



Democratic Services

Location: Phase II

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**To: COUNCILLOR EDDIE LAVERY
CABINET MEMBER FOR FINANCE &
TRANSFORMATION**

c.c. All Members of the Residents' Services Select Committee

c.c. James Bell – Residents Services Directorate

c.c. Nicola Wyatt – Residents Services Directorate

Dan Kennedy – Corporate Director of Residents Services

Date: 13 January 2026

Non-Key Decision request

Form D

NEW ALLOCATION OF S106 CONTRIBUTIONS 2025/26: Management of Frays Island LNR, Environmental improvements to Rosedale Park

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 Wednesday 21 January 2026** 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.

Ryan Dell
Democratic Services Officer

Title of Report: NEW ALLOCATION OF S106 CONTRIBUTIONS 2025/26: Management of Frays Island LNR, Environmental improvements to Rosedale Park

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 Finance & Transformation

NEW ALLOCATION OF S106 CONTRIBUTIONS 2025/26: Management of Frays Island LNR, Environmental improvements to Rosedale Park

Cabinet Member & Portfolio	Councillor Eddie Lavery – Cabinet Member for Finance & Transformation
Responsible Officer	Dan Kennedy – Corporate Director of Residents Services
Report Author & Directorate	James Bell/ Nicola Wyatt – Residents Services Directorate
Papers with report	None

HEADLINES

Summary	To seek approval to allocate funds from the S106 contributions held at E/02/18, E/69/246B and E/152/569A towards the Green Spaces schemes as outlined in the report.
Putting our Residents First Delivering on the Council Strategy 2022-2026	<p>This report supports our ambition for residents/ the Council of: Enjoy access to green spaces, leisure activities, culture and arts</p> <p>This report supports our commitments to residents of: A Green and Sustainable Borough</p>
Financial Cost	This report seeks to allocate £18,089 from the identified S106 contributions held by the Council towards the schemes outlined in the report.
Select Committee	Residents' Services Select Committee.
Wards	All

RECOMMENDATIONS

That the Cabinet Member for Finance & Transformation:

1. Approves the allocation of £9,399.37 from the S106 contribution held by the Council at E/02/18 to be used towards maintenance works at Frays Island Nature Reserve;
2. Approves the allocation of £6,924.62 from the S106 contribution held by the Council at E/152/569A to be used towards environmental improvements at Rosedale Park, Hayes; and
3. Approves the reallocation of £1,765.48 from the S106 contribution held by the Council at E/69/246B to be used towards environmental improvements at Rosedale Park, Hayes.

Reasons for recommendations

In accordance with the Council Constitution, the allocation of Section 106 (S106) and Section 278 (S278) funds is required to be formally approved by the Cabinet Member for Finance & Transformation on a case-by-case basis. This report requests the approval for the S106 funds held at the case references detailed in this report to be committed as outlined in this report.

Alternative options considered/ risk management

The Cabinet Member 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.

Democratic compliance/ previous authority

The Cabinet Member for Finance & Transformation has the delegated authority to allocate funds from S106 planning obligation monies.

Both the Cabinet Member for Community & Environment and the Cabinet Member for Planning, Housing & Growth have been consulted and endorse the proposal.

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 ensure 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.

Details of S106 contribution held at case reference E/02/18

3. The Council currently holds a total of £9,399.37 in accordance with a Section 106 planning agreement dated 20 December 1994. The contribution relates to land at Old Mill House (now Waterford House), Thorney Mill Road, West Drayton (planning reference 41706C/91/904). The funds have been received under the terms of a Rent Charge Deed dated 18 April 1996. under which the owners of the land are required to provide a sum of £4,000 per annum towards the management and maintenance of a nature reserve to be established on nearby land. The nature reserve was established in 1995 and is now known as Frays Island and Mabey's Meadow Local Nature Reserve.

4. On 04 November 1991 at the Council's Environment Sub-Committee, planning permission for the erection of six one-bedroom flats and 34 two-bedroom flats in part three-storey and part four-storey blocks was agreed on land forming part of Old Mill House, Thorney Mill Road, West Drayton. subject to the completion of a Section 106 agreement to secure several planning obligations. At Committee, officers had reported that the development was located within the Metropolitan Greenbelt, the Colne Valley Regional Park and a site of Metropolitan Importance for Nature Conservation. Due to the sites special significance, the developer had therefore agreed to provide a number of planning obligations to protect the land including; the dedication of land surrounding the proposed development for the purpose of nature conservation; the sum of £20,000 for the establishment of a nature reserve on the land and a commitment to make an annual payment of £4,000 to the Council for the management of the nature reserve by London Wildlife Trust.

Proposed allocation: Maintenance works at Frays Island Local Nature Reserve.

5. Frays Island and Mabey's Meadow is a nature reserve located to the south of Uxbridge and is managed on the Council's behalf by The London Wildlife Trust (LWT). The site is part of a site of Metropolitan Importance for nature conservation and lies within the Metropolitan Green belt.
2. Officers have consulted with LWT and propose that the current balance held at E/02/18 (£9,399.37) is allocated towards required tree works to reduce the tree canopy covering the reserve and ongoing works to remove Pennywort from the water course.
3. It is envisaged that the proposed tree works will encourage more wetland vegetation, species diversity and bank stabilisation. It will also rejuvenate and prolong the life of the trees as well as reducing the risk of limbs falling onto footpaths and in the river creating a hazard. Pennywort is a highly invasive aquatic species that grows very rapidly in rivers and waterways forming dense patches on the river surface that deplete oxygen levels and reduces light penetration. It also outcompetes other plant species and can cause blockages and flooding. Timely removal is therefore imperative to maintain the health and diversity of the waterways.

