

## HARDWICK PARISH COUNCIL

**I hereby give notice that the Meeting of the Parish Council will be held on Wednesday 18 October 2023 at 7.00 pm at in The Cabin at St Mary's**

*The Public and Press are cordially invited to be present. The order of business may be varied at the Chairman's discretion.*

All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon the business to be transacted at the meeting as set out below.

Cllr Tony Gill  
Chairman 11/10/23

### AGENDA

#### Open Public Session including reports from the County & District Councillors

- 1 To receive apologies for absence**
- 2. Declarations of interest**
  - 2.1 To receive declarations of interests from Cllrs on items on the agenda and details of dispensations held
  - 2.2 To receive written requests for dispensation and grant any as appropriate for items on this agenda
- 3. To approve the minutes of the previous meeting on 20 September**
- 4. Matters arising or deferred from the last or previous meetings for discussion/decision**
  - 4.1 (3) Archiving of old Parish Council minutes – to consider resident's suggestion that the documents are put on display for the village
  - 4.2 (5.1) Meeting with CCC Josh Rutherford – to confirm date of meeting
  - 4.3 (5.2) Maintenance of Millers Way – to consider quotation and recommendation
  - 4.4 (5.3) Defibrillator – update and to consider the next steps
  - 4.5 (5.4) Gate at Hall Drive – update following meeting with Hill <sup>(PR)</sup>
  - 4.6 (5.5) PFHI Option 2 submission – to consider timeline for works
  - 4.7 (5.0.7) HSSC Drains insurance claim – update
  - 4.8 (8.3) Highways Working Group membership
  - 4.9 (10) LHI 2024-2025 – To consider projects and whether to make an application
  - 4.10 (5.1 of 30.8.23) Play inspection work - To consider quotation and recommendations for further work from contractor
  - 4.11 (5.4 of 30.8.23) Request for additional MVAS post – to consider correspondence received
- 5. Finance, risk assessment and procedural matters**
  - 5.1 To consider any quotes for urgent work required because of risk and the Clerk's use of delegated powers
  - 5.2 To receive play areas and skate park inspection reports and consider if any work is required
  - 5.3 To receive the financial report and approve the payment of bills
  - 5.4 To note the conclusion of the External Audit
  - 5.5 SCDC - Land south of 279 St Neots Road, Hardwick - Parish Indemnity Agreement, Play Sports and Community Transport – To appoint two members to sign the agreement
- 6. To consider any planning applications and decision notices and tree works applications \***
  - 6.1 Planning applications and appeals
    - 6.1.1 23/03627/HFUL – 25 Cambridge Road – Replacement singles storey front and side extension, front and rear dormers, exterior material changes to the existing dwelling house, and raise ridge height with conversion of roof from hipped to pitched
    - 6.1.2 23/03599/HFUL – 8 Russet Walk – Retrospective single storey rear extension to rear
  - 6.2 SCDC decision and appeal notices and correspondence
  - 6.3 Tree works applications
- 7. Members reports and items for information only unless otherwise stated**
  - 7.1 New Housing Developments and Planning Obligations including to consider a draft statement from the Parish Council relating to the proposed new development east of Cambridge Road, and update on meeting with developer <sup>(SR, PR)</sup>
  - 7.2 Community Centre update <sup>(SR)</sup>
  - 7.3 Notice board South on Main St needs urgent attention repair, a suggestion would the PC consider relocating the notice board to the Grace Crescent entrance thus giving easier access to the residents of the new estate <sup>(PJ)</sup>

\* NB Some planning and tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations on <https://applications.greatercambridgeplanning.org/online-applications/>

7.4 Update from Highways WG, new/replacement lights Capstone to Millers completion date - report Hills quarterly meeting. Pedestrian islands Millers and Capstone - completion date. Does the Highways WG have list of ongoing projects. <sup>(PJ)</sup>

**8. To consider any correspondence/communications received requiring formal noting by or a decision of the Council**

8.1 SCDC - Polling District Review

**9. Closure of meeting**

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\* NB Some planning and tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations on <https://applications.greatercambridgeplanning.org/online-applications/>

Mrs Gail Stoehr, Clerk to Hardwick Parish Council, 30 West Drive, Highfields Caldecote, Cambridge, CB23 7NY

Tel: 01954 210241

Email: [clerk@hardwick-cambs.org.uk](mailto:clerk@hardwick-cambs.org.uk)

## REPORT TO HARDWICK PARISH COUNCIL MEETING ON 18 OCTOBER 2023

*Type or copy website links into your browser for more information.*

Where supporting information is available this may be found below or in the attached supporting papers.

