

Heads of terms for the completion of a Section 106 agreement

Village – Marley Eternit Meldreth (S/1901/16/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	25% Overage required
Affordable housing tenure	50% affordable rent and 50% Intermediate
Local connection criteria	First 8 to be allocated to those with a local connection to Meldreth, with the remaining allocated 50/50 between local connection and the District wide Housing Register

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	See 'Primary School'
Primary School	CCC	£1,777,144
Libraries and lifelong learning	CCC	£10,845
Transport	CCC	£57,000
Sports	SCDC	£15,000
Indoor community space	SCDC	£49,000
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£2,000
Healthcare	SCDC	£49,380
TOTAL		£1,958,369
TOTAL PER DWELLING		£13,055.79

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Equipped Area for Play	SCDC	

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Marley Eternit sports and social club membership	SCDC	2 year membership for each qualifying resident
Travel Plan	CCC	Including subsidised rail travel
Pedestrian/cycle link	CCC	From development to Whitecroft Road
Bus stop upgrade	CCC	Bus stop serving Kneesworth Road
Cycle stand	CCC	10 cycle stands at Medreth station

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Early years
Policy	DP/4
Required	YES
Detail	See 'Primary School'

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	YES
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 53 primary education aged children. This development lies within the catchment area of Meldreth Primary School.</p> <p>County Education Officers have confirmed that there is insufficient capacity in the school in the next 5 years to accommodate all the places generated by this development. Therefore a contribution will be required towards primary education provision.</p> <p>The identified project is an additional 30 place classroom and ancillary work at Meldreth Primary School to accommodate the additional primary-aged children arising from this development.</p> <p>The cost of this work is included within the project to expand Meldreth Primary School by 2 classrooms, which also includes the classroom required for early year's mitigation (see Early Years section above). The project costs therefore include both the early years and the primary education mitigation.</p> <p>A Milestone 1 Report has been produced which includes project costs. Once those elements are removed which are not related to the pressures arising from the new development the total project cost is £1,777,144.</p> <p>The number of primary-aged pupils arising from this development is taking up all the spaces being provided by the additional classroom.</p> <p>The sum of money sought by CCC will fully fund the expansion works to the Primary School and it is likely that such works will take place in advance of occupation of the development. The s106 agreement will need wording such that, in the event the Primary School works cost less than the figure quoted in the agreement, then any difference should be payable by way of an affordable housing commuted sum and not be returned to the Owner as is usually the case. As such CCC will need to covenant to provide SCDC with full details as to primary school expansion build costs.</p>
Quantum	£1,777,144 (maximum)
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	NO
Detail	Melbourn Village College has sufficient capacity

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	<p>The proposed increase in population from the development will be approximately 375 new residents (150 x 2.5 average household = 375). Meldreth is currently served by one mobile stop and this development will have a significant impact on library provision in the village. A contribution of £28.92 per head will be required for provision of an additional route stop and to purchase additional books, resources and equipment required to meet the library and lifelong learning needs of this new population.</p> <p>Therefore a contribution of £10,845 (375 x £28.92 = £10,845) towards LLL is sought.</p>
Quantum	£10,845
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development
	50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

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
Detail	<p>The County Council have sought a contribution of £650 (at a rate of £50 per hour) towards the cost of monitoring. The District Council does not support this request as (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) the District Council will undertake this function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. On this basis the Council considers that the request fails to satisfy the tests as set out in CIL Reg 122 and para 204 of the NPPF.</p>

Ref	CCC7
Type	Transport
Policy	TR/3
Required	YES
Detail	<p>RTPI to be installed at Kneesworth Road at a cost of £27,000</p> <p>Community transport at a cost of £30,000</p>

Quantum	£57,000
Fixed / Tariff	Fixed
Trigger	RTPI contributions payable prior to occupation of first dwelling Community transport payable in 3 equal instalments at (1) prior to first occupation (2) prior to occupation of 20 th dwelling and (3) prior to occupation of 40 th dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

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 the sum of £15,000 towards the installation of outdoor gym equipment to be located on the recreation ground.</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>
Quantum	£15,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 25 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 LEAP satisfying need of 2-8 year olds with an offsite contribution of £42,500 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> <table border="1" data-bbox="576 1435 1275 1655"> <thead> <tr> <th></th> <th>Formal play space</th> <th>Informal play space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>Nil</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>		Formal play space	Informal play space	1 bed	Nil	Nil	2 bed	7m2	7m2	3 bed	9.7m2	9.7m2	4+ bed	13.3m2	13.3m2
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1 bed	Nil	Nil														
2 bed	7m2	7m2														
3 bed	9.7m2	9.7m2														
4+ bed	13.3m2	13.3m2														
Quantum	£42,500															
Fixed / Tariff	Fixed															
Trigger	<p>LEAP to be laid out and available for use prior to occupation of 40 dwellings</p> <p>Payment of offsite play contribution made prior to occupation of 60 dwellings</p>															
Officer agreed	YES															
Applicant agreed	YES															
Number Pooled	None															

obligations	
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Ref	SCDC3										
Type	Informal open 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" data-bbox="624 504 1230 689"> <thead> <tr> <th></th> <th>Informal open space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>5.4 m2</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> </tr> </tbody> </table>		Informal open space	1 bed	5.4 m2	2 bed	7m2	3 bed	9.7m2	4+ bed	13.3m2
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Quantum											
Fixed / Tariff											
Trigger											
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 of £8,500 to replace ageing boiler and carry out refurbishment and modernisation of work surfaces, cookers and flooring.</p> <p>A further request has been made for £40,500 in order to provide more parking at the village hall. For those who cannot walk or cycle to the village school additional car parking capacity at the village hall will ensure a safer environmental for dropping off and collecting children. Extra capacity will help to avoid unacceptable street parking congestion. The Village hall is a major centre for the community and additional parking capacity there will encourage an enhanced level of community cohesion for an increased population. Greater use of the adjacent recreation ground is expected to be a further consequence of the proposed scheme.</p>
Quantum	£49,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 40 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	YES
Detail	To ensure the timely delivery of onsite infrastructure
Quantum	£2,000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC7
Type	Onsite open space and play area maintenance
Policy	
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	Health
Policy	DP/4
Required	YES
Detail	NHS England has requested a contribution of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase.
Quantum	£49,380
Fixed / Tariff	Fixed
Trigger	100% prior to occupation of 50% of the dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE