

## Appendix 3a

*From: Robinson Helen*  
*Sent: 03 October 2019 15:53*  
*To: [legal.services@charnwood.gov.uk](mailto:legal.services@charnwood.gov.uk)*  
*Subject: Moor Lane 106 Agreement*  
*NOT PROTECTIVELY MARKED*

=====  
*Dear Legal Services,*

*I would like to pursue action in respect of non-compliance with a 106 agreement relating to the Moor Lane development in Loughborough – Kathryn, I am aware you have advised on it previously.*

*The agreement requires the developer and land owner to provide a Community Centre or transfer land to the council within a timescale from the date of commencement of the development and monies in respect of a feasibility study. I do not believe the developer has complied with his requirement. Part of the obligation was to notify the Council of the date of commencement of the development which we are not aware the developer did however we were aware in 2016 following an enforcement site visit that the development was well underway with some properties occupied.*

*We recently had a meeting with the developer – the land owner was invited as he is party to the S106 however only the developer and Agent turned up. They did bring with them a letter which they claim they sent to the Council when they started the development however we have no record of the letter.*

*The developer is trying to renege on the 106 agreement and they are saying they are out of time and do not have to comply with the clause.*

*Can Legal have a look at the S106 agreement and the situation, I have included a number of emails over the last few months. We are keen if it is at all possible to pursue this matter quickly and take the appropriate action to secure the land. Happy to sit down and discuss if required.*

*Thanks Helen.*

*Data Protection*

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