1. To receive apologies for absence – will be reported to the meeting.
3. To approve the minutes of the previous meeting on 20 September - attached
4. **Matters arising or deferred from the last or previous meetings for discussion/decision**
  - 4.1 (3) Archiving of old Parish Council minutes - to consider resident's suggestion that the documents are put on display for the village

A resident has suggested:  
“There are historical documents that could be more interesting to the village than having to travel to Ely to view. I wonder if anyone on the Parish Council has thought of a display/local Archive where Village history can be seen?”
  - 4.2 (5.1) Meeting with CCC Josh Rutherford – to confirm date of meeting

Josh Rutherford is unable to meet on the Parish Council's preferred date and alternative dates have been sent to members. Of those that responded The 3 replies received are as follows 1 for Zoom (Chairman), 1 for face to face and either zoom or 1 November.,
  - 4.3 (5.2) Maintenance of Miller's Way – to consider quotation and recommendation

The contractor has replied:  
“Luke has said that we would carry out a one off cut to the Millers Way Path for £100+ VAT. He would recommend monthly cuts going forward (8 or 9 cuts per year). He said the cost would be minimal if you added it to the contract.”
  - 4.4 (5.3) Defibrillator – update and to consider the next steps

The National Lottery has confirmed  
“Your application for funding  
We cannot take your application any further. We'd like to help you understand why.

Why we cannot fund your project  
The key areas we use to prioritise applications and make a decision are how strongly a project meets our funding priorities and how involved the community is with the design, development and delivery of the activities. Your application was considered in competition with others, and it was not as strongly or directly aligned to our funding priorities, so we are not able to offer a grant to your project.

The British Heart Foundation has information about applying for funding for public access defibrillators <https://www.bhf.org.uk/how-you-can-help/how-to-save-a-life/defibrillators/applying-for-a-public-access-defibrillator>  
There's also lots of helpful advice and guidance about applying for funds on our website at [www.tnlcommunityfund.org.uk](http://www.tnlcommunityfund.org.uk)

Thank you for taking the time to tell us about your idea  
We know it takes a lot of effort to put an application together. We appreciate you taking the time to apply.”
  - 4.5 (5.4) Gate at Hall Drive – update following meeting with Hill <sup>(PR)</sup>
  - 4.6 (5.5) PFHI Option 2 submission – to consider timeline for works

CCC have written:  
“Please accept my apology for the late response.  
The design phase is complete, and we've sent it for cost estimation, a process typically lasting around 6 weeks. After reviewing the estimation, we'll proceed to order the project, this usually requires 4 weeks for mobilisation. Rest assured, I'll dispatch a notice at least 4 weeks prior to the commencement of the work.”

4.7 (5.0.7) HSSC Drains insurance claim – update

This has been chased again. Zurich has confirmed that it too has chased its contractor for validation of the costs so that it may progress the claim.

4.8 (8.3) Highways Working Group membership

4.9 (10) LHI 2024-2025 – To consider projects and whether to make an application

Proposed at the last meeting.

4.10 (5.1 of 30.8.23) Play inspection work - To consider quotation and recommendations for further work from contractor

The play repairs contractor, Kettering Play, when carrying out the work, has provided a report and quotation for recommended further work:

“Recommendation / Findings:

Egremont Road Play Area - please be advised that the nylon guide is broken, it is still okay to be used, but please monitor for further wear. The seat has been adjusted to a minimum of 400mm from the ground and the cable is still in good working order.

Grenadier Walk - fork end chains on seats are 40% worn consider replacing.”

And:

“I have been over to Church Play area to have a look at the surfacing on the swing base and it looks like some one has driven on the base causing the subbase to subside in a couple of places. This needs sorting out as it is a bit of a trip hazard.

I have attached a quote to repair these areas.

I have also looked at the surfacing at Worcester road play area and there are a few patch areas on the swing base that are coming away from the joints that need redoing and a edge on the climbing frames where the edge of the base is lifting. Again I have attached this to the quote.”

