

**EXETER CITY COUNCIL**

**PLANNING COMMITTEE**

**18 FEBRUARY 2008**

**SECTION 106 AGREEMENTS**

**1 PURPOSE OF THE REPORT**

- 1.1 To update on the progress of implementing Section 106 agreements and on the expenditure of financial contributions received. Members are requested to advise the Development Control Manager (Andy Robbins) or Head of Planning Services (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

**2 BACKGROUND**

- 2.1 This report has been prepared to advise Members of the progress achieved between January 2007 and January 2008 in the collection and expenditure of financial contributions made by developers toward the provision of the community facilities and services required to accommodate development.
- 2.2 The report covers all planning obligations arising from development proposals in the City that require financial payments by developers.
- 2.3 Progress in relation to each agreement is summarised within the attached tables (Appendix 1). These are divided by service function and stage of payment (either expected or received). Obligations where the trigger stage for payment in the development process has not yet been reached are included.
- 2.4 It should be noted that funds held for maintenance of public open space are paid directly into a special account. A sum of 5% of the accumulated total (including interest) is added to the Parks and Open Space Manager's budget each year.
- 2.5 Where the amount in account or amount spent exceeds the principal amount required, this is attributable either to indexing, interest, or a combination of the two.

**3 PERFORMANCE**

- 3.1 Exeter City Council and Devon County Council have received £1,512,719 in relation to Section 106 obligations since January 2007.
- 3.2 £172,856 was received for the maintenance of public open spaces at Wyvern Barracks; the provision of a multi use games area and a play area, both of which are due for installation during early/mid 2008.
- 3.3 During 2007, Devon County Council received £973,141 for improvements to transport facilities. £268,188 was received as a result of the Kings Heath development at Digby with a further £180,000 collected in relation to the Met Office scheme. Both sums have been allocated for transport service improvements to and from the city centre.

- 3.4 A total of £888,576 has been spent over the past twelve months.
- 3.5 A £47,874 highway contribution from the industrial and business unit development at Yeoford Way in Matford Park has been spent on improving pedestrian and cycleway facilities along Bad Homburg Way.
- 3.6 Some £248,002 was spent on improvements to community, leisure and open space facilities. £119,398 of this was at Kinnerton Way, Exwick. A further £67,039 has been committed to projects in the vicinity.
- 3.7 In total, £120,109 was spent on affordable housing between January 2007 and January 2008. Of this, £77,014 was used in providing two move-on bed spaces at Prospect Place.

#### **4 UPDATE**

- 4.1 The Council's provider of computer database software for Section 106 agreements has been asked to provide an upgrade to make information accessible on-line. This would make details of Section 106 agreements more readily available to the public. Subject to further discussions with software engineers, it is hoped that this facility will be rolled-out during 2008.
- 4.2 During 2007 the Council has adopted a number of public open spaces, provided by developers as a result of Section 106 agreements. Some headlines are outlined immediately below and a table summarising the progress made in providing community facilities required by Section 106 agreement is available towards the end of this report.
- 4.3 Public open space provided by C G Fry and Son at the former Wyvern Barracks site, has all been adopted. A small portion of land has been leased back until March 2009 and is currently being used to stockpile soil.
- 4.4 The public open space provided at King's Heath, Digby by Persimmon and Barratt has now been adopted. The developers have been permitted to release the dwellings previously withheld as agreed by Planning Committee in October 2007.
- 4.5 No real progress is being made by Persimmon in completing the open space at Polsloe Priory (former Ibstock Brickworks). The matter has been passed to one of the Council's litigation solicitors with a view to taking legal action.

#### **5 RECOMMENDATION**

- 5.1 That Members note the report.

**RICHARD SHORT**  
**HEAD OF PLANNING SERVICES**

**ECONOMY AND DEVELOPMENT DIRECTORATE**

**Local Government (Access to Information) Act 1985 (as amended)**

**Background Papers used in compiling this report:**

None

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**Table 1: Section 106 Affordable housing – Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount Spent	Complied	Notes	Money spent
99/1022/03	Army Cadet Force Site, Barrack Road	Abbey Manor Developments	Affordable housing if not provided on site. To be spent within 5 years of receipt.	£0.00	£136,021.00	£136,021.00	YES	Final £64,842 used to part finance 2 move-on bedspaces at Prospect Place.	YES
01/1518/03	Lazy Landlord, Bonhay Road	Redrow Homes	Affordable housing in Exeter.	£0.00	£300,267.00	300,267.00	YES	Final £20,267 used to part finance 2 move-on bedspaces at Prospect PI (£12,172) and 2 at Headland Crescent (£8,095).	YES
02/1845/03	Central Station Yard, Queen St.	Bellway Homes Ltd	Contribution towards affordable housing in Exeter. ECC has option to index it according to the average sale price of a terraced house in Exeter according to Land Registry data. Repayable if uncommitted within 5 years.	£691,145.73	£633,000.00	£90,641.00	YES	£55,641 spent 06/07 providing 2 rented homes, £35,000 spent in 07/08 providing an extra shared ownership home on Wyvern Barracks. Of the residue, £424,000 has been re-allocated to schemes that should produce at least 18 homes and the remainder of £267,146 awaits allocation to Non-Section 106 sites/projects.	NO

**Table 2: Section 106 Community and Leisure - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
03/1611/01	County Ground		Pay £300 per dwelling towards community facilities in a recreation ground serving the locality. Indexed from date of agreement until payment.	£0.00	£30,000.00	Prior to commencement of development.	NO	Likely to be used to enhance play/teen facilities at St Thomas PG or Cowick Barton.
06/1147	Episcopal Building and York Wing, Dinham Road	Justin Developments	Community and leisure facilities - off site - towards the provision of additional community and leisure facilities required as a result of the Development	£0.00	£31,600.00	Prior to development	YES	Invoice being processed. Site for expenditure yet to be decided.

**Table 3: Section 106 Community and Leisure - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount Spent	Complied	Notes	Money spent
91/0649/03	Land adj Kinnerton Way, Exwick	Knapp New Homes Ltd	£10,000 towards play equipment.	£12,336.61	£10,000.00	£0.00	YES	To be committed to floodlighting for the MUGA at Kinnerton Way.	NO
99/0442/01	P.E.O.H Barrack Rd	S.O.S For Health	Community facility to benefit owners and occupiers of the site	£18,389.89	£15,000.00	£0.00	YES	Contribution Received. Agreed to be used to enhance forthcoming 'Wyvern Park' facilities	NO
00/1015/01	Kinnerton Way	Barratt Homes Ltd	Provision of community facilities within the vicinity of the site	£18,142.77	£15,000.00	£0.00	YES	Paid October 2002. To be used in association with provision of new community facilities that have been completed and handed over to the community association (see also 03/0300/03).	NO
03/0200/03	Former Plymco Supermarket		Financial contribution for provision of community facilities in the Exwick area	£48,896.37	£92,000.00	£44,000.00	YES	£3,000 committed to trustee training. £10,000 committed opening bank account balance for community centre. £44,000 spent on capital programme.	NO
03/0300/03	Land at Plymco, Kinnerton Way	Westbury Homes	Provide or support the provision of community facilities and services in the Exwick area of Exeter	£0.00	£72,000.00	£75,398.00	YES	Money used in association with provision of new community facilities now completed and handed over to the community association (see also 00/1015/01)	YES
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	"provision of community facilities within 1 mile of the site " If no facility on site made available.	£23,513.00	£20,000.00	£0.00	YES	Committed to a general Children's Play Area fund.	NO

**Table 4: Section 106 Education - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
02/0381/01	Matworthy		Pay £904.09 per dwelling towards facilities likely to be used by children living on the site. Index linked from agreement until payment.	£0.00	To be calculated	On commencement of development.	NO	Outline permission
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Carry out remediation of land for school with collateral warranties, and offer to DCC. Pay contribution towards provision of primary educational facilities including the rebuilding of a primary school within a two mile radius from the property.	£0.00	£803,581.00	Pay prior to occupation of the 150th dwelling, offer land on commencement of 201st.	NO	Outline permission
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Pay contribution towards the construction costs of the primary school on the site or if it is not to be built for the provision of primary educational facilities including the rebuilding of an existing primary school within a two mile radius of the site.	£0.00	£502,239.00	On letting of contract.	NO	Outline permission
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	"..the provision of secondary educational facilities which are likely to be used by secondary school children on the property"	£0.00	£348,459.00	On commencement of development	NO	Outline permission
03/1611/01	County Ground		Pay £1122.50 per dwelling with 2+ bedrooms. Indexed from date of agreement until payment. Repayable if unspent within 5 years of payment.	£0.00	£106,637.50	50% to be paid on commencement of development. Balance to be paid on earlier of occupation of 45% of open market dwellings or two years after commencement.	NO	By a supplemental agreement dated 11 July 2006, the supported retirement apartments are exempted from the requirement to pay an education contribution.
05/0540/03	Former service station, Western Way		Pay contribution towards provision of additional educational facilities required as a result of the development. Repayable if unspent within 10 years of payment.	£0.00	£11,575.00	Prior to commencement	NO	Development not yet commenced - A small parcel of land on the site remains under the ownership of ECC. The developer has been advised to apply for conservation area consent and tidy their land in order for the transfer to occur.

