents First</b>	The report supports the Council objective of <i>Strong Financial Management</i> .
<b>Financial Cost</b>	This report seeks to allocate a total of £20k from a S106 contribution held by the Council towards the project outlined in this report, and release £77k capital funding, comprising £20k from the S106 contribution, £52k from an England & Wales Cricket Board (ECB) grant and a £5k revenue contribution.
<b>Relevant Select Committee</b>	Environment, Housing and Regeneration Select Committee
<b>Relevant Ward(s)</b>	Townfield and Uxbridge South

## RECOMMENDATIONS

- 1) That the Leader of the Council and the Cabinet Member for Finance approve the allocation of £20k from the S106 contribution held at E/80/249F towards enhancement of cricket facilities at Grassy Meadows and Cowley Recreation Ground; and,
- 2) That the Cabinet Member for Environment, Housing and Regeneration, the Cabinet Member for Families, Education and Wellbeing, and the Cabinet Member for Finance approve the capital release request of £77k towards the enhancement of cricket facilities at Grassy Meadows and Cowley Recreation Ground as set out in Appendix A.

### Reasons for recommendations

Following a Cabinet decision in March 2009, the allocation of Section 106 (S106) and Section 278 (S278) funds is required to be formally approved by the Leader of the Council and the Cabinet Member for Finance, Property and Business Services on a case-by-case basis. This report requests the approval for the S106 funds held at the case reference detailed in this report to be committed, as outlined in this report.

### Alternative options considered / risk management

The Cabinet Members may agree to fund the scheme and / or suggest alternative projects to which funds could be allocated within the terms of the relevant legal agreements. If the S106 funds are not allocated to an appropriate scheme, the unspent funds may need to be refunded.

### Select Committee comments

None at this stage.

## SUPPORTING INFORMATION

### Purpose of Planning Obligations

1 Planning obligations, or S106 agreements, are an established mechanism for mitigating planning effects arising from development proposals. The agreements are usually negotiated within the context of planning applications, between Local Planning Authorities and persons with an interest in the piece of land (owners, leaseholders or developers). They are intended to make development acceptable, which would otherwise be unacceptable in planning terms.

2 Any S106 monies generated from planning agreements must be spent on their intended purpose and that the associated development contributes to the sustainability of the area by addressing the impacts of the development proposals. As a result, expenditure of S106 funds must relate to a specific development and must be in accordance with the corresponding legal agreement. If a contribution is not used for the intended purpose, or not spent within the period allocated in the S106 agreement, the monies may need to be returned.

## **S106 contribution held at case reference E/80/249F**

### Details of contribution

3. A financial contribution of £25,000 was received in accordance with a S106 Unilateral Undertaking dated 30 March 2011 and relating to the redevelopment of land at the former Glenister Hall, 119 Minet Drive, Hayes (planning ref 40169/APP/2011/243). The funds were received as the "Sports facilities and maintenance contribution" and are to be used to improve sports facilities at Grassy Meadows as follows.

- £10,000 to either layout 2 new junior football pitches or 1 new junior football pitch and refurbish the artificial cricket wicket on the site.
- £15,000 towards the future maintenance of the site.

### Planning background

4. On 29 March 2011, at the Council's Central and South Planning Committee, permission for the redevelopment of the former Glenister Hall and Sports Ground to provided 65 dwellings with associated access roads, car and cycle parking, children's playground and landscaping works was approved subject to the completion of a Unilateral Undertaking to secure a number of Planning obligations. These obligations included a commitment from the developer to provide either two junior football pitches or one junior football pitch and improvements to the existing cricket facilities at nearby Grassy Meadows, together with a financial contribution towards the future maintenance of the site.

5. At Committee, officers recommended that the proposed provision of the new and improved sports facilities at Grassy Meadows, would represent a suitable alternative to those previously located at the Glenister Hall site and provide a significant improvement to the existing sports facilities at Grassy Meadows.

6. In line with the provisions of the agreement, the Council subsequently accepted a financial sum of £10,000 towards the works to improve sports facilities at Grassy Meadows and received a contribution of £15,000 towards the future maintenance of the site.

### Proposed allocation

7. Officers are requesting that £20k from the S106 contribution held at case reference E/80/249F is allocated and spent towards a scheme to install a non turf pitch and 2-lane net system at Grassy Meadow together with a 5-year maintenance plan. The funds will be used to match fund a grant of £52K to be received from the England & Wales Cricket Board (ECB) available to enhance cricket facilities at two sites in the Borough, Grassy Meadows and Cowley Recreation Ground.

8. Officers consider that given the offer of match funding from the ECB, the use of the S106 funding to provide enhanced cricket facilities at Grassy Meadows would be the best option to ensure that the funds are used to provide the maximum benefit to the local community. The remaining £5k from this contribution will be retained to allow for a junior football pitch to be laid out on the Grassy Meadows site.

