



East  
Northamptonshire  
Council

## Development Control Committee – 25 September 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.

<b>Legal</b>	Power: Town and Country Planning Act 1990				
	Other considerations:				
<b>Background Papers:</b> None					
<b>Person Originating Report:</b> Rhys Bradshaw, Planning Development Manager ☎ 01832 742180 ✉ rabradshaw@east-northamptonshire.gov.uk					
<b>Date:</b> 12 September 2013					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

**Appendix 1: Current S106 agreements – 25 September 2013**

<b>Application ref</b>	<b>Site</b>	<b>Deadline date for completion</b>	<b>Current position</b>	<b>Extension requested?</b>	<b>Reason for extension</b>
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 (EW)	Extension agreed at an earlier meeting until end September 2013	Ongoing	No	
EN/12/01368/FUL	Glaphorn Road, Oundle (CT)	Extension agreed at an earlier meeting until end October 2013	Ongoing	No	
EN/12/01614/FUL	Herne Road Oundle	Extension agreed at an earlier meeting until 18 <sup>th</sup> October 2013	Ongoing.	No	
EN/13/00077/OUT	Green Close Irthlingborough	24/12/13	Nearing completion	No	
EN/12/01741/FUL	Midland Rd Thrapston	14/02/14	Instructed	No	
EN/12/01957/OUT	Midland Rd Thrapston	14/02/14	Instructed	No	
EN/13/00879/FUL	Chapel Farm Buildings, The Green Ashton,	04/02/14	Ongoing	No	