

Michelle Houghton

From: Sally Smith DC
Sent: 06 November 2014 17:20
To: bst shared
Subject: FW: Extra Care S106 Proposals
Attachments: Scanned image from Sharp MX2600

Please import email and attachment as revised S106 proposal to APP/14/00854. For web

Sally Smith
Senior Planner
Development Control
Havant Borough Council
Public Service Plaza
Havant
PO9 2AX

My working days are Monday, Tuesday and Thursday

Direct line: 0239 2446522
Fax: 0239 2446588
sally.smith.dc@havant.gov.uk
www.havant.gov.uk

From: Philip Prosser [<mailto:p.prosser@highwoodgroup.co.uk>]
Sent: 06 November 2014 16:01
To: Sally Smith DC; 'JLee@WINCHESTER.GOV.UK'
Subject: Extra Care S106 Proposals

Dear Sally,

We would like to amend the existing S106 agreement as attached, should you be so happy as to accept these changes we would like to instruct our lawyers at risk to begin drafting the legal document where we would also look to underwrite your legal fees.

For the avoidance of doubt this statement herewith sets out the reasoning for the manuscript (Laymen) changes to the original Section 106 Agreement for the Extra Care Consent ref: 10/03253/OUT

Required Inclusion:

- The document to incorporate the provisions of the TRO
- The document to incorporate the link to the 6 parking spaces at the Care Home Site.

Schedule 1

Para 1. The proposed amendment seeks to make it further & easier to define the triggers to ensure the Extra Care cannot be constructed and occupied in isolation of the Care Home and to ensure the 6 parking spaces for overflow care provision are available the moment the Extra Care is in use.

Para 2.1 The obligation to provide the requisite care is implicit. The Staffing of the facility will of course be programmed as demand is met on sale of flats. To fully staff on opening would determine the development unviable due to prohibitive care costs whilst the development becomes occupied which is envisaged as a 2 year process.

2.2 (iii) It is recognised that the Council should wish to know which company be responsible for the delivery of care (Principle). However there is no reason or benefit for this to be sufficient to the Council approval. Not only would this render the development unfundable (third party frustration) but also there is no definable role for the Council to vet the process. Existing legislation Care Quality Commission (CQC) protects and manages this process.

3.0 please refer to 2.2 (iii) above

4.1 please refer to 2.2 (iii) above

4.3 We do not consider that provision for a Carer to qualify for an apartment appropriate. We consider that it is potentially open to abuse and therefore should not be permitted.

7.0 It is our intention to in principle link the Extra Care to the Care Home by way of Nurse Call. However this should not be an obligation for reasons of individual residents right to seek care from any provider and to allow flexibility for different care providers for Care Home and Extra Care

Hopefully this simplifies the approval process of the S106 as we have tried to mirror the existing making only minor amendments to reflect the current application

Kind regards

Phil Prosser
Development Surveyor

M: 07584 859689 | **T:** 02380 748900



Highwood Group Ltd

The Hay Barn, Upper Ashfield Farm, Hoe Lane, Romsey, Hampshire, SO51 9NJ

T: 02380 748900 | **F:** 02380 748926
www.highwoodgroup.co.uk

NOTICE: This message and any attachments are intended solely for the personal attention of the addressee(s). The contents are confidential and may be privileged or otherwise protected from disclosure. Any views or opinions expressed in this message or its attachments are solely those of the sender unless specifically stated otherwise. Highwood Group Ltd takes all reasonable precautions to ensure emails are virus free, however we cannot accept liability for any loss or damage arising from the use of this email. Highwood Group Ltd Registered No: 05892469