



Council Name	COTSWOLD DISTRICT COUNCIL
Name and Date of Committee	Cabinet – 5th September 2022
Report Number	AGENDA ITEM 11
Subject	Unilateral Undertaking Contribution – Moreton-in-Marsh
Wards Affected	Moreton East, Moreton West
Accountable Member	Cllr Juliet Layton Email: juliet.layton@cotswold.co.uk
Accountable Officer	Jo Moore, Deputy Chief Executive Email: jo.moore@cotswold.co.uk
Summary/Purpose	To seek approval to contribute £250,000 to the Moreton-in-Marsh Town Council community infrastructure schemes.
Annexes	Annex A – Moreton-in-Marsh Town Council Unilateral Undertaking Contribution improvement plans.
Recommendation(s)	<i>That Cabinet:</i> a) <i>Agrees and recommends to full Council that the Council enters into a grant agreement with Moreton-in-Marsh (MIM) Town Council to provide a contribution of £250,000 to the MIM community infrastructure schemes as Annex A;</i> b) <i>Notes that the £250,000 is funded from a developer contribution which was received by the Council under a Unilateral Undertaking agreement entered into in 2014.</i>
Corporate priorities	<ul style="list-style-type: none">• Responding to the challenges presented by the climate crisis.• Helping residents and communities access the support they need for good health and wellbeing.
Key Decision	YES
Exempt	Report – NO // Annexes – YES
Consultees/ Consultation	Chief Executive, Monitoring Officer, Leader, Deputy Leader, CDC Ward Cllrs – Rachel Coxcoon (Cabinet Member for Climate Change and Forward Planning) and Clive Webster, Moreton-In-Marsh Town Council, James Brain (Forward Planning Manager) and Hannah Fountain (Sustainable Transport Lead).



1. BACKGROUND

- 1.1 In December 2014, Cotswold District Council entered in a Unilateral Undertaking agreement with the Fire Service College Ltd under which the College agreed to pay a £250,000 contribution towards certain qualifying improvements to the Moreton-in-Marsh area.
- 1.2 Under this agreement, the Council is required to have spent or committed the funds to a Community Infrastructure scheme by the fifth anniversary of the date the funds were received which is the 17th November 2022.
- 1.3 This report seeks approval to now pay the £250,000 to Moreton-in-Marsh Town Council as a contribution towards the improvement schemes as set out in the Town Council report at Annex A.

2. KEY MATTERS

- 2.1 The Unilateral Undertaking agreement specified that the £250,000 contribution was to be for a Community Infrastructure Purpose which was defined as being towards:

“The improvement of the highways and transportation network and/or the promotion or improvement of the economic and/or social and/or the environmental wellbeing of the Parish of Moreton-in-Marsh”

- 2.2 The agreement also specified a 5-year period in which the contributions must be “spent or committed” otherwise the £250,000 (or any unspent portion) would need to be repaid to the Fire Service College plus repayment interest (calculated on an annual basis and compounded).
- 2.3 The contribution can be spent by the Council itself or passed to the Town Council but it is the Council’s responsibility, under the terms of the agreement, that any use is consistent with the intended purpose as outlined in paragraph 2.1.

3. PROPOSED USE

- 3.1 The Moreton-in-Marsh Town Council (MIMTC) scheme proposals are set out at Annex A and broadly consist of two main schemes: the refurbishment of Redesdale Hall and the development of an integrated transport hub.
- 3.2 The Town Council jointly purchased, with Great Western Railway (GWR), land adjacent to the railway station with a view to joining this site with the existing car park to create an integrated transport hub. The main benefits of this hub are set out in section 4 of the plans at Annex A.



