

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**LETCHWORTH COMMITTEE**

**MEETING HELD IN THE FOUNDATION HOUSE, ICKNIELD WAY,  
LETCHWORTH GARDEN CITY  
ON WEDNESDAY, 7TH MARCH, 2018 AT 7.30 PM**

**MINUTES**

**Present:** *Councillors Councillor Mike Rice (Chairman), Councillor Paul Marmont (Vice-Chairman), Clare Billing, John Booth, Julian Cunningham, Ian Mantle, Lynda Needham and Deepak Sangha*

**In Attendance:**

*Simon Ellis (Development and Conservation Manager), Claire Morgan (Senior Communities Officer) and Hilary Dineen (Acting Committee and Member Services Manager)*

**Also Present:**

*At the start of the meeting 5 members of the public.*

**37 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gary Grindal, Terry Hone, Lorna Kercher, David Levett and Sandra Lunn.

**38 MINUTES - 6 DECEMBER 2017**

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 6 September 2017 be approved as a true record of the proceedings and be signed by the Chairman.

**39 NOTIFICATION OF OTHER BUSINESS**

There was no other business notified.

**40 CHAIRMAN'S ANNOUNCEMENTS**

- (1) The Chairman welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chairman drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

**41 HERTFORDSHIRE CONSTABULARY**

Sergeant Alan Clarke thanked the Chairman for the invitation to address the Committee.

Sergeant Clarke advised that he would give a brief overview of crime figures and some information regarding the Safer Neighbourhood Team, the work undertaken in the last year and the challenges faced.

Safer Neighbour Team

The Safer Neighbourhood Team for Letchworth consisted of a Sergeant, 4 PCs and 4 PCSOs.

One PC had recently left the Team and a replacement was being sought.

Statistics

All Crime

- North Hertfordshire was third safest in Hertfordshire, in terms of crime per 1,000 of population;
- North Hertfordshire was a safe place to live, work and travel through;
- North Herts had an increase in crime of 17 percent;
- Hertfordshire had an increase in crime of 13.4 percent;
- 2,206 reports of crime in Letchworth, an increase of 13 percent.

Residential Burglary - Dwelling

- 70 reports in Letchworth, a decrease of 6 reports;
- 1 report of aggravated burglary;
- North Herts and Hertfordshire had both experienced an increase in this area.

Residential Burglary – Non Dwelling

- 38 reports, an increase of 18 reports;
- North Herts and Hertfordshire had both experienced an increase in this area.

Burglary – Business and Community

- 67 reports, an increase of 7 reports.

Motor Vehicle Crime

- 175 reports an increase of 19 reports;
- Keyless entry and tools available on the internet such as master keys were a big contributing factor to the increase;
- Transit vans had been targeted particularly;
- The Police had held events such as tool marking with the aim of educating people about how they could best protect their property.

Domestic Abuse

- 350 reports, an increase of 14 percent;
- Domestic abuse covered a broad spectrum of abuse between family members including assaults and arguments;
- The Police were actively encouraging people to report all cases of domestic abuse;
- A specialist Domestic Abuse Investigation Unit was in operation.

Robbery

- 14 reports, a decrease of 3 reports.

Violence against the Person

- 717 reports, an increase of 20 percent;
- 243 of the above involved people with injuries
- North Herts had an increase of 25 percent
- Hertfordshire had an increase of 17 percent;
- Covers anything from malicious communications to assault.

There were various reasons for the increases in crime reporting including:

- There were more ways for the public to report crime than were previously available;
- National Crime Reporting Standards required that every report was recorded.

#### Arson

- 20 reports;
- The main offender was identified and was currently in secure accommodation awaiting sentencing.

#### Criminal Damage

- 314 reports, and increase of 44 reports;
- This included graffiti;
- It was important to report incidences so that Police resource could be directed efficiently.

#### Shoplifting

- Increase of 12 reports
- The Police worked very closely with local shops
- An outcome rate of 41 percent had been achieved.

