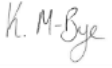


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u> Distribution of section 106 funds to Bermuda Phoenix Centre	
<u>DECISION REFERENCE</u> DO/56/2025 (KMB)	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/ Constitution/Minute No. etc. NBBC Constitution – 3E.8. F
<u>DATE OF DECISION</u> 23/10/2025	<u>DECISION MAKER (Name and Job Title)</u> Katie Memetovic-Bye - Assistant Director 
<u>RECORD OF THE DECISION</u> a) The issue To utilise collected Section 106 contribution to provide long term maintenance of the football pitch and bowling greens at Bermuda Phoenix Centre. b) The Decision That the Council approves the use of Section.106 developers contributions to the maintenance of the football pitch and bowling greens at Bermuda Phoenix Centre in line with the signed Section 106 agreement. That a Community Use Agreement is formally adopted by Bermuda Phoenix Centre prior to funds being provided, to support the delivery of accessible Sports facilities within the Borough.	
<u>REASON FOR THE DECISION</u> To ensure funds allocated specifically for this project via Section 106 are used and therefore improving the standard of facilities at the site.	
<u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION</u> As the Section 106 funding is specifically for this project if it is not used it will have to be given back to the developer.	
<u>WARD RELEVANCE</u> Arbury Ward	

<u>FINANCIAL AND BUDGET IMPLICATIONS</u> No financial implications as the S.106 contributions have already been received by the Council to support this delivery.
<u>CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS</u> The use of the funds as per the section 106 agreement, have been approved via the Councils internal Corporate Programme Review Board. Portfolio Holder – Public Services
<u>ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED</u> N/A
<u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given). N/A
<u>EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)</u> N/A
<u>HUMAN RESOURCES IMPLICATIONS</u> No specific implications as the facilities and not owned or managed via the Council and therefore the delivery of these works will be managed by the site operator.
<u>FINANCIAL IMPLICATIONS</u> If the section 106 funds are not utilised for this site under the strict terms of the Section 106 agreement, they can't be utilised for another other site or project and will be returned to the developer. The Council have already received the total developer contribution figure for this project. Therefore, there will be no additional budget pressures put on the Council to hand over and deliver this project.
<u>HEALTH EQUALITIES IMPLICATIONS</u> This will continue promoting healthy lifestyle and wellbeing and offer more opportunities for residents to participate in physical activities.
<u>SECTION 17 CRIME & DISORDER IMPLICATIONS</u> None identified
<u>RISK MANAGEMENT IMPLICATIONS</u> To mitigate any risks, such as, funds not used as required or meeting the funding outputs, there will be regular monitoring meetings with the club, using a Community Use Agreement highlighting the standards to achieve and club responsibilities.
<u>SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS</u> N/A

<u>ENVIRONMENTAL IMPLICATIONS</u> Improvements to the surface of the site facilities will enable improved usage of the facilities.
<u>LEGAL IMPLICATIONS</u> There will be a signed Community Use Agreement in place
<u>ANY OTHER COMMENTS</u> N/A

**PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS
MADE OR AS REASONABLY PRACTICABLE THEREAFTER**