

S106 and UU summary

1 Bilateral S106 agreement

- 1.1 The S106 agreement to be entered into by (1) Wokingham Borough Council, (2) Paul and Lesley Read, (3) Joyce, George and Kevin Bradbury and Rita Evans, (4) Julie Charlton and Stephen Day, (5) David and Margaret Edwards, (6) Keith Enfield, and (7) Linda Emmett includes the following:
- 1.1.1 **Boilerplate clauses:** the obligations are conditional on planning permission subject to the Planning Inspector's Decision Letter (clause 4). There are covenants to give notice (clauses 5.2 and 9.1) and obligations for the payment of legal and monitoring fees (clauses 7.1.1 and 7.1.2).
 - 1.1.2 **Schedule 1:** 40% of the dwellings are provided as affordable housing (70% social rented housing and 30% shared ownership housing). If the owners have been unable to enter a contract for the transfer of the affordable housing, a contribution in lieu can be paid (being a sum to be calculated by the Council).
 - 1.1.3 **Schedule 3:** The following financial contributions (index linked) are payable – Allotments Contribution (£374.40 per dwelling), Burial Grounds Contribution (£111.86 per dwelling), Bus Services Contribution (£1,228.81 per dwelling), Healthcare Contribution (£864 per dwelling), Off-Site Parks and garden Contribution (£40 per m2 of Parks and Gardens required per Council policy); My Journey Contribution (£450 per dwelling).
 - 1.1.4 **Schedule 4.** Either an Employment Skills Contribution (calculated by taking into account the costs of construction and GIA) is to be paid or an Employment Skills Plan (providing for apprenticeships etc) is to be provided.
 - 1.1.5 **Schedule 5.** A Strategic Access Management and Monitoring Contribution (calculated per a formula outlined in the S106) is to be paid.
 - 1.1.6 **Schedule 5.** Internal development roads are to be constructed and will either be managed by a management company or adopted. There are related fees and bonds to be entered into.
 - 1.1.7 **Schedule 6.** A travel plan is to be agreed, with sustainable transport measures capped at £97,570. There are related fees and a bond.
 - 1.1.8 **Schedule 7.** Open space and a local equipped area of play are to be provided.

2 Unilateral Undertaking

- 2.1 The S106 agreement to be entered into by (1) Paul and Lesley Read, (2) Joyce, George and Kevin Bradbury and Rita Evans, (3) Julie Charlton and Stephen Day, (4) David and Margaret Edwards, (5) Keith Enfield, and (6) Linda Emmett, for the benefit of Wokingham Borough Council includes the following:
- 2.1.1 **Boilerplate clauses:** the obligations are conditional on planning permission subject to the Planning Inspector's Decision Letter (clause 4). There are obligations for the payment of legal and monitoring fees (clauses 6.1.1 and 6.1.2).
 - 2.1.2 **Schedule 1.** There are occupation restrictions until the development has provided mitigation for its impact on SANG - be that via securing an allocation and making relevant payments towards the Council's Rook Nest SANG or ROOK Nest SANG Extension, or some other SANG.
 - 2.1.3 **Schedule 2.** This contains transfer provisions relating to the open space and local equipped area of play (which are to be constructed pursuant to the S106). If these are transferred to the Council or its nominated body then maintenance contributions are payable.
 - 2.1.4 **Schedule 3.** An Off-Site Sports Facilities Contribution is payable in accordance with Formula A (unless the Planning Inspector considers this is not CIL compliant, in which case it will be paid in accordance with Formula B).