#### Anti-Social Behaviour

- 743 reports, a decrease of 102 reports'
- The Police had worked closely with the NHDC and North Herts Homes Anti-Social Behaviour Officers to secure closure orders at various addresses'
- The Police now had the power to issue Community Protection Notices, which had been very useful in reducing anti-social behaviour.

Sergeant Clarke advised that they continued to encourage Neighbourhood Watch Schemes, which currently had 10,500 members in North Herts and almost 2,000 of those were in Letchworth.

They were also encouraging membership of the OWL system, which enabled two-way communication between residents and the Police.

Members queried whether there was any specific area that was responsible for the increase in crime

Sergeant Clarke advised that the increases were across the board however the one area of concern was motor vehicle crime, which was a current challenge for the Police. However, it should be noted that North Herts was the safest place in Hertfordshire regarding motor crime.

Members asked whether there had been any reports of coercive control.

Sergeant Clarke advised that there had been a number of reports of coercive control. Prosecutions regarding someone controlling another person in any way had been made easier by the powers given to the Police, which had resulted in a number of successful prosecutions.

Members asked whether the shops in Letchworth used the communications system.

Sergeant Clarke advised that the shops used the system all of the time and that it was permanently on in the office and a PCSO had it switched on when patrolling. The shops logged onto the system in the morning and logged off in the evenings and the communication channel was open at all times in between.

Members asked what percentage of time was spent on crime prevention, crime detection and other activities

Sergeant Clarke advised that the first priority was preservation of life, therefore if a report of a high risk missing person is made, that became the prime focus. PCSOs were expected to spend 80 percent of their time engaging with the community, PCs spent slightly less time in the community and Sergeants spent a lot of time on administration.

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Members queried whether social media sites were used by the Police and what action would be taken if a resident reported the smell of cannabis.

Sergeant Clarke advised that the Police monitored social media, but chose not to engage with residents via these formats

In respect of reports of cannabis use, the Police would initially check to see whether any information was held regarding the person or address, this would be followed by a Police visit and investigation. It should be noted that the smell of cannabis on its own was no longer sufficient for stop and search, but it could help with the issuing of a Community Protection Notice.

Members queried whether the places in Hertfordshire where crime rates had reduced, had any correlation with whether these places still had a police station.

Sergeant Clark advised that he did not quote statistics from other areas. There was an internal communication system that enabled Officers to advise of specific problems and to ask what was happening in other areas. He would be concerned if there was any great disparity in percentage gains in any particular area, but this was not the case.

Members asked about clear up rates and whether these could be included in future presentations.

Sergeant Clarke advised that outcomes were where someone had faced some form of punitive action to address the crime they had undertaken and in Letchworth the outcome rate was 21 percent which was the second best in Hertfordshire.

Members asked if a reason for the increase in reports of crime could be identified and how much crime was drug related.

Sergeant Clarke advised that the way the crime was recorded changed regularly, however it was a fact that crime rates had increased nationally. Although he did not wish anyone to be a victim of crime, he wanted people to report incidents. They had been a victim of their own success in certain areas such as domestic abuse, where people had gained confidence in the Police that action would be taken and therefore reported incidents that in the past would not have come to light.

In respect of drug-related crime, Letchworth had no more of a problem than other areas and there was nothing that caused great concern.

The Chairman thanked Sergeant Clarke for his presentation.

## **42 PUBLIC PARTICIPATION - GROUNDWORK HERTFORDSHIRE**

The Chairman reminded Members that Mr Dungate had made a presentation at the last meeting of this Committee regarding an application for grant funding.

The Committee had requested further information and that Mr Dungate return this evening.

The information had been received and rather than ask for a further presentation he would open the floor to Members to ask questions.

Mr Chris Dungate, Groundwork Hertfordshire, thanked the Chairman for the opportunity to attend the Committee regarding the grant application and advised that he was happy to answer any questions.

Members noted that the report quoted dates from January to March for the project and asked for clarification that the timing had been delayed.

Mr Dugate advised that he had not re-written the original application and confirmed that delivery of the project would be from a suitable date in the near future.

Members asked whether any underspend would be returned.