4.11 (5.4 of 30.8.23) Request for additional MVAS post – to consider correspondence received

The following response has been received from the Speed Watch Co-ordinator:

“As the PC know, the safety for bus users on St Neots Road was recognised back in 2018 when we recommended and Highways agreed the pedestrian islands - now grinding slowly towards being put in.

This will provide the safety- agreed by Councillors over the last 5 years.

We did ask Highways for an MVAS post by Millers Way back in 2020 but they refused it on the south side - not enough space, limited line of sight. However it is possible to place it on the north side but bear in mind

1. If you are thinking of a MVAS post, by the MoU signed by PC it will only have a flasher on it for 28 days at a time

2. A nominated person will have to attend to it every 28 days and every 2 weeks for battery change and it will be in a rather exposed place for safety of that person - parking to deliver/collect sign etc. Ask Xavier’s opinion? Would he like to do the required work there?

The position could be opposite say 187/9 St Neots Road. That location would provide line of sight both west and east. See attachments.

If you want a permanent MVAS there think in terms of £3500 for a dedicated unit.

Highways have to approve the position and they need to confirm price for fitting a pole - 2 years ago they cost £200 each ex VAT.

I suspect the pedestrian islands would provide the safety solution without a flasher but I am open minded to belt and braces.

Let me know if you are requiring our help.”

In the meantime the resident who requested the additional post, on being notified of the proposals for two crossings on St Neots Road, has written:

“I’m glad that a pedestrian crossing at Millers Way is soon to be installed. That makes perfect sense. I may well speak to the Speed Watch group about an additional post, but the news that a pedestrian crossing is in the pipeline reassures me that the Parish Council has pedestrian safety matters in hand.”



The resident has been informed and has responded “Thanks very much for letting me know the outcome of the meeting and I’m glad that a pedestrian crossing at Millers Way is soon to be installed. That makes perfect sense.

I may well speak to the Speed Watch group about an additional post, but the news that a pedestrian crossing is in the pipeline reassures me that the Parish Council has pedestrian safety matters in hand.”

Other:

The grant to the Pre-School was paid on 25 April and is shown on the Council’s bank statement. The Pre-School has been informed.

**5. Finance and risk assessment and procedural matters**

5.1 To consider any quotes for urgent work required because of risk and Clerk’s use of delegated powers  
None at the time of writing.

5.3 To receive the financial report and approve the payment of bills  
Attached.

5.4 To note the conclusion of the External Audit  
Attached.

5.5 SCDC - Land south of 279 St Neots Road, Hardwick - Parish Indemnity Agreement, Play Sports and Community Transport – To appoint two members to sign the agreement

“A Section 106 Agreement was entered into in respect of the above development with effect on 10 August 2018. This required the Developer to pay over the following financial contributions:

£45,000 + indexation towards off-site children’s play space

£45,000 + indexation towards off-site sports

£20,000 + indexation towards community transport

It is the intention for these monies to be remitted to the Parish Council, upon the Parish Council entering into an appropriate form of Indemnity, for use for such purposes in accordance with the Section 106 Agreement that relates to securing the use of the monies in this manner. The Agreement can be viewed on the website by using the planning application search. It will be listed under the docs tab.

<https://applications.greatercambridgeplanning.org/online-applications/search.do?action=simple&searchType=Application>

I attach a copy of an appropriate Indemnity for execution on behalf of the Parish Council and, assuming the Parish Council is content to proceed on this basis, perhaps two copies of the indemnity form can be printed and that both copies could be executed in pursuance of an appropriate resolution

of the Parish Council. You will see that the document provides for the date of the resolution to be inserted and I would be grateful if this could be completed and for the document to be executed by two Parish Councillors on behalf of the Parish Council.

Once executed, please date the Indemnity and return one part to the District Council marked for my attention, retaining the other copy for the Parish Council's records. Please could you also email a copy to me. I will then arrange for the children's pay, sports and community transport contributions to be remitted as quickly as possible."

Parish Indemnity Agreement attached.

#### 6.1 Planning applications and appeals

NB Some planning applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations and appeals on <https://applications.greatercambridgeplanning.org/online-applications/>

6.1.1 23/03627/HFUL – 25 Cambridge Road – Replacement singles storey front and side extension, front and rear dormers, exterior material changes to the existing dwelling house, and raise ridge height with conversion of roof from hipped to pitched

6.1.2 23/03599/HFUL – 8 Russet Walk – Retrospective single storey rear extension to rear

#### 6.2 SCDC decision and appeal notices and correspondence for info only - to note

6.2.1 23/02651/HFUL – 24 Ashmead Drive – Single storey side extension – Permission granted by SCDC.

