

**DRAFT HEADS OF TERMS**  
**Proposed Planning Obligation Agreement**  
**Section 106 Town and Country Planning Act 1990**

Planning Application –NW2008/1971/F

Proposed dwelling at The Old Post Office, Old Road, Monkland, Leominster, HR6 9DB.

1. The developer covenants with Herefordshire Council to pay £317 towards the cost of new or enhancement of existing open space, play, sport and recreation facilities in lieu of such facilities being provided on site to be used in the locality of the development or other location as may be agreed in writing with Herefordshire Council.
2. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £3001.00 to provide enhanced educational infrastructure at Weobley High School.
3. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £2,952.00 for off site highway works and improved public and sustainable transport infrastructure to serve the development (other than Section 278 works essential to facilitate the development). The monies shall be used by Herefordshire Council at its option for any or all of the following purposes: (The list is not in any order of priority)  
[typical list – details will vary with each case]
  - a) a) Improved bus shelters/stops in the locality of the application site
  - b) b) Safe Routes for Schools
  - c) c) Improve lighting and signage to existing highway/pedestrian and cycle routes leading to the site
  - d) d) Improved pedestrian and cyclist crossing facilities
  - e) e) New On/Off road pedestrian/cycle links to the site
  - f) f) Traffic calming measures
4. The developer covenants with Herefordshire Council to pay Herefordshire Council £198.00 to provide towards Library facilities within the surrounding locality
5. In the event that Herefordshire Council does not for any reason use the said contributions in paragraphs 1, 2, 3, & 4 above for the purposes specified in the agreement within 10 years of the date of each payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
6. All of the financial contributions shall be Index linked and paid on or before commencement of the residential development unless otherwise agreed with Herefordshire Council
7. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement and the administration charge as required by the Supplementary Planning Document, “Planning Obligations”, adopted by Herefordshire Council in April 2008.