



Democratic Services

Location: Phase II
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**To: COUNCILLOR MARTIN GODDARD
CABINET MEMBER FOR FINANCE**

**COUNCILLOR JONATHAN BIANCO
CABINET MEMBER FOR PROPERTY, HIGHWAYS
& TRANSPORT**

c.c. All Members of the Property, Highways and
Transport Select Committee
c.c. Nicola Wyatt – Place Directorate
c.c. Sophie Wilmot – Place Directorate
c.c. Perry Scott – Corporate Director of Place
c.c. Ward Councillors for Hayes Town and Pinkwell

Date: 19 January 2023

Non-Key Decision request

Form D

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2022/23: Enhancement of Legible London Signage, Hayes Town Centre (Release No 3)

Dear Cabinet Members,

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such, the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Friday 27 January 2023** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Steve Clarke
Democratic Services Officer

Title of Report: NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE
2022/23: Enhancement of Legible London Signage, Hayes Town Centre (Release No 3)

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

Signed Date.....

Cabinet Member for Finance / Cabinet Member for Property, Highways & Transport

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2022/23: Enhancement of Legible London Signage, Hayes Town Centre (Release No 3)

Cabinet Members	Councillor Martin Goddard Councillor Johnathan Bianco
Cabinet Portfolios	Cabinet Member for Finance Cabinet Member for Property, Highways and Transport
Officer Contact	Nicola Wyatt, Place Directorate
Papers with report	Appendix A - Capital release requests for approval Appendix B - Scheme proposal locations Appendix C - Types of Legible London signage

HEADLINES

Summary	To seek Cabinet Member approval to allocate and release funds from the s106 contributions held at PT/163/40I; PT/219/429A; PT/221/429C towards enhancement of the Legible London signage in Hayes Town Centre.
Putting our Residents First Delivering on the Council Strategy 2022-2026	This report supports our ambition for residents / the Council of: Live active and healthy lives. This report supports our commitments to residents of: A Green and Sustainable Borough.
Financial Cost	This report seeks the allocation and release of £36k from s106 funds made available from various developments approved within the London Borough of Hillingdon and detailed within this report towards enhancement of the Legible London signage in Hayes Town Centre. A further £25k will be contributed from Transport for London LIP grant towards the total cost of £61k. The works will commence upon release of the funds and are due for completion by March 2023.
Relevant Select Committee	Property, Highways and Transport Select Committee
Ward(s) affected	Hayes Town and Pinkwell

RECOMMENDATIONS

That the Cabinet Member for Finance and Cabinet Member for Property, Highways and Transport:

- 1) approve the allocation of £36,127 from the s106 contributions held at PT/163/40I; PT/219/429A and PT/221/429C to be used towards the enhancement of the Legible London signage in Hayes Town Centre; and**
- 2) approve the capital release requesting £36,127 towards the scheme, as outlined in Appendix A to this report.**

Reasons for recommendations

In accordance with the Council's Constitution, the allocation of Section 106 (s106) and Section 278 (s278) funds is required to be formally approved by the Cabinet Member for Finance on a case-by-case basis – and any capital release, in conjunction with the relevant Cabinet portfolio holder. This report requests the approval for the s106 funds held at case references detailed in this report to be committed as outlined in this report.

Alternative options considered

The Cabinet Members may agree to fund the scheme and/or suggest alternative projects to which funds could be allocated within the terms of the relevant legal agreements. If the s106 funds are not allocated to an appropriate scheme, the unspent funds may need to be refunded.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Planning obligations, or s106 agreements, are an established mechanism for mitigating planning effects arising from development proposals. The agreements are usually negotiated within the context of planning applications, between local planning authorities and persons with an interest in the piece of land (owners, leaseholders or developers). They are intended to make development acceptable, which would otherwise be unacceptable in planning terms.
2. Any s106 monies generated from planning agreements must be spent on their intended purpose and that the associated development contributes to the sustainability of the area by addressing the impacts of the development proposals. As a result, expenditure of s106 funds must relate to a specific development and must be in accordance with the corresponding legal agreements. If a contribution is not used for the intended purpose or not spent within the period allocated in the s106 agreement, the monies may need to be returned.