6.2.2 23/00772/PDNOT – St Neots Road, Hardwick – Variation to Independent Water Networks Ltd to allow it to supply water only services to a site called St Neots Road, Hardwick – Prior approval not required.

#### 6.3 Tree works applications

Tree works applications may now be viewed on the SCDC Planning Portal. NB Some tree works applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current tree works application consultations on <https://applications.greatercambridgeplanning.org/online-applications/>

None at the time of writing.

### 7. Members reports and items for information only unless otherwise stated

7.1 New Housing Developments and Planning Obligations including to consider a draft statement from the Parish Council relating to the proposed new development east of Cambridge Road, and update on meeting with developer <sup>(SR, PR)</sup>

Cllr Rangaduria has written "Please add this note for council review during our upcoming meeting.

**\*\*Formal Announcement\*\***

Dear Residents of Hardwick,

We wish to inform you that Hill Construction has recently submitted an application for permission to convert the Hardwick Green Belt into a residential development, consisting of approximately 400 houses.

It is important to note that, as of this time, the Hardwick Parish Council is not directly engaged in any activities with either Hill Construction or the South Cambridgeshire authorities regarding this matter. All ongoing communication and engagement are occurring solely between Hill Construction and the village.

The role of the Hardwick Parish Council in this process is to serve as a reflection of the collective voice and concerns of our village. We want to emphasize that the Parish Council does not hold decision-making authority in this process. Instead, our commitment is to facilitate communication and transparency between the appropriate authorities and the village of Hardwick.

Throughout this endeavour, consultations will be conducted between the relevant authorities and the village to ensure that your concerns, opinions, and feedback are heard and considered. The Parish Council will actively participate in these consultations to monitor progress, streamline feedback, and make information readily available to all residents.



We encourage all residents to stay informed and engaged in this important process, and we will do our utmost to ensure that your voices are heard and respected throughout the development application and decision-making phases.

Thank you for your understanding and cooperation.

Sincerely,

HPC”

7.2 Community Centre update <sup>(SR)</sup>

7.3 Notice board South on Main St needs urgent attention repair, a suggestion would the PC consider relocating the notice board to the Grace Crescent entrance thus giving easier access to the residents of the new estate <sup>(PJ)</sup>

Background in December 2022 the Council contracted James Wakelin to refurbish the backing board. Mr Wakelin was unable to obtain parts so was to speak to Cllr Coxall about this.

7.4 Update from Highways WG, new/replacement lights Capstone to Millers completion date - report Hills quarterly meeting. Pedestrian islands Millers and Capstone - completion date. Does the Highways WG have list of ongoing projects <sup>(PJ)</sup>

A resident called on 4<sup>th</sup> October to say the lights were being installed the following day. The Chairman was informed “ Mark Weatherhead of St Neots Road, has called to say that 5 lamp posts are going up tomorrow on St Neots Road and one of them is being sited right in the middle of the entrance access to his premises. This will prevent lorries and combine harvesters which are over 10 feet long coming in from the Cambridge direction into their premises. He has asked if this lamp post (no 2 of 5 as you look from the road) be moved 10 metres to the left (towards Cambridge) so that it is on the grass verge, but they have told him they can’t do that because that would mean they had to move the others. They painted the markings for the lights yesterday and are installing them tomorrow. Can you please call him to discuss.”

8. **To consider any correspondence/communications received requiring formal noting by or a decision of the Council**

8.1 SCDC - Polling District Review

“We are currently undertaking a review of our polling districts in South Cambridgeshire.

All councils are required by law to keep their polling districts and places under review. Polling districts are the building blocks of electoral areas. Most of our polling districts are formed along the same boundaries as our parishes. To make the review more inclusive we are also asking for views on our polling station arrangements, including looking at accessibility of stations for disabled voters.

We are starting our review now and would like to invite parish councils to share their views.

Full details can be found on our website at <https://www.scambs.gov.uk/your-council-and-democracy/elections/polling-district-review/>

If you wish to comment or have any questions please contact [elections@scambs.gov.uk](mailto:elections@scambs.gov.uk). The consultation is open until 27 November.”

