

## LAVERSTOCK & FORD PARISH COUNCIL

### Report for Agenda Item PC26.043: Resolution to Sign Side Agreement relating to Westside Close, Old Sarum

**Subject:** Resolution to Sign a Side Agreement for Westside Close.  
**Date:** 18<sup>th</sup> April 2026  
**Author:** Andrew Prince, RFO

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#### 1. Report Summary.

- 1.1 This Report explains the process that will permit the Council to access £143,820.90 of developer contributions in order to maintain and improve facilities for residents of Westside Close.

#### 2. Background.

- 2.1 Wiltshire Council has entered into two Deeds relating to the development at Westside Close, Old Sarum (PL/2021/09587). An S106 dated 9 May 2023 and a Deed of Variation dated 18 Dec 2023. There are three developer contributions arising from these deeds.

- i. An Open Space Maintenance Contribution of £58,831.19.
- ii. A Youth and Adult Leisure Contribution of £30,412.98.
- iii. A LEAP Contribution of £54,576.73.

- 2.2 A Side Agreement has been drafted that commits the Council, in return for the transfer of these contributions, to use them for the Purpose and in accordance with the Restrictions stipulated in the Section 106 Agreement and Deed of Variation.

- 2.3 The Side Agreement is a Deed of Undertaking. In accordance with Standing Order 23 a legal deed shall not be executed on behalf of the Council unless authorised by a resolution. Any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

#### 3. Use of Contributions

- 3.1 The **Open Space Maintenance** contribution shall be used to maintain the public open space including a Local Area for Play, grass, an attenuation basin and an area of trees. These are on the northern boundary of the Westside Close development and will be transferred to the Parish Council as the nominee of Wiltshire Council. The contribution is calculated for a 20-year maintenance period.
- 3.2 The **Youth and Adult Leisure Contribution** shall be used to construct a Multi-Use Games Area (MUGA) on The Green, Old Sarum. See agenda item PC26.041.

- 3.3 The **LEAP Contribution** shall be used to maintain or upgrade the Play Area at Norman Drive and/or the Play Area off Pheasant Drive, Old Sarum. The current plan is to introduce accessible play equipment to both sites and to replace the fence around the Pheasant Drive play area.

**4. Recommendation.**

- 4.1 That the Council resolves to execute and sign the Side Agreement relating to land at Westside Close, Old Sarum, SP4 6BX.

**Attachments**

**Annex 1. Plan of Westside Close development.**

**Annex 2. Table of S106 and DofV Contributions.**



# Annex 2

## Schedule 2 – Contribution Repayment Dates

S106 Agreement Title	Date of Agr	Parties	Section 106 Contributions	S106 Clause	Contribution	Date to be committed or expended
Deed under Section 106 of the Town and Country Planning Act 1990 and all other enabling powers relating to Land at Westside Close, Old Sarum, SP4 6BX	9 May 2023	<ul style="list-style-type: none"> <li>• WILTSHIRE COUNCIL</li> <li>• CITYBRISK DEVELOPMENTS LIMITED</li> <li>• OLD SARUM STADIUM LIMITED</li> <li>• SPREAD TRUSTEE COMPANY LIMITED</li> <li>• FOOTSTEP ACTIVE LIVING LIMITED</li> </ul>	Open Space Maintenance Contribution	Schedule 6	£58,831.19	14 February 2045
Deed under Section 106 of the Town and Country Planning Act 1990 and all other enabling powers relating to Land at Westside Close, Old Sarum, SP4 6BX	9 May 2023	<ul style="list-style-type: none"> <li>• WILTSHIRE COUNCIL</li> <li>• CITYBRISK DEVELOPMENTS LIMITED</li> <li>• OLD SARUM STADIUM LIMITED</li> <li>• SPREAD TRUSTEE COMPANY LIMITED</li> <li>• FOOTSTEP ACTIVE LIVING LIMITED</li> </ul>	Youth and Adult Leisure	Paragraph 2 of Schedule 12	£30,412.98	14 February 2035
DEED OF VARIATION PURSUANT TO SECTION 106A OF	18 December 2023	<ul style="list-style-type: none"> <li>• WILTSHIRE COUNCIL</li> <li>• DANDARA SOUTHERN LIMITED FOOTSTEP ACTIVE LIVING LIMITED</li> </ul>	LEAP Contribution	2.1.4	£54,576.73	14 February 2027

THE TOWN AND COUNTRY PLANNING ACT 1990						
relating to Land at Westside Close, Old Sarum, SP4 6BX (Planning Application Number PI/2021/09567)						
					<b>£143,820.90</b>	