

## 7. Strategic Leisure Contributions

*Executive Portfolio Holder:* Sylvia Seal – Leisure and Culture  
*Assistant Director:* Steve Joel – Assistant Director – (Health and Well-Being)  
*Service Manager:* Lynda Pincombe, Community Health and Leisure Manager  
*Lead Officer:* Steve Joel – Assistant Director (Health and Well-Being)  
*Contact Details:* [steve.joel@southsomerset.gov.uk](mailto:steve.joel@southsomerset.gov.uk) or (01935) 462278

### Purpose of the Report

1. To provide members with an overview of the current approach employed by the authority to secure planning obligations to remedy local deficiencies in strategic sport and recreation facility provision and to highlight future changes.

### Action required

That members consider and discuss the information contained in this report and the associated appendices (sent out under separate cover).

### Background

2. Planning Policy Guidance 17: Planning for open space, sport and recreation (PPG17) empowers local planning authorities to seek planning obligations to remedy deficiencies in the quantity and quality of open space, sports and recreation provision.
3. Under this policy, local authorities are only justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development increases local needs. In order to demonstrate this, it directs that it is essential that local authorities have undertaken **detailed assessments of needs** and **audits of existing facilities**, and **set appropriate local standards** in order to justify planning obligations.

### Assessment of Needs / Audits of Existing Facilities

4. To ensure effective planning for sport and recreation it is essential that the needs of local communities are known. Local authorities are required to undertake robust assessments of the existing and future needs of their communities for open space, sports and recreational facilities. Assessments are normally undertaken at district level.
5. In undertaking audits of existing sports and recreational facilities consideration must be made of the use made of existing facilities, access in terms of location and opportunities for new facilities, the quantitative and the qualitative elements of the facilities. Audits of quality can be particularly important as they may allow local authorities to identify potential for increased use through better design, management and maintenance.
6. Assessments and audits will allow local authorities to identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in their areas. They form the starting point for establishing an effective

strategy for sport and recreation at the local level (tied into the local authority's Local Development Framework and Sport and Leisure Strategy), and for effective planning through the development of appropriate policies in plans.

### Setting Local Standards

7. Setting robust local standards based on assessments of need and audits of existing facilities forms the basis for redressing quantitative and qualitative deficiencies through the planning process. Standards are required to be set locally catering for local circumstances, such as differing demographic profiles and the extent of the existing built development area, and should be included within development plans.
8. Local standards should include:
  - 8.1. quantitative elements (how much new provision may be needed);
  - 8.2. a qualitative component (against which to measure the need for enhancement of existing facilities); and
  - 8.3. accessibility (including distance thresholds and consideration of the cost of using a facility).
9. Further supporting good practice guidance 'ODPM: Assessing needs and opportunities: A companion guide to PPG17' has been published providing more detail advice on how assessments, audits, standard setting and strategy formation may be done.

### Why is it important?

10. Open spaces, sport and recreation all underpin people's quality of life. Well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering our broader Council objectives, including:
  - 10.1. **Health and well-being:** sport and recreation facilities have a vital role to play in promoting healthy living and preventing illness, and in the social development of children of all ages through play, sporting activities and interaction with others.
  - 10.2. **Community cohesion:** well planned, maintained and good quality sports and recreational facilities play a major part in improving people's sense of well being in the place they live. As a focal point for community activities, they bring together members of communities and provide opportunities for people for social interaction.
  - 10.3. **Economic prosperity:** access to sport and recreational facilities often plays a part in people and business deciding where they wish to locate, increasing their attractiveness, and in turn supporting economic regeneration.
  - 10.4. **Sustainable development:** by ensuring that sports and recreational facilities are easily accessible by walking and cycling and that more heavily used or intensive sports and recreational facilities are planned for locations well served by public transport.

- 10.5. **Cost effective services:** good planning obligation policies for sport and recreation can enable authorities to significantly reduce the amount of capital required towards the additional burden of delivering sport and leisure facility infrastructure necessary to reasonable recreation needs of existing and future residents.

### South Somerset Assessments

11. The SSDC PPG17 assessment for strategic sport and recreation facilities was commenced in 2005. The aim of the study was to:

- 11.1. Identify any deficiencies or surpluses in provision and options for dealing with them now and in the future.
- 11.2. Assess the impact that future population growth will have on the sport and recreation infrastructure.
- 11.3. Set out a long-term plan and policy to secure the infrastructure required to deliver networks of sustainable and accessible, high quality sports and recreation provision for existing and future needs.
- 11.4. Provide evidence for the need to maintain and enhance existing and new provision.
- 11.5. Provide a clear strategy to guide future decisions about the provision and funding of recreation facilities.
- 11.6. Provide a robust and comprehensive evidence base to enable the Council to develop planning policies as part of the future Local Development Framework Documents, sufficient to withstand scrutiny at an Examination in Public.
- 11.7. Provide information to enable the Council to make decisions on the distribution of developer contributions.
- 11.8. Allow developers and landowners to predict as accurately as possible the likely contributions they will be asked to make through planning obligations for such provision.

