



Democratic Services

Location: Phase II
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CMD No:1007

**To: COUNCILLOR JONATHAN BIANCO
CABINET MEMBER FOR PROPERTY, HIGHWAYS
AND TRANSPORT**

**COUNCILLOR MARTIN GODDARD
CABINET MEMBER FOR FINANCE**

c.c. All Members of the Property, Highways and
Transport Services Select Committee
c.c. Nicola Wyatt – Central Services Directorate
Sophie Wilmot – Central Services Directorate
c.c. Dan Kennedy – Corporate Director of Central
Services
c.c. Ward Councillors for Ruislip

Date: 05 January 2024

Non-Key Decision request

Form D

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2023/24: public realm improvements in Ruislip High Street (Release No 7)

Dear Cabinet Members,

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 Monday 15 January 2024** 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.

Rebecca Reid
Democratic Services Apprentice

Title of Report: NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2023/24:
public realm improvements in Ruislip High Street (Release No 7)

Decision made:

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

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

Signed Date.....

Cabinet Member for Property, Highways and Transport / Cabinet Member for Finance

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2023/24: public realm improvements in Ruislip High Street (Release No 7)

Cabinet Members	Councillor Jonathan Bianco Councillor Martin Goddard
Cabinet Portfolios	Cabinet Member for Property, Highways and Transport Cabinet Member for Finance
Officer Contact	Nicola Wyatt – Central Services Directorate Sophie Wilmot – Central Services Directorate
Papers with report	Appendix A – Capital release requests for approval Appendix B – Location Plan Appendix C – Proposed general layout
HEADLINES	
Summary	To seek Cabinet Member approval to allocate and release funds from the S106 contributions held at PT/213/428A & PPR/77/282 towards public realm improvements in Ruislip High Street between Ickenham Road and Pembroke Road as detailed within this report.
Putting our Residents First Delivering on the Council Strategy 2022-2026	This report supports our ambition for residents/ the Council of: Live active and healthy lives. This report supports our commitments to residents of: A Green and Sustainable Borough.
Financial Cost	This report seeks the allocation and release of £59,868 from S106 funds made available from the redevelopment of sites in the London Borough of Hillingdon and detailed within this report towards enhancement scheme outlined in this report. The works will commence upon release of the funds and are due for completion by March 2025.
Relevant Select Committee	Property, Highways and Transport Select Committee.
Relevant Ward	Ruislip Ward

RECOMMENDATIONS

That the Cabinet Member for Finance and Cabinet Member for Property, Highways and Transport:

- 1) Approve the allocation of £52,282 from the S106 contribution held at PT/213/428A to be spent towards public realm improvements in Ruislip High Street between Ickenham Road and Pembroke Road.**
- 2) Approve the reallocation of £7,586 from the S106 contribution held at PPR/77/282D to be used towards the above scheme.**
- 3) Approve the capital release requesting £59,868 to be used towards the scheme, as outlined in Appendix A to this report.**

Reasons for recommendations

In accordance with the Council's Constitution, the allocation of Section 106 (S106) and Section 278 (S278) funds is required to be formally approved by the Cabinet Member for Finance on a case-by-case basis – and any capital release, in conjunction with the relevant Cabinet portfolio holder. This report requests the approval for the S106 funds held at case references detailed in this report 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.

Select 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 agreements. 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.

S106 contribution held at case reference PT/213/428A

Details of contribution

3. A contribution of £52,282 (including indexation) was received in accordance with a S106 Agreement dated 4 July 2017 and relating to the redevelopment of land at Fanuc House, 1 Station Approach, Ruislip (planning ref 26134/APP/2016/1987). The funds were received as the "Highway Contribution" as a contribution towards town centre and highway improvements in the immediate vicinity. There are no time limits for spending this contribution.

