



THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

DECISION RECORD FORM

REQUEST:

For PCC approval

Title:

Section 106 Agreement in relation to Cleveland Police Headquarters, Ladgate Lane

Executive Summary:

On the 9th December 2011 Middlesbrough Council's Planning Committee gave planning permission for the site which currently houses the Headquarters of Cleveland Police to be developed into a residential area. This planning permission was subject to the agreement, amongst other things, of the completion of a section 106 agreement between the parties.

A section 106 agreement refers to section 106 of the Town and Country Planning Act 1990 and the agreements within the document detail the obligations that Middlebrough Council may enforce against the Land owner. The obligations, realistically, will be against any future landowner if the PCC was to make a decision to sell the land at Ladgate Lane.

Decision:

The PCC is asked to agree to entering into the section 106 agreement in relation to the site currently occupied by the Headquarters of Cleveland Police at Ladgate Lane and sign the section 106 agreement, which sets out the obligations on the Landowner.

Implications:

Has consideration been taken of the following:

Yes

No

Financial

Legal

Equality & Diversity

Human Rights

Sustainability

Risk

(If yes please provide further details below)

Decision Required – Supporting Information

Financial Implications: (Must include comments of the PCC's CFO where the decision has financial implications)

The Section 106 agreement sets out the obligations on the Land owner and will therefore become important should the site be developed and houses built on it, in line with the planning permission that was granted in December 2011. The signing of this agreement does not commit the PCC to sell the land or to develop the land in line with the planning permission.

The signing of this agreement does require the payment of £1,000 to Middlesbrough Council to cover their legal fees associated with this agreement.

There are 7 'Contributions' to be made to Middlesbrough Council (detailed within the Section 106 agreement) that will be required by the Land owner should the development of the site proceed. These will be factored into any financial business case that is presented to the PCC looking at the overall affordability of selling the land at Ladgate Lane and relocating elsewhere.

Of these 7 contributions 6 are clearly defined and will cost £1,089k. The other contribution relates to Affordable housing. This contribution will be upto a maximum of £3,920k but will be limited to the funds remaining from any sale of Ladgate Lane after the costs of a new HQ building project have been paid for.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

The documents have been drawn up by the PCCs advisors on this matter, Eversheds, and they are content that they cover the needs of the organisation.

Equality and Diversity Implications

N/A

Human Rights Implications

N/A

Sustainability Implications

There are no sustainability implications resulting from entering into this agreement

Risk Management Implications

The signing of this agreement does not add any risks to those that the organisation already has. This section 106 replaces a 1972 agreement that the PCC inherited in relation to the land.