- 3.3** As set out in Annex I to the plans, the total estimated costs for the development of the integrated transport hub are in the region of £3.5m. Of this c£0.5m is required to progress the project to a stage where there is a suitable design for the hub for which planning approval has been given.
- 3.4** The £0.5m will be funded from a combination of MIMTC reserves, a proportion of the Unilateral Undertaking contribution, GWR and other third party contributions. Once the initial stages are concluded central government grant or other third party funding will be sought to progress the main works which are estimated to be in the region of £3m. Design consultants are due to be appointed in September 2022.
- 3.5** Redesdale Hall is a function hall which is used as a cultural meeting for the community. It currently requires extensive refurbishment but the plans proposed also including expanding the capacity of the hall to keep in line with the demands of the growing population of Moreton-in-Marsh.
- 3.6** Total project costs for Redesdale Hall could be in the region of £3m and as can be seen from the proposed plan timelines that the scheme is already underway using the Town Council reserves to fund design costs. Again, a proportion of the Unilateral Undertaking Contribution will be used to towards the funding of the early stages of this scheme.

4. CONCLUSIONS

- 4.1** Officers have reviewed the Moreton-in-Marsh Town Council Transport and Community Benefit Plans attached at Annex A and are satisfied that the plans meet the Community Infrastructure Purpose as set out in the Unilateral Undertaking Agreement.
- 4.2** The plans also demonstrate that there are clear commitments for which the £250,000 contributions will go towards.
- 4.3** Cabinet is therefore requested to approve the payment of £250,000 to Moreton-in-Marsh Town Council as a contribution towards their community benefit and transport improvement works.

5. FINANCIAL IMPLICATIONS

- 5.1** The £250,000 has been held separately pending the decision on how the money would be spent and is available to fund this decision.
- 5.2** If the Council were required to repay the funds then any interest costs would be a cost to be borne by the Council for which there is no budget. The agreement sets out the methodology to be used to calculate the interest that would be due and, whilst the calculation has not yet



been formally carried out, estimates indicate that this could lead to an extra cost to the Council of somewhere in the region of £30k and could be more depending on when the funds are actually repaid.

6. LEGAL IMPLICATIONS

6.1 In accordance with the terms of the Unilateral Undertaking the Council has accepted that it is to use the contribution only towards Community Infrastructure Contribution Purposes. The Council can pass all or part of the contribution to Moreton in Marsh Town Council to use towards the Purposes but responsibility to ensure:

- a) the contribution is used for the Purpose; and
- b) after the fifth anniversary of payment any unspent or uncommitted sums are returned to Fire Service College Ltd (on request for the same)

remains with the District Council.

7. RISK ASSESSMENT

7.1 As the Council is merely passing the unilateral contribution to Moreton-in-Marsh Town Council and is not the delivery of the schemes, the strategic and operational risks associated with each of these projects rests with MiMTC.

7.2 As set out in the report, the main risk to the Council is that it does not fulfil the conditions of the Unilateral Undertaking Agreement and is required to repay the £250,000 to the Fire Service College together with interest.

7.3 The proposals set out in this report are aimed to ensure that the Council fully meets the conditions set out in the UU Agreement and does not find itself in that position.

7.4 A grant agreement will be entered into with MiMTC in order for the payment to be made to them. This agreement will include a stipulation that if the proposed plans for the improvement change substantially and/or in such a way that the fundamental purpose changes and/or costs are not incurred as set out, and/or within the indicative timelines then the funds will need to be repaid together with interest.

8. EQUALITIES IMPACT

8.1 Not directly applicable to this decision.

9. CLIMATE AND ECOLOGICAL EMERGENCY IMPLICATIONS

9.1 The Redesdale Hall proposals include insulation of the roof to improve thermal efficiency and accessibility adaptations to improve the public realm.



The integrated transport hub will support modal transport shift, railway decarbonisation and decongestion of the High Street.

10. ALTERNATIVE OPTIONS

10.1 Various plans have been considered in the past for use of the Unilateral Undertaking Contribution but for different reasons have not progressed. The attached proposals are deemed to be the only viable options at this stage to utilise the £250,000 contribution.

10.2 It should be noted that if not spent or committed in line with the terms of the UU Agreement, the monies will need to be returned to the Fire Service College together with interest as highlighted in the financial implications section above.

11. BACKGROUND PAPERS

None.

(ENDS)