

NORTH HERTFORDSHIRE DISTRICT COUNCIL



2 October 2020

Our Ref Letchworth Committee/14.10.20
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To: Members of the Committee: Councillor Gary Grindal (Chair), Councillor Helen Oliver (Vice-Chair), Councillor Daniel Allen, Councillor Kate Aspinwall, Councillor Morgan Derbyshire, Councillor Terry Hone, Councillor David Levett, Councillor Ian Mantle, Councillor Sean Prendergast, Councillor Sue Ngwala, Councillor Mike Rice and Councillor Adem Ruggiero-Cakir

NOTICE IS HEREBY GIVEN OF A

MEETING OF THE LETCHWORTH COMMITTEE

to be held as a

VIRTUAL MEETING

On

WEDNESDAY, 14TH OCTOBER, 2020 AT 7.30 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda

Part I

Item		Page
1.	APOLOGIES FOR ABSENCE	
2.	NOTIFICATION OF OTHER BUSINESS Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
3.	CHAIR'S ANNOUNCEMENTS Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
4.	PUBLIC PARTICIPATION To receive petitions, comments and questions from the public including: 1) Small Acts of Kindness 2) The Settlement 3) 7 th Letchworth Scouts	
5.	LETCHWORTH GARDEN CITY BID MANAGER To receive a verbal presentation from the Letchworth Garden City BID Manager.	
6.	LETCHWORTH GARDEN CITY HERITAGE FOUNDATION - UPDATE To receive an update regarding Letchworth Garden City Heritage Foundation from Stuart Sapsford.	
7.	ANNUAL UPDATE ON S106 OBLIGATIONS REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER To receive the annual update on S106 activity for Letchworth.	(Pages 5 - 22)

8. **GRANT APPLICATIONS AND COMMUNITY UPDATE** (Pages
REPORT OF THE POLICY AND COMMUNITY ENGAGEMENT MANAGER 23 - 32)

To update the Committee on the activities and actions of the Community Engagement Officers, to advise on the current expenditure and balances of the delegated budgets and to consider any applications for grant funding.

9. **WARD MATTERS AND OUTSIDE ORGANISATIONS - MEMBERS' REPORTS**

To receive any verbal reports from Members regarding Ward matters and Outside Organisations.

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**LETCHWORTH COMMITTEE
14 OCTOBER 2020**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: ANNUAL UPDATE ON S106 OBLIGATIONS FOR LETCHWORTH COMMITTEE

REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

EXECUTIVE MEMBER FOR PLANNING AND TRANSPORT

CURRENT COUNCIL PRIORITY: ATTRACTIVE AND THRIVING

1. EXECUTIVE SUMMARY

- 1.1 This report provides Members of the Letchworth Committee with the annual update on the details of progress made on all Section 106 Obligations within the Letchworth Committee area during the financial year 2019/20.
- 1.2 The format of the information presented reflects the diminishing role of discretionary Section 106 funds, that unilateral undertakings are very rarely received and changing restrictions around the collection and distribution of funds. The information provided in the associated tables reflects this. Tables 1 and 1a set out the details of all new Section 106 Obligations entered into between developers and the Council during the financial year 2019/20 within the Letchworth Committee area. Table 2 sets out details of all payments received from developers relating to developments and earlier agreements and identifies which projects the money has been received for, again a record of the financial year 2019/20. Table 3 sets out details of remaining funds that have yet to be allocated for the Letchworth Committee area (see appendix 1).
- 1.3 The report also sets out the current position with respect to changing legislation, how future planning policy may reflect this and outlines progress of a revised strategy to seek wider community and ward Member involvement in identifying relevant projects at the earliest possible stage in the planning process.

2. RECOMMENDATIONS

- 2.1 That Members note the content of this report.
- 2.2 That Members agree that a report shall continue to be presented on an annual basis to the Area Committee, which sets out full records of all Section 106 activity for the preceding financial year and which reflects changes in legislation and practice.
- 2.3 That, other than where a contribution has been negotiated for a specific purpose or project, Ward Members of the area where the Section 106 Obligation or Unilateral Undertaking funding is generated and the Area Committee be consulted prior to funding being allocated away from that area. Members must note that the discretionary funds are rapidly diminishing and will not be replaced under current legislation and practice, for reasons that are set out in this report.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that there is a robust system for negotiating and managing Section 106 Obligations and Unilateral Undertakings, that records activity for each financial year and is placed in the public domain.
- 3.2 To ensure that the process is kept under constant review and Member scrutiny and that the risk associated with this activity is managed in an appropriate manner.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 It is not considered that an alternative viable option is available at this time for the Council to manage and maintain records of Section 106 agreements and Unilateral Undertakings.
- 4.2 Starting in December 2020 the Ministry for Housing Communities and Local Government will require each local authority in England to provide annual Infrastructure Funding Statements (IFS). Such statements will require a full annual audit of all S106 activity throughout the District and the information to be provided will be very similar to that which is presented to each Area Committee but will of course cover the whole District and cannot be differentiated into Area Committee records. Following the preparation and publication of the first IFS in December 2020 it will in my view be necessary to review how this information is reported to future Area Committees.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 This report is being presented to each Area Committee so that all Ward Members are fully aware of the progress and updated in relation this matter. No external organisations have been consulted.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The Council introduced a Planning Obligations supplementary planning document (SPD) in 2006 giving a formula for developers to calculate what their Section 106 costs might be. Its introduction has led to the majority of sites within the District since 2006 contributing towards the cost of infrastructure. Unilateral undertakings are a particular type of obligation under Section 106 that are only signed by the developer, instead of bilaterally by both the Council, and the developer.
- 7.2 The main objective of the SPD was to ensure that the additional demands upon infrastructure, services and facilities from new development are provided for and are put in place at the right time to contribute to the Council's priorities and capital programme.

