Lancashire County Council

Scheme of Delegation to Chief Officers - Non Key Decision

The following action is to be taken by the Chief Officer or Authorised Officer as identified below under authority delegated by a Cabinet Member, the Cabinet or Council Committee in accordance with the Scheme of Delegation to Chief Officers.

Land off Chapel Close, Clitheroe
Section 106 Agreement

Contact for further information:
Martin Nugent, 01254 828060, Environment Directorate
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Executive Summary

Authority is sought for the County Council to enter into an agreement under Section 106 of the Town and Country Planning Act 1990, for an obligation upon a developer to pay a sum of £22,000 towards improved provision of public transport.

When consulted by Ribble Valley Borough Council on an application for the provision of 54 dwellings on the land off Chapel Close, Clitheroe, officers responded with a request for a developer contribution in line with the Planning Obligations policy

Ribble Valley Borough Council has not yet approved the planning permission for the above site but is mindful to approve the application, subject to the satisfactory completion of a Section 106 agreement.

Decision to be taken

That authorisation is given for the County Secretary and Solicitor to enter into an agreement under Section 106 Agreement of the Town and Country Planning Act 1990, in connection with land off Chapel Close, Clitheroe which includes an obligation on the developer to pay the County Council the sum of £22,000 towards improved provision for public transport.

Information

When consulted by Ribble Valley Borough Council on an application for 54 dwellings on land off Chapel Close, Clitheroe, officers responded with a request for a developer contribution in line with the Planning Obligations Policy.

The application was for the erection of 54 dwellings.

Ribble Valley Borough Council has not yet approved the planning permission for the above site but is mindful to approve the application subject to satisfactory completion of a Section 106 Agreement to cover related matters.

The County Council has highlighted the need for good accessibility for all. In connection with these aims and to progress the application, the developer has agreed to pay the sum of £22,000 to the County Council as Highway Authority towards mitigating measures that support sustainable transport movement.

This figure comprises £20,000 towards the upgrading of the existing stop and the provision of a new bus stop on Union Street, Clitheroe. Subject to a suitable design being agreed, the intention would be to raise stops to the County Council's Quality Bus Standards, including the provision of illuminated shelters, raised footway (160mm kerb height) and Bus Stop Clearway Markings. The remainder of the commuted sum of £2,000 would be used for the future maintenance of these stops.

Consultations

Ribble Valley Borough Council is in support of the provision of Quality Bus Route and Bus Stop Clearway.

The local County Councillor has been consulted and is in support of the proposal.

Implications:

This item has the following financial implications:

Financial

Ribble Valley Borough Council is the determining authority for the planning application, and as such determined that £22,000 of the developer contribution would be secured to fund improved provision for public transport for the County Council to administer. The legal agreement commits the developer to pay a commuted sum to the County Council and contains reciprocal obligations on the County Council's behalf in respect of any unexpended commuted sum.

Risk management

If the County Council was not party to the Section 106 Agreement then it would not be able to directly enforce the obligations for payment of the commuted sum against the developer.

Signed: ______________________________ Date: 9/12/11

Jo Turton, Executive Director of Environment