

Head of Terms for S106 Agreement

Cheshunt Sports Village

Subject to Contract

Without Prejudice

1. BACKGROUND

- This document sets out draft heads of terms for a section 106 agreement in relation to the proposed Cheshunt Sports Village development at Cheshunt Football Club
- The applicant is proposing a residential enabling development on part of the site to deliver new community/commercial facilities and a new clubhouse and stadium for Cheshunt FC.

2. FUND ENABLED DEVELOPMENT

- Residential development will provide the funding necessary to build the new sports, community and business facilities.
- The delivery of these facilities will help address existing deficits, directly benefit the community and stimulate the local economy.

Cheshunt Football Club Facilities

- The attached plan shows an indicative layout of the proposed football club facilities that will form the north block of the stadium. This will comprise changing facilities, clubhouse, hospitality, function suites and classrooms.
- These facilities will be delivered as a single phase that will be owned and operated by Cheshunt FC. From these facilities the club will run all of its football, social and community programmes. Profits from the operation of these facilities will be channeled back into the club, which is itself a significant community asset.

Stadium

- The construction of the stadium is broken down into four elements: i) Foundations and superstructure; ii) Roofing; iii) Seating and iv) Terracing
- The first two elements will be installed from the start and will follow the completion of each block around the main pitch. This will provide a fully

covered stadium environment when all four blocks are complete.

- On completion of each phase of development around the main pitch, a mixture of seating and terracing will be installed to provide for a total capacity of 2,000 spectators when all four blocks are complete. This is the same capacity that Cheshunt FC currently has and is required by the FA.
- Additional seating and terracing will be installed on a progressive basis as required and will be at the expense of the applicant. The need for further capacity will depend on the requirements of the FA and be subject to planning permission.

Community/Commercial Facilities

- The western community/commercial block will accommodate a mix of uses including E(a-g), F1, F2 and and sui generis.
- Details relating to the internal layout and exact proportion of uses within this block are reserved at this stage. These matters will be determined after the grant of planning consent when the applicant will be in a stronger position to further its discussions with interested parties and other potential users within the various use classes applied for.
- It is anticipated that the specification of the block will be steel frame construction with concrete floors, concrete block or metal stud partition walls and a glazed shop front and fascia. The floor covering, wall finish, ceilings, lighting, heating, air con, electrical distribution and signage etc will be as per the individual tenant requirements. The serviced office space will be a similar specification as that of the Ambition Broxbourne Business Centre, with self-contained units, heating, air con, perimeter trunking and internet/utility services etc.
- The block will be delivered in a single phase and will be managed by Cheshunt FC (or an appointed agent). The ownership and income share from the block will be split between the club and the council as per the legal agreement between the parties. The share of income to Cheshunt FC will cover the future running costs of the club and allow it to grow as a sustainable business.

HIGHWAYS CONTRIBUTION

- A sum of £270,000 has been allowed for a raft of off-site road improvements to Theobalds Lane as agreed with Herts Highways. These include:

- Traffic calming measures by way of 3no. speed cushions along Theobalds Lane (WSP submitted plan 19827-SK-02);
 - Tactile paving and dropped kerbs to junctions along Theobalds Lane (WSP submitted plan 19827-SK-01);
 - Widening of the radii at the Theobalds Lane/A10 junction (WSP submitted plan 19827-SK-03);
 - Provision of a new bus shelter on the northbound route outside of Theobalds Grove station
- Any monies outstanding from the above will provide funding for other transport improvement measures such as the removal of the chicane on Theobalds Lane, the Park Plaza roundabout or the College Road/Church Lane junction. Payment towards these improvements will remove any financial contributions/planning conditions relating to the increase in the capacity of the stadium in the future.

ADDITIONAL ELEMENTS

- It is agreed that additional elements of the s106 agreement include:
 - Fire hydrants
 - Travel plan
 - Legal fees

MANAGEMENT PLAN

- The scheme is split into a Residential Management Area and a Commercial/Football Club Management Area as shown on the attached Management Plan.
- The owners/occupiers of each management area will pay for the upkeep and maintenance of their management area via a service charge overseen by a Management Company appointed by the applicant.

PHASING

- The anticipated phasing of development is as follows:
 - Phase 1: Housing
 - Phase 2: Blocks 1 (NW), 2 (NE) and Football Club (N)
 - Phase 3: Blocks 3 (SE), 4 (SW), 5 (S) and 6 (E)
 - Phase 4: Commercial (W) and car park

- The legal agreement between the applicant and council will include milestones for the development of the scheme.

DELIVERY TRIGGERS

- Only 70% of the houses are to be occupied until the club house is completed; and
- Only 70% of the apartments are to be occupied until the stadium and commercial block is completed

CASCADE MECHANISM

- The development will be carried out on an open book basis.
- There will be a sharing of additional returns from the development over and above a 15% developer's profit on cost. In the event that the profit exceeds this figure, 50% of this will cascade into planning obligations – being affordable housing and local infrastructure etc.