

Report to Environment and Economy Overview and Scrutiny Panel

Agenda
Item:
A.4

Meeting Date: 12th March 2015
Portfolio: Economy, Enterprise and Housing
Key Decision: No
Within Policy and
Budget Framework YES
Public / Private Public

Title: SECTION 106 AGREEMENTS / PLANNING OBLIGATIONS -
UPDATE
Report of: Director of Economic Development
Report Number: ED 13/15

Purpose / Summary:

To brief Members of the Environment & Economy Overview & Scrutiny Panel on S106 Agreements and Planning Obligations.

Recommendations:

That the Report is noted.

Tracking

Overview and Scrutiny:	12 th March 2015
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1. INTRODUCTION

- 1.1 The purpose of this paper is to brief Members on the current legislation relating to Section 106's Agreements and Community Infrastructure Levy (CIL), the Council's current approach and future options. In addition an update of S106 money the Council currently holds or expects to receive is set out in Appendix 1.

2. NATIONAL LEGISLATIVE AND POLICY CONTEXT

- 2.1 In accordance with Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12(1) of the Planning Compensation Act 1991) planning obligations may:

- (a) restrict the development or use of the land;
- (b) require specified operations or activities to be carried out in, on, under or over the land;
- (c) require the land to be used in any specified way; or
- (d) require a sum or sums to be paid to the authority either in a single sum or periodically.

- 2.2 Planning obligations are usually entered into in the context of planning applications to ensure that developers address the additional community and infrastructure needs and mitigate the social, environmental and economic impacts of new development. Unless it is agreed otherwise, planning obligations run with the land in perpetuity and may be enforced against the original party and anyone else that acquires an interest in the land, until such time as they are discharged or otherwise modified.

- 2.3 Section 206 of the Planning Act 2008 (The Act) confers the power to charge Community Infrastructure Levy (CIL) on certain bodies known as charging authorities and came into force on 6 April 2010. From that date it has been unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged the levy, whether there is a local levy in operation or not, if the obligation does not meet all of the following tests¹:

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

- 2.4 The Act also ensures that local use of CIL and S106s do not overlap and limits the ability to fund infrastructure by the pooling of S106 by limiting it to 5 individual

¹ These are also the policy tests in the NPPF (paragraph 204)

agreements. The Community Infrastructure Levy (Amendment) Regulations 2014 extended the pooling to include Section 278s (Highways Agreements) and the implementation date was postponed from 06 April 2014 to 6 April 2015. The base date of 06 April 2010 remained unchanged

- 2.5 The National Planning Policy Framework introduced in March 2012 changed the emphasis that planning obligations should only be sought where they meet all the tests above and where the same objectives can not be achieved through the use of planning conditions.

3. RECENT CHANGES TO THE USE OF PLANNING OBLIGATIONS

- 3.1 As part of a technical review of planning guidance the Government consulted nationally in 2014 on several changes to the planning system including proposed thresholds for affordable housing and tariff style planning obligations i.e. the introduction of national rather than locally determined thresholds. These changes came into effect on the 28th November 2014 via acting to update national planning practice guidance .
- 3.2 Whilst the City Council objected to the introduction of a higher threshold the Government has allowed those authorities which are designated as 'rural' to introduce lower thresholds (to a minimum of five) for those areas. In simple terms development proposals for ten or less dwellings (providing a maximum combined gross floorspace does not exceed 1000sqm) are now exempt from tariff-style planning obligations or from contributing to affordable housing. In designated rural areas however, which much of Carlisle District is regarded, this threshold is reduced to five. Where this lower threshold is applied, guidance requires that local planning authorities should only seek affordable housing contributions from developments of between 6 to 10-units as financial contributions and not affordable housing units on site. Any payments made (whether as an affordable housing contribution or contribution to a pooled funding pot for general infrastructure provision) should also be commuted until after completion of units within the development.
- 3.3 Other changes introduced at the same time has seen self build developments exempt from tariff-style planning obligations or from contributing to affordable housing, and a reduced means of calculating such obligations where proposals bring back into use empty buildings or for replacement buildings.
- 3.4 In February 2015 the Government has launched a further consultation relating to planning obligations seeking views on proposals relating to the following two areas:

- speeding up the negotiation and completion of Section 106 planning obligations; and
- whether the requirement to provide affordable housing contributions act as a barrier to development providing dedicated student accommodation.