The Communities Officer advised that claiming back underspend had a cost relating to staff time, however, in all cases underspend of grant funding was claimed back, as long as the figure was above a certain threshold.

Mr Dugate advised that, if there was a small amount of monies left over, this would be spent on another project in the area.

The Chairman thanked Mr Dugate for his presentation.

#### **43 GRANTS AND COMMUNITY UPDATE**

The Communities Officer presented the report of the Communities Manager entitled Grants and Community Update and drew attention to the following:

##### Communities Team

The Communities Manager had been on sick leave for a number of months and his role had been covered by the Communities Officer and during that time a temporary Communities Officer had been in post. The Team had engaged on a 1 year contract a Communities Assistant and the part time Communities Assistant was retiring.

##### Youth Engagement Project

Work was continuing on this project to liaise with community organisations that provided youth provision in Letchworth. The next step would be to bring all of these organisations together to help them provide best quality service by working together, networking and sharing resources where necessary.

##### Cycle Rack Project

This project had been funded by Section 106 funding. Due to the regulations attached to this type of funding, it was sometimes difficult to find projects that Section 106 funds could be spent on resulting in many small sums being unspent for several years.

One of the ways that projects were identified was that the Communities Team were informed of a need by a community group.

The Communities Team held regular meeting with the Planning Department to discuss potential projects and identify any Section 106 funding that may be available.

In this case Transition Towns Letchworth and a number of schools had approached the Communities Team and advised that there was a need for more cycle racks around the Town.

This was discussed with the Planning Department, who identified several sums of Section 106 funding allocated to sustainable transport. The total of these funds was not sufficient to fund a large-scale project such as a cycle lane and the provision of cycle racks was considered a suitable project to utilise the funding.

This project supported sustainable transport in Letchworth by encouraging people to cycle on shorter journeys, which would lead to less traffic on the roads, and less parking issues.

The project was well underway with a two-tier cycle rack at the Leisure Centre, and several schools with cycle stands already provided.

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The outstanding racks needed new bases, but these could not be completed until the weather improved.

Lordship Farm School should be added to the list of outstanding jobs.

They were continuing to work with Letchworth Garden City Heritage foundation and the County Council to identify sites around the Town Centre where cycle racks could be placed.

There would also be a cycle rack in the rear car park of the Council Offices and cycle hoops at the front of the building for public use.

Members were very concerned that there were no plans to discuss the locations for cycle rack around the Town Centre with this Committee.

Members were extremely concerned that the process followed of community groups talking to the Communities Team, who then discussed it with the Planning Department resulted in £100,000 being spent on this project.

It was suggested that, if Members and the community had been advised of the amount of money available, other projects may have been identified.

Members acknowledged that this was money received from developers and that the Letchworth Committee technically had no role to play in decisions regarding spending of the funds, but there was no evidence that any other options for spending of this money had been considered.

Members suggested that consideration should have been given to the provision of electric car charging points.

The Chairman advised that an email had been sent to Members of this Committee asking whether there were any schools needing cycle racks, although no mention had been made of the total amount available.

The Development and Conservation Manager advised that the monies used for this project had been unspent for many years, with the first amount used being £15,000, which had been received in January 2002 and some of the funds had a payback clause. There had been a long period of time for other projects to be identified.

Year on year the most difficult category of funding to identify projects for had been sustainable transport, therefore, when a deliverable project that would provide a significant amount of infrastructure and would meet all of the criteria was presented, it was a logical outcome.

A Member commented that Section 106 reports had been presented to the Committee in the past and Councillors should interrogate those reports and make suggestions for projects that this money could be spent on.

A Member stated that the schools and North Herts Homes should provide cycle racks themselves rather than use Section 106 funding.

Members noted that there was currently approximately £2.5 million in Section 106 funding.

The Development and Conservation Manager advised that most of the Section 106 funding was not discretionary and that the discretionary element of the funding was reducing each year.

Some Members remained concerned that there was no democratic accountability or input in the spending of Section 106 funding and felt that Members should have the opportunity to comment on proposed schemes.