S106 contribution held at case reference PT/163/40I

Details of contribution

3. A contribution of £20,390.78 (including index linking) was received as the "TFL Contribution" in accordance with a s106 Planning Agreement dated 31 July 2014 and relating to the redevelopment of land at the former EMI Complex (Old Vinyl Factory), Blyth Road, Hayes (planning refs: 59872/APP/2013/3775 & 59872/APP/2012/1838). The agreement specifies that these funds are to be used towards the cost of upgrading the bus stops on Clarendon Road and providing Legible London Signage in the vicinity of the site. Funds are to be spent within 7 years of receipt (March 2023).

Planning background

4. On 29 November 2012, outline planning permission for a mixed use development of the Old Vinyl factory site, Blyth Road, Hayes, including construction of up to 112,953sqm of new floor space and uses to include up to 510 residential units, up to 7,886sqm of new B1 floor space, up to 4,000sqm of A class uses, up to 4,700sqm of D1 and D2 uses, an energy centre, car parking and access works, was approved by Central and South Planning Committee. Permission was granted subject to the completion of the original agreement dated 19 April 2013. Following a section 73 application to vary the phasing of the development, the parties agreed to enter into a further agreement dated 31 July 2014 to restate the terms of the original agreement with amendments to bind the new permission. In addition, under the new agreement, further planning obligations were required including a contribution towards the cost of upgrading the bus stops on Clarendon Road to London Landmark standard and providing Legible London signage in the vicinity of the site, in line with those required from other similar developments in the area.

Proposed allocation

5. Officers have previously contacted London Buses which has confirmed that the bus stops on Clarendon Road have been upgraded to London Landmark Standard using TFL funding. Officers are therefore requesting to use the contribution held at PT/163/40I (£20,390) towards a scheme to upgrade and enhance the Legible London Signage in Hayes Town Centre as outlined in paras 9-15 below.

S106 contributions held at PT/219/429A and PT/221/429C

Details of contribution

1. Two contributions of £6,070.79 and £9,664.65 (totalling £15,735.44 including indexation) have been received respectively as the "Industrial Land Legible London Contribution" and the "Residential Land Legible London Contribution". The contributions were received in accordance with a s106 planning agreement dated 27 June 2018 and relate to the redevelopment of the former Nestle Factory, Nestle Avenue, Hayes (planning ref; 1331/APP/2017/1883). The planning obligations specify that these funds are to be used towards the provision of Legible London Signage in the vicinity of the development. Under the terms of the agreement, the funds must be spent within ten years of receipt (March 2029) and any unspent funds must be returned to the owner with accrued interest.

Planning background

7. At its meeting of 13 December 2017, the Council's Major Applications Planning Committee approved an application from SEGRO and Barratt London for a major mixed-use scheme on the former Nestle factory site in Hayes. The Planning Committee approved the part demolition of existing factory buildings and associated structures, and redevelopment to provide 1,386 dwellings and agreed a range of office, retail, community and leisure uses and 22,663sqm of commercial floor space. At the Committee, officers reported that, to help pedestrians find their way from the site to the town centre and vice versa, the developers had agreed to contribute towards the provision of Legible London Maps, signs and finger posts. These would provide pedestrians with directions to key destinations such as the railway station, as well as providing signs from the development to the town centre. The contribution would also be used to update the existing Legible London maps and signs already in situ in the town centre to include the Nestle Factory development.

Proposed allocation

8. Officers are requesting that the contributions held at PT/219/429A (£6,070) and PT/221/429C (£9,664) are allocated towards a scheme to upgrade and enhance Legible London signage in Hayes Town Centre to include the Nestle Factory site as outlined in paras 9-15 below.

Project Proposal:

9. Transport for London has a long-established wayfinding system called Legible London which shows maps and directional information of a local area to help those navigating particularly by foot or cycle. A Legible London wayfinding scheme has been in Hayes Town Centre for some time, but the scheme is no longer fit for purpose and requires upgrading.
10. Due to recent significant investment in the redevelopment of Hayes Town Centre to open up the high street and a new station to accommodate Crossrail, previous mapping and directions on existing Legible London signage does not reflect the changes to the highway or new developments such as the redevelopment of the former Nestles factory site. There is also a need to upgrade some signs to larger signs to allow more information to be accommodated.
11. The Legible London mapping is controlled by Transport for London who have designed the new requirements with input from Council officers. Transport for London has a sole supplier for the manufacture and installation of Legible London signs, Trueform, who have provided the quote for the upgrade works and would carry out all works associated with the scheme. A map showing the location of the Legible London sign upgrades is provided in Appendix B.
12. The upgrade of the Legible London signage in Hayes involves a total of 13 locations and will consist of the following works:
 - Update and enhance maps and directions at six locations;
 - Upgrade miniliths at three locations;
 - Upgrade monolith at one location;
 - Upgrade a finger post to minilith sign at one location; and
 - Relocate one existing sign to a better location.