4. CURRENT POSITION

4.1 An Annual Report is prepared detailing all S106 agreements entered into each year and how they are being delivered [from both the developer and Council perspective]. It also gives a breakdown of agreements that are still outstanding in whole or part from previous years.

4.2 Current agreements include:

- Affordable Housing – on site or payments in lieu of onsite provision
- Occupancy Restrictions
- Open Space contributions – for both Capital and Maintenance
- Highways and Transport contributions [includes pedestrian and cycleways plus public transport]
- Education contributions – for extra provision or transport costs
- Travel Plans
- Land Transfer

4.3 Given the difficult economic conditions prevailing from the recent recession as the economy continues to recover, developers are increasingly challenging requests for S106 Agreements on the grounds of viability. In addition to new agreements there have been requests from developers to re-negotiate previously entered into S106 Agreements on the basis that the obligations are too onerous and that consequently the development is not viable. A Viability Assessment procedure has been agreed with developers which calculates the developers profit and what money could be used to deliver the Council's priorities. In order to aid negotiations the Council's priorities based on planning legislation and the Local Plan have been drawn up (see Appendix 1).

4.4 A summary of the value of financial contributions currently secured through S106 Agreements is provided in Table 1 below, with further details provided in Appendix 2. The below analysis excludes any covenants made directly between the developer and Cumbria County Council.

	Balance of Contributions Received (01/04/15)	Actual Spend 14/15	Residual Balance	Outstanding Contributions
For Quarterly Reports etc:				
Children's Play Areas & Facilities.	£397,193.59	£125,313.00	£217,880.59	£417,896.00
Provision & Maintenance of public open spaces.	£204,132.83	£51,756.20	£152,376.63	£0.00
In respect of incomplete sites or yet to be developed .	£213,062.41	£10,002.05	£203,060.36	£237,669.00
Total of balances held/expected	£814,388.83	£187,071.25	£627,317.58	£655,565.00
Affordable Housing Contributions	£21,250.00	£0.00	£21,250.00	£254,373.00
Schools etc	£0.00	£0.00	£0.00	£3,500,000.00
Cycleway & Public Realm (held in interest bearing a/c)	£706,056.07	£5,307.00	£700,749.07	£0.00
Transport & Pedestrianisation (to CCC)	£426,255.00	£0.00	£426,255.00	£308,285.00
Highways etc. [funds to/from CCC]:	£48,500.00	£0.00	£48,500.00	£185,000.00
Habitat Schemes	£0.00	£0.00	£0.00	£100,000.00
Provision of Refuse & Recycling Bins	£5,280.00	£0.00	£5,280.00	£3,780.00
Sports provision	£0.00	£0.00	£0.00	£48,584.00
Total for reports	£2,021,729.90	£192,378.25	£1,829,351.65	£5,055,587.00
Monitoring Fees, Legal, Admin Costs etc.	£0.00	£0.00	£0.00	£0.00
Planning applications/agreements have expired	£0.00	£0.00	£0.00	£0.00
Totals	£2,021,729.90	£192,378.25	£1,829,351.65	£5,055,587.00

5. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 5.1 Section 206 of the Planning Act 2008 (The Act) confers the power to charge Community Infrastructure Levy (CIL) on certain bodies known as charging authorities and came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (amended by the Community Infrastructure Levy (Amendment) Regulations 2011, 2014 and 2015). This provides the enabling powers for Local Authorities to apply CIL to development proposals to support infrastructure delivery in an area. The levy is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms.
- 5.2 In order for the Council to consider the implementation of a Community Infrastructure Levy there must be an up to date Development Plan. A pre-requisite of being able to apply CIL is therefore the adoption of the emerging Carlisle District Local Plan (2015 – 2030), which is anticipated to be adopted in early 2016. The Council are not therefore yet in a position to progress with adopting CIL.
- 5.3 Alongside the plan a Draft Infrastructure Delivery Plan has been produced which identifies the infrastructure requirements to support delivery of the Local Plan. The nature of infrastructure and circumstances within which it are required will be dictate whether CIL is needed or the best approach to funding new infrastructure.
- 5.4 Any draft charging schedule is subject to viability assessments, public consultation and an examination in public.