- 7.3 The Community Infrastructure levy (CIL) regulations came into force in April 2010. It is unlikely that the Council will adopt a Community Infrastructure Charging Schedule for the foreseeable future and certainly not for strategic sites and sites which have specific local infrastructure demands. A decision whether to adopt a CIL charging schedule will also depend on regulations at that time, bearing in mind that the government has revised CIL regulations every year since their inception in 2010 giving no consistency to how a local planning authority can plan its implementation.
- 7.4 The implementation of the changes to the Community Infrastructure Levy Regulations introduced in April 2015 with regard to the pooling limits has meant that the 'tariff' system used to calculate contributions as set out in the SPD is now principally used only as a negotiating tool associated with a specific infrastructure project, otherwise it has little or no relevance. The pooling restriction was however lifted on 1 September 2019.
- 7.5 It has been agreed previously that annual reports on the status of the agreements be presented to the Area Committees so that Members are fully aware of the infrastructure projects the contributions are used towards in their particular area.

8. RELEVANT CONSIDERATIONS

8.1 Current legislation

- 8.1.1 The Community Infrastructure Levy (CIL) regulations set out three statutory tests which must be satisfied in order for planning obligations to be required. These tests are also set out within The National Planning Policy Framework (NPPF) which came into force on 28 March 2012 and repeated in the latest version of the NPPF (February 2019). The three statutory which all S106 Obligations must comply with are as follows:

- **Necessary to make the proposed development acceptable in planning terms;**
- **Directly related to the proposed development; and**
- **Fair and reasonably related in scale and kind to the proposed development**

- 8.1.2 The pooling limit introduced in April 2015 applied to any obligation which was completed after 6 April 2010. From 6 April 2015, in the determination of a planning application after this date the local planning authority was not allowed to request S106 funding for an 'infrastructure project' or 'types of infrastructure' if more than 5 obligations since 6 April 2010 have already been committed to that project.

A 'type of infrastructure' relates to the categories set out in the Council's SPD and is as follows:-

- community centre/halls;
- leisure facilities;
- play space;
- pitch sport;
- informal open space;
- sustainable transport; and
- waste collection facilities and recycling.

There is also provision for contributions towards public realm from non-residential development.

8.1.3 The Housing White Paper (February 2017) indicated that CIL was to be reviewed in Autumn 2017 in preparation for the Budget which was to include reform of S106 Obligations. This review was completed in September 2018 and one of its key recommendations was to abolish the 'pooling' restriction as it has the effect of preventing local planning authorities from considering the cumulative effect of developments on key services and infrastructure. The government had indicated that it would introduce legislation to remove the pooling restrictions which would represent a positive reform by providing more scope for Section 106 Obligations but also less incentive to adopt a CIL tariff as a result. The limitation was finally lifted by revisions to relevant regulations on 1 September 2019. The implication for this loosening of restrictions are being considered by officers and will be reflected in the forthcoming new Supplementary Planning Document relating to Planning Obligations. The draft document was presented to Cabinet in January 2020 and following a consultation exercise the final version was presented to Cabinet in July 2020. Cabinet endorsed the new Planning Obligations SPD but due to the postponement of the 2011-2031 Local Plan, the new SPD cannot be adopted until the new Local Plan is adopted, so any resolution to adopt the SPD will need to await the completion of the new Local Plan.

8.1.4 The recent publication of the White Paper 'Planning for the Future' may have implications for the future of S106 Obligations and locally applied CILs. The White Paper suggests that the government intends to abolish S106 Obligations insofar as they relate to financial contributions towards services and remove locally based CIL tariffs to be replaced by centrally set CIL rates that would apply across England, removing any local weighting or discretion over CIL levies.

8.2. Implications for the collecting of infrastructure contributions

8.2.1 The pooling restrictions related to the determination of planning applications after 6 April 2015 but it did not prevent:-

- i) the pooling of the contributions from more than 5 obligations which have been completed since 6 April 2010. This means that already collected S106 money from obligations after 6 April 2010 can still be pooled more than 5 times and spent after 6 April 2015. I would also confirm that this does not affect any funds that remain from prior to 2010 which to date have either not been allocated to a specific project or the implementation and spend is beyond 2015.
- ii) payments being collected after 6th April 2015 provided the obligations were before this date and they can be allocated as at present.

8.2.2 I can confirm that since 6 April 2010 more than 5 obligations have already been agreed breaching the pooling limit on each of the categories in the SPD and from April 2015 no further obligations have been agreed using the 'tariff system' within the SPD.

8.2.3 As the agreement to contributions now relate to specific infrastructure projects it is necessary for the Local Planning Authority to be a party to any agreement so the present and future use of Unilateral Undertakings will be limited and only used in exceptional circumstances.

8.2.4 Negotiations to seek contributions in accordance with the legislation and in particular the tests continue but, as reported in previous years, there have been more challenges by developers citing amongst other matters the viability of a scheme and the specific need for the contributions.