9. **Closure of meeting**

The next meeting is scheduled to take place on 15 November 2023.

# HARDWICK PARISH COUNCIL MONTHLY FINANCIAL STATEMENT

Oct-23

## Summary of previous month

Balance brought forward £1,471,184.23

## Adjustments and amendments

### Expenditure approved at last meeting/between meetings

|             |                      |         |
|-------------|----------------------|---------|
| OPUS ENERGY | STREETLIGHT ENERGY   | -173.42 |
| UNITY TRUST | MANUAL CREDIT CHARGE | -0.30   |
| UNITY TRUST | SERVICE FEE          | -22.35  |

### Misc credits

|                       |                            |            |
|-----------------------|----------------------------|------------|
| NS&I                  | INTEREST                   | 2,981.37   |
| EASTERN POWER NETWORK | WAYLEAVE RECREATION GROUND | 23.68      |
| HSSC                  | RENT                       | 1,000.00   |
| SCDC                  | PRECEPT                    | £37,700.00 |
| HMRC                  | VAT REFUND                 | £13,181.40 |
| UNITY TRUST           | INTEREST                   | £2,564.26  |

*Total Adjustments* £57,254.64

Balance revised after adjustments £1,528,438.87

### Bank Reconciliation to last statement

| Account                     | Funds                | Statement            | Outstanding       |
|-----------------------------|----------------------|----------------------|-------------------|
| Unity Trust Current Account | £63,362.62           | £69,276.50           | -£5,913.88        |
| Unity Trust Deposit Account | £380,117.79          | £380,117.79          |                   |
| Cambridge & Counties Bank   | £84,958.46           | £84,958.46           |                   |
| NS&I Income Bond            | £1,000,000.00        | £1,000,000.00        |                   |
| <b>Total</b>                | <u>£1,528,438.87</u> | <u>£1,534,352.75</u> | <u>-£5,913.88</u> |

### Expenditure for approval

|                    |                   |           |
|--------------------|-------------------|-----------|
| SALARIES           |                   | £606.08   |
| RH LANDSCAPES      | GRASSCUTTING      | £780.00   |
| GLASDON            | TOPSY BIN         | £274.21   |
| KETTERING PLAYSAFE | PLAY AREA REPAIRS | £1,854.00 |
| PKF LITTLEJOHN     | EXTERNAL AUDIT    | £1,638.00 |
| ZURICH INSURANCE   | INSURANCE         | £2,796.23 |

*Total expenditure* £7,948.52

Balance c/f £1,520,490.35

### Notes:

**Zurich Insurance - 3 year undertaking cost £2529.25**



## Section 3 – External Auditor’s Report and Certificate 2022/23

In respect of

**HARDWICK PARISH COUNCIL CA0120**

### 1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2023; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

### 2 External auditor’s limited assurance opinion 2022/23

Except for the matters reported below, on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

The smaller authority failed to approve the AGAR in time to publish it before 1 July 2023, the date required by the Accounts and Audit Regulations 2015, and did not disclose this by answering ‘No’ to Section 1, Box 1.

Other matters not affecting our opinion which we draw to the attention of the authority:

We note that the smaller authority did not comply with Regulation 15 of the Accounts and Audit Regulations 2015 as it failed to make proper provision during the year 2023/24 for the exercise of public rights, since the period for the exercise of public rights did not include the first 10 working days of. As a result, the smaller authority must answer ‘No’ to Assertion 4 of the Annual Governance Statement for 2023/24 and ensure that it makes proper provision for the exercise of public rights during 2024/25.

### 3 External auditor certificate 2022/23

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2023.

External Auditor Name

**PKF LITTLEJOHN LLP**

External Auditor Signature

 SIGNATURE REQUIRED

Date

26/09/2023

**THIS AGREEMENT** is made the \_\_\_\_\_ day of \_\_\_\_\_ 2023  
**B E T W E E N** HARDWICK PARISH COUNCIL care of 30 West Drive, Highfields Caldecote, Cambridge, CB23 7NY ("the Parish Council") of the one part and SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL of South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA ("the District Council") of the other part

W H E R E A S :