Details of S106 contribution held at case reference E/69/246B

4. A contribution of £20,175 (including index linking) was received in accordance with a Unilateral Planning Agreement dated 18 April 2008 and relating to the redevelopment of 561 and 563 Uxbridge Road, Hayes (planning application reference 63060/APP/2007/1385). Under the terms of the agreement, the contribution is to be used towards the cost of improving Rosedale Park which adjoins the land. There are no time restrictions for spending the funds.
5. On 02 October 2007 at the Council's Central & South Planning Committee, Planning permission was granted for the erection of two residential blocks to accommodate 14 flats with associated parking and demolition of 561 Uxbridge Road. Permission was granted subject to the completion of a Unilateral Planning Undertaking to secure a number of obligations including a financial contribution towards the cost of improving facilities at Rosedale Park which adjoins the development, in line with the Council's Supplementary Planning Guidance on Community Facilities. Following the satisfactory completion of the agreement, planning permission was subsequently approved and the above contribution duly received from the developer.

6. A total of £18,410.35 from this contribution has already been allocated and spent towards improvements to the park (Cabinet Member Decision 08/06/2016). Officers are therefore requesting that the remaining balance £1,765.48 is reallocated towards further improvement works as detailed in Table 2 below.

Details of S106 contribution held at case reference E/152/569A

7. A contribution of £6,924.62 (including index linking) has been received in accordance with a S106 Agreement dated 30th September 2019 and Supplemental Deed dated 5th April 2024 and relates to the redevelopment of 579 and 583 Uxbridge Road, Hayes (planning application references 72470/APP/2016/4648 & 72470/APP/2023/747). The funds have been received as the “local Park Improvement Contribution” to be used towards initiatives to improve local parks in the Authority’s area. There are no time restrictions for spending the funds.
8. On 12 September 2018, at the Council’s Major Planning Applications Committee planning permission was granted for the demolition of three dwelling houses and redevelopment of the site to provide 31 units (3x studios, 4x 1 bed, 10x 2bed and 4x3bed) within 2 new buildings, associated access, parking, landscaping and amenity space. Permission was granted subject to the completion of a S106 agreement to secure a number of obligations including a financial contribution towards improvements to local parks in the Authority’s area. The contribution was required in conjunction with the provision of an access point onto Rosedale Park, to mitigate the shortfall in amenity space provided by the development.
9. Rosedale Park lies adjacent to this development. Officers are therefore requesting that this contribution (£6,924.62) is allocated and spent towards improvements to the park as detailed in Table 2 below.

Environmental improvements at Rosedale park

10. Rosedale Park is located in Hayes just off Uxbridge Road and features a main entrance that accommodates both vehicles and pedestrians. The entrance consists of a driveway approximately 50 metres long, which leads into the park. Flanking this driveway is an avenue of trees that are now in need of replacement. The plan is to remove the dead and decaying trees and replace them with three new species to enhance the entrance's appearance and make it more inviting.

11. The estimated cost of the works is as set out in Table 1 below.

Table 1:

Description	Amount
Removal and grinds	£2,810
New trees	£4,041
Planting	£1,360
Contingency	£479
Total	£8,690

Financial Implications

The report seeks the allocation of £18,089 from the three S106 contributions as detailed in Table 2 below:

Table 2: S016 Contributions

S106 Reference	Funding Scheme	Amount
E/02/18	Old Mill House, Thorney Road, West Drayton	9,399.37
E/69/246B	561 & 563 Uxbridge Road, Hayes	1,765.48
E/152/569A	579-583 Uxbridge Road, Hayes	6,924.62
Total Contribution		£18,089.47

The three S106 contributions are to be used towards two schemes. The S106 contribution held at E/02/18 is to be used towards the maintenance of Frays Island Nature Reserve, whilst the remaining two S106 contributions are to be used towards environmental improvements at Rosedale Park. The S106 funds have no time limit to spend.

The S106 expenditure for both schemes will be accounted for under S106 revenue projects.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon 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 & Engagement carried out (or required)

Not required.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance have reviewed this report and concur with the Financial Implications set out above, noting the recommendations to allocate £18k S106 contributions to be used towards the maintenance of Frays Island Nature Reserve and environmental improvements at Rosedale Park.

Furthermore, it is noted that the allocations are in accordance with the planning obligation agreements and will be accounted for under the S106 revenue projects.

Legal

Legal Services have considered the content of the Section 106 agreements and Rent Charge Deed referred to in this report and concludes that the recommendations presented are consistent with the terms of the respective agreements.

Comments from other relevant service areas

The schemes have been developed in consultation with relevant service groups as appropriate.

BACKGROUND PAPERS

Planning Obligations Supplementary Planning Document Adopted July 2008 and amended July 2015.