- 8.2.5 Over the last few years, since the changes to the regulations Officers have progressed a limited number of agreements for major developments with the emphasis being the justification in order that the authority are not open to challenge. The agreed heads of terms for any application are set out in reports to the Planning Control Committee or delegated file notes associated with each planning application.
- 8.2.6 Some Members may recall that in 2017 I advised at the Area Committee meeting that the government had updated and modified the Planning Practice Guidance as of the 28th November 2014 and it stated that no contributions should be sought from developments of 10 or less units and in certain designated rural areas the Council may apply a lower threshold of 5 units or less where no affordable housing or tariffs should be sought. This restriction remains in place. This means that in the vast majority of circumstances as well as the statutory restrictions outlined above the Council can only seek financial contributions from developments of more than 10 dwellings.

8.3 Use of existing funds

- 8.3.1 The three tests set out in paragraph 8.1.1 equally apply when allocating the monies received for the defined purpose. The applicant who has entered into a Section 106 Obligation or a unilateral undertaking has a right to seek a refund if these monies are not used for the appropriate purposes identified in either the specific agreement or the adopted SPD. Moreover, most Section 106 Obligations contain a 10 year pay back clause which the Council must meet if it has been unable to spend / allocate the funds to the identified project.
- 8.3.2 The important issue in this respect is that the spending of the contributions must be to **mitigate the effect of the development** i.e. that is the only reason for seeking contributions in the first instance.
- 8.3.3 An example of this would be an increased use and pressure on any play space within the vicinity of the site which may require additional equipment. There is no restriction for drawing down contributions from both Section 106 and UUs for a specific project subject to the recent changes in legislation.
- 8.3.4 To summarise the overall strategy for the spending of this money is principally by way of the Council's adopted capital projects and strategies e.g. the Greenspace Management Strategy which provides the background and justification for projects.
- 8.3.5 For infrastructure projects in Hitchin, outside of the control of this Council, where a commitment is shown and there is a justifiable need to improve the infrastructure, a project plan is required together with an order or receipt, before the contributions would be payable. Finally, other projects have been identified and come forward through local Councillors or the Community Development Officers.

8.4 SECTION 106 ACTIVITY FOR LETCHWORTH COMMITTEE 2019/20

- 8.4.1 **Table 1:** All new Section 106 Obligations entered into for the Letchworth Committee are during the financial year 2019/20 and up to now:

None entered into in this period.

- 8.4.2 **Table 1a:** Agreed Section 106 provisions within the Obligations referenced in table 1 (NHDC services only).

See above.

8.4.3 **Table 2:** Payments received during financial year 2019/20 in relation to NHDC services following earlier Section 106 Obligations.

Area	Details of agreement	Benefits secured and amount	Date received
Letchworth	Planning permission no. 17/00905/1 – Garages At Bittern Way Letchworth Garden City Residential development comprising 3.5 storey building to provide 13 affordable flats with associated parking following demolition of existing garages (as amended by drawings received 05/06/2017).	Waste collection and recycling facilities on site: £497.45	08.07.19

8.4.4 **Table 3:** Current held funds for the Letchworth Committee area that remain to be allocated - **see appendix 1.**

Letchworth:

Affordable housing off site contributions: £206,855

Community Centres: £28,426.26

Health Care (to be allocated to NHS for appropriate projects): £120,587.59

Informal Open Space: £17,099.13

Pitch Sport: £7,714.73

Sustainable Transport: £89,934.38

Waste Collection and Recycling: £497.45

8.4.5 From the tables set out in appendix 1 and for ease of reference I set out below a list of the remaining discretionary funds which have not been allocated under each category for the Baldock and District Committee area:

8.4.6 As can be seen from these tables, as a result of CIL regulation restrictions, the number of new S106 Obligations entered into in the last financial year is very low. Also the discretionary pot and available funds where some discretion is allowed as to which projects can be funded is diminishing and will not be replaced without a significant loosening of the CIL regulations. As a result of these realities and without an adopted CIL tariff the Council must look at other strategies to maximise the return of S106 funding for the benefit of our communities.

8.4.7 NEXT STEPS

8.4.8 To maximise future returns from S106 Obligations focus must turn to identifying relevant projects before the grant of planning permission and it is this area where work is on-going to improve the level of Member and community involvement.

- 8.4.9 Officers are working with relevant Executive Members to establish a more effective ward councillor consultation process for each qualifying planning application in their areas. A balance will need to be struck between enabling Councillors to remain neutral on the outcome of the planning application (importantly not fettering their discretion if they sit on the Planning Control Committee) whilst at the same time assisting officers in identifying local projects which may benefit from S106 funds.
- 8.4.10 For Parished areas and areas with Town Council representation this new process will also involve greater involvement with the Parish and Town Councils, again striking a balance between allowing Parish and Town Council's to express their opinion on the merits of an planning application proposal but also seeking their input both as identifiers of potential projects and the deliverers of those projects in many instances.
- 8.4.11 For the remaining but ever diminishing discretionary funds Community Development Officers will continue to work with the Development and Conservation Manager and S106 Monitoring and Compliance Officer to distribute these funds to relevant organisations who are able to deliver key infrastructure for the benefit of the wider community.

9. LEGAL IMPLICATIONS

- 9.1 The Council requires Section 106 Agreements and Unilateral Undertakings where appropriate under the Town and Country Planning Acts where development involves matters which cannot be controlled by planning conditions. There are strict rules which govern the negotiation and implementation of matters covered by Section 106 Agreements and in essence these need to relate to the development proposed both in scale and kind. The Section 106 SPD has been formulated with those principles in mind and the implementation of the SPD is being undertaken in a satisfactory manner.