6. CONCLUSION AND REASONS FOR RECOMMENDATIONS

6.1 Members are asked to note the content of the report in order that they are aware of and understand, in overview terms, the current position with regards to the use of planning obligations and S106 agreements within the District.

7. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

7.1 The use of planning obligations can be seen to relate to the majority of the Council's established priorities.

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**Appendices
attached to report:**

- **Appendix 1 - Commuted Sums Schedule**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance –

Local Environment –

Resources -

X1130 - Commuted Sums (including S.106's) 2014/15														
Date of Receipt / Trigger point	Expected	Op/Bal & Receipts Detail code: 8191	Spend Detail code: 3899	Retained Balance	Ledger Code: X1130/****/ Classification Code	Received from	Development/ Address	S106/Uni lateral Agreement/Other/ SIL	Agreement Date	Expected Scheme End Date	Spend Expected 2014/15	Estimate of annual sums	Scheme Code	Details
TOTAL B/F'wd				#REF!										Balance sheet 31st March 2013
22/08/2005		#REF!	£2,000.00	#REF!	11005	Persimmon Homes	The Beeches, Wigton Rd	S106		31/03/2015	2,000.00	1,000.00	OSM	Maintenance of The Beeches, Wigton Road, play area.
08/09/2005		#REF!	£600.00	#REF!	11006	Crowther Homes	Holme Head Bay, Carlisle	S106	08/09/2005	31/03/2020	600.00	600.00	OSM	Public Open Space at Holme Head Bay Carlisle
08/09/2005		#REF!	£1,630.00	#REF!	11007	Crowther Homes	Scotby Rd, Carlisle	S106	08/09/2005	31/03/2016	1,630.00	1,630.00	OSM	Public Open Space at Scotby Road Carlisle [10 years maintenance]
29/07/2005	£54,310.00	#REF!	£600.00	#REF!	11008	Persimmon Homes	Windsor Way	VA		31/03/2020	600.00	600.00	OSP	Windsor Way Play Area - further £54,310 as contribution towards maintenance, to fund from existing budgets when exhausted CS18/10 & RD15/10
24/01/2006		#REF!	£2,310.00	#REF!	11009	Barratt Homes	Walkmill, Warwick Rd	S106	21/09/2005	31/03/2020	2,310.00	2,310.00	OSM	Maintenance of Open Space at Walkmill, South of Warwick Road
12/05/2010		#REF!	£1,000.00	#REF!	11010	Barratt Homes	Wakefield Rd, Lowry Hill	S106	05/07/2006	31/03/2020	1,000.00	1,000.00	OSP	Wakefield Road Lowry Hill - to provide maintenance of above facilities within 1 month of completion of development
07/12/2007		#REF!	£1,000.00	#REF!	11011	Storys	Turnstone Park	S106	08/11/2005	28/02/2017	1,000.00	1,000.00	OSP	Turnstone Park Play Area
18/04/2008		#REF!	£268.00	#REF!	11012	Storys	Jock's Hill Brampton	Other		31/03/2018	268.00	268.00	OSM	Land at Jocks Hill, Brampton
20/06/2008		#REF!	£530.00	#REF!	11014	Persimmon Homes	Greenfield Lane, Brampton	S106		31/03/2018	2,000.00	#REF!	OSM	Public Open Space at Greenfield Lane, Brampton (SRB/LP595)
01/05/2009		#REF!	£4,535.00	#REF!	11016	Storys	Burgh Rd	S106		31/03/2013	4,535.00	4,535.00	OSM	Burgh Road, provision and maintenance of offsite pitches and open space [10 years from 09/10]
28/01/2010		#REF!	£60,000.00	#REF!	11017	Barratt Homes	London Rd, ex Cavaghan&Gray	S106		28/01/2020	77,750.00	0.00	OSP	London Rd recreational facilities or improvement at Petheril Bank CC & Keenan Park play area [10 yrs from 09/10] GL Code 90253 for capital spend
22/09/2010		#REF!	£3,335.00	#REF!	11018	Knightsbridge Developments	Harraby Methodist Church	S106	15/05/2009	31/03/2015	555.00	3,335.00	OSP	Harraby Methodist Church, Cumwhinton Rd Children's Play & Recreation Areas in vicinity [5yrs maintenance] repaid with interest HSBC Bank Rate +1% if unspent.
22/07/2009		#REF!	£1,800.00	#REF!	11019	Barratt Homes	Tribune Drive, Houghton	S106		31/03/2020	1,800.00	1,800.00	OSM	Tribune Drive, Houghton - £4,025 for remedial work & £16,000 for 10 years maintenance of public open space
07/09/2010		#REF!	£2,500.00	#REF!	11021	Two Castles	Brookside	S106		31/03/2020	2,500.00	2,500.00	OSM	Low Meadow, Brookside £25K for upkeep of Heysham Park with no time limit & £12K to CCC for bus shelters & raised curbs on
16/07/2010		#REF!	£14,377.00	#REF!	11022	Storys	Garlands	S106	12/07/2010	31/03/2015	14,377.00	14,377.00	OSM	Garlands estate [now Parkland Village] Maintenance of open spaces and tree re-planting - over 5 years