Planning background

4. On 14 March 2017, the Council resolved at its Major Applications Planning Committee to grant permission for the demolition of the existing office building at 1 Station Approach, Ruislip, and redevelopment to provide a four-storey building containing 40 residential apartments. Planning permission was granted subject to the completion of a S106 agreement to secure a number of financial obligations in order to mitigate the impacts of the development. As the site is located at the southern end of Ruislip town centre, these included a contribution towards town centre/highways improvements to help integrate the site into the surrounding area.

Proposed allocation

5. Officers are requesting that the contribution held at PT/2013/428A (£52,282) is allocated towards a scheme to provide public realm and highway improvements at the southern end of Ruislip High Street to complement the highways works which are currently being undertaken in the area, as outlined in paragraphs 9-12 below.

S106 contribution held at case reference PPR/77/282D

Details of the contribution

6. The Council currently holds an unspent balance of £7,586. The original contribution (£25,330 including indexation) was received by the Council in accordance with an obligation contained in a s106 agreement dated 31st July 2012, and relating to the redevelopment of Lyon Court and 28-30 Pembroke Road (planning reference 66985/APP/2011/3049). The funds were received as the "Public Realm Contribution" to be used towards the provision of CCTV; lighting; rerouting of dangerous footpaths; safety improvements to public transport facilities and car parks or safer town centres affected by the development and/or enhanced night bus networks to and from new facilities and leisure uses within the authority's area. Under the terms of the agreement, funds must be spent within 5 years of the completion of the development, however the Council may retain any unexpended balance where this amounts to less than £10,000 for any other purpose(s) related to the development.
7. On 7 June 2012 at the Council's North Planning Committee, authority to determine a planning application for the redevelopment of Lyon Court and 28-30 Pembroke Road, Ruislip, to provide 61 residential units, associated parking and landscaping was delegated

to the Director of Planning and Transportation. The reason for the delegated authority was to allow for the completion of the s106 agreement to secure a number of obligations, in order to mitigate the impacts of the proposed development on the local area. These included a financial contribution to be used towards improving the public realm in the area, which, due to the new development, was likely to see an increase in footfall.

Proposed allocation

8. The contribution held at PPR/77/282D was previously allocated towards a scheme to provide lighting improvements in Pembroke Road, Ruislip (Cabinet Member Decision 04/10/2018), which was completed in 2019. Lyon Court lies within walking distance of Ruislip High Street and officers are therefore requesting that the remaining balance from this contribution (£7,586) is reallocated towards the public realm improvements outlined in paras 9-12 below.

Project Proposal: public realm upgrades Ruislip Town Centre

9. High Street, Ruislip is a key local shopping destination in the north of the Borough and has a mix of large chain stores and smaller independent stores. It is located close to Ruislip Underground Station and Bus Station which allows good connection between local services and public transport, a location plan is shown in Appendix B. The High Street has recently benefited from the addition of the 278 bus services which terminates on the High Street close to the junction with Pembroke Road.
10. A scheme is currently being undertaken to better accommodate the termination of the 278 and to improve bus flow along the High Street. The scheme is being funded by Transport for London Local Implementation Plan monies and involves works to inset the loading bays to prevent congestion on the High Street and subsequent delays to buses. This work is also looking at reconfiguring parking to remove confusing tidal parking and try to reduce the problem of delivery motorcycles near McDonalds restaurant.
11. To support this work and further improve facilities for cyclists and pedestrians using the southern end of the High Street, it is proposed to also upgrade the public realm and street furniture in the High Street between Ickenham Road and Pembroke Road. This will include new benches; additional cycle parking stands and bollards to protect pedestrians. All works will be carried out by the Council's term contractor O'Hara. Plans showing the proposed works are provided in Appendix C.
12. Capital release of £59,868 is requested to support the ongoing improvement works in High Street, Ruislip by upgrading the public realm and street furniture. The costs associated with the scheme are outlined Table 1 below: -

Table 1: Cost Plan

Scheme Element	Amount
22 cycle stands	£13,725
8 bollards	£2,850
12 benches	£40,500
Fees	£2,793
TOTAL	£59,868

