

GULDEN MORDEN PARISH COUNCIL

NOTICE OF MEETING

The Meeting of the Parish Council will be held in the Village Hall
on Monday 17 March 2025 at 7.30 pm

The Public and Press and County and District Councillors are invited to be present
All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon business to be transacted as set out below

Mr Ben Stoehr, Clerk
10/03/2025

AGENDA

Comments and observations from members of the public on items on the agenda below and from the County & District Cllrs. *(Please note that public participation shall not exceed 15 minutes and is limited to a max of 5 minutes per person. The Chairman has discretion to restrict the time allowed for each speaker)*

- 1. To receive apologies for absence and declarations of interest**
 - 1.1 To receive written apologies and reasons for absence
 - 1.2 To receive declarations of interests from councillors on items on the agenda
 - 1.3 To receive written requests for dispensations (if any) and to grant any requests as appropriate
- 2. To approve the minutes of the January and February meetings**
- 3. Matters arising from last or previous meetings carried forward for discussion/decision**
 - 3.1 (3.1) To consider the Village Hall lease arrangements – to consider any updates
 - 3.2 (3.4) Memorial tree – to note response from the school and consider other locations and options for plaque
 - 3.3 (9) Bench in Church Street – to consider replacement
 - 3.4 (9) Tree in Pound Green
 - 3.5 (9) Parking on the Green
 - 3.6 (9) To consider quotation for clearing vegetation around the bus shelter and the oak tree if received
 - 3.7 (5.3 of 18.11.24) Weed spraying of churchyard path – to consider quotation received
 - 3.8 (3.1 of 16.9.24) Developer contributions for site south of Thompson's Meadow – to consider the draft Deed of Variation
 - 3.9 (3.3 of 22.3.21) Registration of the Village Green at Pound Green – to consider the way forward
- 4. Financial, procedural and risk assessment matters**
 - 4.1 To receive the financial report and approve the payment of bills
 - 4.2 Risk assessments including play inspections and tree reports
 - 4.3 To note actions taken under Clerk's delegated powers
- 5. Members, Working Groups items for discussion and decision**
- 6. To consider correspondence/communications received**
 - 6.1 Request for improving the appearance of the container and surrounding area
 - 6.2 Finding Fitness Ltd – funding for play area improvements
- 7. To consider planning and tree works applications and decision notices received since the last meeting**
 - 7.1 Planning applications received since the last meeting – to be considered ^(MAC)
 - 7.1.1 25/00771/FUL – Land adjacent to 45 Church Street – Erection of a 3 bedroom self/custom build dwelling house (re-submission of 24/03183/FUL)
 - 7.1.2 24/04623/FUL – Land at 4 New Road – Amendment of erection of 1 detached 2 storey dwelling with associated private amenity space and off street car parking
 - 7.2 Planning applications for which a response has been made between meetings using delegated powers – to be noted
 - 7.3 SCDC Decision notices, enforcement notices and planning correspondence for information only
 - 7.4 Tree works applications
 - 7.4.1 25/0159/TTCA – 39 Pound Green
 - 7.4.2 25/0266/TTCA - Guilden Morden Congregational Church Pound Green
- 8. Gamut Items – to decide what is to be included in the next edition**
- 9. Items for the next agenda and closure of meeting**

GULDEN MORDEN PARISH COUNCIL
Clerk Report to the Parish Council meeting on 17 March 2025

2. To approve the minutes of the January and February meetings
Attached.
3. Matters Arising
 - 3.1 (3.1) To consider the Village Hall lease arrangements – update
At the time of writing a response is still awaited from the Village Hall.
 - 3.2 (3.4) Memorial tree – to note response from the school and consider other locations and options for plaque
The following response has been received from the school:
“Thank you for your email and so pleased to hear that Guilden has been offered a memorial tree for the late Queen Elizabeth II. We are very grateful for your consideration to have the tree planted in school field, however on previous occasions in similar situation we have had to consult with our Facilities team and a risk assessment has to be conducted. This also incurs ongoing costs for the school with annual tree surveys that need to be completed. Therefore we would have to unfortunately decline this kind offer. If this is a memorial tree it might be nice to have its location somewhere communal where all can access, which the school would have limitations with. We would be happy to help with the planting of the tree or anything else you may need our support with.”
 - 3.3 (9) Bench in Church Street – to consider replacement
<https://uk.glasdon.com/street-furniture/seating/street-benches>