10. FINANCIAL IMPLICATIONS

- 10.1 Interest accruing on S106 receipts is pooled corporately and included in the total income arising from investments. This is the case with all of the Council's 'reserves' and investment interest is then used to contribute towards General Fund revenue expenditure. Risk arising from interest rate fluctuations is considered in the Corporate Business Planning process and is a consideration when setting the level of balances. There may be occasions where the S106 agreement requires a refund with interest in the event that prescribed works are not acted upon.
- 10.2 The financial implications of a planning permission may be agreed but if the planning permission is not implemented the monies will not be received.
- 10.3 When negotiating monies for capital schemes there may be a delay in implementing those schemes which may result in a change of cost.

11. RISK IMPLICATIONS

- 11.1 The work associated with the implementation of the requirements of the Community Infrastructure Levy Regulations and the Section 106 SPD is currently contained within the existing work plans and resources. A review of the document has been incorporated within the work programme for the Local Plan following the resolution of Cabinet in July 2103 not to pursue a Community Infrastructure Levy for this Council for the time being.

12. EQUALITIES IMPLICATIONS

- 12.1 The Equality Act 2010 came into force on the 1st October 2010, a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5th April 2011. There is a General duty, described in 12.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 12.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.3 There are not considered to be any direct equality issues arising from this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 12.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1 There are no known Environmental Implications associated with this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no new human resource implications arising from the contents of this report as the monitoring of Section 106 and Unilateral Undertakings is currently undertaken using existing staff resources.

16. APPENDICES

- 16.1 Appendix 1 – Current Held Funds Letchworth

17. CONTACT OFFICERS

Report Author

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18. BACKGROUND PAPERS

- 18.1 Section 106 Supplementary Planning Document adopted November 2006 and monitoring report.

Town

Letchworth

Obligation Type

Affordable Housing

TOWN/ AREA	NHDC/ HCC/ Parish recipient of funds	Details of Related Application - inc ref. No. proposal/address	Date of Agreement	Agreement Type	Benefits Secured	Repayment Date (if part or whole of sum not spent)	Amount Received	Status
Letchworth	NHDC	14/01080/1 Garden Square Shopping Centre, Leys Avenue, Letchworth Garden City, SG6 Change of use, conversion and extension of Commerce House including addition of third floor to provide 21 x 2 bed apartments and 5 x 1 bedroom apartments at upper levels, following partial demolition of existing building. Demolition of 23/25 Leys Avenue and erection of three storey building comprising 275 sq m flexible Class A1-A4 floorspace at ground floor and 10 x 2 bedroom apartments and 2 x 1 bedroom apartments at upper levels. Demolition of existing outbuilding on land adjacent to 21 Leys Avenue and erection of a three storey building with accommodation in roof space comprising 224 sq m flexible Class A1-A4 floorspace at ground floor and 5 x 2 bed apartments and 4 x 1 bed apartments at upper levels. Demolition of covered entrance to Garden Square Shopping Centre, associated car parking spaces and ancillary works.	23/02/2015	S106	Affordable Housing To be spent following first occupation of dwellings approved.	17/02/2028 10 years from date of commencement of development (to be confirmed when started)	206,855.00	Live to be allocated

Town

Letchworth

Obligation Type

Community Centres

TOWN/ AREA	NHDC/ HCC/ Parish recipient of funds	Details of Related Application - inc ref. No. proposal/address	Date of Agreement	Agreement Type	Benefits Secured	Repayment Date (if part or whole of sum not spent)	Amount Received	Status
Letchworth	NHDC	14/01080/1 Garden Square Shopping Centre, Leys Avenue, Letchworth Garden City, SG6 Change of use, conversion and extension of Commerce House including addition of third floor to provide 21 x 2 bed apartments and 5 x 1 bedroom apartments at upper levels, following partial demolition of existing building. Demolition of 23/25 Leys Avenue and erection of three storey building comprising 275 sq m flexible Class A1-A4 floorspace at ground floor and 10 x 2 bedroom apartments and 2 x 1 bedroom apartments at upper levels. Demolition of existing outbuilding on land adjacent to 21 Leys Avenue and erection of a three storey building with accommodation in roof space comprising 224 sq m flexible Class A1-A4 floorspace at ground floor and 5 x 2 bed apartments and 4 x 1 bed apartments at upper levels. Demolition of covered entrance to Garden Square Shopping Centre, associated car parking spaces and ancillary works.	23/02/2015	S106	Community Centres Towards community centres serving the development.	17/02/2028 10 years from date of commencement of development	18,054.24	Live to be allocated
Letchworth	NHDC	14/01403/1 Former Factory Site, Land on the north west side, Blackhorse Road, Letchworth Garden City Residential redevelopment of site to provide 159 dwellings comprising of 12 x 1 bedroom flats; 24 x 2 bedroom flats; 12 x 2 bedroom houses; 30 x 3 bedroom houses and 81 x 4 bedroom houses. Two new vehicular accesses onto Blackhorse Road following closure of existing accesses; associated parking and internal access roads, landscaping, amenity spaces and ancillary works following demolition of existing factory building.	10/11/2014	S106	Community Centres Towards the provision of community centres serving the development	23/03/2025	£10,372.02	Live to be allocated