The Development and Conservation Manager directed attention to Recommendation 1.3 of the report entitled Section 106 and Unilateral Undertakings, which had been agreed by this Committee each and every year.

There was some discussion regarding what evidence had been supplied as to the contribution that cycle racks would make to sustainable transport and the decision process used for identifying projects and allocating Section 106 funding.

#### Budgets

Section 10 of the report detailed how much money was in the Committee budgets.

The 2016/17 budget had now been spent together with a small amount of the 2017/18 budget. The Council had set the 2018/19 budget at £13,500

In respect of the 2017/18 budget, the Communities Officer suggested that Members may wish to consider allocating any unspent funds to Community Initiatives.

Members noted that they had previously agreed that the £1,000 allocated to Impact Youth Club be placed back into the base budget.

Councillor Cunningham, Executive Member for Finance and IT advised that he did not agree with the suggestion to allocate funds to an unspecified project and queried whether it would be constitutional.

There was a provision to write off unallocated amounts and, in the past, the Executive Member for Finance and IT had taken the decision not to enact that provision.

The situation was different this year in that there were large sums of unspent funds in Area Committee budgets, having said that, a decision regarding this would not be taken until the end of the financial year.

#### **RESOLVED:**

- (1) That the budgetary expenditure, balances and carry forwards from the Development and Visioning Budgets be noted;
- (2) That the actions taken by the Communities Officer to promote greater community capacity and well-being for Letchworth Garden City be endorsed;
- (3) That, subject to any decisions of Council, any unspent funds remaining in the 2017/18 Discretionary Budget be carried forward to 2018/19;
- (4) That the Communities Officer be requested to present the list of potential sites for placement of cycle racks in Letchworth Town Centre to this Committee before a final decision is made.

**REASON FOR DECISION:** To keep Members of the Committee apprised of the latest developments in community activities in Letchworth Garden City.

#### **44 GRANT APPLICATION - GROUNDWORK HERTFORDSHIRE**

Members expressed some concern that there were generally substantial overheads associated with projects run by agencies rather than by community groups and that more information regarding the detail of finances should be requested.

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Members agreed that this particular project would be of benefit to the community and requested that, once the project was complete, feedback was sought regarding how many took part and participants' opinion on the value of the project to them.

Mr Dungate informed Members that grant funding helped bring in funding from other organisations and that they had already secured funding from Tesco's for projects in the area and were bidding for further funding that could extend the length of these courses.

**RESOLVED:**

- (1) That grant funding of £2,968 be awarded to Groundwork Hertfordshire from the 2017/18 Discretionary Budget towards the cost of providing informal sessions for families to engage with the natural environment on Norton Common;
- (2) That, once the project is complete, the Communities Officer be requested to seek feedback from Groundwork Hertfordshire regarding how many took part and participants' opinion on the value of the project to them

**REASON FOR DECISION:** To improve services provided by local organisations and groups which are accessed by the community.

**45 LETCHWORTH BID MANAGER**

Mrs Patricia Saunders, Letchworth BID Manager, thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation regarding the issues and activities in Letchworth Town Centre.

Mrs Saunders informed Members that she was the new BID Manager for Letchworth and had been in post for two months. Prior to this she had been the events co-ordinator for 18 months.

She was born in Hitchin and grew up in Letchworth, where she continued to live and her background was in communications, public relations and marketing.

The BID had recruited Nick Boris Toby as the new events co-ordinator, who had a wealth of experience in marketing and events on a national scale.

The BID was in the final year of its first term and had generated £600,000 in BID levy in these four years as well as £140,000 in additional funding and in kind benefits including grants from NHDC and £120,000 in direct funding by Letchworth Garden City Heritage Foundation. This funding had been used to undertake the projects and activities identified by the BID business plan.

The original BID levy had been set at 1.5 percent of rateable value and bills for the coming year would be sent out shortly and they would include an insert explaining how the money had been spent in 2017/18 and the events and activities that had been funded.

BID events in the Town Centre had generated some £50,000 of income and these events included the Food and Drink Festival, Beer and World Food Festival and the Christmas Gala and Light Switch on.

