



Democratic Services

Location: Phase II
Ext: 0692
DDI: 01895 25 0692
My Ref: NF

**To: COUNCILLOR IAN EDWARDS
LEADER OF THE COUNCIL**

**COUNCILLOR MARTIN GODDARD
CABINET MEMBER FOR FINANCE**

c.c. All Members of Executive Scrutiny Committee
c.c. Dan Kennedy, Director of Planning,
Environment, Education and Community Services
c.c. Chairman of the Residents, Education and
Environmental Services Policy Overview Committee
c.c. Nicola Wyatt / Stuart Hunt, Residents Services
c.c. Ward Councillors for Yiewsley & West Drayton
c.c. Conservative and Labour Group Offices
(inspection copy)

Date: 19 April 2021

Non-Key Decision request

Form D

NEW ALLOCATION OF S106 CONTRIBUTIONS 2020/21: Management of Hales Field Park and Stockley Land Parcels

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Tuesday 27 April 2021** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Neil Fraser
Democratic Services Officer

Title of Report: NEW ALLOCATION OF S106 CONTRIBUTIONS 2020/21: Management of Hales Field Park and Stockley Land Parcels

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

SignedDate.....

Leader of the Council / Cabinet Member for Finance

NEW ALLOCATION OF S106 CONTRIBUTIONS 2020/21: Management of Hales Field Park and Stockley Land Parcels

Cabinet Members	Councillor Ian Edwards Councillor Martin Goddard
Cabinet Portfolios	Leader of the Council Cabinet Member for Finance
Officer Contact	Nicola Wyatt / Stuart Hunt - Residents Services
Papers with report	Appendix A Location Maps 1-3

HEADLINES

Summary	To seek Cabinet Member approval to allocate funds from the S106 contributions held at E/148/372E, E149/372F and E/150/372G towards the future management and maintenance of Hales Field Park and Stockley Land parcels.
Putting our Residents First	This report supports the Council objective of strong financial management.
Financial Cost	This report seeks the allocation of £285,600 from S106 contributions currently held by the Council towards the scheme detailed within this report.
Relevant Policy Overview Committee	Residents, Education and Environmental Services.
Ward(s) affected	Yiewsley & West Drayton.
Portfolio Member approval	Councillor Eddie Lavery.

RECOMMENDATION

That the Leader of the Council and the Cabinet Member for Finance approve the allocation of £285,600 from the S106 contributions held by the Council at E/148/372E, E149/372F and E/150/372G to be used towards the management and maintenance of Hales Field Park and Stockley Land parcels.

Reasons for recommendation

The allocation of S106 and Section 278 (S278) funds is required to be formally approved by the Leader of the Council and the Cabinet Member for Finance on a case-by-case basis. This report requests the approval for the S106 funds held case references detailed in this report and to be committed as outlined in this report.

Alternative options considered

The Cabinet Members may agree to fund the scheme and/or suggest alternative projects to which funds could be allocated within the terms of the relevant legal agreements. If the S106 funds are not allocated to an appropriate scheme, the unspent funds may need to be refunded.

Policy Overview Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Planning obligations, or S106 agreements, are an established mechanism for mitigating planning effects arising from development proposals. The agreements are usually negotiated within the context of planning applications, between Local Planning Authorities and persons with an interest in the piece of land (owners, leaseholders or developers). They are intended to make development acceptable, which would otherwise be unacceptable in planning terms.
2. Any S106 monies generated from planning agreements must be spent on their intended purpose and that the associated development contributes to the sustainability of the area by addressing the impacts of the development proposals. As a result, expenditure of S106 funds must relate to a specific development and must be in accordance with the corresponding legal agreement. If a contribution is not used for the intended purpose or not spent within the period allocated in the S106 agreement, the monies may need to be returned.
3. In July 2008, the Council adopted a Supplementary Planning Document (SPD) for Planning Obligations which outlined the Council's approach, policies and procedures in respect of planning obligations. This document has recently been replaced by the Updated Planning Obligations SPD (adopted July 2014) which reflects the introduction of Hillingdon's Community Infrastructure Levy (CIL). The original SPD is, however, still relevant for contributions negotiated before the introduction of CIL on 1 August 2014 and provides stakeholders with a fair, transparent and predictable basis for the implementation of S106 agreement. Details of the financial planning obligations held by the Council and the progress being made in their allocation and implementation are reported to Cabinet on a quarterly basis through the 'Planning Obligations Financial Monitoring Report.' The purpose of this report is to further assist in providing a transparent approach to the allocation of S106 funds.