12/10/2010	£57,805.00	£57,805.00	£0.00		11023	Riverside [Barras Close Land]	Levens Drive /Newlathes Ave	S106	21/08/2009	26/03/2013	57,805.00	0.00	OSP	Levens Drive/Newlathes Ave - Provision of public space, formal sports & children's play facilities to be spent within 3 yrs or sums to be repaid with interest of +1% above HSBC BR
12/08/2011	£31,345.00		£31,345.00		11023	Riverside [Barras Close Land]	Levens Drive /Newlathes Ave	S106	21/08/2009	26/03/2020	31,345.00	0.00	OSP	Levens Drive/Newlathes Ave - Maintenance of public space, formal sports & children's play facilities to be spent within 10 yrs or repaid with interest of +1% above HSBC BR
30/09/2010	#REF!		#REF!		11024	Carlisle College	Strand Rd	S106	10/09/2010	31/03/2012	29,750.00	0.00	Transport	Strand Rd Cycle Network contribution & to improve pedestrian facilities in immediate vicinity [Capital spend 2012/13]
15/02/2011	£2,841.00	£355.00	£2,486.00		11026	Two Castles	Gelt Rise, Brampton	S106	15/11/2010	31/03/2020	2,841.00	355.00	OSM	Gelt Rise Brampton [Affordable Housing] - £3,551 10yrs maintenance
15/02/2011	£12,800.00		£12,800.00		11026	Two Castles	Gelt Rise, Brampton	S106	15/11/2010	31/03/2020	12,800.00	0.00	OSP	Gelt Rise Brampton [Affordable Housing] - £12,800 play area provision
18/02/2011	£340,406.07		£340,406.07		11027	Addleshaw & Goddard	Willowholme/Caldewgate	S106	18/02/2011	31/03/2016		0.00	RingFence	Willowholme - Sainsbury's site: Caldew Cycleway to be held in separate interest bearing a/c & repaid with interest if unspent by? GL code 90805 for capital spend
18/02/2011	£349,650.00	£5,307.00	£344,343.00		11027	Addleshaw & Goddard	Willowholme/Caldewgate	S106	18/02/2011	31/03/2016		0.00	RingFence	Willowholme - Sainsbury's site: Public Realm contributions to be held in separate interest bearing a/c & repaid with interest if unspent by? GL code 90809 for capital spend
09/03/2011	#REF!		#REF!		11028	Knightsbridge Developments	W1 Hall, Brier Lonning	S106	09/02/2011	31/03/2012	0.00	0.00	Housing	Affordable Housing contribution relating to former W1 Hall land, Brier Lonning, Hayton Planning Permission 10/0970 commencement date 12/01/11
10/03/2011	£71,306.00	£10,283.00	£61,023.00		11029	Barratt Homes	Garlands	S106		31/03/2021	10,283.00	10,283.00	OSM	Garlands estate Carleton Grange etc. £102,837 10yrs Maintenance of open spaces & £10,330 one-off payment for remedial works
10/03/2011	£7,000.00	£1,000.00	£6,000.00		11029	Barratt Homes	Carleton Grange, Garlands	S106		31/03/2021	1,000.00	1,000.00	OSP	Garlands estate Carleton Grange etc. 10yrs £10,000 play area maintenance
12/08/2011	#REF!		£1,810.20	#REF!	11030	Riverside Group Ltd	Seatoller Close	S106		07/06/2016	3,620.39	#REF!	OSM	Seatoller Close - 23 Affordable Homes Development began 07/06/2011 - enhancement of off-site open space provision in Morton Ward to be spent within 5 years of commencement & any unspent monies repaid at HSBC BR +1%
20/01/2012	#REF!		£8,758.00	#REF!	11032	Riverside	Etterby Rd	S106	31/03/2011	24/06/2016	8,758.00	8,758.00	OSM	Etterby Road - contribution towards provision of maintenance and enhancement of public open space in the District - spend within 5 years - trigger point 24/06/2011 interest due for late payment
17/01/2012	£4,585.59	£573.00	£4,012.59		11033	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	16/01/2022	573.00	573.00	OSP	Watts Yard, London Road - Off site public open space maintenance of play equipment for 10 years [£5,731.59] to be pd after sale of 60th dwelling - to be spent within 10 years of payment date, i.e. by 16/01/2022
17/01/2012	£27,160.00		£27,160.00		11033	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	16/01/2022	0.00	0.00	OSP	Watts Yard, London Road - Off site public open space cum for provision of play equipment for Melbourne Park [£27,160] to be pd after sale of 60th dwelling - to be spent within 10 years of payment date, i.e. by 16/01/2022
01/06/2012	#REF!		£1,795.85	#REF!	11034	Two Castles	St Elisabeth's Harraby	S106	27/06/2012	31/05/2017	1,795.85	1,795.85	OS	Open Space contribution for Affordable Housing development (19 units) within Harraby ward to be spent by 5 years after date of receipt - 31st May 2017. If unspent returned with interest +1% above HSBC BR