Appendix C provides examples of the different Legible London signage.

13. The sole supplier, Trueform, has provided a quote of £61,443.63 for the manufacture and installation of the upgrades detailed above. In order to allow the scheme to progress, Transport for London has agreed for funds from the Council's Local Implementation Plan Funding to be used as match funding. The funding breakdown is provided in Table 1, below:

Table 1: Breakdown of sources of scheme funding	
Funding Source	Contribution
S106	36,127
Transport for London LIP	25,317
TOTAL	£61,444

14. The contribution from the Transport for London Local Implementation Plan monies will be subject to a separate allocation and release report, in parallel to this document.
15. As detailed above, Trueform is the specialist supplier for Legible London signage. On allocation and release of the funding, a purchase order for the full cost will be provided to Trueform to undertake the works.

Financial Implications

(S106 2022/23 Budget £36k (from these allocations), Previously Released Nil, Capital Release Requested £36k) – Appendix A

The report is seeking the allocation and capital release of £36k from three s106 contributions, detailed in Table 2 below:

Table 2: S106 Contributions

S106 Funding Reference	Scheme	Amount	Time Limit to Spend
PT/163/40I	Old Vinyl Factory, Blyth Road, Hayes	20,391	Mar-23
PT/219/429A	Fmr Nestle Factory, Nestle Avenue, Hayes (Industrial)	6,071	Mar-29
PT/221/429C	Fmr Nestle Factory, Nestle Avenue, Hayes (Residential)	9,665	Mar-29
Total S106		£36,127	

The s106 funds are to be used towards the enhancement of Legible London signage in Hayes Town Centre. The cost of the works is based on a quote from Trueform, a specialist supplier who will carry out the works.

The total cost of the scheme is £61k which is to be funded £36k from the s106 contributions and £25k from TFL LIP which is currently being progressed via a separate capital release report.

The proposal of the scheme meets the conditions stipulated by the developer on the intended use of the s106 contributions.

The s106 contribution held at PT/163/40I has a high risk of being returned to the developer with interest if not spent by March 2023 as per the s106 agreement.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon residents, service users and communities

The recommendations will enable external funds to be spent to maximum effect to provide viable improvements for the benefit of local communities.

Consultation carried out or required

Consultations will be carried out as part of individual project development.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance concurs with the financial implications above, noting that the proposed scheme will be funded from a combination of Section 106 contributions in accordance with the planning agreements and Transport for London LIP grant, with no impact on Council resources.

Legal

Legal Services has considered the contents of the Section 106 agreements referred to in the report and concludes that the recommendations presented are consistent with the terms of the respective agreements.

Infrastructure / Asset Management

There are no property implications resulting from the recommendations.

Capital Release Protocol

The release of all capital funds, and certain revenue funds, held by the Council is to be made by a formal democratic decision. No expenditure can be placed or committed by officers until this formal approval is given by Democratic Services. Release of funds must be for identified projects only and strictly not for the general release of funds for projects to be identified at a later date. No block releases of capital or funding will be allowed, except if authorised by the Leader of the Council in advance to Corporate Finance. The release of funds will only be made if previous Council, Cabinet or Cabinet Member agreement has been given to the project and only if there is an approved budget