<https://www.broxap.com/seating.html>
 - 3.4 (9) Tree in Pound Green
Proposed at the last meeting.
 - 3.5 (9) Parking on the Green
Proposed at the last meeting.
 - 3.6 (9) To consider quotation for clearing vegetation around the bus shelter and the oak tree if received
A quotation will be brought to the meeting if received.
 - 3.7 (5.3 of 18.11.24) Weed spraying of churchyard path – to consider quotation received
A quotation for weed spraying will be brought to the meeting.
 - 3.8 (4.5 of 15.7.24) Developer contributions for site south of Thompson’s Meadow – to consider the Deed of Variation
3 C Shared Services have now sent the draft Deed of Variation to the Council for approval.
“Please find attached the draft DOV. Please may I ask you to check the wording of the first schedule and confirm that it meets the requirements of the Parish Council. Once you have confirmed you are happy with the draft, I will send a copy to MGM Guilden Morden and the Boston Family.
Please do not hesitate to let me know if you have any queries.”

Deed of Variation attached.
 - 3.9 (3.3 of 22.3.21) Registration of the Village Green at Pound Green – to consider the way forward
Roythornes Solicitors had dealt with the matter of the adverse possession of the areas of land that had been registered by neighbouring properties, and after consideration of their advice and the prohibitive cost, the Parish Council wrote to the Secretary of State to tell them that it was not pursuing registration of that part of the land. Registration of the other part of the land (to the left of Pound Green), which remains unregistered, was being dealt with by Curwens Solicitors, however there has been no further movement. Does the Parish Council still wish to register the land and how does it wish to proceed?
4. Financial, procedural and risk assessment matters

- 4.1 To receive the financial report and approve the payment of bills – attached.
- 4.2 Risk assessments including play inspections and tree reports
All Councillors are requested to submit their reports to the meeting.
- 4.3 To note actions taken under Clerk’s delegated powers
None at the time of writing.
5. Members’ items
6. **To consider correspondence/communications received**
- 6.1 Request for improving the appearance of the container and surrounding area
Pat Heavey has written:
“We had a discussion last night and there are some alternative ideas to improve the appearance of the container.
We allowed £350 in the budget to clad the front and side of the container.
Several people have suggested trellis and plant something green against it/ or laurel bushes or something similar?
Would this be of interest to you to improve that area adjacent to the pathway and bench seat?
With Royston cricket club aiming to use the rec this year it might be nice to have a mini makeover in that space?
Thoughts?”
- 6.2 Finding Fitness Ltd – funding for play area improvements
“Does Guilden Morden have a park?
If so, we can add play equipment to your park, without denting any of your existing budgets. We work with you to get funding, and it only takes half an hour of your time.
55 other small Parish Councils have already done this, including nine in Cambridgeshire.
Please see the details attached.
I look forward to hearing from you if you think it could be of benefit to your community.”
Information attached.
7. Planning
- 7.1 Planning applications received
- 7.1.1 25/00771/FUL – Land adjacent to 45 Church Street – Erection of a 3 bedroom self/custom build dwelling house (re-submission of 24/03183/FUL
- 7.1.2 24/04623/FUL – Land at 4 New Road – Amendment of erection of 1 detached 2 storey dwelling with associated private amenity space and off street car parking
- 7.2 Planning applications for which a response has been made between meetings using delegated powers – to be noted
- 7.2.1 24/1452/TTCA – The Old Forge, 25 Church Street – to note response made between meetings.
The Parish Council objected to the application with the following comments:
“Guilden Morden Parish Council objects to the application until more information is submitted as to why this work has been requested in a conservation area, there is a total of nine trees to be felled and it believes the community should be planting more trees not felling them.”
- SCDC have replied as follows:
“I’m contacting you in respect to tree works notification 24/1452/TTCA which you have kindly provided comments on raising objections to the s211.
Reviewing the notification and undertaking a site visit to view the trees, I would like to advise that your objection was considered, however it is concluded that sufficient information has been provided for this tree works notification and that the LPA could not fully object to the proposed works. A tree planting informative will be added to the decision notice to encourage the owner to plant replacement trees where possible within the grounds of the address.”
- 7.3 SCDC Decision notices, appeals notices, enforcement notices and planning correspondence for information only
- 7.3.1 24/03519/FUL –Willow Barn, Pound Green – Erection of a replacement self/custom build dwelling following the demolition of the existing dwelling – Permission granted by SCDC.
- 7.4 Tree works applications
- 7.4.1 25/0159/TTCA – 39 Pound Green
- 7.4.2 25/0266/TTCA - Guilden Morden Congregational Church Pound Green

