

APPENDIX 1 – S106 DEFERRAL REQUESTS

Developer	David Wilson Homes
Development	London Road, Godmanchester (aka Cromwell Gardens) – Permission for 152 dwellings
S106 Contribution	£62,000 Huntingdon & Godmanchester Market Town Transport Strategy (MTTS) Contribution
Contribution Due	Upon occupation of 50 th private dwellings (estimated for September 2010)
Deferral Request	To pay the contribution upon occupation of 70 th private dwelling (estimated May 2011)
Consideration has been given to:	
Which scheme the money is allocated to?	The money can be spent on any scheme within the Huntingdon & Godmanchester MTTS, however it is currently allocated to Sapley to Huntingdon Town Centre Route 2 Cycle link.
When the scheme is programmed to take place?	The scheme is expected to commence in the 2011/12 financial year.
What percentage is the S106 requirement to the overall scheme cost?	The total scheme is expected to cost in the region of £500,000. Therefore this contribution would be approximately 12% of the overall cost.
What relationships are there between funding streams from separate S106 agreements?	There are other major developments within the area which have/will be contributing sums towards the Huntingdon and Godmanchester MTTS.
Are there any financial costs to County Council if the deferral request is accepted?	No. As the scheme is not expected to commence until 2011/12, there is unlikely to be any financial costs to the County Council.
If a deferment is agreed, should interest be sought?	No. As the deferment will have no financial implications on the County Council, it is recommended that interest should not be sought.
Have instalments been considered?	Yes. As the money is not required until 2011/12, instalments would not be needed.
What security is there to the County Council in agreeing to a deferment?	The County Council has not secured bonds for this development. Should the Developer default, the County Council has the legal right to pursue individual house owners for the S106 contributions should it chose to.
What social cost is there to the community?	None
Likely consequences of rejecting the request	Rejecting the deferral may have implications on the Developer's cash flow which could slow down build rates.
Officer Recommendation	It is recommended that this deferral can be accepted; however it should be amended to 'pay the contribution upon occupation of 70th private dwelling or by 31st May 2011 – whichever is sooner'.

Developer	David Wilson Homes
Development	London Road, Godmanchester (aka Cromwell Gardens) – Permission for 152 dwellings
S106 Contribution	£344,300 Godmanchester Education Contribution
Contribution Due	1/3 upon occupation of 30% of private dwellings (estimated February 2010) and 2/3 upon occupation of 60% of private dwellings (estimated March 2011).
Deferral Request	Pay 1/3 upon occupation of 50% of private dwellings (estimated November 2010) and 2/3 upon occupation of 80% of private dwellings (estimated October 2011)
Consideration has been given to:	
Which scheme the money is allocated to?	There are no existing commitments within the Capital Programme at present. Schemes are expected to come forward in 2011/12.
When the scheme is programmed to take place?	N/A
What percentage is the S106 requirement to the overall scheme cost?	N/A
What relationships are there between funding streams from separate S106 agreements?	There is a separate development at Wigmore Farm, Godmanchester, which will be contributing over £250,000 towards education in Godmanchester.
Are there any financial costs to County Council if the deferral request is accepted?	No. As there is no allocated scheme at present, there will be no financial cost to the County Council of accepting this deferral.
If a deferment is agreed, should interest be sought?	No. As the deferment will have no financial implications on the County Council, it is recommended that interest should not be sought.
Have instalments been considered?	Yes. The contribution is already in 2 instalments and is still considered appropriate.
What security is there to the County Council in agreeing to a deferment?	The County Council has not secured bonds for this development. Should the developer default, the County Council has the legal right to pursue individual house owners for the S106 contributions should it chose to.
What social cost is there to the community?	None
Likely consequences of	Rejecting the deferral may have implications on the Developer's cash flow which could slow down build

rejecting the request	rates.
Officer Recommendation	It is recommended that this deferral can be accepted; however it should be amended to 'pay 1/3 upon occupation of 50% of private dwellings or by 30th November 2010 (whichever is sooner) – pay 2/3 upon occupation of 80% of private dwellings or by 31st October 2011 (whichever is sooner).