17/08/2012	£0.00	#REF!	#REF!		11035	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	17/08/2022 & 04/06/2023	79,580.00	0.00	Transport	Watts Yard, London Road - River Petheril Cycle Route Access Improvements [£79,580] 50% on 80th then on 98th - Invoice issued (Dr 5000001210) received 31/08/2012. 2nd invoice issued payment received 05/06/13 to be spent within 10 years of payment
21/08/2012	#REF!		#REF!		11037	Lovells	Raffles	UIA			12,823.00	0.00	OSM	Heysham Park & Adjacent vicinity of development - Maintenance of Off-site open space
04/09/2012	£16,000.00		£16,000.00		11038	Border Construction	Caldewgate	S106	26/03/2012	03/09/2017	0.00	0.00	Ringfenced	Caldew Cycleway Contribution: if not spent within 5 years of Payment Date return with interest HSBC BR + 1%
04/09/2012	£50,000.00		£50,000.00		11038	Border Construction	Caldewgate	S106	26/03/2012	03/09/2017	0.00	0.00	OS	Offsite Public Open Space Contribution: unspent return after 5 years interest of HSBC BR +1% - proposed for Norfolk St area?
28/05/2013	£0.00	#REF!	£8,206.20	#REF!	11039	Maris Properties	Briar Bank [Spice Enterprise]	S106	30/07/2012		9,973.71		OS	Open Space Contribution towards maintenance and enhancement of off-site provision in the District. Debtor 5000009132 Invoice for £9,973.71 to be paid prior to occupation of 7th unit sent 16/05/13 - proposal to spend on football mini pitches for 6-8 yrs olds
26/07/2013	£25,000.00		£25,000.00		11040	Storys	Crindledyke	S106	05/04/2012		25,000.00		Highways	Crindledyke - Highways Improvement contribution (1) due before 20th RU occupied
26/07/2013	£10,000.00		£10,000.00		11040	Storys	Crindledyke	S106	05/04/2012		10,000.00		Highways	Crindledyke - Highways Improvement contribution (2) due before 20th RU occupied
26/07/2013	£281,000.00		£281,000.00		11040	Storys	Crindledyke	S106	05/04/2012		281,000.00		Transport	Crindledyke - Transport Improvements contribution (2) due before any occupation
26/07/2013	£11,125.00		£11,125.00		11040	Storys	Crindledyke	S106	05/04/2012		11,125.00		Transport	Crindledyke - Travel Plan Administration Fee due on or before 1st RU occupied
1/5 before 28 days Not to occupy >60	£250,000.00	£0.00	£0.00		11040	Storys	Crindledyke	S106	05/04/2012				Transport	Crindledyke - Transport Improvements contribution (1)
	£3,500,000.00	£0.00	£0.00		11040	Storys	Crindledyke	S106	05/04/2012				Education	Crindledyke - New school Contribution/Bond
22/07/2013		£24,800.00	£24,800.00		11041	Developments [Cumbria] Ltd	Currock Cycle Link	S106	25/01/2010	21/07/2018	24,800.00		Transport	Currock cycle link - Maryport Cottages rail bridge to Currock & Upperby areas - to be returned if unspent within 5 years - if not paid by trigger incur penalty of HSBC bank rate +1%.
25/03/2010	£0.00	£3,570.75	£3,570.75		11042	Persimmon Homes	Pennine View	S106	29/10/2009		357.00		OSM	Pennine View - 10 years maintenance of two parcels of open space Parkland Village/Carleton Grange
04/12/2013	£93,440.08		£93,440.08		11043	Persimmon Homes	Durranhill	S106	20/10/2011	03/12/2023			OS	Improvement of current off-site Open Space & Play Provision - Index linked from date of agreement spend within 10 yrs of
04/12/2013	£50,669.37		£50,669.37		11043	Persimmon Homes	Durranhill	S106	20/10/2011	03/12/2023			OS	Maintenance of above Open Space & Play Provision - Index linked from date of agreement spend within 10 yrs of payment
04/12/2013	£13,500.00		£13,500.00		11044	Persimmon Homes	Durranhill	S106	20/10/2011		13,500.00		Highways	Provision of new footpath to south of Durranhill Rd from site to Rosehill IE or [at Council's discretion] upgrade existing footpath to
7.5% Value of 10 Units aggregate		£6,250.00	£6,250.00		11045	Learning & Leisure Group	Greensyke, Cumdivock	S106	08/05/2009				Housing	Greensyke, Cumdivock - Affordable Housing Contribution payable on occupation of each dwelling calculated on value at time payment is due - to spend within 5 years of each instalment
15/07/2014		£1,500.00	£1,500.00		11046	Storys	Rear of Scotby Green Steading	S106					Waste	Provision of refuse bins to the residential residents
17/12/2014	£50,000.00	£50,000.00	£50,000.00		11048	Storys	Rear of Scotby Green Steading	S106					OSP	For provision of a LEAP (Locally Equipped Area of Play) which meets the specification/definition of the National Playing field Association. To be spent within 5 years

