
**DEVELOPER CONTRIBUTION, LAND SOUTH OF MEIGLE ROW,
CLOVENFORDS 06-0104-FUL**

Report by Service Director Neighbourhood Services

EXECUTIVE COMMITTEE

18 AUGUST 2015

1 PURPOSE AND SUMMARY

- 1.1 **This report seeks approval to utilise the developer contribution of £42,995 from Meigle Row, Clovenfords in line with details contained within the negotiated agreement ref; 06-0104-FUL to provide additional equipment to the play area adjacent to Muscat Brae.**
- 1.2 As part of the development at land South of Meigle Row, Clovenfords, the Council negotiated a developer contribution for the amount of £42,000 as a contribution towards the provision of additional equipment at the play areas adjacent to Muscat Brae, Clovenfords. However, after allowing for indexation and interest charged the balance held by the Council in relation to this agreed contribution is currently £42,995. Included in the sum is £17,890 towards costs associated with ongoing maintenance, insurance and depreciation of the equipment as per the developer contribution policy. This leaves a remaining capital budget of £25,105.
- In addition to this, the Tweeddale Area Forum agreed to contribute a further amount of £10,000 from its Quality of Life Budget to further improve access, boundary and surfacing, creating an overall capital budget of £35,105
- 1.3 Officers from Neighbourhood Services have been working with local elected Members and the Community Council to agree a design for the extra play equipment to be delivered. This preferred design has now been agreed locally and officers have undertaken a procurement exercise and identified preferred providers. Officers are now pursuing the delivery of the approved design using the developer contribution.

2 RECOMMENDATIONS

- 2.1 **I recommend that Executive Committee:**
- (a) **Agrees to include £25,105 funded by a Developer Contribution within the Financial Capital Plan for 2015-16.**

- (b) Agrees to the inclusion of £17,890 from the Developer Contribution budget to the Revenue budget to enable the delivery and ongoing maintenance of additional play equipment and other improvements to the Play Area adjacent to Muscat Brae.**

- (c) Agrees a virement of £10,000 from Quality of life to Capital as approved by the Tweeddale Area Forum.**

3 BACKGROUND

- 3.1 The Council has received a developer contribution (the play park provision contribution) from the development at Meigle Row, Clovenfords for the amount of £42,995 with Barratt Homes (the developer). The money is to be used to upgrade an existing facility adjoining the land/development site.
- 3.2 At the Tweeddale Area Forum on 4 March 2015, proposals were agreed to utilise £10,000 of Quality of Life funding to create an overall budget of £52,995 to provide other improvements to the play area, which could not be delivered using the developer contribution, including boundary fence surfacing and access improvements.
- 3.3 Included in the budget is an amount for maintenance of £17,890. This therefore leaves an available capital budget to deliver the improvements of £35,105.
- 3.4 Officers from Neighbourhood Services have been working with local elected Members and the Community Council to agree a design for the extra play equipment to be delivered. This plan has now been agreed locally and officers have undertaken a procurement exercise and identified preferred providers. Officers are now pursuing the delivery of the approved design using the developer contribution.

4 IMPLICATIONS

4.1 Financial

The approved design has been subject to competitive tendering and a preferred supplier selected to deliver the scheme, to a value of £35,105.

The remaining balance of £17,890 is to be used to meet depreciation and maintenance costs associated with the new play equipment that has been provided over a ten year period.

4.2 Risk and Mitigations

The Council has negotiated and received £42,995 to be used in line with the agreement number (06-01404-FUL). The money is not able to be used for any other purpose and requires to be spent within five years following receipt of the money from the developer, which was 3 March 2015. As officers have developed proposals for the use of the sum along with the community and local elected Members, there are no risks associated with the use of the money for its intended purpose.

4.3 Equalities

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

4.4 Acting Sustainably

The improvements to the play facilities in Clovenfords will support community cohesion and social and mental health and well being principles by providing good quality play space in accessible locations to approved

standards.

4.5 Carbon Management

There are marginal effects on carbon emissions arising as a result of delivering the proposals contained in this report, principally as a result of the construction activities of the contractors involved in delivering the approved plans.

4.6 Rural Proofing

This does not apply to the proposals contained in this report

4.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to be made to the schemes of administration or delegation as a result of the proposals contained in this report.

5 CONSULTATION

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted on this report and any comments have been incorporated in the final report.

Approved by

Service Director of Neighbourhood Services Signature

Author(s)

Name	Designation and Contact Number
Jason Hedley	Neighbourhood Area Manager (Tweeddale) 01835-824000 (8037)

Background Papers: None

Previous Minute Reference: Tweeddale Area Forum 4th March 2015

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