**Table 4: Section 106 Education - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
05/0667/01	91-97 Wonford Street		Pay £1157.50 per dwelling of two or more bedrooms, minus two dwellings (to be demolished). Indexed from date of agreement until payment. Repay if unspent within 10 years of payment.	£0.00	To be calculated	Prior to commencement of development.	NO	No detailed permission.
05/0808/03	Rowe Memorial Hall		Pay contribution for the provision of additional primary education accommodation at St David's Primary School. Index linked from date of agreement until payment.-	£0.00	£6,945.00	On commencement of the development	NO	Development unlikely to be implemented.
05/1277/01	58 Main Road, Pinhoe		Pay contribution of £694.50 per dwelling of two or more bedrooms to DCC towards the provision of additional educational facilities required as a result of the development.	£0.00	To be calculated	Prior to commencement	NO	Outline permission only.
05/1408/03	Barley House, Isleworth Road		Pay contribution towards the provision of additional educational facilities required as a result of the Development.	£0.00	£6,250.00	Prior to commencement	YES	Development has commenced - DCC advised to invoice developer
06/1147	Episcopal Building and York Wing, Dinham Road	Justin Developments	Education Contribution	£0.00	£28,937.50	Prior to development	YES	DCC advised to invoice
06/1365	28 Manor Road	South West Construction	Education Contribution	£0.00	£9,260.00	Not later than development commencement	NO	Separate application refused under appeal: (07/0144)

**Table 5: Section 106 Education - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
00/1199/01	Prospect Place, St Thomas	Centre Line Properties Ltd	Education facilities which are likely to be used by children living on the site.	£5,666.00	£5,000.00	£0.00	YES	Payment Received 11/4/05 Committed - Will be used towards a project at Montgomery School	NO
01/1486/03	Builder's Yard, Meadow Way, Heavitree	Ward Developments Ltd	Additional pupil places in those schools likely to be attended by children living on the site. Within 10 years of receipt. (To be paid to DCC)	£6,823.34	£6,500.00	£0.00	YES	Primary Resources (£4264.59) held pending further funds. Secondary resources (£2558.75) spend during Exeter schools reorganisation	NO
04/1779/03	Land off Highcroft		Pay contribution to DCC for education.	£3,472.80	£3,472.80	£0.00	YES	To be used at St Davids School Jan 08'	NO
04/1814/03	7 Tudor Street	Gadd Homes Ltd	Pay £578.75 per dwelling of 2+ bedrooms for schools to serve the development. Index linked. Repayable if unspent within 5 years.	£8,430.70	£6,000.00	£0.00	YES	To be used at St Davids School Jan 08'	NO
04/2192/03	Monks Road	Persimmon Homes (South West) Ltd	Pay contribution to primary education.	£8,102.50	£8,102.50	£0.00	YES	Committed for use at Ladysmith Infants and Junior.	NO
05/0815/03	27-28 Cowick Street		Pay £1389.00 towards West Exe Technology College. For use in accordance with DCC's Code of Practice on Education Contributions.	£1,389.00	£1,389.00	£0.00	YES	Committed to West Exe Technology College	NO
05/1633/03	Old Mill and Old Stables, Tudor Street	Sprague & Ouseley Property	Pay contribution towards educational facilities required as a result of the development.	£4,912.00	£4,630.00	£0.00	YES	Committed for use at St David's - Jan 08'	NO

**Table 6: Section 106 Environmental Enhancements - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
04/0383/03	Victoria Yard	Exeter College	Pay £30,000 towards improvements to environmental pedestrian, cyclist and safety enhancements in the Queen St area. Index linked. Repayable if unspent within 10 years	£0.00	£30,000.00	Prior to first occupation.	YES	DCC advised to invoice. Committed to central station gateway improvements.
06/0900	Land adjacent to 18 & including 29 Lower North Street	Premier Development (SW)	Car Sharing Scheme	£0.00	£20,000.00	Prior to 1st occupation	NO	Development completion Expected for March 2009

**Table 7: Section 106 Environmental Enhancements - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
92/0719 - 92/0721	Digby	Tesco Stores Ltd	Environmental improvements in City Centre or other local shopping centres likely to be affected by the development	£27,620.47	£110,000.00	£82,379.53	YES	Residual being used for enhancement of Heavitree Shopping Centre. Outline proposals considered by PMWG in Jan 2007. Work due to commence 2008	NO
96/0680	99-101 Fore Street, Exeter	Regent Inns PLC	Extending the City Centre CCTV Scheme / Making Environmental and Public Transport Improvements to the West Quarter of the City	£5,185.11	£60,000.00	£55,000.00	YES	Spent on CCTV improvements - Residual yet to be committed.	NO
99/0105/03	Exe Bridges	J Sainsbury Developments	Improvement to signage and transport information in the vicinity	£2,193.53	£125,000.00	£123,000.00	YES	Residual committed to city wide Strategic Signage improvements budget 2008/09.	NO
01/0084/01	Digby Retail Warehouse Development	Tesco	Environmental improvements to shopping centres within Exeter	£3,631.67	£125,000.00	£133,000.00	YES	Residual committed to environmental enhancements at Fore Street, Heavitree (2008/2009).	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution towards permanent storage conservation and display of archaeological records discoveries and finds made during the course of development	£55,734.80	£50,000.00	£0.00	YES	RAMM to draw up proposals for the use of this money	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution for conservation and display of special (archaeological) finds made during the course of development	£30,482.30	£20,000.00	£0.00	YES	£22,709.68 received 2006. RAMM to draw up proposals for the use of this money	NO
02/1845/03	Central Station Yard, Queen St.	Bellway Homes	Improvements to the pedestrian and cyclist facilities within half a mile of the site for the improvement of the highway network in the City. Repayable if uncommitted within 5 years.	£61,625.20	£50,000.00	£0.00	YES	Committed to central station gateway improvements.	NO
02/1845/03	Central Station Yard, Queen St.	Bellway Homes Ltd	Infrastructure to connect the site to the Council's town centre Closed Circuit Television System. Repayable if uncommitted within 5 years.	£29,552.39	£25,000.00	£0.00	YES	Yet to be committed	NO
03/2008/03 04/1298/03	Wyvern Barracks	C G Fry & Son Ltd	Pay £24,000 for construction of a footpath from Shakespeare Road to south-eastern boundary.	£26,412.83	£24,000.00	£0.00	YES	Feasibility of a footpath here is currently under investigation.	NO
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards environmental improvements in Heavitree district centre and/or the construction of additional cycle route infrastructure within 1 km of the development. Payable to ECC.	£47,499.76	£44,000	£0.00	YES	£23,750 to be used for environmental improvements at Fore Street, Heavitree (2008/2009). Residual to be committed to a cycleway within 1km of the Tesco store.	NO

**Table 7: Section 106 Environmental Enhancements - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
06/0234	Site H, Former Electricity Building	Bromage	Public Realm/Art Contribution	£16,560.00	£16,560.00	£0.00	YES	Committed to canal basin improvements – specific proposals yet to be finalised	NO
06/0236	Site G, Former Electricity	Homebrick	Public Realm/Art Contribution	£9,716.48	£9,000.00	£0.00	YES	Committed to canal basin improvements – specific proposals yet to be finalised	NO

