



Development Control Committee – 10 April 2013

Section 106 Agreements - Update Report

Purpose of report

To provide Members of the Development Control Committee with an update on current Section 106 agreements where a deadline was imposed for completion.

Attachment(s)

Appendix 1: Table itemising current Section 106 (S106) agreements

1.0 Background

- 1.1 At the meeting of the Development Control Committee held on 28 November 2012, it was agreed that a standard item be added to future agendas so that the Head of Planning Services could report on progress with regards to the drafting of S106 agreements in cases where the Committee had previously resolved to grant planning permission, subject to the prior finalisation of such an agreement.
- 1.2 In those situations where the process of drafting the agreement has taken longer than expected, it may be necessary for the Head of Planning Services to request an extension of time, with reasons for the delay, to enable Officers to continue negotiations accordingly. Appendix 1 indicates where this will be necessary.
- 1.3 The need to secure such extensions has arisen because the drafting process for recent S106 agreements has been completed within a few days of the deadline date.

2.0 Summary Table

- 2.1 The attached table includes details of current S106 agreements on hand, setting out progress to date and whether additional time may be required.

3.0 Equality and Diversity Implications

- 3.1 There are no equality and diversity implications arising from this report.

4.0 Legal Implications

- 4.1 S106 agreements must be legally robust as regards to appropriateness and enforceability.

5.0 Risk Management

- 5.1 The applications relating to these S106 agreements were previously considered by the Development Control Committee, where any associated risks would have been considered.

6.0 Financial Implications

- 6.1 There are no financial implications arising from this report.

7.0 Corporate Outcomes

7.1 The key corporate outcomes relevant to this report are high quality service delivery and strong communities.

8.0 Recommendation

8.1 Members are requested to note the contents of this report and approve extensions to time limits where necessary and as detailed in Appendix 1.

Legal	Power: Town and Country Planning Act 1990				
	Other considerations:				
Background Papers: None					
Person Originating Report: Rhys Bradshaw, Principal Planning Officer rabradshaw@east-northamptonshire.gov.uk					
Date: 27 March 2013					
CFO		MO		CX	

(Committee Report Normal Rev. 22)

Item 4 Appendix 1: Current S106 agreements – 10 April 2013

Application ref	Site	Deadline date for completion	Current position	Extension requested?	Reason for extension
EN/12/00417/OUT	Islip Furnaces (RB)	Previous extensions agreed until 11/2/2013, 11/3/2013 and 03/04/13	Nearing completion	No	
EN/11/01234/FUL	Sainsbury's Thrapston (SW)	Extension agreed at meeting on 20 March until end of April 2013	A revised draft S106 has been produced and circulated and is currently being considered.		Discussions ongoing, however still finalising wording.
EN/11/00835/OUT	Keats Way, Rushden (RB)	Previous extension agreed until 03/04/13	Nearing completion	No	
EN/10/02082/OUT	Church St, Irthlingborough (SH)	No deadline as resolution pre-dated the '6-month rule'.	First draft agreement circulated Sep 2011.	No	
EN/07/00062/OUT	Wharf Road, Higham Ferrers (SW)	28/05/13	NBC has been instructed.	No	
EN/12/01557/FUL	Laundry site, Crow Hill, Irthlingborough (AB)	06/08/13	NBC has been instructed	No	
EN/12/01368/FUL	Glaphorn Road, Oundle (CT)	20/09/13	NBC has been instructed	No	