- (1) Under the terms of a Section 106 Agreement ("the Section 106 Agreement") dated 10 August 2018 and made between the District Council (1) Cambridgeshire County Council (2) Martin Paul Wright and Linda Jane Wright (3) Janice Jean Beach and Lauren Noble and Lynn Alison Hemmings (4) Claire Francis Kempson and Mark Alan Kempson (5) Darren Ruper Almeric Webb (6) Jane Read and Ashley Read (7) David Christopher Collins and Tracy Margaret Collins (8) Herbert Walter Klimke (9) Robert Turner and Jennifer Muriel Turner (10) Frederick John Newman (11) Lloyds Bank PLC (12) Sarah Jane Webb (13) Shawbrook Bank Limited (14) National Westminster Bank PLC (15) and Your Lifespace Limited (16) contributions of a) £45,000 (subject to indexation) is payable towards the provision, refurbishment, improvement and/or maintenance of any off-site play equipment which will benefit the Development at either Grace Crescent or Hardwick Recreation Ground ("The Off-Site Children's Play Space Contribution") b) £45,000 (subject to indexation) is payable towards the extension of the existing pavilion at Hardwick Recreation Ground to create additional changing room space ("The Off-Site Sports Contribution") and c) £20,000 (subject to indexation) is payable towards the maintenance of a community vehicle to run between the village of Hardwick and key destinations in the local area which will benefit the development ("The Community Transport Contribution") in the circumstances and on the conditions therein prescribed
- (2) The Off-Site Children's Play Space Contribution, the Off-Site Sports Contribution and the Community Transport Contribution £56,600.57, £56,600.57 and £25,155.81 respectively, were received by the District Council on 30 August 2023
- (3) The District Council agrees to transfer the Off-Site Children's Play Space Contribution, the Off-Site Sports Contribution and the Community Transport Contribution to the Parish Council SUBJECT TO the Parish Council agreeing to comply with those covenants given in the Paragraphs 1, 2 and 3 of the Fourth Schedule of the Section 106 Agreement as if those Covenants themselves had been given by the Parish Council in favour of the Owner mutatis mutandis and to provide an indemnity as hereinafter described

NOW THIS DEED WITNESSETH as follows:

IN CONSIDERATION of the payment by the District Council to the Parish Council of the Off-Site Children's Play Space Contribution, the Off-Site Sports Contribution and the Community Transport Contribution the Parish Council covenants with the District Council

1. to use the Off-Site Children's Play Space Contribution, the Off-Site Sports Contribution and the Community Transport Contribution solely for the purposes specified in the Section 106 Agreement
2. that if it has not applied or made arrangements for the application of all or any part of the Off-Site Children's Play Space Contribution, the Off-Site Sports Contribution and the Community Transport Contribution within ten years from 30 August 2023 then those Contributions or

unexpended proportion thereof (as the case may be) shall be payable to the Owner as provided in the Section 106 Agreement ("the Owner") with interest accrued from the date of receipt by the Parish Council until such sum is paid in full PROVIDED ALWAYS that if before the expiry of the said ten year period there is any contract or contracts in existence to which the Off-Site Children's Play Space Contribution, the Off-Site Sports Contribution and the Community Transport Contribution are attributable and which contract or contracts shall be completed after the expiry of the said ten year period any sum to be repaid to the Owner shall be repaid (together with interest thereon as aforesaid) following payment of the final account in respect of any and all such contracts and the sum to be repaid shall be less all costs incurred and/or paid to provide the said infrastructure pursuant to such contract or contracts

3. that it shall if requested by the Owner produce to the Owner within 28 days of such a request a statement of account as to how the Off-Site Children's Play Space Contribution, the Off-Site Sports Contribution and the Community Transport Contribution or any part thereof shall have been spent
4. that it will indemnify the District Council fully against any costs or claims which may arise in respect of any breach by the Parish Council of the terms of this Agreement.

IN WITNESS of which two members of the Parish Council have pursuant to a resolution of the Parish Council passed on \_\_\_\_\_ signed and delivered this Deed on the day and year first above written.

SIGNED AND DELIVERED as a Deed by Councillor :-  
in the presence of :-

Witness Signature:

\_\_\_\_\_  
Witness Name: (Block Capitals)

\_\_\_\_\_  
Witness Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED AND DELIVERED as a Deed by Councillor :-  
in the presence of :-

Witness Signature:

\_\_\_\_\_  
Witness Name: (Block Capitals)

\_\_\_\_\_  
Witness Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_