The BID had provided a business support programme that included a mix of accredited and expert training programmes including food hygiene and social media courses.

80 businesses had been surveyed regarding a wide range of matters including parking, the results of which were shared with NHDC.

The Love Letchworth web site had been improved and updated and work was being undertaken on a more user friendly business directory, which would be launched shortly.



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The BID had also contributed financially to events held in the Garden Square Shopping Centre.

The Bid had also:

- Launched a new business awards programme;
- Issued regular communication by email updates, newsletters and invitations to Letchworth Business Networking meetings;
- Developed a tourist town centre map;
- Continued to sponsor the Disabled Go website;
- Provided “in kind” support to other events taking place in Letchworth Town Centre including the Letchworth Festival, Black History Day and the Chilli Festival;
- Supported new shop openings;
- Highlighted special events and activities taking place via the Love Letchworth social media platform.

Key events planned for the next year included:

- Food and Drinks Festival  
To be held on the Bank Holiday weekend at the end of May including:
  - events, in collaboration with North Herts College, designed to showcase student skills;
  - kitchen demonstrations.
- Vintage Festival  
To be held at the end of July including:
  - everything from 1920s to 1950s;
  - entertainment;
  - traditional fun fair;
  - fashion shows;
  - vintage trail;
  - classic cars;
  - themed shop windows;
  - retro make up and hair lessons.
- Beer and World Food Festival  
To be held at the end of September.
- Christmas Light Switch On  
To be held at the end of November
  - Hoping to gain permission to use the top of the multi-storey car park to launch fireworks;
- Easter Trail
- Run around the Garden
  - Themed as a healthy living day;
  - Inviting lots of sports groups to be involved and showcase their groups.
- Live Wimbledon Coverage  
Aimed to take place during the second week of July.
  - Hoping to provide a large screen to view Wimbledon in different areas around the Town;
  - Will provide fake grass, deckchairs etc;
  - Encourage local business to provide refreshments such as strawberries and cream.

Sponsorship would be sought from larger businesses in the Town for these events.

Other regular activities included

- Farmers Market on the third Saturday monthly;
- Vintage Arts and Crafts Market will be re-launched on the first Saturday in April;
- Letchworth Business Awards will be rebranded to include office-based businesses.

Developing the BID Offer

- A new programme of courses and workshops available to businesses;

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- A renewal survey had been circulated to all businesses that asked for feedback on the last business plan, ideas for the new business plan and areas of priority;
- A BID launch event would take place on 14 March 2018 to which all businesses had been invited;
- Workshops for businesses regarding the BID offer would be available on 10/11 April 2018;
- Work was being undertaken with the re-ballot consultant, who would be responsible for liaising with the Council regarding the re-ballot;
- Ballot papers were due to be sent out in November 2018.

If businesses voted not to continue with the BID, then the BID operation would cease as at 31 March 2019 and all projects, activities and support to businesses organised by the BID would stop. The area would lose its collective business voice along with the opportunity to shape the future of Letchworth Town Centre.

The BID staff would be doing their utmost to ensure that the BID was successful in developing a new Business Plan to meet the needs and requirements of local businesses and that the BID then was given the opportunity to continue for a further five years.

The Annual General Meeting was due to take place in June

Members commented that the Town had come alive in the last few years with activities almost every weekend.

They noted that the footfall in the Town Centre had increased, but this did not appear to translate into sales in the shops and queried whether this would have an effect on the re-ballot.

Mrs Saunders commented that footfall had increased and was particularly high during the larger events. The aim of the large events was to showcase the Town and hope that it inspired people to return at a later date to do some shopping.

Feedback from shops regarding trade levels during an event was mixed with some reporting no increase and others reporting a marked increase in trade.

She believed that businesses were keen to keep the events going in the Town. It was important to get the feedback from the survey that had been sent out, so that the Business Plan could reflect the needs of the businesses. They would also be considering what effect they could have on the environments within the Town.

Members queried whether the closure of Argos would have an impact on the town Centre.

