

EXETER CITY COUNCIL

PLANNING COMMITTEE

19 FEBRUARY 2007

SECTION 106 AGREEMENTS

1.0 PURPOSE OF REPORT

- 1.1 To report on progress with the implementation of outstanding Section 106 Agreements and on expenditure of the 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.

2.0 BACKGROUND

- 2.1 This report has been prepared to advise Members on progress with the collection and expenditure of contributions made by developers towards the provision of the facilities and services necessary for development. It covers the period July-December 2006.
- 2.2 The report covers all outstanding agreements arising from development proposals in the City requiring financial payments by developers.
- 2.3 Agreements and progress in relation to them are summarised in the attached tables under subject headings and stage of payment (either due or received). Included are requirements where payment has not yet been triggered by the agreed stage in the development process.
- 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 incorporated in to the Parks and Open Space Manager's budget each year.

3.0 PERFORMANCE

- 3.1 A total of £243,698.68 has been spent since July. The largest contribution spent was for public transport facilities to Sainsburys in Pinhoe of £74,000.00.
- 3.2 The £34,213.80 education contribution from the residential development at Richmond Yard has now been spent at St Leonards primary school.
- 3.3 In the same period £14,920.78 was received for the maintenance of open spaces at Clapper Brook Lane and Pynes Hill and has been transferred to the grounds maintenance account.

- 3.4 Highway works to the value of £50,000.00 were carried out offsite by Exeter Housing Association, in connection with the Summerway School site planning obligation, in lieu of the contribution due for traffic calming in the vicinity of the site.

4.0 UPDATE

- 4.1 For the first time, a table is included (to the rear of the report) giving details of progress with the provision of community facilities required by section 106 agreements. In October 2005, a group of officers was established with the Planning Solicitor as Chair, to monitor the performance of developers in providing such facilities. This has assisted officers in ensuring that recently signed agreements (such as those for Wyvern Barracks and Richmond Yard) are being complied with, as well as identifying earlier developments where facilities have not been provided on time. This resulted in notes being included on local search responses to prevent the sale of final batches of properties at Medley Court, Exwick (now released) and Kings Heath, Digby, until the facilities have been completed. The group of officers is also working to secure compliance with planning obligations on a number of other sites.

5.0 PLANNING MEMBER WORKING GROUP

- 5.1 A number of amendments to the schedules have been made following consideration by Planning Member Working Group on 6 February 2007.

6.0 RECOMMENDATION

- 6.1 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