

Decision under Delegated Powers

Officer Requesting Decision

Developer Contributions Monitoring Officer

Officer Making the Decision

Head of Planning and Growth

Recommendation

That the sum of £2,656.41 of Section 106 monies that has been received as a contribution towards the provisions of Allotments in Quorn be paid to Highborne Lane Allotment Society Ltd to create additional capacity at Highborne Lane Allotments, Quorn.

Reason

The release of this funding is in accordance with the relevant clauses in the section 106 agreements attached to planning permission P/19/2139/2 which states the contribution will be used “to improve local allotment provision in the vicinity of the Development”.

Authority for Decision

There is a delegation in the Constitution to all Heads of Service “to pay over section 106 Monies in respect of non-housing items received by the Borough Council as the responsible authority, but which will not result in expenditure by the Council and where the Head of Service by the Head of Finance and Property Services” (Item 8 on Page 8-15)

For all Heads of Service to approve the release of funds they must be satisfied that the works to be carried out fulfil the requirement as set out in the section 106 agreement and have written confirmation for the relevant body that the monies are used for their intended purpose. Any unspent monies after 5 years of receipt by the Borough Council shall be returned to the developer as per the relevant clause within the section 106 agreement.

Decision and Date



12 July 2024

Background

Planning permission was granted for 150 dwellings with associated infrastructure, landscaping and public open space on land at Loughborough Road, Quorn (P/19/2139/2) including a Section 106 agreement which made provision for an allotment contribution totalling £11,976.54 + indexation towards improving local allotment provision in the vicinity of the Development.

When considering the proposals the Open Space team at Charnwood Borough Council commented that no allotment provision has been made on site so, a recommended off-site contribution of £11,976.54 was sought to improve local allotment provision to meet additional demand created by the development.

Founded in 1992 and situated along Highborne Lane in Quorn, approximately 1km from the application site, the Highborne Lane Allotment Society oversees a site comprising of 96 allotment plots of varied size, all currently leased with a notable waiting list for prospective plot holders. As the exclusive provider of allotment spaces in Quorn, residents of Quorn are given priority when allotments become available.

The authority allocated £11,758 against DD090 2024 to enhance capacity and accessibility at the site. The dilapidated pig pen with an asbestos roof, which has now been removed, was intended to make room for four additional plots. However, the initial quote of £950 increased due to unforeseen circumstances. The quote was based on visible conditions and an estimate of the subsurface situation. During excavation, it was discovered that the amount of concrete below ground that needed to be broken up and removed was greater than expected. The estimated time to complete the work was one day, but it ultimately took over three days to finish. The total cost of the work amounted to £4,000, which has been paid by the society, £2,656.41 will be paid as reimbursement for the expenses, with the remaining costs being met by the society.

Project costs:

Project element	Net	Funds paid by CBC	Funds requested	Total contribution from CBC
Pig Pen removal including skip hire	£4000	£950 (DD090 24)	£2,656.41	£3,606.41
			£2,656.41	

The full cost of the project is £4,000 (including VAT).

Having reviewed the costs associated with the works, Officers are content that the request would support the provision of improved local allotment provision

in the vicinity of the Development and that the proposed works are in keeping with the provisions of the respective S106 agreement.

Application	Purpose	Amount	Expiry date
P/19/2139/2 Land at Loughborough Road, Quorn	Off-Site Allotments Contribution - improve local allotment provision in the vicinity of the Development.	£2,606.41	27/01/2033
	Total	£2,606.41	

Financial Implications

The money has been received and there are no financial implications for Charnwood Borough Council.

The monies will be added to code Z889.

Risk Management

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
			Very Low (1 - 2)	

Key Decision

No

Background Papers

All contained on planning files P/19/2139/2