Financial Implications

(S106 2023/24 Budget £60k Previously Released Nil, Capital Release Requested £60k) – Appendix A

The report seeks the allocation of £52k the reallocation of £8k and capital release of £60k from the two S106 contributions as detailed in Table 2 below:

Table 2: S106 Contributions

S106 Funding Reference	Scheme	Amount
PT/213/428A	Fanuc House, Station Approach, Ruislip	52,282
PPR/77/282D	Lyon Court, 28-30 Pembroke Road, Ruislip	7,586
Total Contribution		£59,868

The S106 funds are to be used towards Public Realm Improvements in Ruislip High Street, between Ickenham Road and Pembroke Road. The costs of the works are based on scheduled rates within the Council's Highways term contract and includes engineer's fees at approximately 5%.

The release of the £60k will enable the scheme to progress. The proposals meet the conditions stipulated by the developer on the intended use of the S106 contributions.

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 set out above, noting that the proposed works are fully externally funded with no impact on Council resources.

Legal

Legal Services has considered the content of the Section 106 agreements referred to in this report, namely planning application numbers 26134/APP/2016/1987 and 66985/APP/2011/3049 and conclude that the recommendations presented are consistent with the terms of the respective agreements.

Estate and Asset Management

The Property Services team can confirm that there are no Asset Management implications arising from the recommendations in this report.

Capital Release Protocol

The release of all capital funds, and certain revenue funds, held by the Council is to be made by a formal democratic decision. No expenditure can be placed or committed by officers until this formal approval is given by Democratic Services. Release of funds must be for identified projects only and strictly not for the general release of funds for projects to be identified at a later date. No block releases of capital or funding will be allowed, except if authorised by the Leader of the Council in advance to Corporate Finance. The release of funds will only be made if previous Council, Cabinet or Cabinet Member agreement has been given to the project and only if there is an approved budget.

