

RECORD OF OFFICER DECISION

This form must be completed by or on behalf of the relevant Officer immediately after any decision has been made. Please send to the Proper Officer for publication in accordance with the Council's Constitution.

NAME OF OFFICER MAKING DECISION (INCLUDING JOB TITLE) AND THE DECISION BEING MADE	<p>James Freeman, Head of Planning Services</p> <p>To authorise Legal Services to enter into a Deed of Variation to extend the expenditure date of the £100,000 LXB/Morrisons S106 "Sheerness Town Centre Contribution" by a period of three years, to October 2020 (or some other date reasonably agreed between the parties).</p>
TITLE OF REPORT	<p>Report to Planning Committee on 15 September 2011, Item 2.4</p>
DATE THE DECISION WAS TAKEN	<p>9 February 2017</p>
SUMMARY OF REASONS FOR DECISION	<p>The decision to request an extension to the time period in which SBC had to spend the S106 money was taken in order to enable the Council to use the Section 106 contribution as match-funding to support a heritage-led bid, and potentially lever in substantial additional investment over and above the identified £100,000 S106 contribution, and therefore increase financial benefit to Sheerness town centre.</p> <p>As per the terms of the S106 agreement (in respect of the LXB/Morrisons development at Neats Court, Queenborough) the £100,000 is required to be spent by October 2017.</p> <p>The timeframe for submission of a further heritage bid puts expenditure within this timescale at risk.</p>
BACKGROUND	<p>A Section 106 agreement dated 30 January 2012, was entered into by Swale Borough Council, the Queen's Most excellent Majesty, the Crown Estate Commissioners and LXB RP (Sheppey) Limited in respect of LXB/Morrisons development at Neats Court, Queenborough.</p> <p>£100,000 was paid to SBC in May 2013 towards Sheerness High Street town centre improvements: <i>"£100,000 for improving the appearance and character of the High Street with hard and soft landscaping features, shop front improvements or public art works."</i> The S106 agreement stated that the money should be spent within five years from the commencement of the development, so by October 2017.</p>

	<p>It was agreed that the S106 contribution should be used as match-funding to support a Sheerness Townscape Heritage bid to the Heritage Lottery Fund (HLF), as a successful bid would give potential to lever in substantial additional investment over and above the identified S106 contributions and therefore increase financial benefit to Sheerness town centre.</p> <p>The 2013 Townscape Heritage bid, and a subsequent bid in August 2014, was not successful. Following discussions with HLF early in 2015 it was decided to delay submitting a further bid until the council had clarity on the sort of projects it wanted to deliver in Sheerness. As per the terms of the S106 agreement, the money is required to be spent by October 2017, and it was acknowledged that a delay in submission of a further bid could potentially put expenditure within this timescale at risk.</p> <p>In July 2015 it was decided to ask for an extension to the time period in which SBC had to spend the money.</p>
DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	None.
DETAILS OF ANY CONSULTATION UNDERTAKEN	None.
DETAILS OF ANY CONFLICTS OF INTERESTS	None
CONTACT FOR ENQUIRIES/FURTHER INFORMATION	James Freeman / Jill Read
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