Date of Receipt / Trigger point	Expected	Op/Bal & Receipts Detail code: 8191	Spend Detail code: 3899	Retained Balance	Ledger Code: X1130/****/ Classification Code	Received from	Development/ Address	S106/Uni lateral Agreement/Other/SIL	Agreement Date	Expected Scheme End Date	Spend Expected 2014/15	Estimate of annual sums	Scheme Code	Details
01/10/2014	£3,780.00	£3,780.00		£3,780.00	11047	Storys	Dalston	S106	31/01/2014				Waste	Provision of refuse bins to the residential residents
17/02/2015	£115,586.00	£115,586.00		£115,586.00	11049	Storys	Dalston	S106	31/01/2014				OSP	Provision and maintenance of children's play space and sports pitches within the parish of Dalston. To be spent within 5 years of the date of receipt.
				£0.00										
<20days 1st Occu	£12,285.00	£0.00		£0.00		Greensyke Property Ltd	Greensyke, Cumdivock	S106	05/10/2011				Transport	Greensyke, Cumdivock - Contribution to be paid to Rural Wheels service 20 working days after 1st occupation of 4th relevant units
	£26,000.00	£0.00		£0.00		Oakmere Homes (N	Netherby Rd, Longtown	S106	20/02/2013				OS	Netherby Road, Longtown Maintenance of play area - no timescale for spend. Sum payable on completion of play area or upon occupation of last Full Market Value unit, whichever is sooner
	£5,000.00	£0.00		£0.00		Citadel Estates	The George, Warwick Bridge	S106	28/09/2009				OSP	The George Warwick Bridge - Downagat play area - £5,000 towards provision & maintenance of play equipment for 8 to 12 years olds paid upon occupation of 10th unit.
on completion of play area	£10,000.00	£0.00		£0.00		Harrison Homes	Highgrove Dairy, Harraby Green	S106					OSP	Highgrove Dairy Harraby Green - Play area maintenance [10 years] payable on completion of area to be built at back of development
prior to 1st dwelling occupation	£11,627.00	£0.00		£0.00		Lancaster RC Diocesan Trustees	Waverley Gardens	S106	13/12/2012				OS	Waverley Gardens - provision of public open space in Carlisle prior to 1st occupation to be spent within 5 years or any unspent balance repaid plus "accrued interest" as above
1/3 prior to 1st, 1/3 to 12th, bal to 24th	£223,373.00	£0.00		£0.00		Lancaster RC Diocesan Trustees	Waverley Gardens	S106	13/12/2012				Housing	Waverley Gardens Affordable Housing contribution [index linked to CPI] - 1/3rd payable prior to 1st occupation, 1/3 before 12th, balance before 24th, to be spent within 5 years or any unspent balance repaid plus "accrued interest" as above
	£84,076.00	£0.00		£0.00		Senator Homes	Westmorland St [ex Penguin factory]	S106	13/06/2012				OS	Westmorland St [former Penguin factory] on-site play & open space facilities due before occupation of no more than 25 dwellings on site [planning changes to be submitted] of which up to 17% to be affordable units to be spent within 5 years of receipt
	£4,928.00	£0.00		£0.00		Church Commissioners for England	Land at Morton	S106	15/11/2010				OS	Land at Morton: Maintenance of Primary Leisure Area Land £4,928 per hectare - see separate schedule for details of payments due to CCC for Highways/Transport facilities
1st Occupation Date	£31,000.00	£0.00		£0.00		Dean Thompson Montgomery	Talkin Tarn	S106	13/06/2011				Housing	Talkin Tarn - not less than 8 affordable housing units to be built at Tarn End Hotel site, Talkin
Market Value upon sale of 3rd		£0.00		£0.00		Catherine Gander Watson	Brampton Playhouse	S106					Housing	Brampton Playhouse [Affordable Housing] - 30% contribution of open market dwellings due upon sale of 3rd dwelling & spent within 10 years
by 14 days	£46,000.00	£0.00		£0.00		Denton Business Park Ltd	Denton St ex workshops	S106					Transport	Denton Street ex workshops - £46,000 Cycle Way contribution payable within 14 days of commencement - spend within 3 years
by 14 days	£48,584.00	£0.00		£0.00		Denton Business Park Ltd	Denton St ex workshops	S106					Sports	Denton Street ex workshops - £48,584 contribution due within 14 days towards enhanced sports provision/maintenance - no timescale for spend