BACKGROUND PAPERS

Planning Obligations Supplementary Planning Document 2014

TITLE OF APPENDICES

Appendix A – Capital release requests for approval

Appendix B – Location Plan

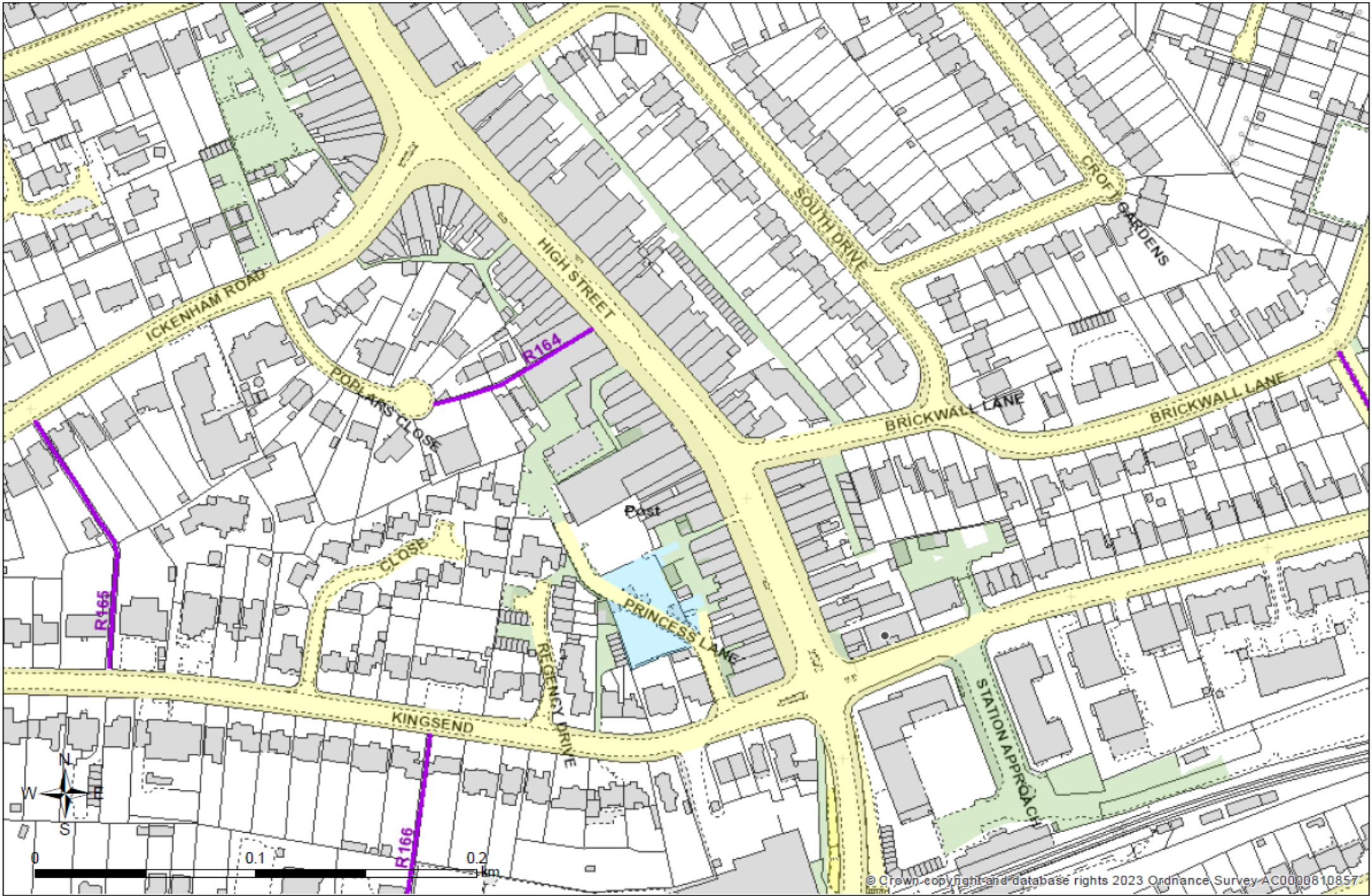
Appendix C – Proposed general layout

APPENDIX A - CAPITAL RELEASE REQUESTS FOR APPROVAL

S106 Capital Release 2023/24: Public realm improvements in Ruislip High Street between Ickenham Road and Pembroke Road (Release No 7)