S106 contribution held at case reference E/148/372E, E/149/372F, E/150/372G

Details of contributions

4. Three separate financial contributions of £214,000, £31,100, and £40,500 have been received in accordance with a Section 106 planning agreement dated 11 December 2015. The contributions relate to Phase 3 of the redevelopment of Stockley Park, Stockley Road, West Drayton (planning reference 37977/APP/2015/1004). The funds have been received as the first instalments of the contributions which are to be used by the Council towards the ongoing management and maintenance of the land parcels known as parcels A, B, and C1 respectively (as shown on a plan attached to the agreement). A second and final instalment of each contribution is due to be paid on the third anniversary of the transfer of the land to a total contribution of £571,200 (plus indexation).

Planning background

5. Phase 3 Stockley Park is approximately 12 HA in size and comprises the final phase of a major reclamation and regeneration project, to provide a high-quality business park. Conceived in the 1980's, Phase 1 began in 1985. Planning permission to develop the final phase of the site was agreed at the Council's Major Applications planning Committee on 27th August 2015, subject to a section 106 agreement to secure a number of planning obligations.

6. As part of a package of obligations to mitigate the loss of greenbelt at the site, the developer agreed to reclaim and then gift several parcels of land to the Council, together with financial contributions towards the future management and maintenance of the land, to be used as publicly accessible open space. These included four parcels of land known as A, B1, B2 and C. Following the satisfactory completion of the Section 106 agreement, planning permission was subsequently approved. The land parcels have now been transferred to the Council, and the first instalment of the above contributions duly received.

Proposed allocation: Management and maintenance of Hale Field Park and associated land parcels.

7. Land parcel A was transferred to the Council on 13th December 2018. Now known as Hale Field Park, the previously derelict land has been regenerated and landscaped by Prologis PLC. The park was opened to the public in the summer of 2019.

8. Land parcels B and C were transferred to the Council in February 2019 and December 2018 respectively. Together with Hale Field Park, these form part of a series of green spaces created by Prologis in collaboration with the Council and which are linked by a network of footpaths crossing the site.

9. Set out below is an outline of the basic costs for maintaining the park and associated land parcels on an annual basis. Going forward, however, additional costs are expected, as play equipment, footpaths etc begin to require further maintenance due to wear and tear. Officers are therefore requesting that the total of the contributions £285,600, held at E/148/372E, E/149/372F and E/159/372G is allocated to be used towards the future management and maintenance of the Hale Field Park and associated land parcels. This will be spent as required by the Head of Green Spaces, Sport and Culture in line with Council standing orders.

Maintenance costs Hale Field Park and associated land parcels 2020/21

Description	Amount
Grass cutting	4,800
Litter	9,360
spraying	270
Trees	1,200
Mulch	1,000
Management fee 20%	3,326
Total spend 2020/21	£19,956

Financial Implications

The report requests the allocation of £286k from the following S106 contributions:-

Table 1: S106 Contributions

S106 Funding Reference	Scheme	Amount
E/148/372E	Phase 3, Stockley Park, Stockley Road (Parcel A)	214,000
E149/372F	Phase 3, Stockley Park, Stockley Road (Parcel B)	31,100
E/150/372G	Phase 3, Stockley Park, Stockley Road (Parcel C1)	40,500
Total S106		£285,600

The above S106 contributions are to be used towards the future management and maintenance of Hale Field Park and Stockley Land Parcels.

The S106 contributions are to be used at approximately £20k per annum from 2020/21 with additional costs in some years as and when required in order to replace equipment or footpath due to wear and tear until all three S106 contributions are utilised. The costs will be accounted for as revenue under the Green Spaces, Sport and Culture Service.

Allocating all three S106 contributions will reduce the call on Council resources whilst meeting the conditions of use stipulated in the agreements.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon residents, service users and communities?

