

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Improving Places Select Commission
2.	Date:	24 July 2013
3.	Title:	Planning Obligations – updated s106 accounts information
4.	Directorate:	Environment and Development Services

5. Summary

Further to Minute No. 39 of the meeting of the Improving Places Select Commission held on 28th November, 2012, and minute 46 of the meeting of 20th February it was resolved that a further report detailing progress of S106 agreements be submitted.

6. Recommendations

- The contents of the report be noted
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7. Proposals and Details

The previous report to this commission was presented on 20th February 2013 detailing the comprehensive list of monies received from developer contributions via s106 legal agreements negotiated as part of the planning process.

Planning Obligations are used, following the granting of planning permission (normally major developments), to secure community infrastructure to meet the needs of residents in new developments and/or to mitigate the impact of new developments upon existing community facilities. They can also be used to restrict the development or use of the land in a specified way or require specific operations or activities to be carried out on the land.

The Council has a corporate procedure for s106 relating to the financial processes from the signing of the s106 agreement, invoicing when the payments are due and monitoring spend against the account. Since the previous meeting work has been carried out to further update s106 database and the detail in the way individual services engage in the planning process.

The previous report detailed S106 agreements entered into prior to 31st March 2012.

Table 1 gives detail of Planning Permissions issued during the period since the 31st March 2012 which are subject to S106 Agreement – detailed by date signed and recipient services.

RB2006/ 1856	28/05/2012	The Former Croda Site Carlisle Street, Kilnhurst	Travel Agreement - 3rd Anniversary	£39,000.00	SYLTE
			Ecological Contribution - index linked	£5,114.00	C & L
			Education Contribution - index linked	£195,194.00	C & L
			Education Contribution - index linked	£195,194.00	C & L
			Travel Agreement Initial Payment - index linked	£10,228.00	SYLTE
			Travel Agreement - "1st Payment"	£85,000.00	SYLTE
			Travel Agreement - 2nd Anniversary	£50,000.00	SYLTE
			Travel Agreement - 4th Anniversary	£30,000.00	SYLTE
			Travel Agreement - 1st Anniversary	£62,000.00	SYLTE
RB2011/ 1503	05/07/2012	Land at Field View, Brinsworth	Education Contribution - Index Linked from date of permission granted - as of 31/03/13 17 completions therefore trigger will be sometime in the next few months	£96,500.00	Education
			Education Contribution - Index Linked from date of permission granted	£96,500.00	Education
			Infrastructure Sum (Footpath & Car Park)	£70,000.00	Highways/ Transportation
			Library Contribution - index linked from the date of permisison granted	£70,000.00	C & L
RB2012/ 0037	16/08/2012	Land at Express Parks Waterfront off Manvers Way, Manvers	Education Contribution	£86,654.00	Education
			Off-site Play Area Contribution	£40,000.00	C & L
RB2011/ 1244	24/10/2012	Land at Laughton Road Sawn Moor Road, Thurcroft	Library Contribution Index linked	£10,000.00	C & L
			Public Open Space Contribution - Index linked - 2nd payment	£26,668.00	C & L
			Public Art Contribution - Index Linked	£37,300.00	C & L
			Public Open Space Contribution - Index linked - 1st payment	£26,668.00	C & L
			Flood Detention Basin Maintenance	£34,500.00	C & L

			Bond (Expiration 30 years from date of receipt)		
			Public Open Space Contribution - Index linked - 3rd payment	£26,666.00	C & L
RB2012/1049	02/11/2012	Land at Bawtry Road, Wickersley	Education Contribution provision of classrooms at Wickersley Comprehensive School	£20,077.00	Education
RB2012/0842	19/11/2012	Land at Manvers Way, Manvers	Education contribution - Index linked	£86,654.00	Education
			Affordable Housing Contribution - 50% of 3 open market value houses - EH confirmed expecting stated amount by email 03/06/12	£67,500.00	Neighbourhoods
RB2012/1548	17/01/2013	Land off Monksbridge Road, Dinnington	Bus Stop Contribution	£6,000.00	SYPTTE via RMBC
RB2012/1778	27/03/2013	land off Denham Road, Wath	Education Contribution	£42,156.00	Education
			Total for 2012/13	£1,515,573.00	
RB2012/0607	26/04/2013	land Hall Croft, Lindum Drive, Wickersley	Education Contribution (50%)	£20,077.20	Education
			Education Contribution (50%)	£20,077.20	Education
RB2012/1409	18/06/2013	Bradgate Quarry, Fenton Road, Kimberworth	Education Contribution (50%)	£105,390.00	Education
			Education Contribution (50%)	£105,390.00	Education
			Outdoor Gym Contribution	£35,000.00	C & L
			Total so far for 2013/14	£285,934.40	

The information in Table 1. details S106s which relate to applications granted between 1st April 2012 and 30th June 2013 and require contributions totalling £1,801,507.40 for infrastructure relating to Education, Public Transport and Highways, Culture and Leisure and Affordable Housing provision. Education accounts for approx £1mn of the contributions recently agreed, with rest split mostly between SYPTTE/Highways and C&L. The table only details new agreements that have a financial element attached to them. Agreements such as Deeds of Variation etc that only vary the wording or extent of the agreement to a new application reference have been omitted as they do not contain a financial element and do not materially affect the contributions agreed in previous agreements.

