

REPORT TO: Development and Conservation Control Committee 5th April 2006

AUTHOR/S: Director of Development Services

**Cambourne Section 106 Agreement:
Trailer Compound Provision**

**Recommendation: No further action at present
Date for Determination: N/A**

Purpose

1. Members will recall lifting the “embargo” on issuing planning permissions for market housing at Cambourne at the March 2005 meeting and continuing this approach at the May and August and November meetings, in order for the developers’ consortium to progress the legal matters associated with the provision of the trailer park. This report updates Members on progress with the trailer park, as requested.

Background

2. Several community facilities had not been provided by the 1000 occupations trigger point, as required by the Cambourne S106 agreement. Progress has since been made on most of the facilities, to the point where most are now in use and have been or are being formally handed over to the Parish Council. Only the trailer park had failed to commence on site or to be at a stage where it was likely to commence, and Members had used the “embargo” to push the developers towards resolving this matter, but had lifted it in March to assist the developers in finalising their legal processes.
3. At the August meeting Members considered a letter received from the developers’ Project Director, indicating that all works relating to the trailer park should be completed “within the next couple of months”, and that the delay (associated with the new legal agreement to bring the site under the umbrella of the main Cambourne S106 Agreement) was not all on the part of the developers. In November, the developers said that they had finished the foul drainage and fencing, with land drainage about to commence. The owner of the site was contractually obliged to erect further fencing and to complete the works to make the site available for use. The developers had given him 6 weeks to do this otherwise they would step in and complete it themselves.

Updated position

4. By now, it was expected that the storage compound would be open. However, the developers have been negotiating to try and purchase the site, in order that they can have complete control over the provision of the facility. I am advised that contracts will have been exchanged for the purchase of the site by the date of this meeting, in which case the completion date will be certain. A verbal update will be given.
5. The required Supplemental Legal Agreement to bring the site under the umbrella of the main Cambourne Legal Agreement has now been finalised, so that it will be ready for completion on the same day as the completion of purchase of the site.

6. I have also requested a new timetable for the opening of the facility and works leading up to it. This involves the laying out of the site, and there may be some change to the permission to accommodate an existing hard standing that could be used as a wash-down facility. A management regime and timing for the use of the new access also remain to be finalised and approved under the conditions of the planning permission. These matters should be fairly straightforward to resolve. A verbal update will be given.

Financial Implications

7. None.

Legal Implications

8. Completion of supplemental S106 Agreement required.

Staffing Implications

8. Officers will continue to monitor the provision of this and other community facilities.

Sustainability Implications

9. Provision of these facilities is important for community sustainability.

Recommendation

10. That no further action be taken subject to receipt of correspondence from the Consortium's Project Director giving satisfactory assurances and requested information in relation to land purchase and timetables. A verbal update to be given to the meeting.

Background Papers: the following background papers were used in the preparation of this report:

Cambourne Section 106 Agreement dated 20th April 1994.
Outline planning permission dated 20th April 1994, reference S1371/92/0

Contact Officer: Kate Wood – New Village / Special Projects Officer (Cambourne)
Telephone: (01954) 713264