The recommendations will enable external funds to be spent to maximum effect to provide viable improvements for the benefit of local communities.

Consultation carried out or required

Consultations will be carried out as part of individual project development.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance concurs with the financial implications above, noting that the proposed use of the S106 contributions will support maintenance of green spaces, with no impact on Council resources.

Legal

Legal Services has considered the contents of the Section 106 agreement referred to in the report and concludes that the recommendations presented are consistent with the terms of the respective agreements.

Infrastructure / Asset Management

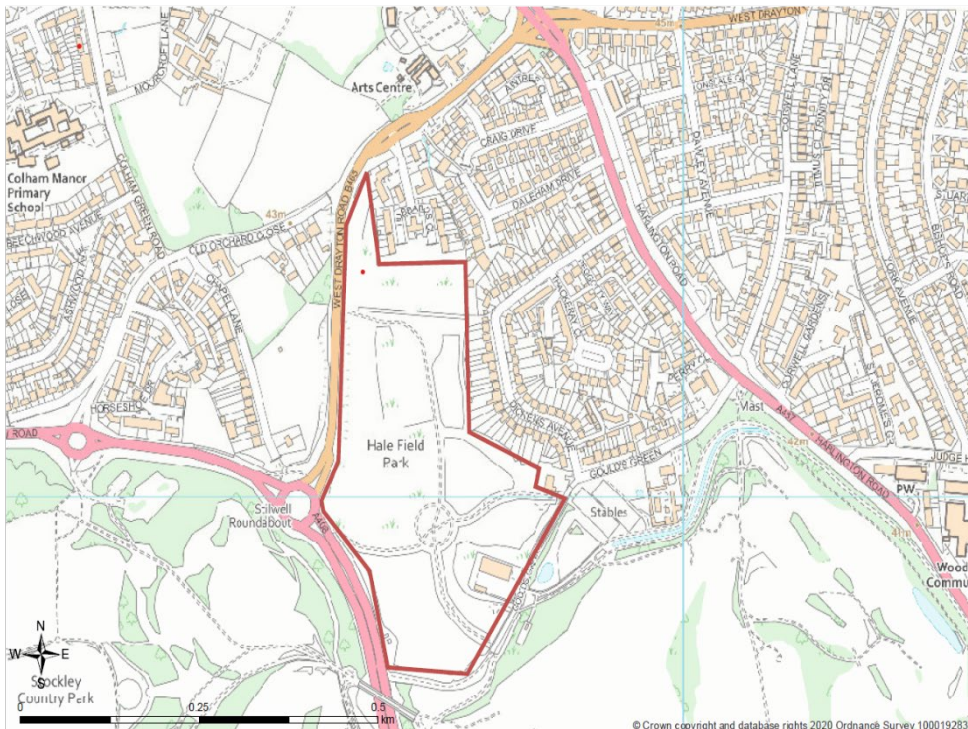
The infrastructure/Asset Management comments regarding the transfer of these parcels of land to the Council are contained in the written body of the report.

