

Heads of terms for the completion of a Section 106 agreement

Village – 79 High Street, Meldreth (S/1124/17/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	57% affordable rent and 43% Intermediate (4 rent and 3 shared ownership)
Local connection criteria	All7 to be allocated to those with a local connection to Meldreth

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£0.00
Primary School	CCC	£0.00
Libraries and lifelong learning	CCC	£0.00
Transport	CCC	£0.00
Sports	SCDC	approx.£20,000
Children's Play	SCDC	approx.£30,000
Indoor community space	SCDC	approx. £9,000
Household waste bins	SCDC	£73.50 per house and £150 per flat
Footway improvements to field gate nursery, Station Road	SCDC	£1,000 per dwelling (total approx.£18,000)
TOTAL (APPROX)		£78,323
TOTAL PER DWELLING (APPROX)		£4,351.27

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Area for Play	SCDC	
Landscape and Ecology buffer	SCDC	

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Early years
Policy	DP/4
Required	NO

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	NO

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	NO

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	NO
Detail	Spaces available

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Thriplow HRC has maximised its pooling for s106 contributions

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	No

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>Meldreth has an identified deficit of 1.17 ha of sports space.</p> <p>Meldreth Parish Council has requested a contribution towards the installation of outdoor gym equipment to be located on the recreation ground which would cost at least £15k but could be more depending on the specification and number of items installed.</p> <p>This equipment would be suitable for all age ranges, particularly teenagers to adults of all ages. There is a lack of such facilities in the village and this will be exacerbated by a significant increase in village population. A low impact opportunity to improve health with a variety of exercise opportunities. This equipment will be an incentive to make the recreation ground a whole community meeting place thus integrating residents from all over the village.</p> <p>£625.73 for each 1 bedroom Dwelling £817.17, for each 2 bedroom Dwelling £1,130.04 for each 3 bedroom Dwelling £1,550.31 for each 4+ bedroom Dwelling</p>
Quantum	£20,000 (circa)
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupation of 6 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC2
Type	Children's play space
Policy	SF/10
Required	YES
Detail	<p>Meldreth has an identified deficit of 1.33 ha of children's play space.</p> <p>The developer will be required to provide an onsite LAP satisfying need of 0-4 year olds with an offsite contribution as requested by Meldreth Parish Council towards installing an all weather play surface comprising two Five-a-side goals and two basketball nets measuring 15 meters by 24 meters with line markings.</p> <p>£1,202.78 for each 2 bedroom Dwelling £1,663.27 for each 3 bedroom Dwelling £2,281.84 for each 4+ bedroom Dwelling</p>
Quantum	£30,000 (circa)
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupation of 6 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC3															
Type	Informal open space and informal play space															
Policy	SF/10															
Required	YES															
Detail	<p>The applicant will be required to provide a minimum level of informal open space in accordance with the table below</p> <table border="1"> <thead> <tr> <th></th> <th>Informal open space</th> <th>Informal play space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>5.4m2</td> <td>Nil</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> <td>13.3m2</td> </tr> </tbody> </table>		Informal open space	Informal play space	1 bed	5.4m2	Nil	2 bed	7m2	7m2	3 bed	9.7m2	9.7m2	4+ bed	13.3m2	13.3m2
	Informal open space	Informal play space														
1 bed	5.4m2	Nil														
2 bed	7m2	7m2														
3 bed	9.7m2	9.7m2														
4+ bed	13.3m2	13.3m2														
Quantum																
Fixed / Tariff																
Trigger	To be laid out prior to occupation of 10 th dwelling															
Officer agreed	YES															
Applicant agreed	YES															
Number Pooled obligations	None															

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	Yes
Detail	<p>Meldreth Parish Council has requested a contribution to replace ageing boiler and carry out refurbishment and modernisation of work surfaces, cookers and flooring. This is expected to cost at least £8,500 but it is entirely possible that the figure will increase.</p> <p>£284.08 for each 2 bedroom Dwelling £371.00 for each 2 bedroom Dwelling £513.04 for each 2 bedroom Dwelling £703.84 for each 2 bedroom Dwelling</p>
Quantum	£9,000 (circa)
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupation of 6 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC5
Type	Household waste receptacles
Policy	RECAP WMDG
Required	YES
Detail	£73.50 per house and £150 per flat
Quantum	See above
Fixed / Tariff	Tariff
Trigger	Paid in full prior to commencement of each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio Holder approved policy
Required	NO
Detail	Although planning appeals have confirmed that s106 monitoring contributions may legitimately secured (notwithstanding the Oxfordshire High Court Judgement), however these are reserved to instances where prolonged monitoring is required as a result of infrastructure being provided within a development. It is not legitimate for a local authority to secure contributions solely for the purpose of monitoring financial payments., Here only affordable housing and a small open space areas is proposed being provided and which in the view of officers does not warrant a monitoring contribution being secured.

Ref	SCDC7
Type	Onsite open space
Policy	Open space in new developments SPD
Required	YES
Detail	<p>Paragraph 2.19 of the Open Space in New Developments SPD advises that 'for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space be offered to Meldreth Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

OTHER OBLIGATIONS

Ref	OTHER 1
Type	Landscape and ecology buffer area to the west (within the blue line), north, west, south and eastern boundaries
Policy	NE/6, DP/2 and DP/3
Required	Yes
Detail	Detailed zonal plan to be secured within a S106 agreement and area planted and maintained in accordance with an agreed schedule.
Quantum	
Fixed / Tariff	Fixed
Trigger	Finished prior to occupation of the houses on the site
Officer agreed	YES
Applicant agreed	YES

Ref	OTHER 2
Type	Footway enhancement from station bridge to fieldgate nursery
Policy	DP/3
Required	Yes
Detail	To improve pedestrian and cycle accessibility to and from Melbourne village and fieldgate nursery. Parish Council driven project. Cost of the project in the region of £65,000. £1,000 per dwelling – total of approx. £18,000 (depending on reserved matters)
Quantum	
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 6 dwellings
Officer agreed	YES
Applicant agreed	YES