Town Letchworth

Olbigation Type Healthcare

TOWN/ AREA	NHDC/ HCC/ Parish recipien t of funds	Details of Related Application - inc ref. No. proposal/address	Date of Agreement	Agreement Type	Benefits Secured	Repayment Date (if part or whole of sum not spent)	Amount Received	Status
Letchworth	NHDC	14/01403/1 Former Factory Site, Land on the north west side, Blackhorse Road, Letchworth Garden City Residential redevelopment of site to provide 159 dwellings comprising of 12 x 1 bedroom flats; 24 x 2 bedroom flats; 12 x 2 bedroom houses; 30 x 3 bedroom houses and 81 x 4 bedroom houses. Two new vehicular accesses onto Blackhorse Road following closure of existing accesses; associated parking and internal access roads, landscaping, amenity spaces and ancillary works following demolition of existing factory building.	10/11/2014	S106	Healthcare Contribution Provision of healthcare facilities serving the locality of the development	23/03/2025	£120,587.59	Live to be allocated

Town

Letchworth

Obligation Type

Informal Open Space

TOWN/ AREA	NHDC/ HCC/ Parish recipien t of funds	Details of Related Application - inc ref. No. proposal/address	Date of Agreement	Agreement Type	Benefits Secured	Repayment Date (if part or whole of sum not spent)	Amount Received	Amount allocated to project	Balance remaining: to be allocated/Sp ent	Status
Letchworth	NHDC	14/01080/1 Garden Square Shopping Centre, Leys Avenue, Letchworth Garden City, SG6 Change of use, conversion and extension of Commerce House including addition of third floor to provide 21 x 2 bed apartments and 5 x 1 bedroom apartments at upper levels, following partial demolition of existing building. Demolition of 23/25 Leys Avenue and erection of three storey building comprising 275 sq m flexible Class A1-A4 floorspace at ground floor and 10 x 2 bedroom apartments and 2 x 1 bedroom apartments at upper levels. Demolition of existing outbuilding on land adjacent to 21 Leys Avenue and erection of a three storey building with accommodation in roof space comprising 224 sq m flexible Class A1-A4 floorspace at ground floor and 5 x 2 bed apartments and 4 x 1 bed apartments at upper levels. Demolition of covered entrance to Garden Square Shopping Centre, associated car parking spaces and ancillary works.	23/02/2015	S106	Informal Open Space £17,099.13 Allocated to extension of footpaths and incorporating suitable drainage at Norton Common to facilitate access for visitors to Common £2496.68 balance remains available for another project	17/02/2028 10 years from date of commencement of development	19,595.81	17,099.13	2,496.68	Part allocated part live to be spent

Town Letchworth

Obligation Type Pitch Sports

TOWN/ AREA	NHDC/ HCC/ Parish recipien t of funds	Details of Related Application - inc ref. No. proposal/address	Date of Agreement	Agreement Type	Benefits Secured	Repayment Date (if part or whole of sum not spent)	Amount Received	Status
Letchworth	NHDC	08/02929/1 38-42 Leys Avenue, Letchworth Conversion and change of use of first and second floor offices to 1 x 3 bedroom and 2 x 2 bedroom flats following demolition of rear extensions. Reinstatement of and alterations to rear elevations and insertion of a dormer window in front roof slope and addition of a window in front gable. Alterations to shop front to facilitate use of ground floor as 2 shop units.	26/06/2009	UU	Pitch Sport	N/A	1,029.81	Live to be allocated
Letchworth	NHDC	09/02167/1 Natwest, Station Place, Letchworth Garden City, SG6 3AQ Conversion of first floor office space into 3 one bedroom flats. External alterations at second floor involving changes to openings.	Not listed	UU	Pitch Sport	N/A	£692.78	Live to be allocated
Letchworth	NHDC	09/02218/1 1 Northfields, Letchworth Garden City, SG6 4RJ Single storey front and side extensions to facilitate conversion of existing 3 bedroom dwelling into 1 x 3 bedroom dwelling and 1 x 1 bedroom dwelling with 4 associated parking spaces and ancillary works	08/12/2009	UU	Pitch Sport	N/A	£208.18	Live to be allocated
Letchworth	NHDC	10/00799/1 Sollershott Hall, Sollershott East, Letchworth Garden City, SG6 3PL Three storey extension to existing 1960's building to provide 3 x 2 bedroom dwellings, provision of 4 associated parking spaces and ancillary works following demolition of 5 existing garages.	04/05/2010	UU	Pitch Sport	N/A	£979.92	Live to be allocated
Letchworth	NHDC	10/01087/1 50c Station Road, Letchworth Garden City, SG6 3BE Change of use and conversion of 1st and 2nd floors of photographers studios to 1 x 1 bedroom flat and 1 x 2 bedroom flat, 2 associated parking spaces and ancillary works.	24/06/2010	UU	Pitch Sport	N/A	£443.84	Live to be allocated
Letchworth	NHDC	11/00110/1 Land at 99 Northfields, Letchworth Garden City, SG6 4QX Single storey building attached to existing dwelling to provide 1 x 1 bedroom dwelling with 1 associated parking space and ancillary works following demolition of existing garage.Insertion of first floor window in front elevation of existing dwelling.	Not Listed	UU	Pitch Sport	N/A	£221.94	Live to be allocated

Table 5 - S106 Obligations Live

Letchworth	NHDC	12/00708/1 St John Ambulance Brigade HQ, Birds Hill, Letchworth Garden City Erection of one three bedroom dwelling with 2 associated car parking spaces, vehicular access onto Birds Hill and ancillary works following demolition of existing single storey buildings	Not listed	UU	Pitch Sport	N/A	£467.28	Live to be allocated
Letchworth	NHDC	12/02492/1 31 Gaunts Way, Letchworth Garden City, SG6 4PJ Detached 3 bedroom dwelling with 1 associated parking space. Detached double garage following demolition of existing garage to provide a garage for existing house and proposed dwelling	Not listed	UU	Pitch Sport	N/A	£472.48	Live to be allocated
Letchworth	NHDC	13/00869/1 11 Arena Parade and 29 Eastcheap, Letchworth Garden City, SG6 3BY Change of use of 1st and 2nd floors from retail storage to 4 x 2 bedroom flats. First and second floor rear extension to provide internal staircase. Replacement rear external timber staircase with timber roof, removal of existing lift and motor tower and ancillary works.	11/07/2013	UU	Pitch Sport	N/A	£1,365.61	Live to be allocated

