

HMS Ganges, Reserved Matters Application

Legal instrument:-

Deed of variation of Section 106 agreement executed 8th September 1997 between Potton Developments (and successors) and Babergh District Council relating to an application made in outline on 27 July 1984 (ref B/88/1560).

Application for approval of reserved matters was made registered with Babergh District Council on 7 September 2000 (ref. 00/1381/RES) which was revised on 14 August 2007.

Heads of terms:-

1 Transport measures

A)	B1456 / B1080 Freston Crossroads upgrade Index linked Contribution capped at	£35,088.92
B)	Woolverstone Village Traffic Management upgrade <i>Specifically:</i> 'Village Gateways' (£11,643.75) 'Village signs' (£6,075.00) Total index linked Contribution capped at	£17,718.75
C)	Chelmondiston Village Traffic Management upgrade <i>Specifically:</i> 'Village Gateways' (£16,560.45) Footways (£10,125.00) 'Village signs' (£6,581.25) Total index linked Contribution capped at	£33,266.70
D)	Bristol Hill / Caledonia Road / Lower Harlings Junction, Shotley Gate upgrades Index linked Contribution capped at	£25,565.63

2 Library Service

A financial contribution towards the Library Service based on £90 per head of population. (£90 x 860) (subject to 5 year claw back clause)

Total of **£77,400**

3 The Council Waste Service

A financial contribution towards the provision of waste services at the development calculated as £469 per home.

Total of **£189,476**

4 Household Waste Recycling Service

A financial contribution towards a household waste recycling centre

Based on £88 per home (subject to 5 year claw back clause).

Total of **£35,000**

5 Energy from Waste (EFW) Plant

A financial contribution to new Energy from Waste (EFW) Plant of £381 per home. (subject to 5 year claw back clause).

Total of **£153,924**

6 GP Facilities and Health

A financial contribution towards local health services calculated at £878 per home.

Total of **£354,712**

7 Suffolk Coasts and Heath Wardening

A contribution for onward transmission to the Project for the provision of wardening services.

Total of **£10,000**

8 Management of Open Spaces

Haylink will set up a Development Wide Management Company that will fund the ongoing maintenance of the open spaces paid through management fees to the landlord of the common areas.

9 The Restoration and Long Term Maintenance of Historic Assets.

Haylink will begin the restoration of historic assets at the time of construction of the first building. It will fully implement the agreed ecology and heritage management plan prior to first occupation of the 101st flat. Responsibility for the long term maintenance and care of the assets will be vested into the Development Wide Management Company which will have the responsibility to look after their future needs as one of its key objects.

10 Naming of Streets

The streets in the development will be named to reflect Naval heritage in consultation with the HMS Ganges Association

11 Babergh Council's Costs

Babergh Council's reasonable costs.

12 Construction Management Plan

Haylink will submit a construction management plan for each phase of the development. There are three phases. These are detailed on drawing no

13 Transport impact Monitoring

The A137/B1456 Wherstead Roundabout

Haylink Ltd. covenants to:

Undertake before and after monitoring of the Wherstead Roundabout during peak hours prior to construction and after full occupation to establish if there are any adverse effects on its operation.

- 1 To identify the percentage of peak hour trips directly attributable to the 404 home development, (the subject of the application)

- 2 To collaborate in any study undertaken by the Local Highways Authority with the aim to mitigating any operational and safety issues on the Wherstead Roundabout.
- 3 To pay to the Local Highways Authority a percentage (based on the number attributable) towards improvements to the roundabout currently valued at £ £221,887.35. (Cost based on JMP Bill of Quantities, Option 3 with cycle infrastructure)

Phasing Arrangements

Construction

The development will be phased in accordance with Plan no 18504A/106. (Revised August 2008)

Non - Transport Contributions

The Non - Transport Measures Contributions will be paid as follows:

- 50% on first occupation of the 151st home
- 25% on first occupation of 250th home
- 25% on first occupation of 400th home

Transport Measures Contributions

The Transport Measures Contributions will be paid as follows:

Finance for measures A (Freston Crossroads upgrade) and B (Woolverstone Village Traffic Management Upgrade) will be paid on first occupation of the 151st home.

Finance for measures C (Chelmondiston Village Traffic Management upgrade) and D (Bristol Hill / Caledonia Road / Lower Harlings Junction) will be paid on commencement of the 152nd home.

Claw Back Provision

Sums paid under this agreement are intended for investment that is necessary to mitigate the development's potential effects. If, upon receipt of payment from the Developer, the sums are not expended for the purposes described, they shall be returned with interest at 2% above the Bank of England Base Rate upon application by none other than the Developer.

Summary

Cash payments

Non Transport cash payments (subject to phasing)	£820,512
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Transport Payments (subject to phasing)	£111,639
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Contingent payments

Transport (Wherstead Roundabout)	£221,887
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TOTAL (CASH & CONTINGENCIES)	£1154,038
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