

**FORM 1**

**NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER**

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Cllr Marcus Hart, as Strong Leader, delegate the decision, use of s106 sustainable transport monies, to the Cabinet Member detailed below:

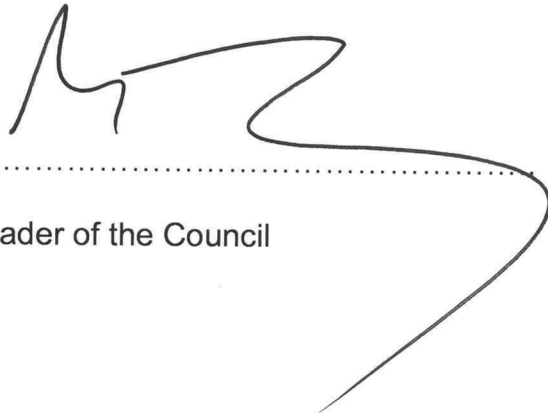
Cabinet Member for Planning & Economic Regeneration

*18<sup>th</sup> July, 2010.*

Dated:

Signed:

.....  
Leader of the Council



### NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Use of s106 monies associated with Planning Approval WF/0950/00	To use £75k provided through the s106 Agreement for sustainable transport within the district of Wyre Forest as a contribution to the Kidderminster Rail Station improvement project.	Funding for the project has been provided in partnership with Worcestershire County Council, Worcestershire Local Enterprise Partnership and Greater Birmingham & Solihull Local Enterprise Partnership and this will form the District Council's contribution.	19/7/18

**I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.**

Dated: 17/7/2018

Signed: Ian Hardiman

Councillor: Ian Hardiman – Cabinet Member for Planning and Economic Regeneration

To: Leader of the Council  
From: Director of Economic Prosperity & Place  
Date: 17th July 2018

## **Use of Sustainable Transport s106 Monies for Kidderminster Rail Station Improvements**

### **1. PURPOSE**

To agree to use £75,000 of s106 monies that were secured as part of the Kidderminster College development on Market Street, Kidderminster for sustainable transport purposes, as a contribution to the proposed improvements to Kidderminster Rail Station.

### **2. RECOMMENDATION**

The Leader is asked to **DECIDE**:

- 2.1 To authorise the Cabinet Member for Planning and Economic Regeneration to agree the use of sustainable transport s106 monies obtained as part of the approval of planning application WF/0950/00 in October 2001 as a contribution to the Kidderminster Rail Station improvement project planned for 2018/19.

### **3. BACKGROUND**

- 3.1 On 10 October 2001 the Council granted planning permission for the erection of the new Kidderminster College building in Market Street, Kidderminster. The accompanying s106 Agreement was signed on 8<sup>th</sup> October 2001. Amongst other provisions there was the requirement that, before any development commenced, a sum of £75,000 was to be paid to the Council for "sustainable transport purposes within the District of Wyre Forest". This was in recognition that the new college building had no on site parking and aimed to rely on sustainable means of access to the building.
- 3.2 The Council received the requisite sum a number of years ago and has since been considering suitable opportunities to use the funds to support sustainable transport, but to date has not allocated the money to a project.
- 3.3 As part of the Local Growth Fund rounds 2 & 3 the Council, in partnership with Worcestershire County Council, was able to secure funding from both Local Enterprise Partnerships (Worcestershire and Greater Birmingham & Solihull) towards the cost of a c£5.3m project to replace the ticket office at Kidderminster Rail station, replace the forecourt area to improve accessibility and drop off arrangements and undertake some consequential highway improvements on Comberton Hill including improved passenger transport stops.

#### **4. KEY ISSUES**

- 4.1 As part of the overall funding package, as well as the LEP contributions, a contribution is also being made by Worcestershire County Council from its Capital programme. It is proposed that as a partner in the project the District Council should also make a contribution using its £75k s106 monies.
- 4.2 The condition governing the s106 agreement is that the monies must be spent on sustainable transport within the District. Utilising it on the Rail Station project is an entirely appropriate use for this money as it will improve the bus and rail passenger transport offer in the heart of the district and improve sustainable means of accessing the town centre.

#### **5. RECOMMENDATION**

- 5.1 It is recommended that the Cabinet Member for Planning & Economic Regeneration agree the contribution of £75k from the s106 monies received as part of the approval of planning application WF/0950/00 as a contribution to the Kidderminster Rail Station improvement project; and that the monies be transferred to Worcestershire County Council who are leading the construction contract.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 There are no additional financial implications for the Council. The monies are held by the Council specifically for a project that meets the requirements of the s106 and cannot be used for any other purpose.

#### **7. LEGAL AND POLICY IMPLICATIONS**

- 7.1 There are no legal or policy implications arising from this decision.

#### **8. RISK MANAGEMENT**

- 8.1 There are no risks associated with taking this decision. Risks relating to the construction project are being managed by Worcestershire County Council.

#### **9. EQUALITY IMPACT NEEDS ASSESSMENT**

- 9.1 Not required for this decision.

#### **10. CONSULTEES**

CLT

#### **11. BACKGROUND PAPERS**

- 11.1 Planning Application WF/0950/00 and associated s106 Agreement.