

**Request for a Decision under Delegated Powers**

**Officer Requesting Decision**

Compliance Technician

**Officer Taking the Decision**

Head of Planning & Regeneration

**Recommendation**

To authorise the return of £517.60 in respect of a section 106 agreement attached to planning permission P/05/2903/2 – Land at Station Road/High Street, Quorn and to pay this to Rivers Trading Ltd 11 Canning St, Leicester LE1 3ER

**Reason**

The return of this funding is in accordance with the relevant clauses in the section 106 agreement attached to planning permissions P/05/2903/2.

**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 by the Head of Finance and Property Services” (Item 8 on Page 8-15)

For the Head of Service to approve the release of funds they must be satisfied that the works carried out fulfil the requirement as set out in the section 106 agreement and have written confirmation from the relevant body that the monies are used for their intended purpose. Any unspent monies after 5 years of receipt by the Borough Council shall be returned to the developer as per the relevant clause within the section 106 agreement.

**Decision and Date**



23 June 2020

**Background**

At the request of NHS England (and its predecessors). CBC has been holding funds received for Section 106 healthcare contributions.

As part of the section 106 attached to P/05/2903/2, Charnwood Borough Council received £6,807.84 as a contribution towards healthcare provision within the locality of the development. A balance of £517.60 remains unspent after works had been completed. As the 5 year deadline for the receipt of the contribution has expired the developer requested the return of any unspent monies.

The money will be returned to the developer in the financial year 2019/20.

**Financial Implications**

There are no financial implications for Charnwood Borough Council.

**Risk Management**

There are no risks identified with this decision

**Officer to Contact**

Mr Neal Chantrill

**Background Papers:**

All contained on planning file P/05/2903/2.