

Report of:	Head of Economic Prosperity
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Key Decision:	No
Report Track:	Cabinet: 04/03/21

Cabinet
4 March 2021
Permission to Spend S106 Monies - Hednesford Cycle Stands & CCTV

1 Purpose of Report

- 1.1 This report seeks permission to spend S106 monies currently held by the Council, (linked to historic planning agreements for Tesco and Aldi) for town centre management initiatives in Market Street, Hednesford.

2 Recommendation(s)

- 2.1 Cabinet to approve the use of £22,877 of S106 funding (linked to historic planning agreements Q241 & Q235 for Tesco and Aldi) for cycle storage and CCTV facilities in Market Street, Hednesford.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Hednesford Town Centre suffers from low levels of footfall and a distinct lack of cycle storage which prevents businesses benefitting from the trade of passing cyclists.
- 3.2 Without cycle storage Hednesford Town Centre is also unable to promote itself as an accessible and sustainable town and as Hednesford Town Council intends to create a green policy in 2021 initiatives such as cycle storage are imperative.
- 3.3 With the Commonwealth Games men's and women's mountain biking taking place on Cannock Chase in 2022 Hednesford needs to plan and future-proof the town in order to promote and position itself as bike-friendly.

Reasons for Recommendations

- 3.4 CCDC and Hednesford Town Council have an on-going commitment to improve and promote cycling and safety in the district, it is recommended that the project proceed to implementation with two cycle stores on Market Street, Hednesford subject to the necessary statutory procedures.
- 3.5 Installing the new cycle stores will provide genuine alternatives to the private car for shoppers and visitors.
- 3.6 Hednesford Town Council wishes to promote sustainable forms of transport and reduce the reliance on the private car. This proposal has the advantage of improving the environment through reduction in carbon emissions and social health and fitness benefits. No group has been identified as being disproportionately adversely affected as a result of these proposals. Cyclists will benefit.
- 3.7 Informal consultation has been undertaken with town centre businesses who were in full support of the proposed scheme as it would make Market Street a more attractive place to visit and businesses could capitalise on the passing cyclists.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:

Economic Prosperity and supporting the recovery of our town centres are priorities that align with the Council's Corporate Plan along with improving community well-being.

5 Report Detail

- 5.1 Hednesford has no cycle storage in the town centre. Hednesford Town Council has identified two locations on Market Street to install two new cycle stores located in high visibility areas:

Location 1) Outside of Hednesford library

Location 2) Outside of William Hill
- 5.2 With the Commonwealth Games mountain biking being held in Cannock Chase in 2022 Hednesford is exploring ways to promote sustainable travel and cycling.
- 5.3 With Hednesford's proximity to the Chase the town also wishes to capitalise on the footfall this sector can bring to the town which will help local businesses.
- 5.4 Due to Covid-19 and the use of public transport being advised against the installation of cycle storage would offer a practical alternative.
- 5.5 The two additional dedicated CCTV cameras (proposed to be purchased) would provide security and reassurance against opportunistic bike thefts. Ongoing maintenance of the CCTV will be met from existing Council CCTV budgets. Furthermore, there is an agreement between the Council and Hednesford Town Council already in place to cover this arrangement.

5.6 The cycle stores and CCTV cost £22,877 plus VAT which would be funded through existing of S106 funding reserves as follows:

- S106 Tesco agreement (dated 14th Feb 2011) Q241: £21,409.92 residual funds.
- S106 Aldi agreement (dated 22 June 2010) Q235: £9,406.99 residual funds.

Hednesford Town Council would need to access both accounts in order to fund the project. A balance of £7,939.41 will remain on Q235 after payment for the works has taken place.

5.7 Hednesford Town Council will have the responsibility of insuring the cycle equipment and CCDC will add the two CCTV cameras to the existing network.

5.8 The S106 legal agreements have been checked by Legal colleagues to ensure the spending proposals align with the original intended purpose.