Mrs Saunders advised that the Argos location was managed by the Garden Square Shopping Centre, it was in everybody's best interest to have the shop let again, but this was out of the BID's hands.

Members commented that the nature of shopping had changed and that on-line shopping had changed the nature of Town Centres.

Mrs Saunders advised that the Town Centre was becoming more leisure focussed, which resulted in an increased night-life. It was important to capitalise and embrace this change, that was affecting all town centres.

Letchworth had a number of independent shops and this was where the Town Centre needed to focus, as the big chains were generally moving to out of town sites.

The BID supported and lobbied for new business in the area but had no direct say on which businesses leased shops in the Town Centre. The BID would, in the future work much more closely with the Letchworth Garden City Heritage Foundation lettings team, NHDC, Garden Square Shopping Centre and letting agents.

The BID was also moving location to 76 Eastcheap, Letchworth Garden City.

The Chairman thanked Ms Saunders for her presentation and for the good work that the BID undertook in Letchworth Town Centre.

#### **46 SECTION 106 AND UNILATERAL UNDERTAKINGS**

The Development and Conservation Manager presented the report entitled Section 106 and Unilateral Undertakings and drew attention to the following;

On Monday the government published a draft new version of the National Planning Policy Framework which is now out for consultation.

This was a consultation document and it did not replace the current National Planning Policy Framework, which was published in 2012.

In general, having briefly looked at the new draft it was very similar to the existing NPPF but with more emphasis on the importance of housing delivery.

On the issue of planning obligations and Section 106 there was very little to report.

In terms of planning policies, the draft NPPF stated in paragraph 34 that:

“Plans, meaning Local Plans, should set out the contributions expected in association with particular sites and types of development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, green and digital infrastructure). Such policies should not make development unviable and should be supported by evidence to demonstrate this. Plans should also set out any circumstances in which further viability assessment may be required in determining individual applications.”

This was the only paragraph which referred to what should be put in the Local Plan regarding planning contributions.

Members should be aware that the current Supplementary Planning Document regarding Section 106 was 12 years old and this would be updated after the NHDC Local Plan had been through the examination.

In respect of development management decisions on individual planning applications the draft NPPF maintained the strict tests on the use of planning obligations set out in the existing NPPF and also set out in the report at Paragraph 8.1.1, which was that planning obligations should only be used when they are;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

On the much publicised matter of stopping developers getting away with avoiding their obligations, particularly on affordable housing, in his view the NPPF was quite weak, particularly when you consider that Ministers have been stating that developers will now be forced to deliver the necessary infrastructure and obligations.

Paragraph 58 of the draft NPPF stated:

“Where proposals for development accord with all the relevant policies in an up-to-date development plan, no viability assessment should be required to accompany the application. Where a viability assessment is needed, it should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”

This meant that developers would no longer be able to label viability tests as confidential.

It then referred to the National Planning Practice Guidance which included details of standardised viability appraisals. The idea behind this was to standardise how viability appraisals are calculated in order to try and de-mystify the process and prevent sharp practices whereby developers pull the wool over the eyes of planning authorities and claim poverty to avoid meeting their obligations.

However even with a standardised approach, it would not avoid disagreements between what a planning authority wanted a developer to deliver and what they claimed the development can afford. With the continued emphasis on the need to deliver new homes, the Development and Conservation Manager could not see there being much shift of emphasis away from the interests of developers towards sometimes costly community infrastructure.

Disappointingly there was no reference to any consideration of removing the rule of five pooling limit which is referred to in Paragraph 8.2.1 of the report.

Also, with the same tests set out in the existing NPPF, there was no suggestion of a move back to the tariff approach, which NHDC adopted between 2006 and around 2014.

This meant that new financial contributions through Section 106 obligations could only be spent on projects identified in advance and specified within the legal agreement at the time that planning permission was granted.

If this Council wanted to revert back to a more general tariff approach, a Community Infrastructure Levy (CIL) would need to be adopted in the future.

