

Securing and Releasing S106 Contributions

1. The way in which developer contributions could be secured after April 2015 changed and they can now only be sought where a specific project is identified. On the S106 reports available on CBCs website, contributions referenced by a letter “L” followed by a number show post-2015 sums which should have been secured for specific projects.
 2. Most other contributions are for generic spend within a particular category of s106, ie. Children’s Play, Outdoor Sport etc., in line with the Planning Obligations SPD of 2009.
 3. **There are conditions of spend on ALL s106 contributions and these need to be checked against the S106/UU legal agreements for each development prior to releasing funds.** However, for the majority of pre-2015 contributions, the s106 definitions simply say they are to be spent in accordance with the “details and definitions of which are set out in the SPD”.
 4. Even where a specific project has been identified against a contribution, applications for release of s106 must be made prior to commencement of a project so that the spend can be verified.
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Examples of projects/spend that meet the intentions of S106 contributions for Leisure

1. Children’s Play & Youth Facilities:

Equipped play areas for children and MUGAs connected to play areas.

Example Project / Spend:

- New/replacement play equipment (but not simple repairs to existing) e.g. swings, roundabouts, slides, seesaws, climbing frames, multi-units, etc.
- New/replacement fencing, bins, benches for a play area (but not simple repairs to existing).
- New/replacement safety surfacing for play area (but not simple repairs to existing).
- New/replacement mixed use games area (MUGA) for play areas.
- Large scale land/drainage improvements (excluding general maintenance)

2. Outdoor Sport:

For outdoor sports facilities, including adult MUGAs. Also includes ancillary buildings which support outdoor pitches, such as pavilions and club houses which may have changing room facilities.

For sports facilities not identified in the Leisure Strategy* and also not covered by the Sport England Calculator, there is currently has no method of calculating contribution amounts from new development in line with CIL regs. Contributions will be sought on a case by case bases via negotiation with developers where there is a real identified, costed project.

**Outdoor Sports identified in the Leisure Strategy: Football, Cricket, Rugby, Tennis, Hockey, Outdoor bowls, Athletics, Netball and Artificial grass pitches.*

Example Project / Spend:

- New pavilions/changing rooms/toilets to support outdoor sport facilities.
- Significant structural refurbishments for outdoor sport facilities such as toilets and changing rooms.
- Substantial items of equipment such as scoreboards, floodlights, goal posts, artificial wickets, line markers – things with an expected life span of at least 5 years. Not consumables such as balls, kits, whistles, etc.
- New/replacement adult mixed use games area (MUGA).
- Purchase of grounds maintenance equipment. e.g. lawn mower, tractor.
- New/replacement tennis courts and nets, basketball hoops, bowls mats.
- New/replacement outdoor gym equipment.
- Acquisition of land/buildings incl. associated professional/installation fees (usually only as part of a wider improvement programme).
- Large scale land/drainage improvements (excluding general maintenance).
- Resurfacing of car parks that serve facilities.

3. Informal Open Space:

This contribution category is for publically accessible natural green spaces. This includes a range of open space typologies, such as Countryside Recreation Sites, Urban Parks, Recreation Grounds (excludes sports pitch works), Informal Recreation Spaces and Small Amenity Spaces.

CBC currently has no method of calculating contribution amounts from new development in line with CIL regs. Contributions will be sought on a case by case bases via negotiation with developers where there is a real identified, costed project.

Example Project / Spend:

- New/replacement fencing, bins, benches (but not simple repairs to existing)
- Footpath improvements, riverbank enhancements, picnic tables, built BBQ areas, etc.
- Purchase of maintenance equipment. e.g. lawn mower, tractor.
- Permanent finger posts, styles, gates, information boards.
- New/improved wildlife and wildflower meadows.
- Large scale land/drainage improvements (excluding general maintenance and sports pitches).
- Resurfacing of car parks that serve sites.

4. Indoor Sport & Leisure Centres – for CBC and major public Leisure Centres only.

Examples of items NOT covered under s106 contributions

Consumables: e.g. balls, whistles, bibs, corner flags, bats, racquets, plants, seeds, etc.

Advertising, mail shots, flyers, posters, printing

Salaries, retainers, honorariums and all associated costs

Expenses and accommodation

Workshops, seminars, training sessions

Events, fun days, fetes, carnivals, fayres, concerts and festivals