

**Sainsbury's Supermarkets Limited**  
**Magnetic Park Foodstore Application (KET/2009/0734)**

**Section 106 Heads of Terms**

- 1 **Town Centre Improvement and Connectivity Contributions:** for designing and carrying out pedestrian access and environmental improvement works in the town centre retail area and linking the Application Site to the town centre retail area, as follows:
  - (a) **public realm works** to improve pedestrian and cycle movement between the Application Site and the town centre retail area, including
    - (i) extension of existing shared use footpath/cycleway running from the Application Site to the Railway Bridge on Harborough Road;
    - (ii) widening of existing pedestrian refuge on Harborough Road, south of Gapstile Street (to accommodate cycle and pedestrian crossing movements);
    - (iii) creation of an advisory cycleway from south of Nichols Street to the Application Site;
    - (iv) creation of a puffin crossing adjacent to Desborough High Street;
    - (v) provision of tactile paving at pedestrian crossing points across Nichols Street and Gladstone Street;
    - (vi) provision of a zebra crossing on Cockerel Rise to link the proposed foodstore to the existing bus stop;
  - (b) **works to provide improved bus interchange** for the Route 18 service at the junction of Rothwell Road and High Street (including associated public realm enhancement);
  - (c) **Town Centre Management Support**<sup>1</sup>;
  - (d) **Local Employment:** liaising with local employment partnerships to promote local employment and training.
- 2 **Bus Service Enhancements:** extension of the following to serve the Application Site for a 5 year period:
  - (a) Route 18 service;
  - (b) Rushton Community minibus.
- 3 **Monitoring Contribution.**
- 4 The Council's **reasonable legal fees.**

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<sup>1</sup> This would be similar to the successful Sainsbury's *Action for Market Towns* initiative, which supported identification of areas for improvement, including by TCM business planning, funding programmes, membership schemes, marketing and website use, ongoing monitoring and mentoring and participation by Sainsbury's personnel in promoting the town centre offer.



Mrs L Holland  
Development Officer  
Development Services  
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2 June 2010

**By email and post**  
**[louiseholland@kettering.gov.uk](mailto:louiseholland@kettering.gov.uk)**  
Our ref. TW/CES/482351

Dear Mrs Holland

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**  
**PLANNING APPLICATION ON BEHALF OF SAINSBURY'S**  
**SUPERMARKETS LTD**  
**LAND AT MAGNETIC PARK, DESBOROUGH**  
**LPA REF: KET/2009/0734**

I refer to your email (13 May) requesting further clarification in respect of the various matters covered under the Section 106 Heads of Terms document issued to your Council previously. I respond to the matters raised therein, as follows:

1. **Bus Service Enhancements** – the applicants have confirmed that they are agreeable to subsidising Route 18 service and the Rushton Community Minibus service to serve the application site. We are informed by Northamptonshire County Council (NCC) that the cost of both will be £120,000 and £10,000 per annum respectively. NCC have requested that such subsidies run for a period of five years. The applicant is agreeable to the subsidies, capped at these levels, but with a revenue clawback provision, such that any additional revenue made from the rerouted buses would be reimbursed to the applicant.

You have also asked whether we would be agreeable to continuing the subsidy of the Route 19 service, which is subsidised until April 2011 under the obligations of the planning permission for the Magnetic Park development (both industrial and residential). It is the advice of my client's highway consultants that subsidising Route 18 will provide similar accessibility to the site to that currently enjoyed by Route 19, whilst covering a wider area in both Desborough and the surrounding villages. On this basis, it is considered both unnecessary and unreasonable to subsidise route 19 (should it need subsidising beyond April 2011).

2. **Town Centre Connectivity Contribution** – the Heads of Terms outlines the public realm works that the applicant is agreeable to contribute towards, and we have had these costed at a sum of £75,000. We are therefore agreeable to undertaking these works, at the cost cap of £75,000, the precise details will be covered in a Section 278 Agreement (which in turn will be conditioned via Grampian condition).

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3. **Works to Provide Improved Bus Interchange** – I enclose a sketch scheme (Attachment 1) for the proposed bus terminus to serve the Route 18 service at the junction of Rothwell Road and High Street. The works include a new seating area with canopy structure, new paving, new landscape bed and new lighting. These works have been costed by the applicant, at a value of £75,000. The applicants would be agreeable to making a contribution of up to £75,000 for the Council to undertake these works, or something similar.
4. **Town Centre Management Support** – I have attached a corporate brochure (Attachment 2) from Sainsbury's Supermarkets Ltd which outlines their approach to dealing with TCM (as well as business improvement districts). The Heads of Terms (via the footnote) outlines the nature of support in relation to TCM. This is further clarified at page 9 of the enclosed brochure.

In the case of Desborough, Sainsbury's would be agreeable to a financial contribution capped at £50,000 towards TCM, and that the role, structure and objectives of the TCM for Desborough will be established in conjunction with your Council. In addition on site/in store initiatives will be introduced to provide links between the store and town centre (including directional signage, business information boards, etc.).

5. **Local Employment** – we suggest setting up a Local Employment Partnership (LEP) with all relevant stakeholders, the precise details of which would be agreed with your Council. This would also involve working with Job Centre Plus, the Learning and Skills Council and other key parties identified by the Council, and involve advertising jobs locally, identifying suitable and appropriate parties who are interested in employment in the store, making the necessary presentation to those parties and other applicants, providing coaching sessions and training to successful candidates. This is an approach now adopted by Sainsbury's in relation to other stores where local employment is an issue. For your information, I have attached a Local Employment Partnership matrix (Attachment 3) that the Company has recently entered into in relation to their store at Tritton Road in Lincoln. I would suggest that a similar LEP, albeit bespoke to Desborough, would be appropriate in the case of these proposals at Magnetic Park.

In light of the legislative requirements and guidance set out in Circular 05/2005: Planning Obligations, it is our view that the scope of the Planning Obligation outlined above, and in the previously submitted Heads of Terms meet the relevant policy tests set out in Annex B (para B5) of the Circular, namely they are (i) relevant to planning, (ii) necessary to make the proposed development acceptable in planning terms, (iii) directly related to the proposed development, (iv) fairly and reasonably related in scale and kind to the development and (v) reasonable in all other respects.

I trust that the enclosed is self explanatory, and the above clarifies the matters that you have queried.