

S106 Application Form Guidance

Open Space

When applying for S106 Open Space Grant Funding please read this guidance when completing the application form which can be accessed via the following link:-

<https://www.blaby.gov.uk/planning-and-building/guidance-and-policies/section-106-agreements/>

All submitted S106 Open Space Grant Funding applications must be received by the District Council at least **10 working days** prior to the date of the Planning Obligations Monitoring Group meeting, as it cannot be guaranteed that applications received after this date will be included on the agenda and considered at the meeting.

In addition, please also note where applications are submitted incomplete or require additional information it cannot be guaranteed they will be included on the Agenda and considered at the meeting, if the required information is not received and complete at least **10 working days** prior to the date of the Planning Obligations Monitoring Group meeting.

The Planning Obligations Monitoring Group meet approximately every six weeks, please email planning.obligations@blaby.gov.uk to obtain upcoming meeting dates.

It is strongly encouraged Organisations and Parish Councils submit S106 Open Space Grant Funding Applications at the earliest opportunity when an off site open space contribution has been paid to the District Council. As S106 money will only be committed to fund a project once an application is submitted and formally approved by the Planning Obligations Monitoring Group.

Application Form

1. Organisation Details

Please provide full detail of the organisation applying for funding, along with the main contact for the project

2. Proposed Project

Address

Please provide a plan or map showing the public open space area on which the project is to be sited and mark clearly the exact placement of the proposed project. If there are multiple elements clearly show the siting of each project element

Project Need

Advise and provide all detail of research that led to the project being chosen, consultation exercises with the local community, Strategies that identify the project, minutes of meetings where this project was discussed

Owner Status

If your organisation does not own the land, provide evidence of land ownership, along with written permission from the land owners of your project proposal

Access Restrictions

Advise if there are any restrictions on the area of public open space and provide full detail, this may include but is not limited to:-

- If gates are erected and locked at times preventing vehicular and/or pedestrian access to the public open space and/or proposed project
- If Membership is required to access the proposed project and area of public open space e.g. a private sports club etc
- If usage of the public open space and project is limited to certain times
- If the public open space area/building/project is only accessible at certain times/days
- If there is a financial cost imposed on the public when accessing the public open space and/or proposed project

3. Project Funding

Partnership Funding

If the applicant is not applying for 100% of the project costs, provide full detail and evidence of all match funding

Payment Terms

It is the District Council's preference to transfer money for approved S106 projects once the Project is complete in its entirety and available for use. The applicant must also provide a copy of the related supplier/contractors invoice(s) along with an invoice raised to the Council from the Organisation for the level of approved S106 funding, before S106 money is transferred.

If an Organisation is unable to follow these transfer terms for large scale high cost projects due to cashflow and/or the level of money required to deliver the infrastructure, please indicate this on the application form. As the District Council may consider the transfer of funds in tranches prior to project completion to support infrastructure delivery where organisations are unable to do so, however, this will be considered on a case-by-case basis.

Quotations

All applicants are required to demonstrate value for money has been achieved to justify the project cost, irrespective of whether the project is under £10,000 or the cheapest quote has been chosen. For projects under £10,000 this could be achieved by providing detail and costs of a comparable product from the internet.

If the cheapest quote has been chosen and is considerably cheaper than other quotations, the applicant must provide additional detail such as quality and guarantee that led to the supplier being chosen.

If quotations submitted have large differences in costs, the applicant should provide a reason for the difference in costs if the quotations are not comparable and like-for-like.

The Applicant must also provide all obtained supplier quotations in full, and detail of all suppliers/contractors invited to quote if they provided a quotation or not. If the supplier provided a reason not to quote provide detail.

Please provide detail of how the organisations procurement was achieved and a copy of all related documents. In addition, where a Tender Process has been carried out please include copies of all adverts displayed on Contract Finder and full detail of the Tender Process undertaken.

Provide a copy of the project specification that went out to all suppliers invited to quote.

If all the project items included in the quote are not subject to the S106 application, ensure all items included in the application are clearly identified.

Procurement Note

The District Council is unable to provide legal advice to a Parish Council or Organisation applying for s106 funding on procurement, however, as these off site open space funds are public money their expenditure is the responsibility of the District Council and it is essential Parish Councils and Organisations follow the correct procurement procedures. As dependent on detail the District Council may not consider an application on the basis that the incorrect procurement procedure has been carried out.

4. Checklist

Please contact the S106 Monitoring Officer to discuss each project prior to submitting an application, and include full details of the proposed project so eligibility advice can be given.

It is important applicants contact the S106 Monitoring Officer when developing schemes/projects and prior to applying for S106 funds so eligibility advice can be given, as some projects may not meet national legislation and/or the terms of the associated S106 Legal Agreement. In addition, as any organisation that owns or maintains an area of public open space is able to apply for off site open space funding, this may result, on occasion, in more than one organisation intending to apply for funds and so it is important advice is provided to organisations at the earliest opportunity.

Please ensure all documents required are provided in full.

If the applicant has been advised that permission/consent/licence is not required for a project please provide a copy of the advice obtained.

Supporting Notes

Noticeboards

When submitting S106 Open Space Funding applications for new or replacement noticeboards please note that funding will not be given if the noticeboards are only placed on areas of Public Open Space. The noticeboards must also serve a direct function of the Public Open Space on which they are sited, for example, display notices for that area of Public Open Space. Therefore, evidence of this will be required when making applications of this nature.

Replacement Play/Gym Equipment

All S106 Grant Funding applications for replacement play/gym equipment must be justified by clear evidence of need, including photos and/or a ROSPA (or equivalent) report(s), demonstrating reasons for the need of replacement for applications to be considered.

Use of contributions

Please note, all open space contributions must be spent on capital projects and cannot be used to fund revenue or maintenance costs.

Allocation of S106 funding

Please ensure all application forms and submitted contractor/supplier quotes state the full description of all works to be included in the project proposal which are subject to S106 Funding, as S106 applications are approved on the basis of information provided on the submitted S106 Funding application form and supporting documentation. Any deviation from the approved application, including (but not limited to) costs, described proposed works and change in supplier/contractor may result in the s106 funding being withdrawn, if approval has not been gained from the Planning Obligation Monitoring Group for any amendments prior to works commencing. It is therefore requested that S106 Funding applications are submitted once the supplier has been agreed and all works and costings have been finalised with no envisaged deviations or outstanding issues, thus ensuring all provided quotation(s) and final invoice(s) are current, valid and reflect the finalised total cost of the project.