BACKGROUND PAPERS

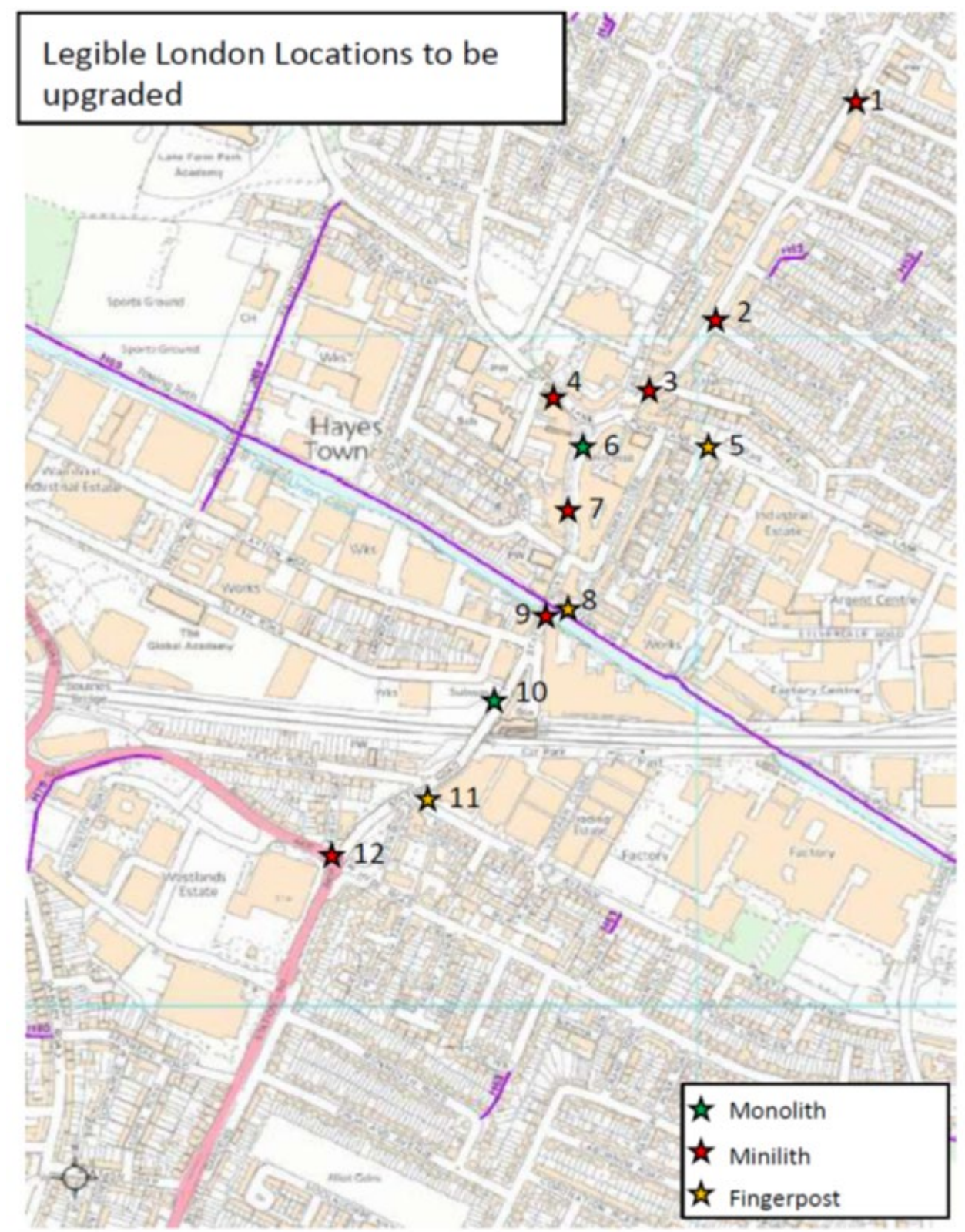
Planning Obligations Supplementary Planning Document 2014

APPENDIX A - CAPITAL RELEASE REQUESTS FOR APPROVAL

S106 Capital Release 2022/23: Enhancement of Legible London Signage, Hayes Town Centre (Release No 3)

Location	Project / Expenditure Title	Information	Funds Release Sought £000's	Approve	Hold	More Information Required
Hayes Town Centre	Legible London signage	Project to be part funded from PT/163/40I; PT/219/429A and PT/221/429C	36			
Total seeking release			36			
Previously released			0			
Budget			36			
Remaining budget			0			

APPENDIX B - SCHEME PROPOSAL LOCATIONS



APPENDIX C - TYPES OF LEGIBLE LONDON SIGNAGE

Legible London Product Range

