
REPORT TO:	HOUSING & COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	23rd APRIL 2009	CATEGORY: DELEGATED OPEN
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	
MEMBERS' CONTACT POINT:	CHRIS MASON 5794	DOC:
SUBJECT:	MANAGING DEVELOPER CONTRIBUTIONS THAT ARISE FROM THE PLANNING POLICY GUIDANCE 17 (PPG17) STUDY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:HCS07, 8 & 10

1.0 Recommendations

- 1.1 That Members approve the principle of 'area leisure development pots' for the management of capital allocated for off site provision on new developments.
- 1.2 That if approval is given a report is brought back to the next meeting of the Committee identifying, for Members' consideration, a programme for spending the capital allocated to the 'pots'.
- 1.3 That Members note the engagement of Sport England's Facility Improvement Service to provide support in the updating of elements of the original PPG17 study.

2.0 Purpose of Report

- 2.1 To provide the necessary background information to support the above recommendation.

3.0 Executive Summary

- 3.1 Consultants completed the PPG 17 study in November 2005. Progress was made in getting the various formulas identified in the report for obtaining contributions from developers approved by the relevant service committee and Full Council. However, Committee approval was never sought to the concept identified in the study for the management of these contributions. In simple terms the study recommended the creation of 'area leisure development pots' for the pooling of off site developer contributions. The 'area leisure development pots' would then be utilised to fund the shortfalls in provision identified in the PPG17 study. An exercise has been undertaken that identifies s106 contributions that have been paid to the Council and the report places these within their relevant 'pots'. If Members approve, in principle, the concept of establishing 'leisure pots' the intention is to bring a further report to the next meeting of this Committee proposing how this money will be spent. The original PPG17 was undertaken four years ago and the importance of regularly updating the evidence of these studies was always recognised. An opportunity to obtain free consultancy advice to undertake an element of this has arisen and further information on this is provided in the report.

4.0 Detail

Background

- 4.1 At Full Council on 3rd November 2005 Members received a presentation from Knight Kavanagh & Page (KKP), who were commissioned by the Council to undertake the study. The presentation identified the rationale behind the study, the method of undertaking the review and the study's main findings and recommendations.
- 4.2 PPG17 is essentially about setting local standards that ensure effective provision for open space and sport and recreation is made on new developments. It also enables, for the first time, contributions to be made towards making up existing shortfalls.
- 4.3 Specifically, KKP undertook detailed assessments and produced action strategies for three areas; built facilities, outdoor sports facilities and open space.
- 4.4 Subsequently Service Committees, at their meetings on 13th and 20th July 2006, considered the initial planning related issues that arose from the study. At these meetings recommendations were made and subsequently approved by Full Council on 17th August 2006. These recommendations set standards for open space and outdoor sports pitches on new developments and formulas for negotiating financial contributions from developers, in appropriate circumstances, towards built facilities, open space and outdoor pitch provision. This, which effectively updated the evidence base for Local Plan Recreation & Tourism Policy 4. As background information a copy of the report to this Committee on 20th July 2006 is attached at Annexe A.
- 4.5 A key approach to analysis in all three service areas has been the division of the District's parishes into three distinct areas, North, Central and Southern. These groupings are identified in clause 4.6 of the annexe to this report.

'Area Leisure Development Pot', Concept and Management.

- 4.6 In the study consultants recommended that where commuted sums are provided by a developer via a legal agreement for off site provision that these are accumulated in an area leisure development pot. The pots would allow commuted sums to be spent strategically either in providing new provision at identified sites or to improve and enhance existing sites.
- 4.7 When a developer contributes to an area leisure development pot they will be required to contribute the capital cost of new and enhanced provision not the revenue cost for maintaining that provision.
- 4.8 If Members approve the concept of the area leisure development pot it is intended that the Open Space Development Officer in close liaison with Development Control and Finance Officers will manage it.
- 4.9 It is recognised that Members on going involvement in the management & administration of these pots will be an essential element in their success. It is therefore intended to report, at the commencement of each financial year, to

Members on the financial position of the Leisure pots and to seek approval to the proposed programme of expenditure across the year.

- 4.10 The study also recommends the possibility of other statutory organisations or community groups being able to bid to access funds from the pots if they are in a position to address some of the identified shortfalls. If this becomes a practical option a more detailed report will be brought to a future meeting of this Committee that sets out how this may be operate.

Facilities Improvement Service

- 4.11 A key element of the PPG17 guidance is on identifying shortfalls in leisure & recreation provision on an objective basis and then addressing these shortfalls as the funding becomes available. However, it is recognised that because of changes in demographics, the refining of various leisure planning models and the ongoing delivery of new provision there is a need to regularly update the priorities in provision identified.
- 4.12 In recent years Sport England, with a number of other agencies, became aware of the need to provide a specialist service to support Local Authorities in ensuring the provision of a range of good quality, sustainable and demand led community sports facilities. This led to the establishment of the Facilities Improvement Service for which a commitment was made to work with 3 local authorities per annum in each Sport England Region. In simple terms the support takes the form of free specialist consultancy support up to a maximum of 20 hours. Sport England would though expect local authorities they worked with to provide the necessary in house officer support to the project. Demand for the service has been significant, particularly given that financial commitment to the service is not open ended, and officers have been extremely fortunate to acquire one of the remaining slots available in the East Midlands Region. Initial meetings have taken place with both Sport England representatives and the consultants and a detailed brief is now being produced to establish the parameters of the project. Further reports will be provided to Members on the main outcomes of the study.

5.0 Financial Implications

- 5.1 None immediately arising from this report.
- 5.2 At time of writing there is currently the following contributions that the Council is in receipt of that could go in the designated 'Leisure Pots':

Area	Built Facilities £s	Outdoor Sports Pitches £s	Open Space £s
North	0	0	32,000
Central	0	0	158,000
South	0	0	20,000

- 5.3 Please note that the above figures do not include any amounts that have been allocated to a specific area as part of the agreement. This is very much the case with areas where significant development has taken place such as at Hilton and environs. Where it clearly identifies in agreements that a commuted sum is to be spent in a specific area then that sum will be spent according to that agreement.

- 5.4 Some of the amounts identified in the above table pre date the PPG17 study. They also don't take into account of any s106 agreements that are identified as contributions towards specific projects. Contributions towards the construction of the new leisure centre at Etwall are an example of this.
- 5.5 In terms of the link with the Facilities Improvement Service this is provided free of charge although some officer time will be required to support the work of the consultant. This will be met from existing staff resources.

6.0 Corporate Implications

- 6.1 The main recommendations of the PPG17 study could make a significant contribution towards achieving a number of corporate objectives under the 'Lifestyle choices' theme.

7.0 Community Implications

- 7.1 The main basis of the study is to identify and map shortfalls in community provision and identify how these can be addressed.

8.0 Conclusions

- 8.1 A number of the shortfalls identified in the study are already being addressed through the Leisure and Community Development Division's current and previous service plans. Some shortfalls cannot be addressed until the necessary financial resources can be made available either by various partner organisations or ourselves. Within this context the most important policy area is the recommendation to create 'leisure pots' which would allow, for the first time, allocations for off site provision to be pooled in area pots. This in turn would allow shortfalls to be addressed across a wider geographical area. Approval of the 'leisure pot' principle will allow for better & more appropriate management of s106 contributions and, more importantly, provide a possible mechanism for delivering priority programmes such as the modernising of the District's play areas & the provision of youth facilities.

9.0 Background Papers

- 9.1 Planning Policy Guidance 17 assessments and strategies, produced by Knight, Kavanagh & Page, August 2005