Table 5 - S106 Obligations Live

Town Letchworth

Obligation Type Sustainable Transport

TOWN/ AREA	NHDC/ HCC/ Parish recipient of funds	Details of Related Application - inc ref. No. proposal/address	Date of Agreement	Agreement Type	Benefits Secured	Repayment Date (if part or whole of sum not spent)	Amount Received	Amount allocated to project	Sum/Date Paid Out (Year End)	Balance remaining: to be allocated/S pent	Status
Letchworth	NHDC	01/01513/1 - Care home comprising 22 self contained units and 20 dwellings etc., The Orchards, Orchard Way, Letchworth. (Applicants: HCC and St Pancras and Humanist Housing Association)	01/11/2002	S106	Sustainable Transport Upon the commencement of the development H.C.C. and the Housing Association to pay NHDC £5,000 towards the provision of a local cycle network and a bus shelter in Orchard Way. Spent Transition Town Letchworth Cycle Initiative of provision of cycle racks and storage shelters across Letchworth - NHDC Community Development Team co-ordinating this project Balance of £253.00 to be spent	None Stated	£5,000	3000.00 1747.00	31/03/2018	253.00	Part spent, balance live to be allocated
Letchworth	NHDC	05/00307/1 - Former Bridger Packaging Site	13/01/2006	UU	Sustainable Transport At least £5000 of this shall be applied towards the provision of a new crossing along Norton Way North, Letchworth. £29,926.80 allocated to project for Letchworth Cycle Racks (Transition Towns) - breakdown £10,631.85, Wilbury Junior School; £70.00, Wilbury Junior School; £17,777.10, Fearnhill School; £1447.85, St Pauls Church	N/A	£38,500	10631.85 70.00 17777.10 1447.85	31/03/2020 31/03/2020 31/03/2020 31/03/2020	8,573.20	Part allocated, part live to be allocated
Letchworth	NHDC	06/00283/01 - Unilateral Erection of Class B8 Distribution Warehouse and ancillary offices; 46 car parking spaces, service yard and loading bays with access of Dunhams Lane and 10m wide soft landscaping buffer strip to western boundary of site. Site: Car park rear of Skillcentre site fronting, Dunhams Lane, Letchworth Garden City, SG6. Applicant: Altro Ltd (Autoglym Division), Works Road	18/05/2005	UU	Sustainable Transport For the provision of off-site transport infrastructure improvements	N/A	£10,000			10,000.00	Live to be allocated

Table 5 - S106 Obligations Live

Letchworth	NHDC	08/02803/1 Trembaths, Talbot Way, Letchworth Garden City, SG6 1UA Erection of detached single storey building with glazed link to existing nursing home to provide 10 additional bedrooms. Three additional car parking spaces (total 14 spaces), and ancillary works	06/02/2009	UU	Sustainable Transport	N/A	£1,740.58			1,740.58	Live to be allocated
Letchworth	NHDC	14/00219/1 Lidl Cotton Brown Park, Letchworth Single storey detached building to provide replacement retail food store (1407 sq m. sales area) following demolition of existing food store, provision of 135 car parking spaces, landscaping and ancillary works	16/04/2014	UU	Sustainable Transport	N/A	22,335.91			22,335.91	Live to be allocated
Letchworth	NHDC	14/00733/1 Former Letchworth Power Station Site, Works Road, Letchworth Erection of four industrial units for mixed B1/B2/B8 use; provision of 119 car parking spaces; cycle storage and bin stores and ancillary works.	Not Listed	UU	Sustainable Transport	N/A	27,063.16			27,063.16	Live to be allocated
Letchworth	NHDC	14/01403/1 Former Factory Site, Land on the north west side, Blackhorse Road, Letchworth Garden City Residential redevelopment of site to provide 159 dwellings comprising of 12 x 1 bedroom flats; 24 x 2 bedroom flats; 12 x 2 bedroom houses; 30 x 3 bedroom houses and 81 x 4 bedroom houses. Two new vehicular accesses onto Blackhorse Road following closure of existing accesses; associated parking and internal access roads, landscaping, amenity spaces and ancillary works following demolition of existing factory building.	10/11/2014	S106	Sustainable Transport Allocated to Transition Town Letchworth Cycle Initiative of provision of cycle racks and storage shelters across Letchworth - NHDC Community Development Team co-ordinating this project. £28,594.16 has been spent - 20/12/2017. £21,482.04 spent various dates 2018 Balance is to be allocated to alternative project	23/03/2025	£63,791.73	28,594.16 263.23 2550.60 7562.00 11106.21	20/12/2017 31/03/2019 31/03/2019 31/03/2019 31/03/2019	13,968.53	Part spent, balance live to be allocated

Town

Letchworth

Obligation Type

Waste and Recycling

TOWN/ AREA	NHDC/ HCC/ Parish recipient of funds	Details of Related Application - inc ref. No. proposal/address	Date of Agreement	Agreement Type	Benefits Secured	Repayment Date (if part or whole of sum not spent)	Amount Received	Status
Letchworth	NHDC	17/00905/1 Garages at, Bittern Way, Letchworth Garden City Residential development comprising 3.5 storey building to provide 13 affordable flats with associated parking following demolition of existing garages	12/10/2017	UU	Waste & Recycling	08/07/2029	497.45	Live to be allocated