It is important to note that the monies will only be paid to the Council IF the planning permission is implemented and will be due once the relevant trigger point has been reached, requiring the contribution to be paid. Therefore this list is constantly monitored and updated, noting when a development is commenced and a trigger point is reached in order that the relevant invoice can be raised.

Table 2. Invoices issued during the period since the year end 2012/13 i.e payments expected in the financial year 2013/14.

RB2010/0765	Development land at Town Centre Campus	Highway Safety Feature Contribution	£20,000.00	Invoiced on Cedar	Highways
RB2011/1244	Land at Laughton Road Sawn Moor Road, Thurcroft	POS - 1st Payment	£26,668.00	Invoiced on Cedar	C & L
		Library Contribution	£10,000.00	Invoiced on Cedar	C & L
RB2006/1856	The Former Croda Site Carlisle Street, Kilnhurst	Ecological Contribution	£5,114.00	Invoiced on Cedar	C & L
		Travel Agreement Initial Payment	£10,228.00	Invoiced on Cedar	Highways/SYPTTE

Total £72,010.00

Table 3 Payments received during the period since 31st December 2012

RB2008 /0553	Land at High Street, Swallownest	Play Area Contribution - Invoiced	£70,000.00	Received Jan 2013	C & L
		Sculpture Park Contribution - Invoiced	£35,000.00	Received Jan 2013	C & L
		Play Area Maintenance Contribution - Invoiced	£10,000.00	Received Jan 2013	C & L
RB2008 /0524	land to the north of Manvers Way, Manvers	Bus Service contribution - Paid on a proportion of each developers area of the phase - see notes - See Finance page for details	£240,521.41	Received Apr 2013	SYLTE
		Phase 1 - 50% School Places Education Contribution @ £2,000 per dwelling - See Finance for details	£216,000.00	Received Apr 2013	Education
		Phase 1 - 50% School Places Education Contribution @ £2,000 per dwelling - See Finance for details	£151,000.00	Received Apr 2013	Education
RB2012 /1778	land off Denham Road, Wath	Education Contribution	£42,156.00	Received June 2013	Education

Total £764,677.41

Payments made over the previous period (where earlier permissions have been granted, developments implemented and trigger points reached) total around £1.5 million and relate to provision of highway improvements around the Advanced Manufacturing Park, provision of play areas and multi use games areas, education contributions etc. Additional non financial requirements have been provided and include a requirement to provide 354 affordable residential units.

Table 4. Monies spent from s106 account (Cedar)

Extract summarised from information supplied by, Financial Services.

Income & Expenditure 12/13	Application	Service	Amount
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	£12,859.77
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	£1,955.08
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	£96.45
Capital Grant Applied 2012/13 - PXM006	RB2008/0553	Neighbourhoods	£19,825.00
Capital Grant Applied 2012/13 - LXE040	RB2004/0428	C & L	£2,429.00
Capital Grant Applied 2012/13 - GXME52	RB2004/1346	Highways	£21,067.93
Capital Grant Applied 2012/13 - GXNH13	RB2004/1346	Highways	£46,037.94
Capital Grant Applied 2012/13 - GXNN56	RB2010/0765	Highways	£20,000.00
			<u>£124,271.17</u>

Table 5 All Income & Expenditure held in S106 account as at 30/06/2013 (Cedar)

summary extract taken from information provided Financial Services.

Income & Expenditure 12/13	Application	Service	Amount
Balance b/fwd from 2011/12			-272,167.16
Misc Receipts RB2008/1403	RB2008/1403	SYLTE	-11,004.58
Misc Receipts RB2001/1136	RB2001/1136	Highways	-853,492.19
RB2008/1404	RB2008/1404	Education	-159,570.00

