

BRIEFING NOTE FOR HAM AND ST BUDEAUX AREA COMMITTEE, 31 MARCH 2010

SECTION 106 AGREEMENT SPENDING ARRANGEMENTS

At the Area Committee's meeting on 13 January 2010, it was requested that a report be presented outlining Section 106 Agreement spending arrangements. This report presents a brief summary of how spending associated with Planning Obligations is organised.

It should be noted that there are two categories of Planning Obligation which require management.

The first category relates to Planning Obligations of planning applications submitted before the Planning Obligations & Affordable Housing Supplementary Planning Document was adopted in December 2008.

These are bespoke Planning Obligations where any spending provisions identified are allocated to individual Services to lead on delivering the project. Each Service must identify a project manager and takes responsibility for spending the money in accordance with the Agreement. Projects identified are usually quite specific and care needs to be taken to ensure that any expenditure is aligned with the terms set out in the Agreement.

The table below shows the outstanding Planning Obligations of this nature relating to Ham and St Budeaux, also identifying the lead Service.

Planning Obligations in Ham

Planning Application Number	Address	Obligation Summary	Lead Service	Amount	Money received?
00/00981/FUL	BEACON RESERVOIR (DEMOLISHED) BEACON PARK ROAD	Secondary school provision in vicinity of development	Education	£7,600	Yes
01/01414/FUL	BEACON PARK RUGBY GROUND BEACON PARK ROAD	For offsite recreation facilities (Brickfields)	Culture Sport & Leisure	£62,000	Yes
06/01629/FUL	FORMER ALLOTMENT GARDENS HAM DRIVE	Offsite highway improvements	Transport	£36,500	Yes
06/01629/FUL	FORMER ALLOTMENT GARDENS HAM DRIVE	Secondary school provision in vicinity of development	Education	£36,241	Yes
09/01375/FUL	WOLSELEY ROAD	Replacement tree planting	Parks	£200	No

Note: Total amount received £142,341

Planning Obligations in St. Budeaux

Planning Application Number	Address	Obligation Summary	Lead Service	Amount	Money received?
06/02075/FUL	ST BUDEAUX COMMUNITY CENTRE & PUBLIC CAR PARK,	Upgrading bus stop along Wolesley Rd to include Real time passenger information.	Transport	£9,500	Yes
06/02075/FUL	ST BUDEAUX COMMUNITY CENTRE & PUBLIC CAR PARK,	Replacement leisure facilities within this locality	Culture Sport & Leisure	£50,000	Yes
02/00707/OUT	LAND AT THE WEST END OF FOULSTON AVENUE	For the maintenance of an open space on its transfer to the Council.	Parks	£30,000	No
05/01023/FUL	LO COST CAR CENTRE LTD NORMANDY WAY	Play	Parks	£22,000	No

Note: Total amount received £59,500

The second category relates to Planning Obligations of planning applications submitted after the Planning Obligations & Affordable Housing Supplementary Planning Document was adopted in December 2008.

The SPD sets out a new basis for the negotiation of Planning Obligations.

Most developments are required to pay a standard charge (known as the Plymouth Development Tariff), which secures funding for key infrastructure needs such as schools, open space, transport and sports/leisure provision. Developments contribute to the Tariff regardless of whether they are in a part of the city with good or poor community infrastructure. The collection of funds in this way will then enable the Council to allocate funds to address infrastructure needs. Each Lead Service will be responsible for spending, but it must be in accordance with a proper approach to prioritising expenditure and related to planning purposes. A governance framework is currently under development to ensure that this process is managed effectively.

Tariff is paid on commencement of development, and to date very few contributions have been received. This is due primarily to the time lag between submitting an application and starting on site, and the impact of the recession which has significantly slowed down delivery. However, over time the Tariff funding pots will build up enabling the city's infrastructure needs associated with the cumulative impact of development to be addressed.

It should be noted that the Tariff provides gap funding only, and it can only be used to address the infrastructure impacts arising from new developments.

In addition to the Plymouth Development Tariff, some Section 106 Agreements will have what is known as a Negotiated Element. This often includes Affordable Housing provision as well as provisions not covered by the Tariff but which are needed to make the development acceptable (e.g. site specific access improvements). The organisation of spend for these types of Agreement is as for those in place before the SPD was adopted.

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