

SECTION 106 AGREEMENT DRAFT HEADS OF TERMS

Between

(1) The Clitheroe Royal Grammar School Foundation (CIO registration number 1174177) of York Street Clitheroe BB7 2DJ; Ribble Valley Borough Council

(2) Ribble Valley Borough Council (The Council)

(3) Lancashire County Council (The County Council)

Relating to a site at Highmoor Farm, Clitheroe

The proposed agreement will provide for the following:

1. Affordable Housing

- a) 30% of the housing units to be affordable (“the Affordable Provision”)
- b) 15% to be reserved for elderly persons of which one half will be within the Affordable Provision and one half within the remaining market provision.
- c) Within the Affordable Provision the mix of rental, discounted sale and shared ownership allocations to be agreed.

2. Public open space

- a) Agreed areas of public open space to be made available within the site on a phased basis. Such areas to be maintained by developer for a period of one year after which arrangements will be made to provide for future maintenance by means of a scheme to be approved by the Council.
- b) Any contribution to upgrading or provision of off-site facilities in Clitheroe to be subject to negotiation after taking account of the public open space being provided within the site.

3. Education payment – a commuted sum of [to be agreed] to be paid to Lancashire County Council for the specific purpose of funding local education requirements arising from the proposed development (such requirements to be assessed as part of the consideration of the planning application and discussed with the applicant's agent prior to a decision being made).

The agreement will include provisions relating to the triggers when sums are to be payable, with provisions for phasing where appropriate, and for repayment of unused monies after a period of 5 years.

4. Other

Other contributions may be identified through the planning consultation process and subject to meeting the appropriate tests of necessity and reasonableness consideration will be given to their inclusion.