## **Proposal: Enhancement of cricket facilities at Grassy Meadows and Cowley Recreation Ground.**

9. The London Cricket Trust (LCT) is working with the England & Wales Cricket Board (ECB) to identify and support London boroughs to improve existing or develop new cricket facilities in parks.

10. Since 2018 the LCT have installed more than 80 new cricket facilities across the capital and distributed cricket starter equipment to more than 60 local schools to boost the activation of new facilities. These new facilities have then become cricketing hubs for local community users including senior and junior club cricket as well as schools.

11. Hillingdon is cited as a borough where demand is increasing for junior and adult cricket; this provides scope for the LCT to install non-turf pitches (NTP) and 2-lane net facilities at two existing sites: Grassy Meadow and Cowley Recreation Ground.

12. In October 2020, the LCT approached the Council with a proposed plan and a match fund opportunity to enhance cricket facilities at Grassy Meadow and Cowley Recreation Ground. The initiative will also include Middlesex Cricket who will develop a local activation plan encouraging local schools and existing cricket clubs at Hayes Cricket Club and Cowley Rec Cricket Club to engage in a more sustainable programme of cricket at these facilities.

13. The following actions are proposed to be taken by Council officers, Middlesex Cricket and the LCT, along with contractors employed by the London Borough of Hillingdon to enhance cricket in Hillingdon. Specifically:

- Installation of 1 x non turf pitch (NTP) and 1 x 2-lane net facility at Grassy Meadow
- Installation of 1 x non turf pitch and 1 x 2-lane net facility at Cowley Recreation Ground
- The NTP suppliers will provide five years of annual maintenance to patch repair and re-tension the matting as required.
- The Council's Sport and Physical Activity Team will work closely with Middlesex Cricket to implement a booking system and monitor 'activation' plans with the local community (including schools and local clubs).

14. On 25 May 2021, Planning Services confirmed that the installation of 2 non-turf cricket pitches and ancillary net facilities can be installed at Grassy Meadow and Cowley Recreation Ground under the Council's Part 12 General Permitted Development Order (2015) powers, so do not require planning permission.

15. The cost of the works proposed is approximately £77K and will be funded £20k from the S106 contribution held at E/80/249F, a grant of £52K from the ECB and £5k revenue contribution. The table below provides a proposed cost outline for the scheme.

<b>Description</b>	<b>Amount</b>
Grassy Meadows Double Bay facility with security fencing	£34,825
Grassy Meadows non turf pitch	£8,372
Cowley Rec Double Bay facility	£25,607

Cowley Rec non turf pitch	£8,072
<b>TOTAL</b>	<b>£76,876</b>

## Financial Implications

### Project Budget £77k; Previously Released Nil; Capital Release Requested £77k - Appendix A

The report is seeking the allocation of £20k from the S106 contribution held at E/80/249F relating to the development at Glenister Hall, 119 Minet Drive, Hayes towards the enhancement of cricket facilities at Grassy Meadows and Cowley Recreation Ground.

The England & Wales Cricket Trust (EWCT) have confirmed grant funding of £52k and formal grant acceptance has been submitted to February Cabinet. Match funding of £25k is required to supplement the grant funding and this is proposed to come from £20k S106 funds being allocated in this report, and £5k Sports & Physical Activity revenue contribution.

The report also seeks the release of £77k for the enhancement of cricket facilities at Grassy Meadows and Cowley Recreation Ground, to be funded £52k from EWCT grant, £20k S106 and £5k revenue contribution. The project costs consist of work costs based on quotations and does not include any fees or contingency.

The project will be reported as part of the Environmental and Recreational Initiatives Programme once capital allocation and release is approved.

## RESIDENT BENEFIT & CONSULTATION

### The benefit or impact upon Hillingdon residents, service users and communities

The recommendations will enable external funds to be spent to the maximum effect to provide viable improvements for the benefit of local communities.

### Consultation carried out or required

Appropriate consultation to be carried out as part of individual project development.

## CORPORATE CONSIDERATIONS

### Corporate Finance

Corporate finance concurs with the financial implications above, noting that the proposed use of Section 106 monies supplements the England and Wales Cricket Board grant that has been secured towards this project.

### Legal

The Borough Solicitor confirms that the Council is responsible for carrying out this function pursuant to Section 19 of the Local Government (Miscellaneous Provisions) Act 1976. Legal

Services have considered the contents of the Section 106 Agreement referred to in the report and conclude that the recommendations presented are consistent with the terms of that respective agreement. There are no legal impediments to the Council authorising the necessary capital release or the allocation of the Section 106 contribution.

### **Infrastructure / Asset Management**

None at this stage.

### **Capital Release Protocol**

The release of all capital funds, and certain revenue funds, held by the Council is to be made by a formal democratic decision. No expenditure can be placed or committed by officers until this formal approval is given by Democratic Services. Release of funds must be for identified projects only and strictly not for the general release of funds for projects to be identified at a later date. No block releases of capital or funding will be allowed, except if authorised by the Leader of the Council in advance to Corporate Finance. The release of funds will only be made if previous Council, Cabinet or Cabinet Member agreement has been given to the project and only if there is an approved budget.