Developer	David Wilson Homes
Development	St Ives Golf Course, Houghton Road – Permission for 93 dwellings
S106 Contribution	£10,000 Bus Service Contribution
Contribution Due	Prior to commencement (estimated July 2010)
Deferral Request	Pay contribution upon 50% private dwelling occupations (estimated May 2012)
Consideration has been given to:	
Which scheme the money is allocated to?	The money is likely to be allocated to Service 1A (Huntingdon to St Ives), however this is subject to change as operators in the area are currently reviewing services. The contribution will be formally allocated once the money has been received.
When the scheme is programmed to take place?	The bus service would be diverted as early as possible following first housing occupation (providing an appropriate road surface is in place).
What percentage is the S106 requirement to the overall scheme cost?	100%. This contribution should be enough to reroute a local bus service.
What relationships are there between funding streams from separate S106 agreements?	No relationship. This money is required exclusively to reroute an existing bus service into the development site.
Are there any financial costs to County Council if the deferral request is accepted?	No. There will not be a direct financial cost to the County Council, however there will be a social cost to the community if the deferral is accepted.
If a deferment is agreed, should interest be sought?	If deferment is agreed and the County Council funds the rerouting of an existing bus service from its own funds – it is suggested that interest should be sought.
Have instalments been considered?	Yes - however £10,000 is a comparatively small amount and it is considered that instalments would not be appropriate in this instance.
What security is there to the County Council in agreeing to a deferment?	The County Council has not secured bonds for this development. Should the developer default, the County Council has the legal right to pursue individual house owners for the S106 contributions should it chose to.
What social cost is there to	If deferment is agreed, there is likely to be a social cost to the community as early residents would not have

the community?	access to a local bus service.
Likely consequences of rejecting the request	Due to this contribution being a comparatively small amount, rejecting this deferral is unlikely to have a significant impact on the Developer's cash flow and house building rates.
Officer Recommendation	It is recommended that this deferral should be rejected due to the reasons set out above.

Developer	David Wilson Homes
Development	St Ives Golf Course, Houghton Road – Permission for 93 dwellings
S106 Contribution	£345,600 St Ives Education Contribution
Contribution Due	50% due prior to first private dwelling occupation (estimated Feb 2011) and 50% due on occupation of 50% of the private dwellings (estimated May 2012)
Deferral Request	The first 50% to be paid upon 50% of private occupation (Estimated May 2012) and the remaining 50% to be paid upon 75% of private dwelling occupations
Consideration has been given to:	
Which scheme the money is allocated to?	The are no current schemes in the Capital Programme, however Wheatfields Primary School is close to full capacity and there is also some pressure on Early Years Facilities in the area. Therefore schemes to increase capacity at these facilities will come forward in 2011/12.
When the scheme is programmed to take place?	N/A
What percentage is the S106 requirement to the overall scheme cost?	N/A
What relationships are there between funding streams from separate S106 agreements?	There are 2 other significant developments in the St Ives area at London Road and Houghton Road which are expected to make education S106 contributions.
Are there any financial costs to County Council if the deferral request is accepted?	Depending on when schemes come forward, there could potentially be a cost to the County Council if education contributions are not received until 50% of private dwellings are occupied.
If a deferment is agreed, should interest be sought?	If the Developers exact request is accepted, consideration should be given to charging interest on the contribution as there could potentially be a cost to the County Council
Have instalments been considered?	Yes. To assist the Developer and to ensure funding is available for possible schemes in 2011/12, it is proposed that 25% is paid on occupation of 25% of private dwellings, and the remaining 75% is paid on occupation of 50% of private dwellings.
What security is there to	The County Council has not secured bonds for this development. Should the developer default, the County

the County Council in agreeing to a deferment?	Council has the legal right to pursue individual house owners for the S106 contributions should it chose to.
What social cost is there to the community?	There should not be any social cost to the community if the proposed instalments are agreed.
Likely consequences of rejecting the request	Rejecting the deferral may have implications on the Developer's cash flow which could slow down build rates.
Officer Recommendation	It is recommended that this deferral can be accepted in instalments as proposed above

Developer	David Wilson Homes
Development	St Ives Golf Course, Houghton Road – Permission for 93 dwellings
S106 Contribution	£100,000 Traffic Management Contribution
Contribution Due	50% due prior to commencement (estimated Jul 2010) and 50% due prior to occupation of first private dwelling (estimated Feb 2011)
Deferral Request	Pay 50% on occupation of 50% of private dwellings (estimated May 2012) and 50% on occupation of 75% of private dwellings (estimated July 2012)
Consideration has been given to:	
Which scheme the money is allocated to?	A site specific traffic management/calming scheme at High Leys/Green Leys or in any other location affected by the development.
When the scheme is programmed to take place?	A scheme is needed as soon as possible following the commencement of the development in order to mitigate the traffic impacts of this development. The money is needed early in order to allow for design, consultation and construction of the scheme.
What percentage is the S106 requirement to the overall scheme cost?	100%
What relationships are there between funding streams from separate S106 agreements?	As this contribution is specific to the needs of this development, there are no other developments which will contribute to the scheme.
Are there any financial costs to County Council if the deferral request is accepted?	Yes. If the deferral is accepted, the County Council will have to implement a traffic management scheme using its own funding.
If a deferment is agreed, should interest be sought?	Yes. As deferring this request will result in a cost to the County Council, it is suggested that interest should be sought if deferral is granted.
Have instalments been considered?	Yes. The money is required.