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**LETCHWORTH COMMITTEE
14 OCTOBER 2020**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: GRANTS AND COMMUNITY UPDATE

REPORT OF THE POLICY & COMMUNITY ENGAGEMENT MANAGER

EXECUTIVE MEMBER FOR COMMUNITY ENGAGEMENT

CURRENT COUNCIL PRIORITIES: BUILD THRIVING AND RESILIENT COMMUNITIES

1 EXECUTIVE SUMMARY

- 1.1 To advise the Committee on the current expenditure and balances of the Committee Grant budgets.
- 1.2 To bring to the Committee's attention details of recent requests received for Committee grant funding, made by community groups and local organisations.
- 1.3 To advise the Committee of the activities and schemes with which the Community Engagement officers have been involved in.
- 1.4 To bring to the Committee's attention some important community-based activities that will take place during the next few months.

2 RECOMMENDATIONS

- 2.1 That the Committee be recommended to consider allocating funding from their discretionary community budget towards the projects below.
- 2.2 **£2,000** to The Settlement as outlined in 8.1.1
- 2.3 **£760** to 7th Letchworth Scouts as outlined in 8.1.2
- 2.4 That the Committee be recommended to endorse the actions taken by the Community Engagement team to promote greater community capacity and well-being for Letchworth.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure the Committee is kept informed of the work of the Community Engagement Team.

3.2 This report is intended to inform Members of the financial resources available to the Committee. It draws attention to the current budgetary situation by assisting in the effective financial management of the Area Committee's budget. This ensures that all actions are performed in line with the Authority's Financial Regulations, the Council's Constitution, and the guidance of the Grants Policy as agreed by Cabinet in January 2020

3.3 The awarding of financial assistance to voluntary organisations and the use of discretionary spending allows the Committee to further the aims of the Council Plan.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. There are no alternative options being proposed other than those detailed within the text of this report. However, in the course of debate at committee, Members may wish to comment and offer additional views on any of the items included within this report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 Consultation with Members has occurred in connection with the allocation of funds for Community Projects

5.2 Consultation with the respective officers and external bodies/groups has taken place regarding funding proposals for Committee Funds.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

7.1 With reference to the Council's Constitution, Section 9.3 Area Committees will include budgets for the purpose of providing grants and discretionary budgets that may be used within the area of the Committee for economic, social and environmental well-being.

7.2 Members are asked to note the information detailed in Appendix 1. Letchworth Area Committee Budget Spread sheet, which relates to the Area Committee budget balances for 2020/21. The spreadsheet also details pre-allocated sums carried forward from the previous financial years, including balances and past expenditure.

8. RELEVANT CONSIDERATIONS - Councillors are at liberty to consider any amount requested in a grant application as long as the Letchworth area committee has sufficient funds in the 2020/2021 budget.

8.1 Grant Applications

8.1.1

Applicant Project	The Settlement Electronic and computer equipment to allow online access for participants
Sum requested	£2,000
Total project cost	£4,860
Match funding	£2,260 personal donations from service users
Previous support	£0
NHDC Policy met	Yes
Council Objective:	Building thriving and resilient communities;

The Letchworth Settlement have always been self-sufficient and have never needed to request financial assistance. However due to Covid-19 all sources of income halted. The centre was facing imminent closure but had a last-minute reprieve when donations flooded in from the community.

With the current Covid virus restrictions all the courses run will have to be subsidised initially due to restricted class numbers, so the monies raised through the community will be used to support classes and the core running of the Settlement. In order to support tutors and to encourage members to engage, a number of courses will be up and running soon. With social distancing measures in place classes will have to be offered virtually so funding is required for digital equipment.

8.1.2

Applicant Project	7th Letchworth Scouts To continue regular meetings
Sum requested	£760
Total project cost	£4,760
Match funding	£4000
Previous support	Yes
NHDC Policy met	Yes
Council Objective:	Building thriving and resilient communities

Due to the Covid crisis, the Scout group has been unable to meet and collect subscriptions since Easter. Meetings started again w/c 14th September currently held outside. As members of the Scout Association they are obliged to pay an annual census fee to the national body; this covers insurance, levy for activity centres, paid support staff, activity resources and adult training. The Scout Association (itself a charity) has not offered any discounts and in fact is increasing the census fee for next year. The 7th Letchworth Scout Group currently has 56 members aged between 6 and 14 years. The hall is rented (many other groups own their own halls); gift aid has dwindled and due to Covid membership is currently falling. The annual census fee due in 2021 is expected to be £58 per member, a total of £3,248. Weekly activities cost around £9 per young person per term so £1512 a year.

Letchworth Civic Trust has given the group £2500 and the other £1500 comes from Gift Aid and voluntary subs from members.

This Scout group primarily serves the residents of Wilbury in Letchworth and activities have always been made as affordable as possible.