by 14 days	£3,538.00	£0.00		£0.00		contractors Ltd	Prince of Wales	S106					OS	Prince of Wales Public House - within 14days of commencement pay £3,538 towards improvement of outdoor facilities within
		£0.00		£0.00		Persimmon Homes	Wigton Rd	S106	17/04/2012				OS	Garden Village, Wigton Road Carlisle: Affordable Housing and Public Open Space Scheme
<28 days of 1st Occ	£3,000.00	£0.00		£0.00		Citadel Estates	Skelton House, Wetheral	S106	24/05/2012				OS	Skelton House, Wetheral: Provision, maintenance/upgrade; children's play area & equipment, & public allotment, spend within 1yr of receipt.
within 28days of amount agreed		£0.00		£0.00		Persimmon Homes	Peter Lane, Morton	S106	09/10/2012				OS	Open Space contribution for Affordable Housing development to be spent within 5 years after date of receipt. Provide evidence of spend &/or repay unexpended amounts plus interest.
Practical Completion Date	3% of Market V	£0.00		£0.00		PJ & CR Gray	Iona, Gelt Rd Brampton	S106	19/04/2012				Housing	Affordable Housing Contribution [equates to 0.4 of a dwelling] the commuted sum of 3% of Market Value payable on Practical Completion Date of each of 4 dwellings on site - unused to be repaid at HSBC base rate + 1%
On material start	£94,500.00	£0.00		£0.00		United Utilities	Nelson Street	S106	19/11/2008				OS	Ex UU Depot - To create a Public Open Space & Children's facilities [outline planning permission only at this stage]
Within 1 mth of co	£10,000.00	£0.00		£0.00		United Utilities	Nelson Street	S106	19/11/2008				OS	Ex UU Depot - Maintenance of above for 10yrs - 5 year O/L planning application submitted
Occupation of 1st	3% of Market V	£0.00		£0.00		H J Ridley	Walton		27/02/2013				Housing	Affordable Housing contribution to repay unexpended by 5 years after date of receipt Barclays Bank base rate
on Practical Completion of 3rd	3% of Market V	£0.00		£0.00		Storys	Farm, Burgh by Sands	S106	15/01/2014				Housing	Affordable Housing contribution 3% of Market Value price of development on 3rd unit's occupation. Council to provide evidence of spend or repay within 10 years of receipt plus interest at Barclays Bank BR
commencement of Development	£100,000.00	£0.00		£0.00		Stobart Air Limited	Carlisle Airport	S106	18/08/2014	5 years & 80 years			Habitat	Habitat Scheme - to be spent on off site schemes for breeding waders and other birds. Must be spent within 5 years
prior to 30% occupation	£185,000.00					Storys	Durdar/Blackwell	S106	12/03/2014				Highways	Diversion and upgrade of existing public footpath and provision of street lights
prior to 50% occupation	£10,000.00						Upperby						OSP	CCTV improvement at Upperby Park/Hammonds Pond - 2 new CCTV cameras and connections to existing grid
prior to 50% occupation	£40,000.00						Contributions						OSP	Football pitch drainage improvements including reseeding
prior to 50% occupation	£133,000.00												OSP	Skate Park and play facilities improvements at Upperby Park/Hammonds Pond
				£0.00										
				£0.00										
Totals	£5,055,587.00	#REF!	£192,378.25	#REF!							741,654.95	#REF!		Balance sheet 31st March 2015
Movement In Year				#REF!										
Balance in Ledger				(£1,713,765.65)										??/05/2014 [to period 01]
Difference to ledger - if any				#REF!										Updated By:
														Expected Spends 2013/14
For Quarterly Reports etc:		Op Bal/Receipts		Spent		Expected		Scheme Code						
Children's Play Areas & Facilities.		#REF!		£125,313.00		£417,896.00		OSP						£184,428.00
Provision & Maintenance of public open spaces.		#REF!		£51,756.20		£0.00		OSM						£70,702.39
In respect of incomplete sites or yet to be developed		#REF!		£10,002.05		£237,669.00		OS						£11,769.56
Total of balances held/expected		#REF!		£187,071.25		£655,565.00								
Affordable Housing Contributions		#REF!		£0.00		£254,373.00		Housing						£0.00
Schools etc		£0.00		£0.00		£3,500,000.00		Education						£0.00
Cycleway & Public Realm (held in interest bearing a/c)		£706,056.07		£5,307.00		£0.00		RingFenced						£0.00
Transport & Pedestrianisation (to CCC)		#REF!		£0.00		£308,285.00		Transport						£426,255.00