RB2008/1404	RB2008/1404	SYPTE	-10,000.00
IN0113261362	RB2005/1325	Neighbourhoods	-64,000.00
RB2008/1404	RB2008/1404	C & L	-90,000.00
IN0113280379 RB2000/1541	RB2000/1541	Education	-30,000.00
IN0113292337 DBINV RB2008/0524: L 191012	RB2008/0524	SYPTE	-90,909.00
IN0113309338 DBINV RB2008/0524: L 191012	RB2008/0524	SYPTE	-81,818.00
IN0113292337 DBINV RB2008/0524 - 191012	RB2008/0524	Education	-178,000.00
IN0113295247 DBINV RB2008/0553 - 291012	RB2008/0553	C & L	-70,000.00
IN0113295247 DBINV RB2008/0553 - 291012	RB2008/0553	C & L	-10,000.00
IN0113295255 DBINV RB2008/0524 - 291012	RB2008/0524	Education	-124,000.00
IN0113295247 DBINV RB2008/0553 - 291012	RB2008/0553	C & L	-35,000.00
IN0113295255 DBINV RB2008/0524: L 291012	RB2008/0524	SYPTE	-67,794.41
IN0113309338 DBINV RB2008/0524 - 191012	RB2008/0524	Education	-65,000.00
IN0113319085 DBINV RB2008/0553 - 111212	RB2008/0553	Neighbourhoods	-19,825.00
IN0113344299 DBINV S106 Contribut 310113 RB2006/0943	RB2006/0943	Highways	-17,715.00
IN0113344299 DBINV S106 Contribut 310113 RB2006/0943	RB2006/0943	SYPTE	-19,162.91
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	12,859.77
IN0113360870 DBINV RB2002/1304 - 050313	RB2002/1304	C & L	-12,500.00
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	1,955.08
Rawmarsh LTP shld hav covered sec106 - wrong funding used	RB2002/1657	Education	-30,000.00
t/f S106 funding fr SG4017 to L12220	RB2004/0428	C & L	96.45
Capital Grant Applied 2012/13 - PXM006	RB2008/0553	Neighbourhoods	19,825.00
Capital Grant Applied 2012/13 - LXME040	RB2004/0428	C & L	2,429.00
Capital Grant Applied 2012/13 - GXME52	RB2004/1346	Highways	21,067.93
Capital Grant Applied 2012/13 - GXNH13	RB2004/1346	Highways	46,037.94
Capital Grant Applied 2012/13 - GXNN56	RB2010/0765	Highways	20,000.00
Balance as at 31/03/13 after funding			-2,187,687.08
Income (Invoices Raised) 13/14			
IN0113390375 DBINV RB2010/0765 - 110413	RB2010/0765	Highways	-20,000.00
IN0113393752 DBINV RB2011/1244 - 180413	RB2011/1244	C & L	-26,668.00
IN0113393752 DBINV RB2011/1244 - 180413	RB2011/1244	C & L	-10,000.00
IN0113403375 DBINV RB2006/1856 - 290413	RB2006/1856	C & L	-5,114.00
IN0113403375 DBINV RB2006/1856 - 290413	RB2006/1856	SYPTE	-10,228.00
CR0014092097 DBCRN S106 Contribut 170613	RB2005/1325	Neighbourhoods	64,000.00
Balance as at 30/06/13			-2,195,697.08

A large amount (over 50%) of the outstanding balance still held in the accounts for the year end 2012/13 relate to two agreements, on Cedar, £853k relates to the Waverley AMP payment for highways, another large amount relates to payments only recently received from Express Parks totalling £607,000 of which approx. half the payment is to SYPTE for Bus Service Contributions and the remainder is for school places. Of the remaining balances held in the year accounts the majority are simply pending allocation to the schemes they were designated for when the timing is correct, with only one outstanding balance that is currently insufficient and this balance is awaiting additional funds to make the highway scheme possible

There has been one cancellation/credit of an invoice due to the renegotiation of an agreement to accept land at Woodlathes, the invoice will be re-issued once the agreement has been signed and accepted.

The accounts are constantly monitored and updated and further information will be provided to this Commission at Financial year end.

Transportation update:

Possible forthcoming developments include

- Additional uses at New York Stadium .
- Bassingthorpe Farm development and other LDF sites.

The TravelMaster (TM) is a multi modal, non operator specific, cross border ticket. The current price of the developer TM is £485 per year. TM's are often used to promote public transport use where developments exceed the recommended walking distances to public transport access points or where car usage of a development needs to be mitigated. SYPTE survey results show that the TM is having a beneficial impact on shaping peoples travel habits and encouraging public transport use. This is based on 233 returned surveys from the 1,259 tickets issued in Rotherham in the past 3 years . 69% of respondents considered their households car use had decreased as a result of the TM. However, the SYPTE recognises that in some instances the money could be better spent eg. on bus service/highway alterations.

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REPORTS – CHECKSHEET

This Checksheet must be completed by all report writers and the Democratic Services Officer.

Meeting:	Improving Places Commission
Date:	July 24 2013
Title:	Planning Obligations – updated s106 accounts information
Directorate:	Environment and Development Services

1. Have you completed this report strictly in accordance with the Cabinet template and guidance notes?

YES/

(The template/guidance notes can be used from the Intranet – Resources A-Z under “C” for Cabinet report.

2. Has the Chief Executive or relevant Strategic Director approved this report for consideration by Members?

YES/

Name of Report Author:-Bronwen Knight

3. Is the report OPEN or EXEMPT. If exempt please give reason(s).

.....OPEN.....

To be completed by Democratic Services Officer

1. Confirm that you have done a quality control check before publishing this report.

YES/NO

2. Specify any amendments made:-

.....

3. Check OPEN or EXEMPT.

Name of Democratic Services Officer:-