

CARLISLE CITY COUNCIL
Section 106
Draft Heads of Terms

Site Address	
Applicant/Developer	Name: Address: Tel: Email:
Applicant's Solicitor	Name: Address: Tel: Email:
Land Owner(s) (please attach: Registered details e.g. Office Copy Entries and Title Plan)	Name: Address: Tel: Email:
Mortgagee	Name: Address: Tel: Email:
Any Other Persons With A Legal Interest In The Land (including restrictive covenants/banks/option holders etc)	Name: Address: Tel: Email: Interest:
Summary of Proposal	
Date received	
Application No	

CARLISLE CITY COUNCIL

SUMMARY OF OBLIGATIONS	
Item	Contribution (financial and in-kind)
Affordable Housing	On-Site to Registered Provider: On-Site Intermediate: Financial: Rural Exception Site:
Amenity Space/Recreational Space/Landscaping	<p>On-Site:</p> <p>Open Space</p> <p>Childrens Play Area</p> <p>Maintenance - (if not implementing a management plan)</p> <p>Off-Site:</p> <p>Open Space</p> <p>Children's Play Area</p> <p>Maintenance - (if not implementing a management plan)</p> <p>Sports Facilities</p>
Transport/Traffic Improvements	Highways Traffic Regulation Order Travel Plans Public Transport
Education	
Other Site Related Obligations	
Legal Fees	

CARLISLE CITY COUNCIL

We hereby confirm that all of those with an interest in the land to be bound by the Planning Obligations confirm that they will enter into the S106 agreement of undertaking.

We confirm that work can be commenced on preparing the S106 agreement and undertake to meet Carlisle City Council's legal costs in preparing and completing an agreement whether or not the agreement is actually completed.

For and behalf of(name of Company)

Signed **Dated**
Name
Capacity

Signed **Dated**
Name
Capacity

Signed **Dated**
Name
Capacity

(NB the document must be signed by authorised signatories only.)

Summary of Planning Obligations Sought

Commitment	Policy reference		When Due
Affordable Housing (on-site)	HO4 HO5	<p>Onsite affordable housing will be sought as follows on sites of 11 or more units:-</p> <p>Affordable Housing Zone A: 30% Affordable Housing Zone B: 20% Affordable Housing Zone C: 20%</p> <p>The tenure split of affordable housing to be provided should be 50% for social or affordable rent and 50% for intermediate housing.</p> <p>Where intermediate affordable housing is to be provided at a discounted market value, a discount of 30% will be required and the percentage discount will apply upon each re-sale in perpetuity.</p>	In phase with the delivery of market dwellings
Affordable Housing (off-site)	HO4	Only in exceptional circumstances will the Council consider off-site provision.	
Affordable Housing - Financial Contributions	HO4	<p>For sites of between 6 and 10 units in Affordable Housing Zone A the affordable housing contribution will be sought in the form of cash payments, equivalent to the cost of providing the affordable housing on site.</p> <p>For sites of 11 units or over, the Council will only consider a financial contribution in lieu of on-site provision in exceptional circumstances. It is expected that affordable housing should be provided on the application site unless off site provision, or a financial contribution of broadly equivalent value in lieu of on-site provision, can be robustly justified by local or site specific circumstances.</p>	Upon completion of individual dwellings.
Amenity Space/ Recreational Space	GI4	<p>New housing developments of 20 or more dwellings will be required to include informal space for play and general recreation or amenity use on site according to the size of the proposal.</p> <p>Maintenance and management of the open space will be required.</p> <p>On smaller housing sites where on site provision is not appropriate the developer may be required to make commuted payments towards the upgrading of open space provision in the locality, especially if a deficit has been identified.</p>	<p>Off-Site Contribution – upon commencement</p> <p>Maintenance Management Plan – prior to commencement of development</p>

			Maintenance Contribution – upon completion of the site
Education		The County Council will seek contributions towards the provision of education infrastructure from development proposing 15 or more units where there is insufficient education infrastructure (primary and secondary) to meet the pupil yield created by that development. See: Cumbria County Council Obligations Policy	Decided on a site by site basis
Transport/Traffic Improvements	IP2	Planning Obligations may be required to seek public transport infrastructure improvements which will be delivered in conjunction with public transport providers. Highways improvements will be required where they are essential for the operation of the development and the surrounding road network which may include Traffic Road Orders. N.B. May be used in conjunction with Section 278 and Section 38 agreements. See: Cumbria County Council Obligations Policy and Travel Plans and the Planning Process in Cumbria: Guidance for Developers http://www.cumbria.gov.uk/eLibrary/Content/Internet/544/5505/4064516465.pdf	Decided on a site by site basis
Fees		Legal Fees: Minimum £1000 (complex agreements may be subject to negotiations)	

Please note that these requirements are not exhaustive as there may be site specific requirements. The list will be updated as policies are reviewed through the Local Plan or Supplementary Planning Documents.