8. Gamut items
9. Items for the next agenda and closure of meeting

Gamlingay Division Councillors Report – South Cambridgeshire District Council & Cambridgeshire County Council – March 2025

The Gamlingay Division comprises the Parishes of Abington Pigotts, Arrington, Barrington, Croydon, Gamlingay, Guilden Morden, Litlington, Hatley, Orwell, Shingay-cum-Wendy, Steeple Morden, Tadlow & Wimpole. This report is for all Division Parish Councils but please be aware that it will include items that may have little or no relevance to your particular Parish. Apologies in advance!

Your Councillors are always ready to help. Please do not hesitate to contact County Councillor Sebastian Kindersley on 01767 651982 or skindersley@hotmail.com or write to the Manor Barn, East Hatley, SG19 3JA District Councillor Bridget Smith (Gamlingay Ward, SCDC) is on 07729 836449 or Cllr.BridgetSmith@scambs.gov.uk and District Councillor Aidan van de Weyer (Barrington, Orwell, the Eversdens & Wimpole SCDC Ward) can be called on 01223 870 869 or email him aidan@mishmush.com Cllr Susan van de Ven represents Litlington on South Cambs – 07905 325574 or susanvandeven5@gmail.com. You can also follow your councillors on Twitter: @Cllrbridget, @SebKindersley @aidanvdew @susanvandeven

Council Budgets

Cambridgeshire County Council met to agree the Budget for the County Council for 2025/26 in February and after a somewhat protracted meeting did agree the Budget; prioritizing investment in highways maintenance as well as in children who become looked-after and building new schools.

The county council had to close a gap of £35.1m with 73% of the Council's net spend now being funded from Council Tax and - based on resident feedback - prioritised key areas, which are aligned to our vision to make Cambridgeshire greener, fairer and more caring. These included investment of more than £56m in highways maintenance to tackle the significant backlog of repairs, day-to-day management of the highway and £20m in planned maintenance including roads, pavements, drainage, bridges, safety barriers, traffic lights, public rights of way and cycleways.

Turning to adults and children's social care £3m was added to cover inflation for local care providers and an extra £8m for the 5% increase in the Real Living Wage. An additional £9m for children who become looked-after, £4.7m to support home to school transport services and £920,000 investment in capacity in SEND services. The council continues to support vulnerable communities, with an estimated £6m of Household Support Fund that will be delivered to support those most in need alongside investment in further improvements in our libraries through £1.3m already committed to the Libraries Plus programme.

It was agreed to increase Council Tax by 4.99% (2% of which is for Adult Social Services) – raising £20m of local income to help maintain and protect critical services for the most vulnerable communities. For most of our residents in Band A-D properties that will mean between an extra £1.04 pence to £1.55 a week. The meeting is available to watch on YouTube (not recommended).

Cambridgeshire & Peterborough Fire Authority also met to agree the 2025/26 Budget which was a significantly nicer meeting where we agreed an increase of £4.95 for the next financial year. For a Band D household, this increase will make the annual contribution to the fire service of £87.21. This works out to be a monthly cost of roughly £7.27, or around £1.68 a week. Part of the funding gap we face comes from the decision by Suffolk Fire and Rescue Service to end the very successful, 14 year-long partnership of delivering a combined fire control function, taking 999 calls and mobilising fire engines and other resources across both counties. The collaboration was established to save each fire service money, which it has with more than £12 million saved in the time it has been operating. We will now have to find an additional £1million per year, just to break even.

