

Request for a Decision under Delegated Powers

Officer Requesting the Decision

Stephen Stray

Decision Requested

To authorise the release of £20,000.00 received in respect of a section 106 agreement attached to planning permission P/11/1845/2.

The money being transferred to Leicester City Council to fund:

-) Introduction of a Toucan crossing at the Melton Road/Troon Way.
Total - £20,000 relating to the Costco development in Thurmaston.

Reason

The release of this funding is in accordance with the Section 106 Legal Agreement and will meet the needs of increased traffic caused by the Costco development ref P/11/1845/2.

Authority for Decision

There is a delegation in the Constitution to all Heads of Service "to pay over section 106 monies in respect of non-housing items received by the Borough Council as the responsible authority, but which will not result in expenditure by the Council and where the Head of Service has been determined to be the relevant Head of Service by the Head of Finance and Property Services.". (Item 10 on page 3-36).

For the Head of Service to approve the release of funds they must be satisfied that the works carried out fulfil the requirements set out in the section 106 agreement and have written confirmation from the relevant body that the monies are used for their intended purpose.

Decision

I agree with the recommendation.



Head of Planning and Regeneration

Date: 6 September 2017

Policy Context

Planning agreements negotiated with developers and land owners under Section 106 of the Town and Country Planning Act 1990 (as amended) provide a vehicle for the delivery of contributions towards infrastructure, facilities and amenities reasonably related in scale and kind to the development proposed and necessary to discharge fully the policy expectations of the Development Plan.

Background

Planning application P/11/1845/2 provided for development of a warehouse club, including tyre installation, sales and associated facilities with access and associated parking.

The Section 106 legal agreement attached to the planning consent required a highway contribution of £20,000 towards improvements to the Melton Road/Troon Way Junction.

Leicester City Council has designed a detailed Toucan crossing scheme at an overall cost of £30,000. The contribution request was £20,000. The money will be paid to Leicester City Council. The City Council confirms it has other contributions that will fully provide the scheme which will therefore proceed.

The developer has provided the monies as the S106 provisions take effect when any material operation has begun (excluding works for demolition).

Financial Implications

The money has been received and there are no direct financial implications for the Borough Council.

Risk Management

There are no risks identified with this decision.

Officer to Contact

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Background Papers

All contained on planning file P/11/1845/2