8.2 Community Engagement and Update on Previous Grants Awarded

8.2.1 Policy and Community Engagement Team

The team have been continuing to engage and network with local community groups and initiatives. This involved:

- Issuing the postponed grant award of £2,500 to Letchworth Rink Hockey Club- The club are looking to support a potential ten new junior members and once new risk assessments are in place they hope to begin training soon.
- Continued liaison with Letchworth Heritage Foundation, YC Herts, Wilbury and Jackman's network groups, North Herts Youth Council and the Green and Growing network group.
- Continuing to Support the Edi-Cit-Net project as part of the city team.
- Liaising with Democratic Services re helping with young people attending the proposed Parliament Week in November.
- Continuing to share and disseminate information.
- Facilitating virtual Councillors' Surgeries via Zoom.
- Liaising with Community Grant applicants including: Letchworth BID, Black Voice Letchworth, Kings Community Church, Imajica Theatre, reviewing all applications; in addition supporting team colleagues with district-wide and Covid-19 related funding applications such as Garden House Hospice and Herts ViewPoint.
- Liaising with community group leaders re events for Black History Month.
- Continuing participation in the Gender Pay Gap Group and the Staff Consultation Forum.
- Supporting the Legal and Community Service Director's PA with organising a visit for the High Sherriff next year.
- Working with colleagues on the organisation of Holocaust Memorial Day event.

8.3 Highways Matters

- 8.3.1 This section is included within the community update report for each committee cycle to facilitate debate and enable appropriate feedback on any of the proposed or listed Highways related schemes.

- 8.3.2 Any new proposals or revised schemes will be forwarded to the respective Herts County Councillor for consideration who will in turn report back and advise the Committee accordingly.

9. LEGAL IMPLICATIONS

- 9.1 Within the Terms of Reference in the Constitution, the Area Committees have delegated power under paragraphs 9.8.1 (a) & (b) to allocate discretionary budgets and devolved budgets within the terms determined by the Council and outlined in the current Grant Policy agreed by Cabinet in June 2020. Paragraph 9.8.2 (h) provides that they may: “establish and maintain relationships with outside bodies/voluntary organisations operating specifically with the area including, where appropriate, the provision of discretionary grant aid/financial support etc. but excluding grants for district-wide activities”.
- 9.2 Chapter 1, s1-8 of the Localism Act 2011 provides a General Power of Competence which gives local authorities the powers to do anything provided that it is not specifically prohibited in legislation.
- 9.3 Section 137 of the Local Government Act 1972 provides specific authority for the Council to incur expenditure on anything which is in the interests of and will bring direct benefit to its area. This includes a charity or other body operating for public service.

10. FINANCIAL IMPLICATIONS

- 10.1 As outlined in Appendix 1 - Committee Budgets 2020/21.
- 10.2 The carry over amount from 2019/20 was £4,828. However, a grant of £3,000 awarded to the Letchworth Festival in 2019/20 has been refunded as the event has been cancelled due to Covid-19. This increased the carry forward funding to £7,828, which has been fully spent.
- The agreed budget for 2020/21 year remains at £11,000 of which £140 has been spent leaving £10,860 to be allocated.
- 10.3 The grant funding applied for in this round adds up to **£2,760**. The committee has sufficient funds to award the full amount to all organisations as outlined on the report. If all the grants considered at this meeting are agreed it will leave a total of £8,100 available for allocation for the next meeting.

11. RISK IMPLICATIONS

- 11.1 There are no relevant risk entries that have been recorded on Pentana Risk, the Council's performance and risk system. Individual events should have their own risk assessments in place to mitigate any health and safety issues. Whenever a request for grant funding for equipment is received, the recipient of the funding will be advised to obtain insurance for the item to avoid a repeat request for funding in the event of the equipment being stolen or damaged. There are no pertinent risk implications for the Authority associated with any items within this report.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. Area committee funding is awarded to community groups that clearly demonstrate positive impact on the community and wider environment. The projects outlined in this report seek to advance equality of opportunity and foster good relations.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1 There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no pertinent Human Resource implications associated with any items within this report

16. APPENDICES

- 16.1 Appendix 1 – Committee Budgets 2020/21.

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18. BACKGROUND PAPERS

- 18.1 Review of Policies and Procedures for Financial Assistance to Voluntary and Community Organisations, November 2002.
- 18.2 Review of Grant Policy Cabinet January 2020

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LETCHWORTH BUDGET 2020/21

<u>SUMMARY/ TOTALS</u>	<u>Funding</u>	<u>Allocated</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Unallocated Budget</u>					
<u>Discretionary Grants brought forward from 2019/20</u>	£7,828	£7,828	£6,028	£1,800	£0					
<u>Discretionary Grants 2020/21</u>	£11,000	£140	£140	£0	£10,860					
Total	£18,828	£7,968	£6,168	£1,800	£10,860					

DISCRETIONARY BUDGETS

	<u>Funding</u>		<u>Project</u>	<u>Allocated</u>	<u>Date</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Unallocated</u>	
Funds Brought Forward from 19/20	£4,828		Small Acts Of Kindness	£1,800	19/06/19	£0	£1,800		
Returned Payment - Letchworth Garden City Festival Committee	£3,000		Letchworth Rink Roller Hockey Club	£2,500	11/03/20	£2,500	£0		
			Tilehouse Counselling	£640	14/04/20	£640	£0		
			North Herts Centre for Voluntary Service	£528	02/04/20	£528	£0		
			Green Care at Norton CIC	£2,360	01/07/20	£2,360	£0		
Total	£7,828			£7,828		£6,028	£1,800	£0	

DISCRETIONARY BUDGETS

	<u>Funding</u>		<u>Project</u>	<u>Allocated</u>	<u>Date</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Unallocated</u>	<u>Comments</u>
2020/21									
Base Budget	£11,000		Green Care at Norton CIC	£140	01/07/20	£140	£0		
							£0		
							£0		
							£0		
							£0		
Total	£11,000			£140		£140	£0	£10,860	

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