BACKGROUND PAPERS

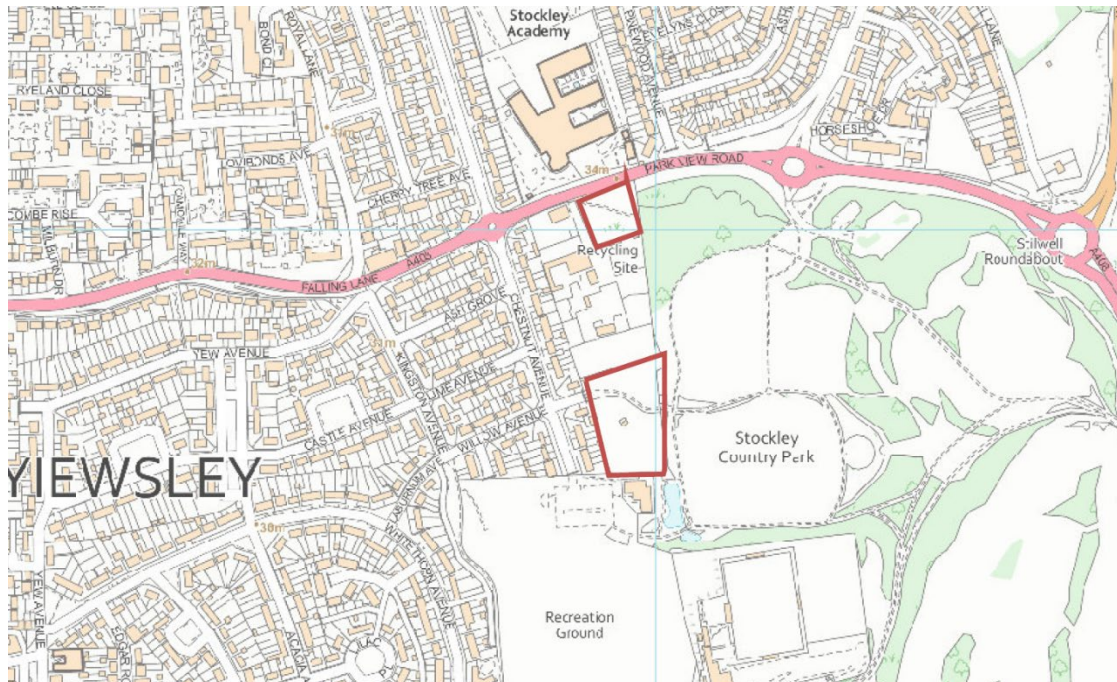
Planning Obligations Quarterly Monitoring Report to Cabinet March 2021

Planning Obligations Supplementary Planning Document Adopted July 2008 and amended July 2014

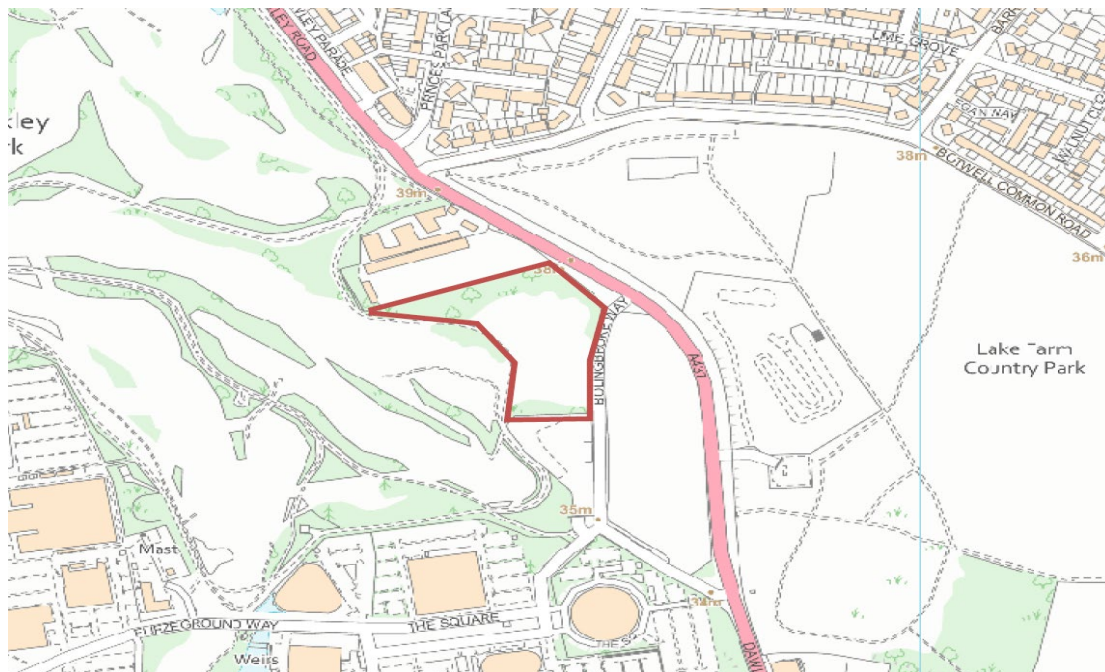
APPENDIX A



Map 1 – Land Parcel A – Hale Field Park



Map 2 – Land Parcels B1 & B2 – Chestnut Avenue/Park View Road



Map 3 – Land Parcel C – Off Dawley Road