



SOUTH
KESTEVEN
DISTRICT
COUNCIL




Officer Delegated Decision

27th June 2024

Emma Whittaker
Assistant Director – Planning

Distribution of S106 monies in relation to Lincolnshire County Council

Phil Jordan, Development Management & Enforcement Manager

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Decision made by:	Emma Whittaker, Assistant Director – Planning
Decision:	To approve the expenditure of the section 106 funds totalling £2,577.64 linking towards the consultation on and the making of a traffic regulation order in proximity to the access points to the development at Towngate Inn, Market Deeping.
Public or Exempt:	Public
Reasons for exemption:	N/A
Conflicts of interest:	No
Policy compliant:	Yes
Details of delegation:	In accordance with Part 3 of the Council's Constitution to allow the proper management of services.

1 Implications

Taking into consideration implications relating to finance; and legal and governance, the following implications have been identified:

Finance

- 1.1 The allocation of the funding is in accordance with the s106 Agreement relating to this development.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Legal and Governance

- 1.2 The Assistant Director has the necessary delegated authority to take this decision.

Completed by: Graham Watts, Monitoring Officer

2 The Purpose of the Report

- 2.1 Lincolnshire County Council (as Local Highway Authority) have requested funds totalling £2,577.64 to be used linking towards the consultation on and the making of a traffic regulation order in proximity to the access points to the development of Towngate Inn, Market Deeping.
- 2.2 SKDC is in receipt of £2,577.64 from the Section 106 agreement relating to planning ref: S17/1728. The total sum is requested as part payment towards the completion of works in October 2021 where Lincolnshire County Council used this contribution towards consultation, signage alterations, road markings / street lighting needed for the complying with the traffic regulation order. The relevant clauses within the S106 agreement specify the money is for the following purposes:
 - 2.2.1 S17/1728 – The clause states on page 5: Traffic regulation order contribution: To be used towards consultation on and the making of any necessary traffic regulation order in proximity to the access points of the development.
 - 2.2.2 On page 14 point 4: States that the contribution has been paid to the council on behalf of Lincolnshire County Council (Highways).
- 2.3 This is a retrospective claim as the road layout was completed in 2021 and a traffic regulation order to prove its existence has been submitted along with the application form, for the changes on Towngate East Road for waiting restrictions and bus stop clearway.

3. Available Options Considered

- 3.1 Lincolnshire County Council completed the works in October 2021, as per the terms of the S106 the money is to be paid for this purpose.
- 3.4 No other projects or bids for the funds have been received.

5. Reasons for the Decision(s)

- 2.4 The proposed project meets the requirements of the S106 funding specified within the agreement ref: S17/1728. Funds were received to South Kesteven District council in December 2019 and the consultation and implementation of waiting restrictions and highway clearance for the bus stop fall under the requirements from the relevant clause in this S106 agreement. No other competing projects or schemes have been submitted.

Signed by: Emma Whittaker

Dated: 27 June 2024