**Table 8: Section 106 Open Space - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Due when	Due	Notes
94/0606/01	St Peter's Mount Luggs Farm Redhills	Redrow Homes	Maintenance of open space	£0.00	£23,000.00	Upon adoption	FALSE	Adoption currently on hold because developer not prepared to act on Councils concern about land drainage. Woodland area set aside and attempts made to adopt remainder of the site.
99/0442/01	Princess Elizabeth Hosp. Barrack Rd	S.O.S For Health	Maintenance of public open space including play area	£0.00	To be agreed	On conveyance of freehold of POS and play area to ECC	FALSE	Play area installed by developer, maintained by ECC. Phase 2 now laid out awaiting transfer. Not adopted as of (06/12/2007)
00/1015/01	Kinnerton Way	Barratt Homes Ltd	Developer to lay out open space and play area to spec agreed by ECC. Pay commuted sums for maintenance thereof in accordance with formula in agreement, index linked.	£0.00	To be calculated	Provide on occupation of 75% of dwellings or within 2 years after commencement. Pay commuted sums on transfer.	FALSE	Development almost complete. Play area installed in October 2005 but problems of drainage and planting need to be resolved by developer.
01/0308/03	River Court, Pynes Hill	Pynes Hill Property Ltd	Maintenance of landscape strip	£0.00	£15,000.00	1 year after completion of works	FALSE	Brought up to required standard. Invoice in the process of being raised.
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Provide public open space in two positions, to include play area to value of £100,000. Maintain for one year and transfer to ECC. Pay commuted sum in respect of the future maintenance of the public open space and the play area.	£0.00	To be agreed	Upon adoption	FALSE	Not yet due.
02/1933/03	Ibstock Brickworks, Monks Rd	Persimmon Homes Ltd	Towards the costs of maintaining the leachate plant provided as part of the remediation works after it has been transferred to the Council	£0.00	£119,250.00	Before 70 units of open market housing have been occupied	TRUE	No real progress is being made by Persimmon in completing the open space, and the matter has been passed to one of the Council's litigation solicitors

**Table 8: Section 106 Open Space - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in a/c	Amount	Due when	Due	Notes
02/1933/03	Ibstock Brickworks, Monks Rd	Persimmon Homes Ltd	Lay out open space including play equipment and youth area, having first done remediation and monitoring, to be certified by environmental consultant. Get collateral warranties from environmental consultant, and environmental insurance. Maintain open space.	£0.00	£270,000.00	Before 70 units of open market housing have been occupied	TRUE	No real progress is being made by Persimmon in completing the open space, and the matter has been passed to one of the Council's litigation solicitors with a view to taking legal action (07/01/08)
04/1942/01	Brunel Close		Pay £26,640, towards improvement of public open space and/or play facilities.	£0.00	£26,640.00	Prior to occupation of 10 dwellings.	FALSE	To be used to upgrade children's facilities at Looe Road. Unlikely to come forward as site has a subsequent planning consent for student housing

**Table 9: Section 106 Open Space - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
92/0142/03	Tapper Close	ROK Developments	Landscaping and Maintenance of POS and Play Equipment	£238.46	£5,435.00	£5,500.00	YES	Land Adopted - Remedial work being completed	YES
93/0498	Land at Woodwater Lane	Westbury Homes	POS and Play Area Maintenance	£516.19	£5,500.00	£5,000.00	YES	Works Complete - Residual Left - Commuted to a general Children's Play Area fund.	YES
93/0808	Land Adjoining Pinn Lane	Bovis Homes	Hard Play Area	£1,358.12	£20,000.00	£18,641.88	YES	Works Complete - Residual Left - Commuted to a general Children's Play Area fund.	YES
94/0129/01	Northbrook Sch. Beacon Lane	Barratt	Maintenance of landscape and open space	£29,683.04	£19,099	£0.00	YES	Land Adopted - Remedial work to be completed around March 2008.	NO
94/0129/01	Northbrook School, Beacon Lane	Barratt	Play area	£6,148.79	£28,000.00	£34,499.00	YES	Works Complete - Residual Left – being commuted to a general Children's Play Area fund.	YES
95/0341/03	Gras Lawn, Barrack Road	Redrow Homes	Play area - equipment	£9,893.42	£30,000.00	£21,000.00	YES	Received 10 June 2005. Consultation with residents completed. Installed and Spent Spring 06. Residual of £9.8K, £2K of which has been allocated to general play area budget the rest will go towards maintenance of the play area.	NO
95/0638/03	Guys Hylton	William Sutton Trust	Public Open Space Contribution	£4,153.92	£4,000.00	£0.00	YES	£2.56K committed to general children's play area fund. Residual to be spent on maintenance once the site has been adopted. Developer given a price for remedial work needed before adoption in 2006.	NO
95/0796/03	Exeter Castings, Water Lane	Midas Homes Ltd	Provision of play equipment	£0.00	£20,000.00	£25,190.04	YES	Been used to upgrade children's play facilities at Haven Banks play area in January 2007. Now adopted.	YES
95/0796/03	Exeter Castings, Water Lane	Midas Homes Ltd	Provide open space. Pay commuted sum for maintenance of open space	£0.00	£16,500.00	£20,781.78	YES	Land adopted - continuing maintenance occurring	NA
96/0684/03	Tan Lane & Willey's Ave	Knapp New Homes Ltd	Recreation, play eqpt & POS facilities in the Water La, Haven Banks area by 09/03/2011	£15,104.40	£15,000.00	£3,260.00	YES	£3,260 used with Exeter Castings money to upgrade children's play facilities at Haven Banks play area in January 2007. Consideration now being given to another suitable site for the rest	NO

**Table 9: Section 106 Open Space - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
97/0459/03	19 Marsh Green Rd. Marsh Bn	Exeter Power Ltd	Tree planting and landscaping to the eastern side of the mainline railway abutting the development	£11,593.11	£14,205.00	£5,000.00	YES	Planting proposals being undertaken to improve landscape in the Riverside Valley Park. £8,000 is being used for localised landscaping. Approx £5,000 already spent.	NO
97/0558/03	Digby Hospital (former)	Redrow Homes (Wessex) Ltd	Pay £35,000 for provision and maintenance of play areas in Clyst Heath area. Index linked from 16/3/98 until payment.	£46,440.61	£37,350.00	£0.00	YES	Paid July 2003. To be used to enhance recreational facilities in new park to be developed to the north west of Digby.	NO
98/0220/03	Well Oak, Dryden Road	Persimmon Homes	Providing play equipment on the site	£15,407.00	£27,000.00	£12,000.00	YES	£12K spent on fencing and remedial works. Rest to be used as agreed with developer and residents to improve play facilities proposed at adjoining Wyvern Barracks - £15K for children's play equipment - In same account as Well Oak POS fund.	NO
98/0220/03	Well Oak, Dryden Road	Persimmon Homes	POS Maintenance	£0.00	£30,000.00	£30,814.00	YES	Land Adopted - £30k held from other schemes for POS maintenance - In same account as Well Oak Children's play equipment fund.	NA
98/0328/03	Horseguards	Barratt Homes	Maintenance of Public Open Space on Site	£0.00	£19,500.00	£35,342.57	YES	Land Adopted - Continuing Maintenance Occurring	NA
98/0613/01	Gras Lawn, Barrack Road		Public Open Space Commuted Sum	£0.00	£5,000.00	£6,025.32	YES	Land Adopted - Continuing Maintenance Occurring	NA
98/0847/01 or 98/0848/01	Clapper Brook La, Church Rd. Alph.	Barratt Homes Ltd	Lay out open spaces including play area up to the value of £15,000. Maintenance of POS.	£0.00	£8,730.78	£8,730.78	YES	Developer has laid out open spaces including play area up to the value of £15,000. Land has been adopted. Commuted to maintenance budget.	NA
98/1090/01	St James Rd/Old Tiverton Road	Exeter Housing Assn	Public Open Space Contribution	£1,431.00	£5,000.00	£3,569.00	YES	Works Complete - Residual Left - Commuted to a general Children's Play Area fund.	YES
00/1199/01	Prospect Place, St Thomas	Centre Line Properties	"Provision/replacement/ repair of play equipment at St Thomas Pleasure Ground "	£830.89	£10,000.00	£9,757.67	YES	Works Complete - Residual Left - Commuted to a general Children's Play Area fund.	YES
01/0852	Land Adjacent to Alphingbrook Road	LIDL UK	Commuted Sum For Landscape Maintenance	£0.00	£8,500.00	£8,730.78	YES	Land Adopted - Continuing Maintenance Occurring	NA

