

Meeting:	Strategic Planning Committee
Date:	27 June 2007
Subject:	Variations of Section 106 Agreement relating to 375-379 Uxbridge Road, Hatch End
Key Decision:	No
Responsible Officer:	Director of planning
Portfolio Holder:	Planning, Development and Enterprise
Exempt:	No
Enclosures:	Copy Section 106 Agreement dated 28 October 2005

SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report sets out requests from Try Homes Limited (the Developer) to vary a Section 106 Agreement dated 28 October 2006 (the Principal Agreement) made between the Council, the Developer and two other parties.

RECOMMENDATIONS:

The Committee is requested to:

- (i) Agree variation of clause 7 (e) of the Principal Agreement by amending the period after which a mortgagee can dispose of an affordable housing unit free of any restriction from 12 months to 6 Months.

SECTION 2 - REPORT

- 2.1 Planning Permission P/2935/04/CFU was granted to the Developer in 2006 for redevelopment of the land at 375-379 Uxbridge Road, Hatch End, Harrow to provide a four storey building retail on the ground floor

with 12 flats above and 7 houses in a 3 storey terrace and 4 flats in a 2 storey building with access and parking.

2.2 On 28 October 2005, the parties entered into the Principal Agreement relating to the provision of affordable housing and highway contributions. The Principal Agreement was later modified by consent of all parties on 18th August 2006.

2.3 The Developer now seeks further variation to the Principal Agreement as set out below:

2.3.1 Namely to vary clause 7 (e) by amending the time period after which the mortgagee can dispose of the affordable housing units free of any restriction, from twelve months to six months.

2.3.2 The Council has accepted the 6 months period in other affordable housing schemes and as such it is recommended that this variation be agreed. of a shared ownership might be acceptable.

Legal Comments

As set out in the body of the report.

Financial Comments

The applicant will bear the costs of varying the section 106 Agreement. All costs relating to the variation will be borne by the developer and the Council will not incur any costs.

SECTION 3 - STATUTORY OFFICER CLEARANCE

Name: Sheela Thakrar	<input type="checkbox"/>	On behalf of the Chief Financial Officer
Date: 14 June 2007		
Name: Jessica Farmer	<input type="checkbox"/>	On behalf of the Monitoring Officer
Date:		

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Contact: Roger Pidgeon, Major Cases Team Leader, Tel 8736 6158

Background Papers:

Section 106 Agreement dated 28 October 2005.

Section 106 Agreement dated 18 August 2006.

IF APPROPRIATE, does the report include the following considerations?

1.	Consultation	NO
2.	Corporate Priorities	NO
3.	Manifesto Pledge Reference Number	N/A