

Is the final decision on the recommendations in this report to be made at this meeting?

**Yes**

## **S106 Contributions for Maidstone Town Centre**

<b>Final Decision-Maker</b>	Planning Committee
<b>Lead Head of Service</b>	Rob Jarman
<b>Lead Officer and Report Author</b>	Carole Williams (S106 Monitoring Officer)
<b>Classification</b>	Public

### **This report makes the following recommendations to this Committee:**

That the £100,000 from the S106 Next Store, Eclipse Park (planning app no: MA/12/2314) is spent towards the Public Realm Improvements Project Phase 3 to include the whole of Week Street and Gabriel's Hill in order for the Council to use to mitigate the effect of the Eclipse Park Development on Maidstone town centre.

The investment of £100,000 will have a long lasting beneficial impact on the town centre helping to improve its attractiveness to shoppers, visitors, increasing footfall and dwell time and increasing the likelihood that Maidstone will remain a popular retail and leisure destination.

### **This report relates to the following corporate priorities:**

- 1.1 Keeping Maidstone Borough an attractive place for all and securing a successful economy for Maidstone Borough by funding towards public realm improvement projects in the Town Centre and to fund the programme of the Maidstone Town Team.

## **2. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 2.1 This report seeks clarification from Members on the use of the £100,000 balance of the S106 contribution for projects to mitigate the impact of application MA/12/2314 (Next Store, Eclipse Park) on the Maidstone Town Centre in accordance with the S106 agreement definition.

## **3. INTRODUCTION AND BACKGROUND**

- 3.1 At the Planning Committee dated 29 August 2013, the application for the (Next Store) Eclipse Park was agreed subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Services advised to secure the following:

A contribution of £140,000 to offset the impact of the development on the Town Centre with £100,000 being used towards public realm improvement projects in the Town Centre and £40,000 to fund the programme of the

Maidstone Town Team.

- 3.2 The sum was received in 3 instalments as per the agreement, the final being received March 2016. The spend by date for each sum is as follows; £100,000 October 2018 / £20,000 March 2020 / £20,000 March 2021.
- 3.3 The £40,000 was given to The Town Team and successor organisation One Maidstone, and this has been spent on events, floral displays, marketing and a feature lighting installation on the Town Hall.

#### **4. AVAILABLE OPTIONS**

- 4.1 There are no other projects relating to the S106 obligation and definition.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The S106 proposed spending is in accordance with the S106 obligations and is within the Public Realm Improvement Project linked to the priorities of Maidstone Council's Strategic Plan towards the regeneration of the Town Centre.

#### **6. PREVIOUS COMMITTEE FEEDBACK**

- 6.1 In response to questions by Members at the Planning Committee held on 6 April 2017, the Development Manager undertook to seek clarification on how the S106 sum received has been allocated to mitigate the effect of the retail Development at Eclipse Park on Maidstone town centre and in accordance with the agreement.

#### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Once the Committee has made its decision, this will be communicated to the relevant team to be spent on the project.

#### **8. CROSS-CUTTING ISSUES AND IMPLICATIONS**

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	Helping to ensure we have a thriving and attractive town centre that values our heritage and is fit for the future	Rob Jarman, Head of Planning & Development
<b>Risk Management</b>	There are no implications arising from this report	Rob Jarman, Head of Planning & Development
<b>Financial</b>	£100,000 from the S106 Next Store, Eclipse Park is spent towards the Public Realm Improvements project Phase 3	John Foster, Regeneration & Economic Development Manager

<b>Staffing</b>	There are no implications arising from this report	Rob Jarman, Head of Planning & Development
<b>Legal</b>	The project will legally fulfil the financial obligations in accordance with the S106 Agreement	Estelle Culligan, Acting Head of Mid Kent Legal Services
<b>Equality Impact Needs Assessment</b>	There are no implications arising from this report	Anna Collier, Policy & Information Manager
<b>Environmental/Sustainable Development</b>	There are no implications arising from this report	Rob Jarman, Head of Planning & Development
<b>Community Safety</b>	There are no implications arising from this report	Rob Jarman, Head of Planning & Development
<b>Human Rights Act</b>	There are no implications arising from this report	Rob Jarman, Head of Planning & Development
<b>Procurement</b>	There are no implications arising from this report	Rob Jarman, Head of Planning & Development & Mark Green, Section 151 Officer
<b>Asset Management</b>	There are no implications arising from this report	Rob Jarman, Head of Planning & Development