

## S106 KEY TERMS SUMMARY AND CIL COMPLIANCE STATEMENT

### Key Terms

A brief summary of the s106 key terms is set out below:

<b>Obligations enforceable by the Council</b>	
<b>Obligation</b>	<b>Quantum, Trigger, Purpose</b>
Logistics and Construction Training – Financial Contribution	Gross Unit floorspace (GEA) (sqm ) x £0.32 Index Linked [from Q3 2017]  Payable prior to commencement of any phase  For purposes consistent with paras 1 and 2 of Appendix 1 to S106
Construction Training	Programme to be agreed prior to commencement of any phase  Principles set out in para 3 of Appendix 1 to S106
Logistics Training	Programme to be agreed prior to occupation of any phase  Principles set out in para 4 of Appendix 1 to S106
Community Impact Mitigation – Financial Contribution	Gross Unit floorspace (GEA) (sqm ) x £3.81 Index Linked [from Q3 2017]  Payable prior to commencement of any phase  Towards the following community purposes:  <ul style="list-style-type: none"> <li>i. community facilities provision, improvements, management and maintenance;</li> <li>ii. community public realm provision, improvements, inspection and maintenance;</li> <li>iii. community path and signage provision, improvements, management and maintenance;</li> <li>iv. traffic calming measures along roads through and approaching communities;</li> <li>v. community infrastructure and electronic communications provision, improvements, management and;</li> <li>vi. community carbon offset or reduction measures</li> <li>vii. community ecological education programmes and initiatives</li> <li>viii. community facilities in connection with ecological education programmes and initiatives</li> </ul>
Nature Scheme / Biodiversity Mitigation	Enhancements to local green infrastructure in the form of a nature trail with information boards approved by the Council
<b>Obligations enforceable by the County Council</b>	
<b>Obligation</b>	<b>Trigger</b>

Update transport assessment and carry out updates to access and mitigation works approved prior to commencement	To update transport assessment approved under monitor and manage conditions in the event a transport assessment for a subsequent phase is approved before approval of a monitoring report for the preceding phase  To complete update works before first occupation or in accordance with a timescale to be agreed by the County Council
Intra Phase Monitoring	Monitoring of transport effects generated by the development to be carried out between first and final occupation of the Development (if required by the County Council)
Residual Mitigation Measures and Security	If residual mitigation measures are required pursuant to intra phase monitoring these are to be completed prior to first occupation of the subsequent phase (or a later timeframe agreed in writing by the County)  <i>NB: the security mechanism for this obligation is still being finalised with the Applicant and County Council – it could be a cash deposit, bond or under the cover of the s278</i>
Travel Plan	A Travel Plan for each phase of the development is secured under planning condition [24]; the s106 secures a monitoring fee be paid to the County Council for the agreed monitoring period
Public Transport Service	To provide or fund the provision of a bus service to and from the development in accordance with an agreed strategy  <i>NB: the parameters for this obligation are still being finalised with the Applicant and County Council</i>

The above summary is accurate as at 28 October 2020. The Council is working proactively with the Applicant and the County Council to conclude the s106 negotiations.

### **CIL Compliance Statement**

The above obligations have been secured under s106 of the Town and Country Planning Act 1990 and other enabling powers, having regard, inter alia, to:

- a) the Heads of Terms approved by Committee on 29 June 2020;
- b) the nature, size and scale of the proposed development, having regard to planning obligations secured for relevant comparable developments;
- c) the planning conditions approved by Committee on 29 June 2020 to address the impacts of the proposed development;
- d) the Council's S106 SPD which charts the principles for financial and non financial obligations (without limitation) towards community services and facilities, employment and skills training, biodiversity, transport and other site specific mitigation.

Officers are satisfied that the obligations comply with the S106 SPD and satisfy the requirements of CIL Regulation 122; namely that the obligation are necessary to make the proposed development acceptable in planning terms; the obligations are directly related to the proposed development and the obligations are fairly and reasonably related in scale and kind to the proposed development.