

Forest Heath District Council

**RED LODGE WORKING
GROUP**

26 APRIL 2007

RDL07/020

Report of the Strategic Director (Services)

UPDATE ON S106 PROGRESS

Synopsis:

The report provides an up to date analysis of all the obligations obtained within the S106 Legal Agreement, plus an overview on the progress of the various building phases.

Commentary:

1. The total number of occupied dwellings on the Kings Warren site has reached 211 this month. This number includes 45 affordable houses transferred to Flagship Housing. Crest Nicholson have occupied or transferred 204 on their first phases, whilst Bovis have 7 occupations.
2. The Kings Warren site is currently up date with its financial obligations with just the Education Contribution to come this month. Once index-linked the final figure owed will be £1,018,690.80 forty-five percent of the total gained for education within this S106.
3. The total contributions collected to date from the 2003 Crest Nicholson S106 are detailed in the following table

DATE	CLAUSE	AMOUNT	DESTINATION
31.03.05	4.13.2.1	£20,060.00	Development Monitoring Officer
03.11.05	4.13.2.2	£16,961.94	Development Monitoring Officer
03.11.05	4.14.1.1	£9,191.25	Community Development Officer
21.09.06	4.7.1	£127,798.74	Community Centre Contribution
21.09.06	4.13.2.3	£17,517.93	Development Monitoring Officer
21.09.06	4.14.1.2	£9,492.53	Community Development Officer
21.09.06	4.17.1.1	£5,474.35	Public Art Contribution
22.01.07		£1,341.20	Adjusted payments
22.01.07	4.18	£77,560.00	Environment Improvement

4. The total financial contribution received by FHDC from the 2003 Crest Nicholson S106 up to 26th April 2007 is £285,397.94
5. The total financial contribution received by SCC from the 2003 Crest Nicholson S106 up to 26th April 2007 is £604,601.56
6. A further £55,000.00 for local infrastructure has been received from another S106 on site, bringing the total received from the Warren Road site to **£944,999.50**
7. On the Bovis site we have now received all the required details that relate to the planning conditions
8. On the Bloor site we are down to the last two conditions that still require details.
9. David Wilson have now started their first phase and are being chased vigorously for all details required to discharge the planning conditions.

Finance/Budget/Resource Implications

10. All F.H.D.C. contributions are held in S106 account for allocation.

Policy Compliance/Power

11. S106 2003 Crest Nicholson attached to pp F/2000/282

Performance Management Implications

12. No BVPI Development Monitoring requirement at present.

Legal Implications

13. S106 requirement to monitor development and to provide financial statements.

Human Rights Act and Diversity Implications

14. None known.

Crosscutting Implications

15. Monies gained will contribute across a number of services and also Suffolk County Council Highways and Education.

Risk Assessment

16. Failure to monitor S106 would risk contributions not being index linked or not being received. If any contribution is not expended within 15 years of final completion, it has to be returned.

Council Priorities

17. To monitor development pro actively across the district.

Recommendation:

18. It is recommended that Members note the report.

Documents attached

None.

Nigel McCurdy
Strategic Director (Services)
18 April 2007

BACKGROUND PAPERS

2003 S106 Crest Nicholson

CONTACT OFFICERS

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