

HEADS OF TERMS

Proposed Planning Obligations

The Millfields, Lamplugh, Workington, Cumbria

These Heads of Terms set out the revised obligations to be contained in a proposed Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) intended to replace those obligations contained in an Agreement between the parties dated 15 July 2020.

The Parties

- (1) **COPELAND BOROUGH COUNCIL** of Market Hall, Market Place, Whitehaven, Cumbria CA28 7JG (“the Local Planning Authority”).
- (2) **JOHN SWIFT HOMES LIMITED** of 11 Fern Bank, Cockermouth, Cumbria CA13 0DF (“the Developer”).

Part A – Community Contribution

1. On completion of the Section 106 Agreement the Developer will pay the sum of £80,000.00 in escrow as a contribution towards the cost of the building of the new Lamplugh Village Hall on land adjacent to the existing Village Hall (“the Village Hall Contribution”).
2. The Village Hall Contribution will be released from escrow contingent upon the new Village Hall being constructed to the following standard; building structure complete, roof structure complete with roof coverings and external windows and doors installed within 36 months of the date of the Agreement. The

Village Hall Contribution will be paid to the Lamplugh Village Hall Committee as a contribution towards the building costs of the new Village Hall.

3. If the Village Hall does not reach the required stage within 36 months of the Agreement then the sum of £41,000.00 will be released from the Village Hall Contribution and paid to the Copeland Community Foundation (“the Community Contribution”). The Community Contribution will then be held by the Copeland Community Foundation and used for the provision or enhancement of community facilities in the Parish of Lamplugh in substitution of the Village Hall Contribution.

4. The balance of the monies following the payment of the Community Contribution will be refunded to the Developer.

Part B – Management

1. It is intended to replicate the obligations contained in Part C of the Agreement dated 15 July 2020 relating to the management of onsite common areas and facilities.