**Table 9: Section 106 Open Space - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"maintaining the Open Space Land after.. Transfer". Index linked from 9 December 2002	£0.00	£68,000.00	£70,973.40	YES	All areas of open space completed and adopted. Sum commuted to maintenance budget.	NA
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"provision and future maintenance of a Multi- Use Games Area on the school site or the Open Space Land in a position to be agreed with (both) developers".	£52,779.25	£62,500.00	£12,000.00	YES	Adopted October 2007. MUGA ordered for installation in December 2007.	NO
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"the future maintenance of the children's play area". Index linked from 9 December 2002.	£0.00	£20,000.00	£20,000.00	YES	Received 16/11/07	NA
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"provision of play equipment on the site". Index linked from 9 December 2002.	£46,440.61	£95,000.00	£50,000.00	YES	Adopted November 2007. Consultation with residents for installation May 2008.	NO
03/0262/03	Land adj River Court, Pynes Hill	Colourcolt Ltd	Lay out landscaping works on Council's land in accordance with specification in agreement. Maintain for 12 months. Pay commuted sum towards future costs of maintaining the landscaping strip.	£0.00	£5,600.00	£6,456.79	YES	Land adopted. Contribution to be used for maintenance of strip.	NA
02/1933/03	Ibstock Brickworks, Monks Rd	Persimmon Homes Ltd	The Council's costs of employing a consultant to advise it on the efficiency of the remediation Works, the Open Space Works and the Monitoring Requirement.	£7,500.00	£7,500.00	£0.00	Yes	Being spent on professional consultancy fees	NO
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Construct public open space and play area to a value of £40,000 + VAT index linked (or pay for works instead).	£46,395.80	£40,000.00	£0.00	YES	Open space adopted. Play area to be constructed in 2008	NO
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Transfer to ECC on completion. Pay maintenance commuted sum of £39,700.00.	£0.00	£39,700.00	£41,413.90	YES	Open space adopted – Continuing maintenance occurring.	YES
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	"cost of providing open space off site to the extent provision on site does not match planning standards"	£12,178.90	£10,500.00	£0.00	YES	To be used to supplement provision of MUGA and play area in new Summerway Park.	NO
03/1722/03	Richmond Yard	George Wimpey Bristol Ltd	Bond for £60,000, indexed according to RPI if more than 6 months after date of agreement.	£60,680.00	£60,000.00	£0.00	YES	Bond provided 19 December 2005. Play area installed but may not yet be satisfactory (19/11/07)	NA

**Table 9: Section 106 Open Space - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
03/1722/03	Richmond Yard	George Wimpey Bristol Ltd	To pay £25,000 plus VAT, for use in connection with the provision of play areas and/or recreational facilities to serve the locality.	£27,297.65	£25,000.00	£0.00	YES	Received September 2005. Possible use (alongside other contributions) to create new facilities in Exe Street Cemetery or on Bonhay Road.	NO
03/2008/03 04/1298/03	Wyvern Barracks	C G Fry & Son Ltd	Sum in lieu of play equipment etc.	£94,071.00	up to £115,000	£0.00	YES	Developer paying financial contribution in lieu of providing play equipment, although the MUGA base has been installed by the developer on ECC's behalf. Some savings agreed, which have been used to create an adopted footpath through the new park. Facilities to be supplemented by £15,000 contribution from Well Oak (in lieu of play area there) and £15,000 from PEOH off site community facilities. Received December 07	NO
03/2008/03 04/1298/03	Wyvern Barracks	C G Fry & Son Ltd	Maintenance of Public Open Space	£0.00	£71,242.00	£78,785.00	YES	Received Dec 2007 – commuted to open space maintenance account.	NA

**Table 10: Section 106 Parking - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount Spent	Complied	Notes	Money spent
93/0922/03	84 and Land Adjoining Fore Street, Heavitree	Orbit Housing Association	Car parking spaces: directly or indirectly attributable to the development	£12,336.61	£10,000.00	£0.00	YES	Committed to environmental enhancements at Fore Street Heavitree and improvements to car park access there (2008/2009).	NO
96/0137/03	11 Friars Walk	Fraser Holland	Public/Residential Parking or Public Transport	£4,586.69	£3,500.00	£0.00	YES	For use at Bartholomew Terrace car park. Works due to commence at the end of January 2008.	NO
97/0614/03	162-163 Fore Street		CCTV or Car Parking in the City Centre	£7,903.71	£18,250.00	£11,000.00	YES	£11,000.00 spent on city wide CCTV. Remainder to be used to provide pedestrian and graded wheelchair access to Mary Arches Car Park. Works due to commence during the end of January 2008.	NO
98/0849/03	Eveleighs Garage, Sidwell St	Westrock	Improving parking facilities in the City Centre	£8,344.39	£7,500.00	£0.00	YES	Contribution towards forthcoming replacement of electronic shutters and barriers at Dix's Field Car Park (total approx £13K). Works due to commence during Feb 2008	NO

**Table 11: Section 106 Social Services - Money Expected**

<b>Planning App no</b>	<b>Site</b>	<b>Developer</b>	<b>Requirement</b>	<b>Amount in account</b>	<b>Amount</b>	<b>Due when</b>	<b>Due</b>	<b>Notes</b>
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Towards the expansion of learning disability services	£0.00	£25,000.00	Before more than 200 houses occupied	NO	Outline Permission
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Towards a minibus for elderly persons not able to use public transport	£0.00	£20,000.00	Before more than 200 houses occupied	NO	Outline Permission
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Towards services for elderly persons	£0.00	£25,000.00	Before more than 200 houses occupied	NO	Outline Permission
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Towards the provision of a single place in a children's home.	£0.00	£30,000.00	Before more than 200 houses occupied	NO	Outline Permission

**Table 12: Section 106 Transport - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
99/0535/01	Matford Park, Bad Homburg Way	Rokeagle/Hodge	Improvements to the pedestrian and cyclist facilities and any other works needed for the improvement of the highway network near the site.	£0.00	£19,500.00	To ECC. Final Instalment due 2 years after receipt of second payment.	NO	Due by 03/09/09
02/0047/01	Land East of Exeter Business Park	London Electricity Group	Contribution to improvement of bus services to and from residential areas of the City.	£150,000.00 (DCC)	£375,000.00	Equal payments for each of 1st 5 years after occupation less rebate	YES	£75,000 received for 1st year. 2nd payment received 17/11/05. £225,000 remains. Awaiting passenger figures from operator before invoicing for 3rd payment.
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Future maintenance of the traffic signals installed as part of the Highway works	£0.00	£25,000.00	To DCC when installation completed.	YES	Development has started. Payments due. Design in hand but money not yet required. To be re-paid within 10 years of receipt if not used. DCC requested to invoice.
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	The reasonable and proper costs incurred by the County Council in designing the traffic signals (at the accesses to the site from Rydon Lane and Sidmouth Road)	£0.00	To be calculated	To DCC after commencement of development when requested.	YES	Invoice to be sent shortly.
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Designing and implementing highway infrastructure improvements between Digby Arch in Sidmouth Road and the Digby Park and Ride Site to facilitate an orbital bus service.	£0.00	£115,000.00	Upon demand to DCC but not before 1st occupation of any dwelling in the development.	YES	DCC Notified that they can request payment. Invoice to be sent shortly.
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Enhancement of public transport services between the development and the centre of Exeter and/or a proposed orbital bus service serving the development.	£330,000.00 (DCC)	£550,000.00	Five equal annual instalments.	YES	£330,000 received. £220,000 remains. To be repaid in 10 years if not used. DCC will request further payment in Feb 08'.
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Provision of enhanced public transport facilities at Digby railway Station.	£0.00	£25,000.00	Upon demand to DCC but not before 50th dwelling occupied	YES	DCC reminded to invoice. Scheme for expenditure yet to be finalised.
02/0535/03	Land at Pyne's Hill	Lone Eagle Estates Ltd	Pay highway contribution as found to be necessary by transport assessment	£0.00	To be calculated	On or before first occupation	YES	DCC to request payment.
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Towards the cost to be incurred by the County Council in procuring two additional bus services from the property	£0.00	£1,250,000.00	Prior to commencement	NO	Outline Permission - Not yet due

**Table 12: Section 106 Transport - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
			to Exeter City Centre and Marsh Barton or such other routes or destinations as may be approved by the owner.					
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Provision of 24 hour dedicated bus priority lane along Topsham Road between the access to the property and Countess Wear roundabout and part of Bridge Road, including relocation of bus stops and bus shelters	£0.00	£40,000.00	Prior to commencement	NO	Outline Permission - Not yet due
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Improvement of pedestrian/cycle facilities from the property to Countess Wear School and Priory High School and into the existing network	£0.00	£10,000.00	Prior to occupation	NO	Outline Permission - Not yet due
02/1402/01	Royal Naval Stores Depot, Topsham Road	Dukeminster Ltd	Install traffic signals at the entrance of the site onto Topsham Road. Pay commuted sum in respect of the cost of operating and maintaining the said traffic signals.	£0.00	£10,000.00	Prior to occupation	NO	Outline Permission - Not yet due
03/1256/01	Digby Drive/Russell Way	Barratt Homes Ltd Persimmon Homes Ltd	Pay £65,000 towards highway improvements.	£0.00	£65,000.00	On demand, not earlier than first occupation or letting of contract for works, and not later than cut off date as defined.	YES	This is part of the Digby site - an agreement dated 30 June 2003 covers an adjacent area. Developers have now been invoiced 50/50.
03/1611/01	County Ground	Exeter Rugby Group Ltd	Pay £2500 for travel pack.	£0.00	£2,500.00	Prior to commencement of development.	NO	Not yet commenced
03/1611/01	County Ground	Exeter Rugby Group Ltd	Pay £35000 for public transport.	£0.00	£35,000.00	Prior to commencement of development	NO	Not yet commenced
03/1611/01	County Ground	Exeter Rugby Group Ltd	Pay £40,000 for traffic calming measures.	£0.00	£40,000.00	Within 14 days of demand, after and within 5 years of	NO	Not yet due.- Development yet to commence. Repayable if unspent within 5 years of payment.