The Development and Conservation Manager expressed concern that the Council had not yet identified how they wanted the larger development areas, identified in the Local Plan, to function and how services would be funded or who would operate them. The Council needed a new Planning Obligations SPD to address these issues.

Members were concerned that the local Councillors should be consulted regarding any potential projects relating to a development prior to any Section 106 agreements being negotiated and queried whether this was addressed in the Local Plan documents.

The Development and Conservation Manager advised that, at present, the new Local Plan did not have supplementary planning documents that went into that level of detail and reminded Members that Section 106 obligations could not be imposed on developments of less than 10 dwellings.

He expressed concern that the Council had not yet decided how such issues as green space and play areas provided by new developments would be maintained. As an example, he drew attention to the large potential development site in Baldock, which had a large country park in the centre of it and questioned who would maintain this and how this would be incorporated into a Section 106 agreement.

The Communities Officer reminded Members that this subject was discussed at the meeting of this Committee held on 6 September 2017 for which the Minutes read:

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“The Chairman led a discussion regarding developing a list of capital projects for Section 106 funding in the future.

She reminded Members of the presentation from the Development and Conservation Manager regarding Section 106 funding and that, in future negotiations for Section 106 contributions would centre on previously identified projects.

It was therefore suggested that the Committee identify projects that could be used by the Development and Conservation Manager when negotiating Section 106 contributions from future planning applications.

Members debated that it would be helpful to know where developments would take place in order to suggest projects and noted that a list of proposed developments was circulated to all Members each week.

Members were advised that the suggestion was to develop and maintain a “wish list” of potential projects that the Planning Control Department could use if a relevant development application was made.”

Members acknowledged that the draft Local Plan identified where developments would likely take place and therefore could start identifying projects for those areas.

Members noted that a significant amount of discretionary Section 106 funding, collected from previous developments, remained unspent.

They referred to the discussion held on the previous item on the agenda regarding the monies for sustainable transport and queried which entries related to the provision of cycle racks.

The Development and Conservation Manager listed the various contributions that had been identified for this project and there was still funding available for sustainable transport.

Members queried why funding for Letchworth had been allocated to John Barker Place, Hitchin without reference to this Committee.

The Development and Conservation Manager advised that off-site affordable housing contributions, could be spent anywhere on the District.

Members queried the amount of £5,692.71 allocated to the provision of new football changing pavilion at Baldock Road Recreation Ground.

The Development and Conservation Manager advised that this sum had been allocated to this project but had not been spent.

It was suggested that, in order to facilitate discussion regarding the spending of available Section 106 funding, the Development and Conservation Manager be requested to draw up a list of all unallocated discretionary Section 106 funds available for the Letchworth area and that this list be circulated to all Members of the Committee by email.

Following much debate, it was also suggested that Recommendation 3 be amended to read:

“That other than where a contribution has been negotiated for a specific purpose or project, any proposal be reported to this Committee by the Communities Officer for comment and/or agreement prior to any commitment of funds.”

**RESOLVED:**

- (1) That the contents of the report entitled Section 106 and Unilateral Undertakings be noted;

- (2) That the Development and Conservation Manager be requested to continue to present a report regarding Section 106 and Unilateral Undertakings to the Area Committees on an annual basis and that the appendix to those reports note which funds are discretionary and which are for a specific project;
- (3) That other than where a contribution has been negotiated for a specific purpose or project, any proposal be reported to this Committee by the Communities Officer for comment and/or agreement prior to any commitment of funds;
- (4) That the Development and Conservation Manager be requested to draw up a list of all unallocated discretionary Section 106 funds available for the Letchworth area and that this list be circulated to all Members of the Committee by email.

***REASON FOR DECISION:***

- (1) To ensure that there is a robust system for negotiating and managing Section 106 and Unilateral Undertakings.
- (2) To ensure that this is kept under constant review and that the risk associated with this activity is managed in an appropriate manner.

**47 WARD MATTERS AND OUTSIDE ORGANISATIONS - MEMBERS' REPORTS**

No Ward or Outside Organisation matters were discussed.

The meeting closed at 10.10 pm

Chairman