And lastly South Cambridgeshire agreed its Budget for 2025/26 which see the Council continue as one of the lowest taxing authorities in the country, with a below inflation increase of 2.99% or less than 10p a week for a band D home, bringing the charge for this band to £175.40 for the SCDC part

of your Council Tax bill. The total cost of running the council in 2025/26 is £84 million, the net cost of providing services is £28 million and we will need £33.5 million from taxation; these figures are broadly the same as this financial year despite the increase in costs. This neutral position has been accomplished by productivity improvements including the use of AI, while improving or maintaining service delivery.

Council Tax will bring in £12 million – the other sources being £18 million from Business Rates and £3 million in Government grants. In addition, the council is expecting to receive nearly £8 million in commercial rent and interest from loans in addition to fees and charges mainly from large scale planning applications. Surplus income from taxation enables a transfer of £3.5 million into reserves to meet a predicted deficit in coming years. SCDC has £31.5 million earmarked for various projects ranging from a fund to support renewable projects to support our net zero communities grants schemes to providing support for homelessness.

Turning to capital expenditure, the council expects to spend some £29 million in 2025/26 including the building of the Northstowe Phase One Community Centre - named the "Unity Centre" by the local community - expected to open in early 2026 - featuring a spacious multi-use hall, a playful messy room, meeting rooms, provision for a cafe and a landscape courtyard. We will also be buying an extra vehicle and employing another member of staff to support the Council's Enviro-Crime team as it tackles fly-tipping. There will also be additional resource to combat and raise awareness of fraud, plus further support to strengthen ties with parish and town councils.

Housing at SCDC

Part of the Budget process at SCDC includes the Housing Revenue Account. The cost of repairing, improving, and building new council homes cannot by law be subsidised by Council Tax or Business Rates. So, the cost of this (apart from Right to Buy receipts, S106 funding from housing developers and Government grants) is shouldered by our council tenants through their rents or others renting other housing assets such as council garages.

SCDC has over 2,000 families on the housing waiting list so building more council homes for rent is a priority and we have a target of delivering at least 75 new homes a year. We have 5,815 council homes, up from 5,705 last year. We also want to improve the standard of our existing homes, particularly their energy efficiency. In 2025/26 we also have a £205 million loan to repay on top of the £12 million borrowing to build more homes: taken out in 2012 to pay the then Government to keep all council house rents for the council. This loan has to be repaid by council tenants. So we have had to increase council rents by 2.7% bringing the average rent to £129.98 a week bringing an income of £38 million. Some 40% of our tenants receive Housing Benefit.

LOCAL GOVERNMENT REORGANISATION

All principal local authorities in Cambridgeshire and Peterborough need to respond to the Government no later than Friday 21 March to outline what they are considering for new, larger, unitary councils for our area. The criteria continue to include an expectation that the new councils will cover populations of at least 500,000 unless there are special circumstances; and that existing district council boundaries will be the building blocks, again unless a strong argument can be made against this. A further submission will need to be made to the Government in the autumn. There will be advantages to moving to a unitary council system, not least more clarity and accountability over

who is responsible for services such as street lights or waste. But it's clear that the Government is wanting a 'quick and dirty' solution, rather than taking the time—and consultation—to do it properly.

North Lane Gamlingay

Bunds have now been placed to prevent vehicles using the end of North Lane. Residents who continue to use heavy machinery to break through should be reminded that if they live in North or East Lane they are SCDC tenants and by these actions would be in breach of the tenancy agreement.

Hare Coursing

The Police have advised that following the dreadful hare coursing events on January 25th there have been 20 arrests so far - residents of Spalding, Slough and other far-flung places - but nobody from Cambridgeshire yet. They have all been bailed with very strict conditions relating to dogs, cars, the countryside etc and anyone with any information and footage that could assist in identifying those involved is asked to email OpCalluna@cambs.police.uk or contact Crimestoppers, anonymously, by calling 0800 555111 or [online](#).

Surviving Domestic Violence

Cambridgeshire County Council has renewed the Target hardening project – sometimes known as a 'sanctuary scheme' – which enables survivors of domestic abuse to remain in their own homes by providing additional security measures which can delay or prevent a perpetrator from entering a property. Between April 2023 and March 2024, 525 survivors across Cambridgeshire and Peterborough received target hardening measures. Measures offered depend on the level of risk, and may include window alarms, additional bolts, lock changes, security advice, video doorbells, dummy cameras and response lights. The service is available for all types of housing, whether owned, privately rented or social housing. The service is key to the delivery of Cambridgeshire's Safe Accommodation Strategy, and Domestic Abuse and Sexual Violence Strategy, and is provided in conjunction with working with a domestic abuse specialist. The survivor is given a bespoke safety and support plan focused on their individual needs.

