

Report To/ Decision Making Body:- Witham Area Committee	Date of Meeting:- 31 st January 2006	Agenda Item:- 8
To be presented by Cabinet Member:-		
Title of Report:- Section 106 – Land adjacent 9 Strutt Close, Hatfield Peverel		
Wards Affected:-Hatfield Peverel	Background Papers:-Report – Witham Area Committee 14th May 2002	
Financial Implications:- Return of part of S106 contribution (max. £3,000)	Policy Implications:-None	
Sustainability Implications:-N/A	Equalities Implications:-N/A	

NON-KEY DECISION REQUIRED. This decision cannot be called in.

1. PURPOSE OF REPORT

To seek Members approval to amend the Section 106 Agreement relating to land adjoining 9 Strutt Close, Hatfield Peverel.

Background

On the 14th May 2002 Members at the Witham Area Committee approved an application for change of use of the footpath adjoining 9 Strutt Close subject to a Section 106 Agreement that would cover the provision of an alternative footpath over the adjacent car park in accordance with a scheme agreed with the local planning authority.

This alternative footpath has now been looked at further and although it is the most direct route, it involves considerable potential conflict between motor vehicles and pedestrians and it is the view of the Council's Engineers that it is both unsafe and unsuitable.

It is therefore proposed that signage should be erected to direct pedestrians to use the existing footpaths, and although slightly longer it avoids pedestrian/vehicle conflict and can be implemented without further delay.

It should be noted that Mr. George, the owner of 9 Strutt Close and purchaser of the adjoining footpath, contributed £3,000 towards the construction of an alternative footpath and under the terms of the Section 106 Agreement any monies not spent are to be returned to Mr. George.

2. CONSULTATION

There were no objections from Local Ward Members and Hatfield Peverel Parish Council have noted the alternative access and have made some practical observations regarding this route.

3. OPTIONS AVAILABLE

To accept, amend or reject the proposed change to the Section 106 Agreement

4. RISKS

Substantial unfounded costs will arise if the original scheme was pursued.

5. RECOMMENDATION(S) FOR DECISION

That Members approve the amendments to the Section 106 Agreement, to erect signage directing pedestrians to use the existing footpaths.

Date report prepared:-5th January 2006

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