



Bradly Heffer
Principal Planning Officer
Environmental and Protective Services
Colchester Borough Council
33 Sheepen Road
Colchester CO3 3WG

9 May 2012

Dear Brad

**University of Essex – Proposed Multi Deck Car Park
Application No. 120151**

I refer to our recent correspondence, particularly your email dated 3 May last.

I am pleased to confirm that the University agrees that it will make a contribution of £250,000 in conjunction with the above planning application, as a forward charge on the Section 106 contribution that will eventually be due as part of the University's Knowledge Gateway project (Approval number O/COL/05/2046).

This offer is made on the following basis:-

1. The early payment will not be made if planning permission for the Multi Deck Car Park (MDCP) is not granted at the Planning Committee on 24 May 2012.
2. Colchester Borough Council formally acknowledges that this contribution is not a Section 106 payment attached to the MDCP.
3. The contribution is used specifically towards the cost of constructing the proposed cycle path between upper Wivenhoe and the University.
4. The payment only becomes due once work on the construction of the cycle path commences and provided that this occurs within 3 years of the grant of planning permission for the MDCP.

The University notes that the Borough Council have requested that the "pot" available for the Section 106 contribution for the Knowledge Gateway should be reimbursed at some point in the future and I confirm that we will recognise this as part of the final contribution when this becomes due.

I would, however, like to advise you that in the light of changed circumstances in the general economy, the University will be revisiting the calculation of Section 106 payments for the Knowledge Gateway in due course. As this will be a separate conversation I do not think it should impact on this offer at this stage.

I understand that your report has to be complete this week and consequently I trust that this letter will be sufficient to satisfy this particular point of concern and enable you to recommend approval when viewed in conjunction with the revised plans and elevations. If it will be necessary for us subsequently to sign a separate legal agreement please advise.

Should you require any further information please do not hesitate to contact me.

Yours sincerely



Director of Estate Management