Failure of gas supply

Gamlingay residents were understandably extremely concerned to find the gas supply from Cadent was weak or failing over several weeks in February. Cadent advise work continues to restore full gas pressure in the Gamlingay area caused by an issue with a pipe on the outskirts of Gamlingay that they believe caused the significant drop in pressure at peak usage time. The PC and Cadent have been keeping residents up to date and the EcoHub has been made available to those who needed a warm space. Cadent advise, however, that if you smell gas, do not assume it is related to this work. Act immediately and call the national gas emergency service on **0800 111 999**, day or night.

Ukraine 3 year anniversary

Bridget was invited to speak at a demonstration in Cambridge to mark the 3rd anniversary of the Russian Invasion of Ukraine as Leader of SCDC: "We are proud in South Cambs to have welcomed more guests from Ukraine into than any other District in the Country. 953 guests in total hosted by a total of 545 of our residents. I am also very proud of the enormous efforts of our officer teams at

South Cambs who I know have at times worked day and night to support all of our guests and their hosts and I thank those people who have taken the trouble to write to me to say how well supported they have been. It has been an especial privilege to get to know the guests living in my own village of Gamlingay and to experience their generous hospitality.

I hope that we have made you all very welcome and cared for you very well. I hope that when you return to your country that you will remember your years in South Cambridgeshire positively. We will certainly remember all of you and thank you for what you have given to us.”

Dog Poo

It was very disappointing a few Saturdays ago to see the organisers of the football club having to scoop up huge piles of dog poo from the playing field before it was fit to be played on. This is just disgusting and the people letting their dogs foul the recreation area should think about how they would feel if it was their children risking their health. It was also disappointing to see parents taking their dogs into the playground despite the very clear signage not to do so. Dog poo is a serious health hazard to children and in the most extreme cases can cause blindness.

Update from Cambridgeshire County Council on Household Support Fund

The Household Support Fund Scheme is running until the end of March and thousands of households can claim cost of living support potentially worth hundreds of pounds. Over the next few weeks, Cambridgeshire County Council are raising awareness to those who may be eligible for this support but have either never claimed, or have not put in an application this round with a “Are you struggling to pay for food or bills?” headline - see CCC website for more.

Grant Funding Opportunity - Increased grant Funding for Electric Vehicle chargers

Funding available from the Council’s Electric Vehicle charging grant has increased from £5,000, to up to £12,000 per project. This grant is open to parish councils, community groups and charities for public EV chargers in car parks associated with community buildings and village halls. Funding is available on a first-come, first-served basis and is open for the remainder of the 2024/25 financial year. We cannot guarantee the funding will be available into next financial year, so encourage those interested in applying to get in touch soon. For more information about this grant, please visit the website. If you would like to know about community EV charging more generally, please visit Electric vehicle charging - South Cambs District Council, where you can find a video by Steeple Morden Parish Council which explains how they installed their EVCP. You can also contact the Council on evcp.grant@scambs.gov.uk

Waste Service Update - Blue bin recycling contract

Following a thorough public sector procurement process, Greater Cambridge Shared Waste Service (GCSWS) is finalising a new contract for blue bin recycling processing. From March 3rd, a new provider - Re-Gen Waste Management Ltd - will take over the processing of our recyclable materials.

Importantly, residents will experience no changes to their recycling service. The same items can continue to be placed in blue bins, and collections will remain unchanged. While the materials will now be processed at Re-Gen's facility in Northern Ireland rather than locally at Waterbeach, this decision was made after careful evaluation of all options, with Re-Gen offering the best combination

of cost-effectiveness, processing quality, and environmental compliance. The new arrangement includes several positive features. Re-Gen's state-of-the-art facility uses advanced robotics technology that can achieve a 99% recycling rate - higher than current levels. The company has committed to sustainable practices, including plans to use more environmentally friendly fuels and establish a new facility in the Midlands during the contract term. To minimise environmental impact, they will coordinate transport with their existing operations, using return journeys of vehicles already delivering materials across the UK.