What security is there to the County Council in agreeing to a deferment?	The County Council has not secured bonds for this development. Should the developer default, the County Council has the legal right to pursue individual house owners for the S106 contributions should it chose to.
What social cost is there to the community?	If deferral is accepted, the traffic congestion in the area is likely to increase which will have a negative impact on the community.
Likely consequences of rejecting the request	Rejecting the deferral may have implications on the Developer's cash flow which could slow down build rates.
Officer Recommendation	It is recommended that this deferral should be rejected due to the reasons set out above.

Developer	David Wilson Homes
Development	St Ives Golf Course, Houghton Road – Permission for 93 dwellings
S106 Contribution	£30,000 towards footpath improvements
Contribution Due	Prior to 1 st Market Occupation (estimated Feb 2011)
Deferral Request	Pay contribution upon 50% of Market Occupations
Consideration has been given to:	
Which scheme the money is allocated to?	The money will go towards improvements to Public Footpath 9 within a designated area as defined by a plan contained within the S106 agreement.
When the scheme is programmed to take place?	The improvements to the Public Footpath are likely to be linked in with the Traffic Management Scheme that is designed. Therefore, the contribution will need to be available at the same time at the Traffic Management Scheme.
What percentage is the S106 requirement to the overall scheme cost?	100%
What relationships are there between funding streams from separate S106 agreements?	As this is a site specific issue, there are no other developments in the area which will contribution towards this scheme.
Are there any financial costs to County Council if the deferral request is accepted?	Yes. If the deferral is accepted, the County Council is likely to have to make the improvements and these will have to be funded from its own budget.
If a deferment is agreed, should interest be sought?	Yes. As deferring this request will result in a cost to the County Council, it is suggested that interest should be sought if deferral is granted.
Have instalments been	Yes, however this is a comparatively small amount required early on in the development's lifespan.

considered?	
What security is there to the County Council in agreeing to a deferment?	The County Council has not secured bonds for this development. Should the developer default, the County Council has the legal right to pursue individual house owners for the S106 contributions should it chose to.
What social cost is there to the community?	If deferral is accepted, the footpath improvements could be delayed, which will have an impact on accessibility and a negative cost to the community.
Likely consequences of rejecting the request	Rejecting the deferral may have implications on the Developer's cash flow which could slow down build rates.
Officer Recommendation	It is recommended that this deferral should be rejected due to the reasons set out above.

Developer	David Wilson Homes
Development	St Ives Golf Course, Houghton Road – Permission for 93 dwellings
S106 Contribution	£210,900 St Ives Market Town Transport Strategy Contribution
Contribution Due	40% prior to commencement (estimated July 2010); 30% prior to 1 st private dwelling occupation (estimated Feb 2011) and 30% prior to occupation of 50% of private dwellings (estimated July 2012).
Deferral Request	Pay 100% of contribution on occupation of 50% of private dwellings (estimated July 2012)
Consideration has been given to:	
Which scheme the money is allocated to?	This money will be allocated to a significant bus priority schemes in St Ives.
When the scheme is programmed to take place?	There is no start date at present; however the scheme is likely to cost in the region of £6m. A significant proportion of this money is required before any work can commence.
What percentage is the S106 requirement to the overall scheme cost?	Less than 5%
What relationships are there between funding streams from separate S106 agreements?	Other developer contributions have been secured in the St Ives area which are also likely to be allocated to the scheme.
Are there any financial costs to County Council if the deferral request is accepted?	No. The commencement date for this scheme is unknown at this stage, and is unlikely to commence for some years. If the proposed deferment is agreed, it is very likely that this contribution will have been received prior to the commencement of the scheme.

If a deferment is agreed, should interest be sought?	No. As the deferment will have no financial implications on the County Council, it is recommended that interest should not be sought.
Have instalments been considered?	Yes. As the money is not yet required, it is considered that instalments would be of little benefit to both parties.
What security is there to the County Council in agreeing to a deferment?	The County Council has not secured bonds for this development. Should the developer default, the County Council has the legal right to pursue individual house owners for the S106 contributions should it chose to.
What social cost is there to the community?	None
Likely consequences of rejecting the request	Rejecting the deferral may have implications on the Developer's cash flow which could slow down build rates.
Officer Recommendation	It is recommended that this deferral can be accepted as per the Developer's request.