**Table 12: Section 106 Transport - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
						commencement of development.		
03/1612/03	Land Adj Sandy Park Farm	Exeter Rugby Group Ltd and others	Traffic regulation Orders to restrict on-street parking on match days on such streets within a 1.5 Km radius of the site. Also net costs of policing and monitoring, and of issuing and renewing permits.	£0.00	Not known	Upon demand from DCC following expenditure	NO	DCC have been reminded that they can request payment. Invoices in progress.
03/1612/03	Land Adj Sandy Park Farm	Exeter Rugby Group Ltd and others	Provision of lighting to the pedestrianised section of Woodwater Lane (developer to provide other pedestrian infrastructure itself).	£0.00	Not known	After contract has been let by DCC within 5 years of commencement of development	NO	DCC have been reminded that they can request payment. Invoices in progress.
03/1612/03	Land Adj Sandy Park Farm	Exeter Rugby Group Ltd and others	Maintaining the pedestrian works (footbridge and a lit cycle/footway linking site with Digby Railway Station and Park and Ride car park) for a period of 10 years	£0.00	To be estimated	Upon adoption	NO	DCC have been reminded that they can request payment. Invoices in progress.
03/1729/03	117 Exwick Road	Exeter Primary Care Trust	Pay £1500 towards making order required by the development. Index linked from 9/3/05 until payment. Repayable if unspent within one year of payment.	£0.00	£1,500.00	On demand by DCC.	YES	DCC have been reminded that they can request payment. Not yet required.
04/0506/03	Topsham Middle School	Pegasus Retirement Homes PLC	Proper and reasonable costs of providing lighting to the footpath along the south eastern and part of the southwestern boundary of the site.	£0.00	To be calculated.	Prior to commencement of development or, if later, within 14 days of notification.	YES	Street lighting is being installed – DCC will invoice for payment following completion.
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards public transport following the implementation of a direct road link to future development at Newcourt to the south of the A379 between the A379 and Topsham Road.	£0.00	£50,000	On occupation	YES	Repayable if unspent after 10 years. DCC have been reminded that they can request payment. Road not yet built.
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards improvements at Sandygate junction.	£0.00	£93,000	On occupation	YES	Repayable if unspent after 10 years. DCC have been reminded that they can request payment.

**Table 12: Section 106 Transport - Money Expected**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Due when	Due	Notes
04/1368/03	Well Park, Willeys Avenue	Cannings Properties	£35,000 towards the provision of a new access road to and from the Haven Road area. Index linked..	£0.00	£35,000	On commencement of development.	YES	DCC have been reminded that they can request payment
04/1395/03	Tan Lane		£12,000 towards the provision of a new access road to and from the Haven Road area. Index linked.	£0.00	£12,000	No dwelling to be occupied until paid.	YES	Repayable if not spent/committed within 10 years of payment. DCC to request payment.
04/1814/03	7 Tudor Street	Gadd Homes Ltd	Pay £5000 for closure of junction of Tudor Street with Frog Street/Western Way.	£0.00	£5,000	On commencement of development	YES	DCC have raised invoice
05/0177/03	St Lukes School, Ringswell Avenue	Governing Body	Works to prevent right turns at junction of Ringswell Avenue and Honiton Road. Contribution towards cost of traffic order.	£0.00	£2,000	Contribution on commencement, works before occupation.	YES	DCC have been reminded that they can request payment and are invoicing the school.
05/0177/03	St Lukes School, Ringswell Avenue	Governing Body	Travel plan to be agreed with DCC and implemented. Pay cost of traffic counting equipment (£6,750), plus further contribution if vehicle movements exceed specified limit.	£0.00	£6,750	Counter contribution payable on demand.	YES	DCC have been reminded that they can request payment.
05/1053/01	Land north of EDF Energy, Pinn Lane	Rokeagle Ltd	Contribution towards provision of public transport services serving the vicinity of the site.	£20,000.00 (DCC)	£100,000	£20,000 on commencement of development, £20,000 annually thereafter.	YES	First £20K Instalment received 28/02/07
05/1633/03	Old Mill and Old Stables, Tudor Street	Sprague & Ouseley	Pay contribution towards closure of junction of Tudor Street with Frog Street/Western Way if not already paid under agreement dated 24 August 2005 on 7 Tudor Street (04/1814/03).	£0.00	£5,000.00	Prior to commencement	YES	DCC have raised invoice under 04/1814/03.
06/0891/03	Land adjacent to 42 Chamberlain Road	Shorewalk	Haven Road/Water Lane Link Highway Contribution	£0.00	£15,000.00	Prior to any occupation	YES	ECC have raised invoice (09/01/08).

**Table 13: Section 106 Transport - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
93/0594/03	Marsh Barton Road	Wickes	Grace Road Link and Marsh Barton Rd/Alpington Rd junction improvement	£98,392.00	£90,000.00	£0.00	YES	Marsh Barton Road/Alphington Road junction improvement completed. Funds to be used to contribute to provision of Grace Road link. DCC to provide remainder of £400k needed. This may occur as a result of any proposed Sainsbury's extension at Alphington Cross.	NO
95/0341/03	Bad Homburg Way	Rokeagle/Dinnis	Off site cycleway improvements.	£0.00	£30,000	£33,930.00	YES	Spent on Highway Improvements	YES
99/0535/01	Matford Park, Bad Homburg Way	Rokeagle/Hodge	Improvements to the pedestrian and cyclist facilities and any other works needed for the improvement of the highway network near the site.	£0.00	£40,000.00	£47,874.36	YES	DCC have been paid - Money has already been spent on highway improvements at Matford Park	YES
00/1363/01	Hill Barton Farm	Rokeagle, Salter and Beazer	Additional bus journeys (or parts) linking Honiton Road next to the site and City, Exmouth and Honiton bus corridors. DCC to return unexpended amounts.	£0.00	£180,000.00	£180,000	YES	Paid in full 02/10/07 - Used to finance already operational bus routes	YES
01/0084/01	Digby Retail Warehouse Development	Tesco	To DCC to either improve Middlemoor and Sandygate roundabouts, other highway works or provision of alternative transport facilities to ease congestion at these roundabouts within 10 years of receipt.	£187,480.00 (DCC)	£185,000.00	£0.00	YES	Money received by DCC October 2003. Persimmon carrying out improvements to Middlemoor and money will be passed to them.	NO
01/0084/01	Digby Retail Warehouse Development	Tesco	To DCC for the improvement of Park and Ride facilities at nearby Park and Ride area within 10 years of receipt.	£141,700.00 (DCC)	£140,000.00	£0.00	YES	Money received by DCC October 2003. Proposals being developed by DCC in consultation with RD&E and ECC.	NO
01/0084/01	Digby Retail Warehouse Development	Tesco	To DCC to improve accessibility to public transport in the east of Exeter. For a period of 5 years.	£0.00	£650,000.00	£660,072.00	YES	Ongoing expenditure.	NA