Most recyclable materials will continue to be processed within the UK - currently 82% overall and 100% for plastics - maintaining our commitment to domestic recycling. Materials will initially be consolidated at a Waterbeach transfer station before transport to Northern Ireland, where they will be sorted and sold to established UK-based processors and manufacturers.

In the course of the Procurement process it became clear the incumbent (Thalia) had submitted a non-compliant bid and so was eliminated from the process. This means that continuing to send materials to the Waterbeach site would not be possible without breaking public procurement rules. The successful bidder, ReGen Waste, is appropriately licenced, authorised and regulated by the relevant UK authorities, to undertake the operations and activities required by the RECAP contract.

COUNCIL SHORTLISTED FOR FOUR NATIONAL AWARDS

Cambridgeshire County Council has been shortlisted as a finalist in four categories of the Local Government Chronicle Awards.

- Community involvement: two projects from the Fenland Youth Work Network supporting young people aged 11-18 who are at risk of serious violence, exploitation, and involvement in county lines.
- Health and social care: Cambridgeshire Shared Lives Domestic Violence and Sexual Abuse Project, working with survivors of domestic abuse with learning disabilities and/or autism.
- Future places: innovative connectivity projects including a private 5G Open Radio Access Network (RAN), development of an augmented reality experience, and enhanced mobile coverage analysis.
- Innovation: Cambridgeshire's 'Dig Once' policy, integrating fibre ducting into new transport infrastructure projects, resulting in a large CO2 reduction and significantly less disruption to road users.

Old Shire Hall

The sale of (old) Shire Hall in Cambridge is on the agenda of the Assets & Procurement Committee. The premises was put back on the market for disposal in February 2024, and attracted fifteen bids. Following evaluation this number was reduced to a shortlist of four. An exclusivity period with Bidder A ended in October 2024 without a sale being completed. Subsequent discussions took place with the other bidders on the shortlist. An unconditional long leasehold bid from Bidder E has been recommended for acceptance, together with draft Heads of Terms. Pending Committee approval, the Heads of Terms will be agreed, and an exclusivity period will be entered with Bidder E, with a view to exchange contracts within this three-month period.

Highways procurement

The current highways contract in place with Milestone Infrastructure is set to expire on 30 June 2027, with an option for up to five years extension dependent on performance. The contract has not delivered the efficiencies and service levels expected or required by the Council. The current model

of sub-contracting under the contract does not enable value for money to be easily demonstrated and there is a lack of contract options and investment in skills, processes and systems. CDM [Construction (Design & Management)] and health and safety compliance has been poor in the past but is improving. Response times and quality of work are continued concerns. Based on an assessment of options for the future post-2027 council officers have recommended a mixed economy model which would include:

- In-house delivery for Asset Management, Design, Commercial Management, Client Management, routine maintenance works
- Contract(s) for reactive/cyclical works, emergencies, winter maintenance
- A Professional Services Contract
- Use of Frameworks to deliver planned maintenance and major schemes.

Your Councillors are here to help you. Please do feel free to contact us with comments, questions, problems or complaints. We hope we can help but if we can't we are likely to know someone who can! *****

DATED

2025

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL (1)

and

JOHN NORMAN BOSTON, SHEILA BOSTON & PAUL BOSTON (2)

and

MGM (GULDEN MORDEN) LIMITED (3)

**DEED OF VARIATION TO THE S.106 DATED 11
OCTOBER 2017**

Section 106 Town and Country Planning Act 1990 (as amended)

Development of Land south of Thompsons Meadow Guilden Morden
Cambridgeshire

3C Legal Practice
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

THIS DEED OF AGREEMENT is made the day of 2025

BETWEEN:-

- (1) **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL** of South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA (“the District Council”)
- (2) **JOHN NORMAN BOSTON, SHEILA BOSTON & PAUL BOSTON** of 60 Storeys Way, Cambridge, CB3 0DX (“together the First Owner”)
- (2) **MGM (GULDEN MORDEN) LIMITED** (Co. Regn. No. 09148117) of 19 New Road, Drayton Parslow, Milton Keynes, MK17 0JH (“the Second Owner”)

WHEREAS :-

- (1) The First Owner is the owner in fee simple of the land adjoining Morden Farm, Trap Road, Guilden Morden, Royston, SG8 0JE subject only to the encumbrances set out in the register for title number CB394970
- (2) The Second Owners are the owners in fee simple of the land on the west side of Trap Road, Guilden Morden subject only to the encumbrances set out in the register(s) for title number CB397615
- (3) The District Council is the local planning authority for the purposes of the 1990 Act for the area in which the Property is situated.
- (4) The Guilden Morden Parish Council wish to vary the terms of the Original Section 106 Agreement as set out in this Deed at the First Schedule.
- (5) This Deed is made under section 106A of the 1990 Act and is supplemental to the Original Section 106 Agreement dated 11 October 2017.