## **BACKGROUND PAPERS**

Planning Obligations Supplementary Planning Document 2014

## APPENDIX A - CAPITAL RELEASE REQUESTS FOR APPROVAL

### Enhancement of Cricket Facilities at Grassy Meadows and Cowley Recreation Ground (CR 3)

Location	Project / Expenditure Title	Information	Funds Release Sought £000's	Approve	Hold	More Information Required
Grassy Meadows & Cowley Recreation ground	Enhancement of cricket facilities	Project to be funded from S106 contribution, ECB grant & revenue contribution	77			
<b>Total seeking release</b>			<b>77</b>			
<b>Previously released</b>			<b>0</b>			
<b>Budget</b>			<b>77</b>			
<b>Remaining budget</b>			<b>0</b>			

### Location Plan - Cowley Recreation Ground

## Property Browser

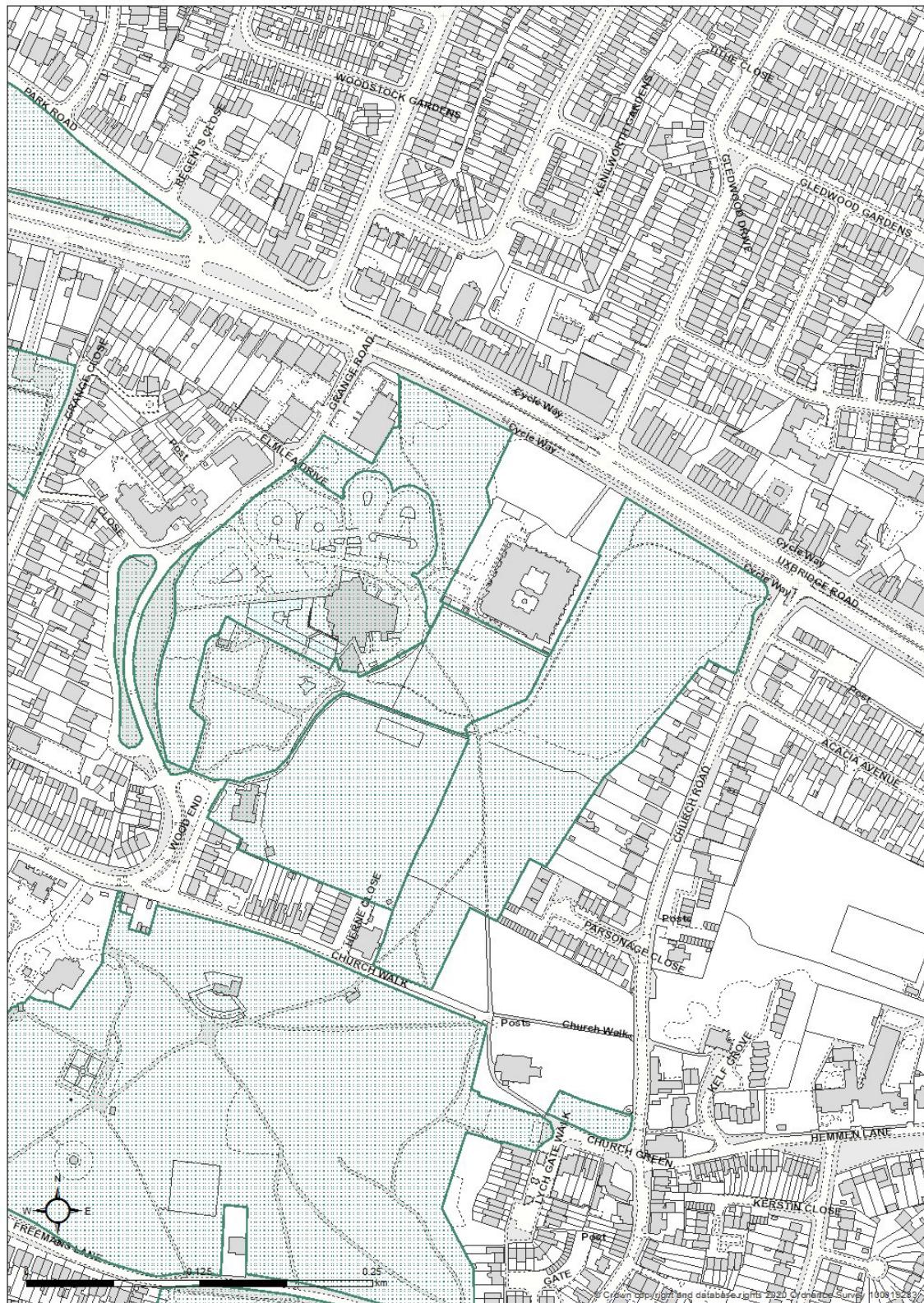


Map Notes

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## Location Plan - Grassy Meadow

## Property Browser



### Map Notes

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