**Table 13: Section 106 Transport - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Real time bus signing system within 0.5 Km of site upon implementation of the development.	£10,000.00 (DCC)	£10,000.00	£0.00	YES	Works to commence Spring/Summer 2008 - Held back due to construction of Senate Building	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Contra flow cycle lane in Western Way	£5,000.00 (DCC)	£5,000.00	£0.00	YES	Works to commence Spring/Summer 2008 - Held back due to construction of Senate Building	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Toucan crossing of Western Way within 0.5 Kms of the site	£30,000.00 (DCC)	£30,000.00	£0.00	YES	Works to commence Spring/Summer 2008 - Held back due to construction of Senate Building	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Review of traffic regulation orders within 0.5 Kms of the site	£1,000.00 (DCC)	£1,000.00	£0.00	YES	Works to commence Spring/Summer 2008 - Held back due to construction of Senate Building	NO
01/1584/03	Southernhay Crown Courts	ECC, Courts Service	Improvement of public transport facilities and their services with stops within 1 Km of the site.	£39,000.00 (DCC)	£39,000.00	£0.00	YES	Works to commence Spring/Summer 2008 - Held back due to construction of Senate Building	NO
01/1614/03	Pinhoe Rd	Sainsburys	public transport facilities to the site	£0.00	£74,000.00	£74,000.00	YES	Ongoing expenditure	YES
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"designing, preparing and implementing traffic regulation orders in the streets adjoining the property" Index linked from 9 December 2002. .	£3,000 (DCC)	£3,000.00	£0.00	YES	Development has started. Payments invoiced. Design in hand. To be re-paid within 10 years of receipt if not used.	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Improvement of Park and Ride facilities	£64,837.00 (DCC)	£59,500.00	£0.00	YES	Paid 19/10/05. Being used towards improvements to Honiton Road Park and Ride.	NO
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution to the development of a City Centre travel plan. Prepare and implement a travel plan for the site.	£0.00	£3,000.00	£3,000.00	YES	Green Travel Plan Complete	YES
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution for bus transponders and transponder readers with associated civil engineering works and appropriate training for operatives.	£70,831.00 (DCC)	£65,000.00	£0.00	YES	Received 19/10/05. Training ongoing.	NA

**Table 13: Section 106 Transport - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution towards providing, renewing or improving car parking variable message signs within the City of Exeter at Gordon's Lamp, Heavitree Rd, Holloway St, Western Way, Clock Tower, Paris St, Blackboy Rd and in Southernhay outside the Civic Centre.	£0.00	£130,000.00	£141,661.00	YES	Works complete	YES
02/0535/03	Land at Pynes Hill	Lone Eagle Estates Ltd	£40,000 per year for two years for the provision of new bus service or extension or alteration of existing bus services to serve the site.	£40,000 DCC	£80,000.00	£0.00	NO	First £40,000 instalment paid 08/03/2004. Developer continues to dispute 2nd payment. Stagecoach are totalling ticket sales so that a developer rebate can be calculated.	NO
03/0262/03	Land at Pyne's Hill	Colourcolt Ltd	"provision of public transport infrastructure in the vicinity of the site"	£27,007.45	£23,000.00	£0.00	YES	Funds received. Public transport for this area under review by DCC- Future improvements, for which money will be used, likely. DCC advised to invoice ECC and will do so shortly.	NO
03/1688/03	Nichols Centre	Devon Community Housing Society Ltd	Pay £1500 towards order for additional restrictions to on-street parking in the vicinity of the site, and on the highways (if any) to be adopted within the development.	£1,500 DCC	£1,500.00	£0.00	YES	Received by DCC March 2005. Proposals under consultation and currently being implemented.	NO
03/1256/01	Digby Drive/Russell Way	Barratt Homes Ltd Persimmon Homes Ltd	Pay £80,000 towards public transport (enhancement of services between the development and the City Centre and).	£45,188.00	£80,000.00	£40,000.00	NO	First instalment received 2006 and spent by DCC. Second instalment received December 2007 – Unspent as yet.	NO
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards sustaining public transport serving the development.	£72,000.00	£72,000.00	£0.00	YES	Received 19/07/07	NO
04/1950/03	Athelstan Road	St Leonard's Medical Practice	Pay £2,500 for review and revision of traffic orders affecting the site.	£2,650.00	£2,500.00	£0.00	Yes	Received 04/01/08 – DCC to commit	NO

**Table 13: Section 106 Transport - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
05/1053/01	Land north of EDF Energy, Pinn Lane	Rokeagle Ltd	Contribution towards improvements in the circulatory carriageway underneath junction 30 of the M5.	£0.00	£50,000.00	£50,000.00	YES	Received 26/07/07 – DCC to commit	NO
05/1053/01	Land north of EDF Energy, Pinn Lane	Rokeagle Ltd	Contribution towards provision of transport and highway infrastructure in the Monkerton Link Road corridor. Repayable if unspent after ten years.	£0.00	£250,000.00	£250,000.00	YES	Received 26/07/07 – DCC to commit	NO
05/1511/01	Bradfords, Cowley Bridge Road		Contribution to provide a traffic order to control on-street parking in the immediate vicinity of the site.	£1,500.00 (DCC)	£1,500.00	£0.00	YES	Order not yet implemented, site under appeal.	NO
06/0236/03	Site G, Former Electricity Building, Haven Road	Homebrick	Highway Contribution	£64,776.52	£60,000.00	£0.00	YES	Committed to ECC funded Water Lane link road project through the Haven Road car park. Engineering and design works underway - planning application expected early 2008.	NO
06/0780/03	94a&94b Sidwell Street	Bradley	Real-time bus information	£11,231 (DCC)	£11,000.00	£0.00	YES	Received	NO
06/0876/03	Land to the north of Exeter Motorway Services	Location 3 Properties	Green Travel Plan	£5,000 (DCC)	£5,000.00	£0.00	YES	Received by DCC. Not yet committed.	NO
06/0876/03	Land to the north of Exeter Motorway Services Area	Location 3 Properties	Contribution to bus service	£50,000 (DCC)	£50,000.00	£0.00	YES	Received by DCC. Committed to improvements to bus service B	NO
06/0876/03	Land to the north of Exeter Motorway	Location 3 Properties	Pedestrian & cycle schemes	£20,000 (DCC)	£20,000.00	£0.00	YES	Received by DCC including RPI. Not yet committed.	NO

**Table 13: Section 106 Transport - Money Received**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent
	Services								
06/0876/03	Land to the north of Exeter Motorway Services	Location 3 Properties	Junction 30 improvements	£64,000 (DCC)	£64,000.00	£0.00	YES	Received by DCC including RPI. Not yet committed.	NO
06/1147/03	Episcopal Building and York Wing, Dinham Road	Justin Developments	Highway Contribution - 20mph zone in the vicinity	£24,197.05	£23,300.00	£0.00	YES	Payment received by DCC (10/01/08).	NO

**Table 14: Section 106 Financial Contributions Received Since January 2007.**

**Total = £1,512,718.87**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent	Group
99/0442/01	P.E.O.H Barrack Rd	S.O.S For Health	Community facility to benefit owners and occupiers of the site	£18,389.89	£15,000.00	£0.00	YES	Contribution Received. Agreed to be used to enhance forthcoming 'Wyvern Park' facilities	NO	Community and Leisure
<b>Community and Leisure = £18,389.89</b>										
03/0871/01	Land adj 7 Alice Templar Close	C G Fry & Son Ltd	Pay £452.04 per dwelling towards teaching accommodation.	£0.00	£6,000.00	£6,280.80	YES	Spent - Exeter schools re-organisation.	YES	Education
04/1814/03	7 Tudor Street	Gadd Homes Ltd	Pay £578.75 per dwelling of 2+ bedrooms for schools to serve the development. Index linked. Repayable if unspent within 5 years.	£8,430.70	£6,000.00	£0.00	YES	To be used at St Davids School Jan 08'	NO	Education
05/1633/03	Old Mill and Old Stables, Tudor Street		Pay contribution towards educational facilities required as a result of the development.	£4,912.00	£4630.00	£0.00	YES	Committed for use at St David's - Jan 08'	NO	Education
<b>Education = £19,623.50</b>										
04/1082/03	Tesco, Russell Way	Tesco Stores Ltd	Contribution towards environmental improvements in Heavitree district centre and/or the construction of additional cycle route infrastructure within 1 km of the development. Payable to ECC.	£47,499.76	£44,000	£0.00	YES	£23,750 to be used for environmental improvements at Fore Street, Heavitree (2008/2009). Residual to be committed to apple lane footway/cycleway link to Digby and Sowton Station.	NO	Environmental Enhancements
<b>Environmental Enhancements = £47,499.76</b>										
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Provision and future maintenance of a Multi- Use Games Area on the school site or the Open Space Land in a position to be agreed with (both) developers". Index linked from 9 December 2002.	£52,779.25	£62,500.00	£12,000.00	YES	Adopted October 2007. MUGA ordered for installation in December 2007.	NO	Open Space
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Future maintenance of the children's play area".	£20,000.00	£20,000.00	£0.00	YES	Received 16/11/07	NO	Open Space

