

NAME OF COMMITTEE	Resources
DATE	7th October 2014
REPORT TITLE	Tavistock Townscape Heritage Initiative (THI) Scheme; Section 106 funds contribution
REPORT OF	Head of Planning, Economy and Community
WARDS AFFECTED	Tavistock Wards

Summary of report: Following the Stage 2 approval of the Tavistock THI Scheme in September by the Heritage lottery Fund (HLF) it is now essential to secure the funding package to allow the scheme to start. This report identifies funds which are available through the Section 106 agreement with Marchfield Properties which may assist this scheme and proposals by the Tavistock Business Improvement District Company for the introduction of a pay-on-exit scheme for Bedford Car Park. It asks members to consider setting these funds aside for these public realm works in the town centre.

Financial implications:

Up to £70,000 has been agreed to be provided by Marchfield Properties Ltd as a contribution towards “Town Centre Improvements” prior to the occupation of the supermarket development in Plymouth Road, Tavistock, together with up to £15,000 for signage improvements in association with the “Townscape Heritage of Tavistock”.

The Borough Council will shortly be in receipt of these funds and therefore in a position to decide how they might be utilised.

RECOMMENDATIONS:

It is recommended that Members agree:

1. To set aside up to £40,000 from the “Town Centre Improvements” contribution under the Section 106 Agreement with Marchfield Properties Ltd as a contribution towards public realm works under the Tavistock THI Scheme and
2. To set aside a further £15,000 from the “Townscape Heritage Contribution” towards signage improvements in Tavistock town centre relating to the townscape heritage.
3. That up to £30,000 be set aside as a contribution towards the pay-on-exit scheme for the Bedford Car Park in Tavistock but

4. In the event of the Pay-on-exit scheme for Bedford car park, not going ahead within the timescale of the current Tavistock Business Improvement District scheme, then the remaining £30,000 under the “Town Centre Improvements” be made available as a further funding contribution towards the Tavistock THI Scheme.

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1. BACKGROUND

- 1.1 The Borough Council endorsed and set aside the necessary match funding to support the Tavistock Townscape Heritage Initiative (THI) Scheme Stage 1 and 2 bids in October 2012 (RC 20) and February 2014 (CM74). Then in April 2014 this committee agreed to adopt the revised Tavistock Conservation Area Character Appraisal and Management Plans (RC 45) and the Tavistock Public Realm Strategy (RC 46).
- 1.2 As part of the Stage 2 bid up to £50,000 was identified as being required to be drawn down from the Section 106 funds should such funds be made available.
- 1.3 In February 2014 Marchfield Properties Ltd entered into a Section 106 agreement with the Borough Council regarding the proposed supermarket development in Plymouth Road.
- 1.4 In this agreement up to £70,000 was set aside for “Town Centre Improvements” which included “... contributions towards the cost of public realm improvements within the town centre, which may include improvements to the Bedford car park on Canal Street.”
- 1.5 Meanwhile, the Tavistock Business Improvement District (BID) Company has been exploring, with Borough Council officers, the possibility of installing a pay-on-exit scheme for the Bedford Car Park.
- 1.6 A further £15,000 was set aside for “the Townscape Heritage Contribution” which was “...a contribution towards town centre signage improvements forming part of the initiative of the Council to inform the public about the townscape heritage of Tavistock”
- 1.7 On the commencement of development and before the occupation of the supermarket these sums become payable to the Borough Council. The current understanding is that development is due to commence shortly.
- 1.8 The following report therefore outlines options for the use of these funds and recommends how they might be allocated.

