

Decision under Delegated Powers

Officer Requesting Decision

Group Leader Development Management

Officer Making the Decision

Head of Strategic Support

Recommendation

To authorise the late expenditure of Section 106 contributions previously agreed as part of the Principal Section 106 Agreement under Planning Permission reference P/10/1155/2.

Reason

The S106 Agreement is required to make the development acceptable in planning terms.

Authority for Decision

To be agreed under the delegated authority of the Head of Strategic Support and with the agreement of the Head of Planning.

Decision and Date

Background

By a Section 106 Agreement dated 20 September 2011 David Wilson Homes Limited, BDW Trading Limited and William Davis Limited as Owner of land to the North of Barkby Road, Syston, covenanted to pay to Leicestershire County Council an Education Contribution of Seventy Thousand Three Hundred and Fifty Five Pounds and Ninety Pence (£70,335.90), subject to indexation in accordance with the First Schedule of that Agreement.

The County Council covenanted to apply the Education Contribution towards the provision of and /or improvement of facilities at Wreake Valley College. The County Council agreed that any unexpended part of the Education Contribution would be repayable to the party who paid the contribution if it had not been applied for the purposes stated within five years of receipt. A further provision of the Agreement enables any period specified in the Agreement to be extended by mutual agreement in writing of all the parties.

The County Council having received the full amount of the Education Contribution by 16 June 2015 has sought the agreement of the other parties to the Agreement to extend the period of five years for the expenditure of the Education Contribution. The expenditure has been delayed due to the Coronavirus Pandemic.

The County Council intends to expend the remaining Education Contribution by contributing towards the costs of planning improvements and extension of teaching and support facilities at the Wreake Valley Academy (previously Wreake Valley College). The remaining contribution will be spent by March 2021.

Comments from HR

None.

Financial Implications

None.

Risk Management

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Applicant doesn't comply with the S106 Agreement	Very low	Low	Very Low (1 - 2)	Routine monitoring of the S106 Agreement.

Key Decision: No

Does the report contain exempt information? No

Background Papers:

P/10/1155/2 – planning file