**Table 14: Section 106 Financial Contributions Received Since January 2007.**

**Total = £1,512,718.87**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent	Group
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Provision of play equipment on the site.	£46,440.61	£95,000.00	£50,000.00	YES	Adopted November 2007. Consultation with residents for installation May 2008.	NO	Open Space
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Construct public open space and play area to a value of £40,000 + VAT index linked (or pay for works instead).	£46,395.80	£40,000.00	£0.00	YES	Open space adopted. Play area to be constructed in 2008	NO	Open Space
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Transfer to ECC on completion. Pay commuted sum of £39700.	£0.00	£39,700.00	£41,413.90	YES	Open space adopted. Play area to be constructed in 2008	YES	Open Space
03/0618/03	Summerway Middle School Site	Exeter Housing Soc. Ltd	Cost of providing open space off site to the extent provision on site does not match planning standards	£12,178.90	£10,500.00	£0.00	YES	To be used to supplement provision of MUGA and play area in new Summerway Park. Same account as on-site contribution	NO	Open Space
03/2008/03 04/1298/03	Wyvern Barracks	C G Fry & Son Ltd	Sum for the provision of play equipment on-site	£94,071.00	up to £115,000	£0.00	YES	Some savings agreed, which have been used to create an adopted footpath through the new park. Facilities to be supplemented by £15,000 contribution from Well Oak (in lieu of play area there) and £15,000 from PEOH off site community facilities. Received December 07	NO	Open Space
03/2008/03 04/1298/03	Wyvern Barracks	C G Fry & Son Ltd	Maintenance of Public Open Space	£78,785.00	£71,242.00	£0.00	YES	Received Dec 2007	NO	Open Space
<b>Open Space = £454,064.46</b>										
99/0535/01	Matford Park, Bad Homburg Way	Rokeagle/Hodge	Improvements to the pedestrian and cyclist facilities and any other works needed for the improvement of the highway network near the site.	£0.00	£40,000.00	£47,874.36	YES	DCC have been paid - Money has already been spent on highway improvements at Matford Park	YES	Transport
00/1363/01	Hill Barton Farm	Rokeagle, Salter and Beazer	Additional bus journeys (or parts) linking Honiton Road next to the site and City, Exmouth and Honiton bus corridors.	£0.00	£180,000.00	£180,000	YES	Paid in full 02/10/07 – Used to finance already operational bus routes.	YES	Transport

**Table 14: Section 106 Financial Contributions Received Since January 2007.**

**Total = £1,512,718.87**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent	Group
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	Enhancement of public transport services between the development and the centre of	£330,000.00 (DCC)	£550,000.00	£0.00	NO	<b>£220,000 received in 2007.</b> £330,000 received in total. £220,000 remains.	NO	Transport
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	For designing, preparing and implementing traffic regulation orders in the streets adjoining the property	£3,000 (DCC)	3,000.00	£0.00	YES	To be re-paid within 10 years of receipt if not used.	NO	Transport
03/1256/01	Digby Drive/Russell Way	Barratt Homes Ltd Persimmon Homes Ltd	Pay £80,000 towards public transport (enhancement of services between the development and the City Centre and).	£45,188.00 (DCC)	£80,000.00	£40,000.00	NO	First instalment received 2006 and spent by DCC. Second instalment received December 2007 – Unspent as yet.	NO	Transport
04/1950/03	Athelstan Road	St Leonard's Medical Practice	Pay £2,500 for review and revision of traffic orders affecting the site.	£2650.50	£2,500.00	£0.00	YES	Received 04/01/08 – DCC to commit	NO	Transport
05/1053/01	Land north of EDF Energy, Pinn Lane	Rokeagle Ltd	Contribution towards improvements in the circulatory carriageway underneath junction 30 of the M5.	£0.00	£50,000.00	£50,000	YES	Received 26/07/07 – DCC to commit	YES	Transport
05/1053/01	Land north of EDF Energy, Pinn Lane	Rokeagle Ltd	Contribution towards provision of transport and highway infrastructure in the Monkerton Link Road corridor. Repayable if unspent after ten years.	£0.00	£250,000.00	£250,000	YES	Received 26/07/07 – DCC to commit	YES	Transport
06/0780	94a&94b Sidwell Street	Bradley	Real-time bus information	£11,231 (DCC)	£11,000.00	£0.00	YES	Received by DCC. Yet to be committed.	NO	Transport
06/0876	Land to the north of Exeter Motorway Services	Location 3 Properties	Green Travel Plan	£5,000 (DCC)	£5,000.00	£0.00	YES	Received by DCC. Yet to be committed.	NO	Transport
06/0876	Land to the north of Exeter Motorway Services	Location 3 Properties	Contribution to bus service	£50,000 (DCC)	£50,000.00	£0.00	YES	Received by DCC. Yet to be committed.	NO	Transport

**Table 14: Section 106 Financial Contributions Received Since January 2007.****Total = £1,512,718.87**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Complied	Notes	Money spent	Group
06/0876	Land to the north of Exeter Motorway Services	Location 3 Properties	Pedestrian & cycle schemes	£20,000 (DCC)	£20,000.00	£0.00	YES	Received by DCC. Yet to be committed.	NO	Transport
06/0876	Land to the north of Exeter Motorway Services	Location 3 Properties	Junction 30 improvements	£64,000 (DCC)	£64,000.00	£0.00	YES	Received by DCC. Yet to be committed.	NO	Transport
06/1147/03	Episcopal Building and York Wing, Dinham Road	Justin Developments	Highway Contribution - 20mph zone in the vicinity	£24,197.05 (DCC)	£23,300.00	£0.00	YES	Payment received by DCC (14/01/08).	NO	Transport

**Transport = £973,140.91****Total = £1,512,718.87**

**Table 15: Section 106 Financial Contributions Spent Since January 2007**

**Total = £888,576.30**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Notes	Group
99/1022/03	Barrack Road	Abbey Manor Developments	Affordable housing if not provided on site. To be spent within 5 years of receipt.	£0.00	£136,021.00	£136,021.00	Final <b>£64,842</b> used to part finance 2 move-on bed spaces at Prospect Place.	Affordable Housing
01/1518/03	Lazy Landlord, Bonhay Road	Redrow Homes	Affordable housing in Exeter.	£0.00	£300,267.00	£300,267.00	<b>£20,267</b> used to part finance 2 move-on bed spaces at Prospect Pl (£12,172) and 2 at Headland Crescent (£8,095).	Affordable Housing
02/1845/03	Central Station Yard, Queen St.	Bellway Homes Ltd	Contribution towards affordable housing in Exeter.	£691,145.73	£633,000.00	£90,641.00	<b>£35,000</b> spent in 07/08 providing an extra shared ownership home on Wyvern Barracks.	Affordable Housing
<b>Affordable Housing = £120,109.00</b>								
03/0200/03	Former Plymco Supermarket		Financial contribution for provision of community facilities in the Exwick area	£48,896.37	£92,000.00	£44,000.00	£3,000 committed to trustee training. £10,000 committed opening bank account balance for community centre. £44,000 spent on capital programme.	Community and Leisure
03/0300/03	Kinnerton Way	Westbury Homes	Provide or support the provision of community facilities and services in the Exwick area of Exeter	£0.00	£72,000.00	£75,398.00	Money used in association with provision of new community facilities	Community and Leisure
<b>Community and Leisure = £119,398.00</b>								
95/0796/03	Exeter Castings, Water Lane	Midas Homes Ltd	Provision of play equipment	£0.00	£20,000.00	£25,190.04	Been used to upgrade children's play facilities at Haven Banks play area in January 2007. Now adopted.	Open Space
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"provision and future maintenance of a Multi-Use Games Area on the school site or the Open Space Land in a position to be agreed with (both) developers".	£52,779.25	£62,500.00	£12,000.00	Adopted October 2007. MUGA ordered for installation in December 2007.	Open Space
02/0175/01	Land North of Digby Drive	Persimmon & Barratt	"provision of play equipment on the site". Index linked from 9 December 2002.	£46,440.61	£95,000.00	£50,000.00	Adopted November 2007. Consultation with residents for installation May 2008.	Open Space
03/0618/03	Summerway Middle School	Exeter Housing Soc. Ltd	Transfer to ECC on completion. Pay commuted sum of £39700.	£0.00	£39,700.00	£41,413.90	Open space adopted. Play area to be constructed in 2008	Open Space
<b>Open Space = £128,603.94</b>								
95/0341/03	Bad Homburg Way	Rokeagle/Dinnis	Off site cycleway improvements.	£0.00	£30,000.00	£33,930.00	Spent on Highway Improvements	Transport

