

# WESTMINSTER CITY COUNCIL

## STATEMENT OF DECISION

### SUBJECT: NOVA PLACE SECTION 106 AGREEMENT

Notice is hereby given that , Cabinet Member for Finance and Smart City, has made the following executive decision on the above mentioned subject for the reasons set out below.

(  
Cabinet Member approval sought.  
)

### Summary of Decision

1. That the report be treated as not for publication as it contains exempt information under paragraphs 1 and 3 of Schedule 12A of the Local Government Act, (as amended) in that it contains information relating to any individual and information relating to the financial or business affairs of any particular person (including the authority holding that information).
  2. Approved for WCC to elect for receipt of the Community Space Contribution, in lieu of a lease of space in Nova Place, prior to the impending 11 March 2021 deadline. This will require service of a notice before 11 March 2021, with payment becoming due within 28 days of the date the notice is served.
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1. Under a Section 106 Agreement, first entered into in 2009, Land Securities contracted to include an element of community space within the Nova development. The original Section 106 Agreement has been amended several times as the scheme has evolved. The most recent and final amendment was made in March 2020, in conjunction with the granting of planning permission for development of the last remaining Nova plot on the east side of the site.
  2. WCC has decided to serve early notice on Land Securities and take the funding available from the Section 106 Agreement for future community space projects or, after 5 years, affordable housing provision.
  3. The council may at any time between the date of the consent (12 March 2020) and the last date an agreement for lease can be completed (11 March 2023), serve a notice opting for the index linked commuted sum in lieu of the lease. If the option is exercised before 11 March 2021 the payment is accessible within 28 days although after this date the Council would be required to wait until 11 March 2023.

## **Reasons for Decision**

**Stuart Love, Chief Executive,  
Westminster City Hall,  
64 Victoria Street  
LONDON SW1E 6QP**

**Publication Date:** 10 March 2021

**Implementation Date:**

**Reference:**