12. The assessment was conducted in accordance with the ODPM good practice guidance which advocates a five steps approach:

- 12.1. Step 1 – Identifying Local Needs
- 12.2. Step 2 – Auditing Local Provision
- 12.3. Step 3 – Setting Local Standards
- 12.4. Step 4 – Applying Provision Standards
- 12.5. Step 5 – Policy Recommendations

13. This work has been underpinned by a comprehensive range of consultation to ascertain the views of the local community, key interest groups and wider stakeholders, including:
  - 13.1. Resident 'MORI' type survey to 2,500 households.
  - 13.2. Site facility manager telephone interviews.
  - 13.3. School facilities survey.
  - 13.4. Parish / town council survey.
  - 13.5. Neighbouring authority officer interviews.
  - 13.6. Four public consultation workshops.
  - 13.7. Draft strategy public and stakeholder consultation exercise.
14. Assessments have been prepared to cover the key strategic facilities identified by residents and those working in the district, including: swimming pools, sport halls, synthetic turf pitches (now known as artificial grass pitches), indoor tennis centres, and theatre and arts centres.
15. Finalised in December 2006, the assessments have been updated twice to reflect changes in the Regional Spatial Strategy housing requirements. A further update is planned once the housing requirements are determined through the Core Strategy.
16. A copy of the assessments for swimming pools, sport halls, synthetic turf pitches, and indoor tennis centres are attached in Appendices 1, 2, 3, 4. The assessment for theatre and arts centres is currently being updated and will be available at the end of October.

### **Securing Planning Obligations for Strategic Leisure Contributions**

17. The Council's current policy is to secure planning obligations from new housing applications comprising of 5 or more dwellings, subject to viability.
18. The process for considering whether planning obligations should be sought for strategic leisure provisions in relation to new housing consists of a six step process, involving:
  - 18.1. Calculating the population increase that will result from the development.
  - 18.2. Determining the amount of space that would be required to meet the additional demands.
  - 18.3. Assessing whether the existing infrastructure in the locality has the capacity to accommodate the additional needs.
  - 18.4. Determining the best approach to mitigate any impacts that cannot be accommodated either on-site or by the existing infrastructure.
  - 18.5. Preparing application specific planning obligation calculations for the required mitigations.

- 18.6. Preparing application specific maintenance sum calculations for a ten-year period.
19. The Leisure Planning Policy Officer within the Community Health and Leisure Service completes this process for each application. The key deliverables from the assessment of the application includes:
- 19.1. A statutory SSDC Community Health and Leisure Planning Obligation Response consultation response to Development Control, together with a Financial Summary.
- These documents are publically available alongside all other statutory consultation responses via the web based planning portal.
- 19.2. A full copy of the SSDC Community Health and Leisure Planning Obligation Response to the applicant, together with copies of the supporting PPG17 evidence, and planning obligation calculations.
20. These deliverables are generated using a standardised Planning Obligation Tool to ensure a consistent, fair and policy based approach is adopted for all applications. This is vital in order to enable the authority to accord with national planning obligation rules set out within the ODPM 05/2005 Planning Obligation Circular, modified recently through the introduction of the Community Infrastructure Levy Regulations.
21. An example of the Leisure Planning Obligation Response and Planning Obligation Summary/Calculation Tool is attached in appendix 5 and 6 respectively.
22. Should planning permission be granted, the response subject to any modification agreed prior to committee approval, directs the instruction to the SSDC legal team responsible for preparing the Section 106 agreement.

### **Determining Impact Mitigation**

23. To determine the best approach to mitigate additional impacts emerging from a proposed development, the Leisure Planning Officer will firstly refer to the PPG17 Assessment to determine whether the existing infrastructure in which the development is proposed has the capacity to accommodate the additional demand.
24. Where the infrastructure is unable to accommodate these demands the Officer will propose two mitigation proposals: 1) a primary mitigation proposal based upon the PPG 17 Assessment strategy for the specific locality, and 2) a secondary 'district-wide' based PPG17 Assessment strategy mitigation option in order to provide an alternative basis to mitigate the additional demands should the first mitigation proposal be undeliverable for any reason. This approach is intended to provide the authority with additional flexibility and minimise the likelihood of obligations needing to be returned to the applicant for not being spent within the relevant period.
25. In order to fulfil the obligations set out within the ODPM 05/2005 Planning Obligation Circular, the full details of the Council's proposed delivery strategy is then set out to the developer within the Leisure Planning Obligation Response.

## Future Changes

26. Two national planning policy additions will have significant impacts upon the current approach to securing strategic leisure planning obligations, namely the Infrastructure Delivery Plan (IDP) and Community Infrastructure Levy (CIL). Both are central to supporting the preparation, adoption and implementation of the Council's Core Strategy, and its proposals for growth.

### Infrastructure Delivery Plan

27. SSSC has commissioned Baker Associates and Roger Tym and Partners to prepare the South Somerset Infrastructure Delivery Plan (IDP). The purpose of the IDP is:

- 27.1. To inform the Core Strategy about where new infrastructure is planned and will be required to deliver growth.
- 27.2. To assist in coordinating the infrastructure plans of different stakeholders.
- 27.3. To assist in identifying funding requirements and obtaining and bidding for funding.
- 27.4. To provide a transparent basis for residents and developers to monitor infrastructure delivery.

28. The SSSC PPG17 assessments for strategic sport and recreation facilities have been used as part of the evidence base for the IDP. In future, the IDP document will therefore identify the strategic leisure infrastructure requirements to address existing deficiencies and support proposed growth. It will become the document to justify seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development increases local needs.

### Community Infrastructure Levy

29. The Community Infrastructure Levy is a new Levy that local authorities will charge on new developments in their area. The system will replace the existing Section 106 mechanisms, and the money raised can be used to support the funding of infrastructure identified within the IDP. The CIL Regulations came into force on the 6<sup>th</sup> April 2011. From April 2014, the authority will only be able to secure contributions towards strategic leisure provisions if it has implemented a CIL charging scheme, according to the regulations.

30. This system has the advantages in that the authority can apply a charging structure to all types of development, and it provides greater flexibility and freedom to prioritise what the money should be spent. Monies raised are not directly linked to specific projects or locations, a specific downside to the current system.

## Conclusions

31. This report intends to provide members with an overview of the current approach employed by the authority to secure planning obligations to remedy local deficiencies in strategic sport and recreation facility provision and to highlight future changes.