2. ISSUES FOR CONSIDERATION

- 2.1 The Tavistock Townscape Heritage Partnership (TTHP) has guided the THI bidding process throughout the current round. The Partnership includes both officer and member representation from all the three local authorities, including the Borough Council.
- 2.2 In approving the Stage 2 bid the HLF asked for further clarification on how the remaining match funding would be secured and therefore members are asked to consider whether or not they can support an allocation of at least £50,000 to help support the implementation of the THI scheme.
- 2.3. As indicated above the “Town Centre Improvements” element of the Section 106 funds could be used for this purpose, however it is understood that the Tavistock BID Company would like to draw down up to £30,000 to support their proposal for a pay-on-exit scheme for the Bedford car park. Furthermore, improvements to the car park are expressly referred to in the agreement with Marchfield Properties.
- 2.4 The likelihood of such a scheme going ahead is still in doubt, due to the overall capital costs and ongoing revenue implications for the Borough Council. In addition the BID Company has only 12 months more to run under the current arrangements. It is therefore possible that the pay-on-exit scheme will not go ahead as currently proposed.
- 2.5 Hence, it is suggested that the £30,000 contribution towards the pay-on-exit scheme is set aside for the time being but should this prove unviable, then the full £70,000 could be utilised to support the THI scheme (as outlined in the Stage 2 bid).
- 2.6 In addition, up to £15,000 is available for Townscape Heritage contributions. This is intended to be used for signage improvements and could support both the THI scheme and the signage improvements being carried out by Devon County Council and the BID Company.
- 2.7 All these works will require specific schemes to be drawn up and where appropriate may need to be referred back to the Borough Council and others for detailed approval. All such schemes will be required to conform to the approved Management Plan and Public Realm Strategy.

3. LEGAL IMPLICATIONS

- 3.1 Under Section 1 of the Localism Act 2011 the Council has a general power of competence to do anything an individual can do subject to any statutory restrictions.
- 3.2 In January 2014 Marchfield Properties Ltd entered into a Section 106 agreement with the Borough Council regarding the proposed supermarket development in Plymouth Road.

- 3.3 In this agreement up to £70,000 was set aside for “Town Centre Improvements” which included “... contributions towards the cost of public realm improvements within the town centre, which may include improvements to the Bedford car park on Canal Street.”
- 3.4 A further £15,000 was set aside for “the Townscape Heritage Contribution” which was “...a contribution towards town centre signage improvements forming part of the initiative of the Council to inform the public about the townscape heritage of Tavistock”
- 3.5 These sums become payable on the commencement of development and before the occupation of the supermarket.

4. FINANCIAL IMPLICATIONS

- 4.1 Up to £70,000 has been agreed to be provided by Marchfield Properties Ltd as a contribution towards “Town Centre Improvements” prior to the occupation of the supermarket development in Plymouth Road, Tavistock, together with up to £15,000 for signage improvements in association with the “Townscape Heritage of Tavistock”.
- 4.2 The Borough Council will hold these funds and is in a position to decide how they are utilised. They may not be used for any other purpose and will not impact on other financial matters.

5 RISK MANAGEMENT

- 5.1 The risk management implications are as set out in Annex A below

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Environment, Economy and Community Life
Statutory powers:	Section 1 of the Localism Act 2011
Considerations of equality and human rights:	N/A
Biodiversity considerations:	These are considered as part of the management plan review
Sustainability considerations:	These are considered as part of the management plan review and the separate sustainability analysis completed by Cornwall Council
Crime and disorder implications:	N/A
Background papers:	Tavistock Conservation Area Appraisal review; February 2014 Tavistock Conservation Area Management Plan review; February 2014 Report to Full Council February 2014 Tavistock THI Scheme Report to Resources Committee on the Review of

	<p>The Tavistock CA Character Appraisal and Management Plan April 2014 Report to Resources Committee on the Tavistock Public Realm Strategy April 2014</p>
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STRATEGIC RISK ASSESSMENT

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel		
1	Reputational risk	Not spending available funds appropriately/Opportunity to support regeneration initiatives in Tavistock S106 monies not forthcoming	3	2	6 ↔	Schemes are in the pipeline, as outlined in the report, to spend these monies and have been approved in principle by the Borough Council. Resources are now available within the THI scheme to bring these proposals to fruition The S106 monies are not needed until year 3 of the project. Therefore the Tavistock Town Heritage Partnership would have time to build in a contingency plan to make up the shortfall. WDBC is not responsible for finding additional monies should the S106 not be forthcoming but as part of the Tavistock Town Heritage Partnership would assist in finding alternative funds.	Head of PEC
2	Legal risk	Failure to meet legal obligations set out in the Section 106 agreement	3	2	6 ↔	Should these schemes prove unviable officers will work with partners to bring forward alternative proposals	Head of PEC
3	Financial risk	Ongoing cost of maintaining infrastructure	3	2	6 ↔	Investment in improvement works should reduce maintenance costs. Officers will need to work with the other local authorities to ensure ongoing maintenance costs are addressed.	Head of PEC

Risk Score 20-25: very high; 12-19: high; 8-12; medium; <8: low

Direction of travel symbols ↓ ↑ ↔