5.9 It is noted that the Tesco agreement is subject to a 10-year payback clause, however, the monies were not received by the Council until 2013 so there is time remaining before the payback would strictly apply.

5.10 Hednesford Town Council wish to make use of District Council monies to benefit the town and to demonstrate to the community that the Tesco development aided certain improvements for Market Street prior to the 10-year expiry.

5.11 The request from Hednesford Town Council matches the Councils' priorities around creating thriving town centres and any initiatives that encourage and promote prosperity are welcomed.

5.12 Hednesford Town Council have access to their own CIL (Community Infrastructure Levy funding) allocation.. The CIL funds for Hednesford have been putatively allocated for improvement projects such as infrastructure and environmental improvements in Hednesford and will form part of a larger scope and plan. This additional project is in line with district council priorities and it is therefore felt appropriate that the district contribute additional s106 funding to support the town council's priorities.

6 Implications

6.1 Financial

Hednesford Town Council wishes to make use of £22,877 of the following Cannock Chase District Council S106s to support its work on cycling infrastructure within the town:

- Q235: S.106 Aldi agreement - £9,406.99 residual funds
- Q241: S.106 Tesco agreement - £21,409.92 residual funds

These two S106s have not yet been allocated to a specific district council scheme so are therefore available for use. As payback applies to Q241 is suggested that the receipts are used as follows:

S106	Amount Sought
Q241	£21,409.93
Q235	£1,467.07
Total	£22,877

The project would involve Hednesford Town Council leading on the purchase of the cycle storage at a cost of £7,600 plus VAT, whilst CCDC would lead on the procurement of the CCTV cameras and circuits at a cost of £15,277.

As these are district council receipts and Hednesford Town Council would be leading on the purchase of the cycle storage, an agreement would need to be entered into to ensure effective financial oversight of the purchase of the cycle storage and that all money is spent in accordance with the purposes of the agreement should the district council approve this permission to spend. It should be noted that the town council does have its own CIL resources to fund such local projects. Therefore, the district council should consider this in light of its own priorities.

In addition to the initial outlay which is intended to be covered by the S106's outlined above, there will also be ongoing maintenance costs related to the CCTV cameras which will be the responsibility of the district council. It is, however, felt that these ongoing maintenance costs can be met from within existing CCTV Council budgets and therefore represents a net nil cost to the council at the present time.

6.2 Legal

Money received by the Council under the terms of Planning Obligations made under Section 106 of the Town and Country Planning Act 1990 (as amended) may only be used for the purposes set out in those Section 106 Planning Obligations. The proposed use of the S106 monies for the provision of cycle storage and CCTV provision in Market Street, Hednesford complies with the terms of the two Section 106 Planning Obligations referred to in the report. However, if the S106 monies are to be used by Hednesford Town Council an agreement will need to be entered into between the Council and the Town Council to ensure that the money is spent for those purposes. Further with regard to the Section 106 Agreement relating to the Tesco site dated 14 February 2011 that it is spent within the period of 10 years from having been received by the Council to ensure that the Council complies with its obligations in the Section 106 Agreement.

6.3 Human Resources

Hednesford Town Council will be responsible for overseeing delivery of the project in Hednesford.

6.4 Risk Management

A risk would be that the works cost more than the S106 monies available however, this risk has been mitigated by the sourcing of quotations upfront to avoid any potential over spends.

6.5 **Equality & Diversity**

None.

6.6 **Climate Change**

The freedom to cycle requires government commitment and initiative to put the required infrastructure in place.

Promoting cycling can contribute to sustainable development and improve the quality of life in towns.

Prioritising bikes ensures personal mobility of all income groups. Investing in car infrastructure only marginalises the lowest income families as they either cannot take part or have to spend a large share of their dispensable income on transport. In addition, bikes do not rely on fossil fuels which many developing countries subsidise and/or import.

7 Appendices to the Report

None

Previous Consideration

None

Background Papers

None