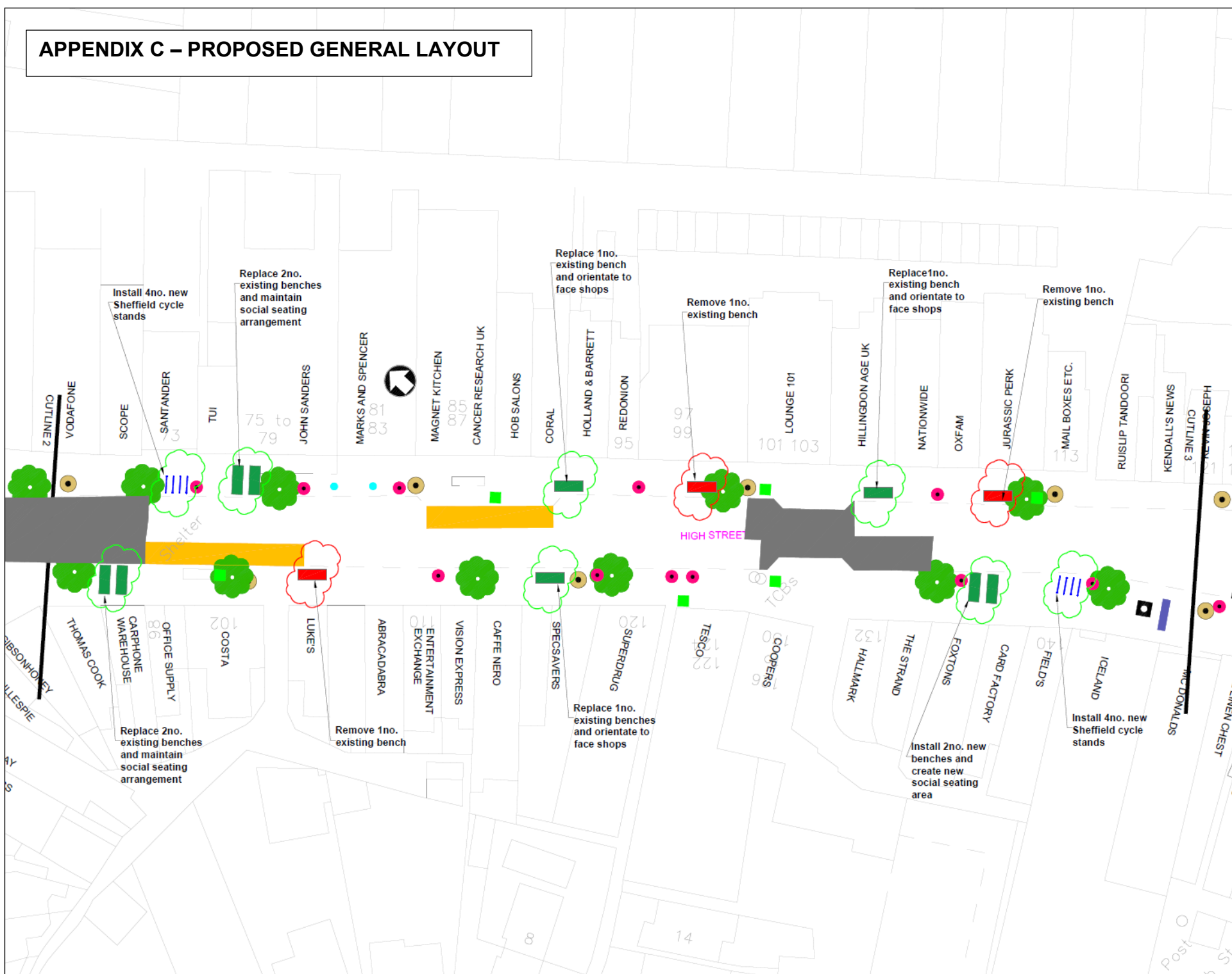
Location	Project/ Expenditure Title	Information	Funds Release Sought £000's	Approve	Hold	More Information Required
High Street, Ruislip	Public realm upgrades.	Scheme to improve the public realm to support other highway works progressing in the area.	60			
Total seeking release			60			
Previously released			0			
Budget			60			
Remaining budget			0			

Appendix B - Location Plan



Map Notes

APPENDIX C – PROPOSED GENERAL LAYOUT



- LEGEND**
- Lamp column
 - Existing tree
 - Existing highways bench to be removed
 - New/replacement highways bench
 - Existing sign post
 - Urrer bins
 - New stainless steel Sheffield cycle stands

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HILLINGDON
 Borough Council
 Planning and Development
 Planning Committee
 Planning and Development Committee
 Planning and Development Committee
 Planning and Development Committee

Project: **RUISLIP HIGH STREET**

Description: **STREET FURNITURE GENERAL ARRANGEMENT SHEET 1 of 2**

Scale: AS SHOWN	Designed: HT	Drawn: HT	Date: SEPT 23
Project No: E/A1	Drawing No: 2806-100-02	Rev:	



LEGEND

- Lamp column
- Existing tree
- Existing highway bench to be removed
- New/replacement highway bench
- Existing street post
- Utility box
- New/replacement Sheffield cycle stands

HILLINGDON

 COUNCIL

RUISIP HIGH STREET

STREET FURNITURE GENERAL ARRANGEMENT

 SHEET 2 of 2

DATE	BY	FOR	DATE
AS SHOWN	HT	HT	SEPT 23
E/A/1		2806-100-02	