



FUNDING AGREEMENT BETWEEN DUNSFOLD PARISH COUNCIL AND WAVERLEY BOROUGH COUNCIL FOR THE TRANSFER OF THE WOODLAND AND WOODLAND MAINTENANCE S106 CONTRIBUTIONS AS PART OF PLANNING APPLICATION WA/2016/1766

DATE OF AGREEMENT: 08 June

2020

Parties:

(1) Dunsfold Parish Council, The Council Office, Unit 3, The Orchard, Chiddingfold Road, Dunsfold, GU8 4P8 ("the Parish Council").

(2) Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR ("the Borough Council").

1. Waverley Borough Council agrees to provide Dunsfold Parish Council with:

1.1. a payment of £14,223.16 ("the Environmental Improvements Payment");

to undertake the works specified in the definition of the Environmental Improvements Contribution in the S106 agreement dated 16/02/2017 in relation to planning application WA/2016/1766 ("the Projects") on the basis of the information supplied and is non-transferable.

2. The Parish Council agrees to:

2.1. Spend the Environmental Improvements Contribution or contractually commit to spend on or before 2nd may 2024

This shall be referred to as "the Funding Period"

3. The Borough Council's S106 officer must be kept informed of the project's progress on a regular basis and a copy of a Schedule of Works shall be supplied in advance.

4. Variations to the project will require specific consideration by the Borough Council and may result in the Payment being altered or withdrawn. The S106 officer must be informed of any changes to the timescale that could impact on other sources of funding.

5. The Projects shall comply with all relevant planning permissions and building control requirements.

6. The Payment shall be paid to the Parish Council in 1 instalment once this funding agreement is signed by both parties. The agreed instalments are as follows: (1) £14,223.16.

7. The Borough Council's intention is that the Environmental Improvements Payment will be paid to the Parish Council in full. However, without prejudice to the Borough Council's other rights and remedies, the Borough Council may withhold or suspend payment of the Environmental Improvements Payment (if applicable) and/or require repayment of all or part of the Environmental Improvements Payment if:

7.1. the Parish Council uses (or proposes to use) the Environmental Improvements Payment for purposes other than for the delivery of the Projects;

7.2. any employee , agent or volunteer of the Parish Council has:

- 7.2.1. acted dishonestly or negligently at any time, whether directly or indirectly, to the detriment of the Projects; or
- 7.2.2. taken any actions which, in the reasonable opinion of the Borough Council, bring, or are likely to bring, the Borough Council's name or reputation into disrepute;

7.3. the Parish Council fails to comply with any of the terms and conditions set out in this Agreement , including delivering the Projects within the Funding Period.

- 8. Where it is determined under this Clause 7 that any part of the Environmental Improvements Payment is repayable to the Borough Council, the Parish Council shall make such payment to the Borough Council no later than fourteen days from the date of any valid written request. Such payment shall include any interest accrued on the Environmental Improvements Payment while in the Parish Council's bank account.
- 9. When the Projects are finished a Project Completion Statement must be submitted to the Borough Council via section106@waverley.gov.uk. The Borough Council reserves the right to see original documents if required. The Borough Council reserves the right to make site visits as appropriate.
- 10. Waverley Borough Council must be acknowledged in any publicity or promotion of the Projects.

ACCEPTANCE OF FUNDING

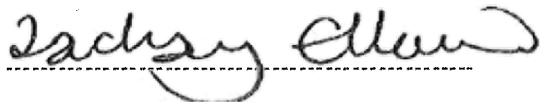
On behalf of Dunsfold Parish Council, I accept the Payment of £14,223.16 for the Environmental Improvements Payment for the works as defined in the S106 agreement on the basis of the conditions detailed above.

We understand that variations to the Projects (including changes to the Projects costs) will require specific consideration by the Borough Council and may result in any payment being altered or withdrawn.

Signature of Parish/Town Council Clerk: .....

Name (in block capitals): CELESTE LAWRENCE.....

(On behalf of Dunsfold Parish Council)

Signature: .....

(On behalf of Waverley Borough Council)

Name (in block capitals): ZAC ELLWOOD

Position in Organisation: Head of Planning and Economic Development