**Table 15: Section 106 Financial Contributions Spent Since January 2007**

**Total = £888,576.30**

Planning App no	Site	Developer	Requirement	Amount in account	Amount	Amount spent	Notes	Group
99/0535/01	Matford Park, Bad Homburg Way	Rokeagle/Hodge	Improvements to the pedestrian and cyclist facilities and any other works needed for the improvement of the highway network near the site.	£0.00	£40,000.00	£47,874.36	DCC have been paid - Money has already been spent on highway improvements at Matford Park	Transport
00/1363/01	Hill Barton Farm	Rokeagle, Salter and Beazer	Additional bus journeys (or parts) linking Honiton Road next to the site and City, Exmouth and Honiton bus corridors. DCC to return unexpended amounts.	£0.00	£180,000.00	£180,000.00	Paid in full 02/10/07 - Used to finance already operational bus routes	Transport
01/1614/03	Pinhoe Rd	Sainsburys	For " public transport facilities to the site".	£0.00	£74,000.00	£74,000.00	Ongoing expenditure	Transport
02/0300/03	Princesshay	Ravenseft Properties Ltd.	Contribution to the development of a City Centre travel plan.	£0.00	£3,000.00	£3,000.00	Green Travel Plan Complete	Transport
02/0300/03	Princesshay	Ravenseft Properties Ltd	Contribution towards providing, renewing or improving car parking variable message signs within the City of Exeter	£0.00	£130,000.00	£141,661.00	Works complete	Transport
03/1256/01	Digby Drive/Russell Way	Barratt Homes/Persimmon Homes	Pay £80,000 towards public transport (enhancement of services between the development and the City Centre)	£45,188.00	£80,000.00	£40,000.00	First instalment received and spent by DCC. Second instalment received December 2007 – Unspent as yet	Transport

**Transport = £520,465.36**

**Total = £888,576.30**

**Table 16: Sites Being Monitored by the Community Facilities Implementation Group**

**SITES BEING MONITORED BY THE COMMUNITY FACILITIES IMPLEMENTATION GROUP**

**NORTHERN AREA**

<b>Site</b>	<b>Status</b>	<b>Key issues</b>
Brunel Close	Permission and Section 106 agreement.	- Section 106 on existing permission provides for off-site play area contribution, intended for Looe Rd play area. However, an application for student accommodation on the site (same developer), allowed on appeal, is being implemented instead.
Chancel Lane	Approval, subject to a Section 106 agreement	- Leisure has asked for an off-site contribution. A pedestrian link is required to Harrington Lane play area. - Some play equipment will be provided on-site by the developer. - Money would be used to improve Harrington Lane or Pinhoe (Station Rd) play areas.
Dinham Road/Episcopal Annex	Commenced (Sanremo)	- Developer is providing play equipment on site. This will not be adopted. - Money for off-site PA to be amalgamated possibly with Richmond Yard off-site contribution to provide a facility in the area. Location yet to be identified.
Looe Road	Appeal dismissed in June 2007. Awaiting a new application.	- Leisure had asked for a £4292 Section 106 contribution for community facilities when the site was under appeal. They are likely to request a similar contribution if a new proposal comes forward.
Orwell Garth	Development completed (Sarson Housing Association)	- Open space is ready for adoption. ECC are maintaining it while legal work is completed. - Legal have been instructed.
Polsloe Priory (Ibstock Brickworks)	Development completed (Persimmon)	- Play area was installed in May 2007 but the developer will not allow it to be used until the whole area has been adopted. - Goal posts not being provided by the developer on the 5-a-side area. - The developer still has outstanding issues to resolve before adoption. The matter has been passed to one of the Council's litigation solicitors with a view to taking legal action.
Richmond Yard	Under construction (Wimpey).	Play area installed during autumn 2007. Legal work underway for its transfer
Summerway	Development complete (Midas for Exeter Housing Society).	- Permission granted for play area and multi use games area in adjacent land. - Adoption complete - Land swap with old school playing field complete.
Summerway/No rthbrook	Land swap (not section 106 agreement but included here for clarity).	- New park is now open with two tennis courts open for free play - A cycleway, MUGA and play area will be installed on this site in 2008. - Cycleway expected early/mid 2008 - Land swap complete

**WESTERN AREA**

<b>Site</b>	<b>Status</b>	<b>Key issues</b>
County Ground	Details approved for part of site (retirement flats). Application for 100 units on the remainder of the site has now been approved.	Section 106 on outline planning permission requires a contribution of £300 per dwelling. Likely to be used to provide facilities in either or both of Cowick Barton Playing Field (including access paths, upgrading the play area, sports pitch improvements (possibly a MUGA) or St Thomas Pleasure Ground.

**Table 16: Sites Being Monitored by the Community Facilities Implementation Group**

Site	Status	Key issues
Crossmead	Resolution to grant outline permission subject to a section 106 agreement.	Open space and play area to be provided on site. Play area to value of £80k.
Hylton	Development completed (William Sutton).	<ul style="list-style-type: none"> <li>- Play area completed.</li> <li>- Legal work under way for adoption of remaining open space.</li> </ul>
Lavender Road	Development completed (Barratt).	Play area installed but remedial work needed prior to adoption, including drainage works, relaying of safety surfaces and replacement of planting.
Kinnerton Way (Medley Court)	Development completed (Persimmon).	<ul style="list-style-type: none"> <li>- MUGA and community centre completed and handed over.</li> <li>- Lights are due to be provided, but funding application was turned down so the community association will fund the lights.</li> <li>- Planning permission for lights received, but light layout will need to be amended.</li> </ul>
PEOH	Development completed (Bovis).	<p>Phase 1 – Adoption being delayed by dispute between developer and housing association as to area to be adopted. Some boundary issues to deal with.</p> <p>Phase 2 – Legal work for adoption under way. Play area is in use, being maintained by ECC although not yet adopted.</p>
Powlesland Road	Development completed since last report (Barratt).	Adoption Complete
St Andrew's Road	No application yet	Residential development would be required to contribute to nearby play facilities - £12,000.
St Peter's Mount	Development completed (Redrow and Knapp).	<ul style="list-style-type: none"> <li>- Discussions under way with developer over indemnity and insurance in respect of drainage issues on the large area.</li> <li>- Adoption Complete on all other areas</li> </ul>
Water Lane	Development completed (Knapp New Homes) .	<ul style="list-style-type: none"> <li>- Need to decide by 2010 how to spend the remaining money (£15,104.00 by 9/3/11) for something in vicinity – “for the purpose only of providing public open space, recreational facilities and children's play equipment in the area of Water Lane and Haven Banks, Exeter”.</li> <li>- Former allotment site (now owned by Council) being considered.</li> </ul>

**SOUTHERN AREA**

Site	Status	Key issues
Digby Kings Heath	Under construction (Barratt and Persimmon).	<ul style="list-style-type: none"> <li>- All areas of open space completed and adopted since last report, following threat of legal proceedings by council.</li> <li>- MUGA base and play area now adopted. MUGA was installed December 2007. Lights need planning permission and should be ready for autumn 2008. Consulted on play area locally in November and target is for May 2008 installation.</li> </ul>
Exeter Trust House	Permission and section 106 agreement	<ul style="list-style-type: none"> <li>- Agreement provides for £10,000 index linked for leisure/community facilities in Belmont Park.</li> <li>- Permission granted for student accommodation in lieu. If this is implemented, section 106 agreement will not apply.</li> </ul>
King George V Playing Fields	Various permissions	<ul style="list-style-type: none"> <li>- Inclusive play area to be provided by Exeter Mencap, subject to lottery funding.</li> <li>- Group keeping a watching brief.</li> </ul>
Royal Naval Stores Depot	Outline only. Reserved matters application refused. Further application	<ul style="list-style-type: none"> <li>- Section 106 agreement already exists (on outline PP).</li> <li>- Persimmon have commissioned a consultant to address contaminated land.</li> <li>- Outline remediation strategies have been created though these have not yet been agreed by Environmental Health</li> </ul>

**Table 16: Sites Being Monitored by the Community Facilities Implementation Group**

Site	Status	Key issues
	being considered by Planning Committee in January 2008.	
Wyvern Barracks	Under construction (Fry).	<ul style="list-style-type: none"> <li>- There is scope for the footpath to Shakespeare Road to be implemented though space is tight. This may require co-operation from the MOD.</li> <li>- £30,000 has held from other schemes to contribute to facilities on this site. Multi Use Games Area to be installed during Spring 2008 and play area later in 2008.</li> <li>- Open space has all been adopted. A small area, which is subject to a leaseback, is being used for topsoil storage. The lease is due to expire in March 2009.</li> </ul>
St Loyes	Planning brief prepared.	<ul style="list-style-type: none"> <li>- Site acquired by a retirement village provider.</li> <li>- Work underway to assess what on and off site provisions would be required.</li> </ul>
Plymouth University	Planning application approved by committee	Pending the negotiation of a legal agreement.