Date of Receipt / Trigger point	Expected	Op/Bal & Receipts Detail code: 8191	Spend Detail code: 3899	Retained Balance	Ledger Code: X1130/****/ Classification Code	Received from	Development/ Address	S106/Uni lateral Agreement/Other/ SIL	Agreement Date	Expected Scheme End Date	Spend Expected 2014/15	Estimate of annual sums	Scheme Code	Details
Parking facilities (CCC)			£0.00	£0.00	£0.00	Parking					£0.00			
Highways etc. [funds to/from CCC]:			£48,500.00	£0.00	£185,000.00	Highways					£48,500.00			
Habitat Schemes			£0.00	£0.00	£100,000.00	Habitat					£0.00			
Provision of Refuse & Recycling Bins			£5,280.00	£0.00	£3,780.00	Waste					£0.00			
Sports provision			£0.00	£0.00	£48,584.00	Sports					£0.00			
Total for reports			#REF!	£192,378.25	£5,055,587.00						£0.00			
Monitoring Fees, Legal, Admin Costs etc.			£0.00	£0.00	£0.00	Miscellaneous					£741,654.95			
Planning applications/agreements have expired			£0.00	£0.00	£0.00	Expired								
Totals			#REF!	£192,378.25	£5,055,587.00					Custodian only:	#REF!			#REF!
			#REF!	£0.00	£0.00	check difference								