DEFINITIONS

For the purposes of this Deed the definitions contained in the Original Section 106 Agreement apply unless the context otherwise requires and the following expression shall have the following meaning:

"Original Section 106 Agreement"	means the Section 106 Agreement dated 11 October 2017 made between (1) South Cambridgeshire District Council (2) Mr J N Boston and Others (2) and GM Executive House Builders Limited (3)
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1. CONSTRUCTION OF THIS DEED

- 1.1 Where in this Deed reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Deed.
- 1.2 Words importing the singular meaning where the context so admits include the plural meaning and vice versa.
- 1.3 Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeable in that manner.
- 1.4 Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and against each individually unless there is an express provision otherwise.
- 1.5 Any reference to an Act of Parliament shall include any modification, extension or re-enactment of that Act for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or deriving validity from it.
- 1.6 Reference to any party to this Deed shall include the successors in title to that

party and to any deriving title through or under that party and in the case of the District Council its successors to its respective statutory functions.

- 1.7 Headings where they are included are for convenience only and are not intended to influence the construction and interpretation of this Deed.

2. LEGAL BASIS

- 2.1 This Deed is made pursuant to Section 106 and Section 106A of the 1990 Act, Section 111 of the Local Government Act 1972 and Section 1 of the Localism Act 2011.

3. MISCELLANEOUS

- 3.1 Notwithstanding the provisions of the Contracts (Rights of Third Parties) Act 1999 nothing in this Deed confers or purports to confer any right to enforce any of the terms and provisions herein on any who is not a party hereto or a successor in title or a statutory successor to a party hereto.
- 3.2 This Deed shall be registerable as a local land charge by the District Council.
- 3.3 Any notice to the District Council shall be sent in writing to the Section 106 Monitoring Officer at South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA or to such address and/or for the attention of such person as the District Council and the First and Second Owner in writing.
- 3.4 Any notice to the First Owner shall be sent in writing to the address as set above or to such address and/or for the attention of such person as the First Owner may notify to the District Council in writing.
- 3.5 Any notice to the Second Owner shall be sent in writing to the address as set above or to such address and/or for the attention of such person as the Second Owner may notify to the District Council in writing.
- 3.6 Where the agreement, approval, consent or expression of satisfaction is required from the First and Second Owner by the District Council or vice

versa under the terms of this Deed such agreement, approval or consent or expression of satisfaction shall not be unreasonably withheld or delayed.

- 3.8 Insofar as any clause or clauses of this Deed are found (for whatever reason) to be invalid illegal or unenforceable then such invalidity illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of this Deed.

4. WAIVER

- 4.1 No waiver (whether expressed or implied) by the District of any breach or default in performing or observing any of the covenants terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the District Council enforcing any of the relevant terms or conditions or for acting upon any subsequent breach or default.

5. JURISDICTION

This Deed is governed by and interpreted in accordance with the law of England.

6. DELIVERY

The provisions of this Deed (other than this clause which shall be of immediate effect) shall be of no effect until this Deed has been dated.

7. VARIATION OF THE ORIGINAL SECTION 106 AGREEMENT

Without prejudice to the other covenants in the Original Section 106 Agreement which shall continue in full force and effect, the Parties to this Deed agree that from the date of this Deed the Original Section 106 Agreement shall be varied as set out in the First Schedule to this Deed.

