

S / 112950 / F 1

DRAFT HEADS OF TERMS

Proposed Planning Obligation Agreement Section 106 Town and Country Planning Act 1990

Planning Application –

This Heads of Terms has been assessed against the adopted Supplementary Planning Document on Planning Obligations dated 1st April 2008. All contributions in respect of the residential development are assessed against general market units only.

Conversion of listed barns to 2 x 3 bedroom dwelling at Old Pontfaen, Clifford, Hereford, HR3 5EW

1. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of **£3,686** to provide a sustainable transport infrastructure to serve the development, which sum shall be paid on or before the commencement of the development, and may be pooled with other contributions if appropriate.
The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - 1.1. Signage of the cycle network which passes the development site
 - 1.2. Passenger waiting facilities in Cusop
2. In the event that Herefordshire Council does not for any reason use the sums in paragraphs 1 above, for the purposes specified in the agreement within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
3. The sums referred to in paragraphs 1 above shall be linked to an appropriate index or indices selected by the Council with the intention that such sums will be adjusted according to any percentage increase in prices occurring between the date of the Section 106 Agreement and the date the sums are paid to the Council.
4. The developer covenants with Herefordshire Council to pay a surcharge of 2% of the total sum detailed in this Heads of Terms, as a contribution towards the cost of monitoring and enforcing the Section 106 Agreement. The sum shall be paid on or before the commencement of the development.
5. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

YVONNE COLEMAN 21/11/2011

HEREFORDSHIRE COUNCIL PLANNING SERVICES DEVELOPMENT CONTROL	
- 3 JAN 2012	
To:	File
Ack'd	