

Decision under Delegated Powers

Officer Requesting Decision

Developer Contributions Monitoring Officer

Officer Making the Decision

Head of Planning and Growth

Recommendation

To authorise the transfer of £27,365.87 of section 106 monies collected by Charnwood Borough Council to Leicestershire County Council inline with the section 106 agreement attached to planning application P/16/1359/2

Reason

The funds were received on the 27th July 2023 in respect of section 106 agreement attached to planning permission P/16/1359/2. The received funds relate to the delivery of Civic Amenity Contribution, Library Contribution, County Council Monitoring fee, Travel Pack Contribution and Travel Pack Monitoring fee and will be delivered by Leicestershire County Council.

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 all Heads of Service to approve the release of funds they must be satisfied that the works to be carried out fulfil the requirement as set out in the section 106 agreement and have written confirmation for 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



30 August 2023

Background

Charnwood Borough Council are holding section 106 monies totalling £27,365.87 in relation to planning application P/16/1359/2: Erection of 108

dwellings with access served off Cemetery Road located at Former Waste Site, Cemetery Road, Sileby.

The section 106 agreement attached to planning application P/16/1359/2 states “The Owner covenants with the Borough Council not to Commence Development until the Owner has paid the Borough Council the Civic Amenity Contribution, Library Contribution, County Council Monitoring fee, Travel Pack Contribution and Travel Pack Monitoring fee.”

The table below outlines the contributions the Borough Council have collected on behalf of Leicestershire County Council, these funds are now to be transferred to Leicestershire County Council for onward spend inline with the section 106 agreement with the associated provisions the County Council offer to the community of Sileby.

Contribution	Amount Received
County Council Monitoring fee	£3,009.96
Civic Amenity	£5,508.00
Library	£3,200.00
Travel Pack (£52.85 per pack)	£5,707.80
Travel Pack Monitoring	£6,000.00
Total	£23,425.76
Indexation	£3,940.11
Total Contribution	£27,365.87

Financial Implications

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

Risk Management

There are no risks associated with this decision.

Key Decision

No

Background Papers

All contained on planning files P/16/1359/2 and P/21/0549/2