THE FIRST SCHEDULE

Schedule of Variations

The following definitions of the Original Section 106 Agreement shall be amended so as to read:-

1. Off-Site Play Contribution

means the contribution or a series of contributions that have been e paid by the Second Owner to the District Council in accordance with the provisions of Part VIII of the Second Schedule towards the provision of new play equipment throughout the village to be calculated at each Calculation Date on the following basis and the number of Dwellings approved under the relevant Reserved matters approval 1 bedroom Dwelling a nil contribution 2 bedroom Dwelling a £1202.78 contribution 3 bedroom Dwelling a £1663.27 contribution 4+ bedroom Dwelling a £2281.84 contribution

2. Off-Site Open Space Contribution

means the contribution or series of contributions that have been paid by the Second Owner to the District Council towards outdoor sports and open space projects which will benefit the Development and will make acceptable in planning terms that which would otherwise be unacceptable the amount(s) to be calculated at each Calculation Date on the following basis and the number and type of Dwellings approved under the relevant Reserved Matters approval £625.73 for each 1 bedroom Dwelling £ 817.17 for each 2 bedroom Dwelling £1,150.04 for each 3 bedroom Dwelling £1,550.31 for each 4+ bedroom Dwelling

3. Off-Site Community Facilities Contribution

means the contribution or series of contributions that have been paid by the Second Owner to the District Council towards energy saving and green improvements of and to the village hall to be calculated at each Calculation Date on the following basis and the number and type of Dwellings approved

under the relevant Reserved Matters approval £284.08 for each 1 bedroom Dwelling £371.00 for each 2 bedroom Dwelling £513.04 for each 3 bedroom Dwelling £703.84 for each 4+ bedroom Dwelling

IN WITNESS whereof the parties hereto have executed this Deed on the day and year first before written.

DRAFT

The **COMMON SEAL** of **SOUTH**)
CAMBRIDGESHIRE DISTRICT)
COUNCIL was hereunto affixed)
in the presence of:-)

Authorised Signatory

EXCECUTED as a Deed by
John Boston

.....

In the presence of

.....

Name

.....

Signature

.....

.....

.....

Address

EXCECUTED as a Deed by
Sheila Boston

.....

In the presence of

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Name

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Signature

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Address

EXCECUTED as a Deed by
Paul Boston

.....

In the presence of

.....

Name

.....

Signature

.....

.....

.....

.....

Address

EXECUTED as a Deed by
by **MGM (GULDEN MORDEN) Limited**

duly authorised by MGM (GULDEN MORDEN LIMITED)
to sign on its behalf as a member of
MGM (Guilden Morden) Limited

.....

AN OPPORTUNITY FOR SMALL VILLAGES TO GET FULLY FUNDED PLAY EQUIPMENT

Every small Parish Council has an opportunity to apply for lottery funding to improve their facilities.

But it may take you a lot of time and effort to wade through the application process. AND you may not be successful.

Let us guide you through the process and supply you with a fantastic piece of equipment - either a **MONKEY CHALLENGE.....**



.....TARGET TRAINER



...OR BOTH!

We're based in Stamford, operate locally and have helped 55 small Parish Councils go through this process so far.

Nine villages in Cambridgeshire have followed the process below and been successful; Manea, Bury, Colne, Ellington, Grafham, Hail Weston, Wistow, Litlington and Steeple Morden.

Interested? Here's what you need to do...

- 1) Establish community demand by copy and pasting a prewritten blurb onto a local Facebook page.
- 2) Have a five minute phone call with me.
- 3) Copy and paste already written text into the application form and add Parish Council details. It takes less than 30 minutes.

Then, wait for around 12 weeks...and PING - 90% of councils we work with receive this....

'GOOD NEWS - YOU GOT THE FUNDING'.

Funding is then paid into your account two weeks later, which covers supply and installation costs. We install soon after that, and invoice you when you are happy with our work.

Currently, small villages are more likely to get funding than large ones, so **ACT NOW!**

Don't just take our word for it....

This is what Josie Flavell, clerk to Naseby Parish Council (Northamptonshire), told us...

"Jack and his company, Finding Fitness, have been the epitome of professionalism. Not only was Jack extremely helpful with the grant funding, but his communication was excellent and his installation staff quick, efficient, and extremely tidy, ensuring it went seamlessly.

Naseby Parish Council would not only recommend Finding Fitness as a contractor but would also recommend a monkey wall installation to any council, as it has been an amazing addition to our play area, bringing an entirely different aspect to the role of play time. It has also been incredibly well received by parents and children alike".

Product information can be found at www.finding-fitness.co.uk