

Report of: Planning Services Business Manager

Title: Proposed Expenditure of Financial Contributions made to the Council under Planning Agreements

Ward: All

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Key Decision: Yes

Lead Member: Councillor Ed Turner, Councillor Alex Hollingsworth

Scrutiny responsibility: Environment and Finance and Performance Management

RECOMMENDATIONS

The Board is RECOMMENDED:-

- (1) To RECOMMEND Council to agree to the inclusion of additional contributions to schemes already in the Capital Programme and the inclusion of the proposed additional schemes as set out in Appendix 1;**
- (2) to authorise officers to commission design work in order to enable project appraisals and/or scheme details to be prepared on the new schemes to be implemented by the City Council as set out in Appendix 1;**
- (3) to give major project approval for the schemes listed in Appendix 2 to enable them to be implemented in 06/07 by the County Council as Highway Authority and release the developer contributions totalling £388,995.48;**
- (4) to agree the proposals for expenditure of highway related developer contributions as set out in Appendix 3 for implementation by the City Council.**

Summary

This report proposes new schemes or changes to schemes to be funded by developer contributions for inclusion in the Capital Programme. It also seeks major project appraisal approval for the schemes to be implemented by the County Council in 2006/2007.

As the schemes are developer funded, they do not generally have any impact on the Council's financial resources. The decision of the Board will help contribute to the Council's strategic aims of the Council by:-

- improving the environments where people live & work through the schemes proposed;
- improved transport & mobility through the highway improvement schemes proposed;
- providing more affordable housing through a scheme for social housing; and
- providing more and improved affordable leisure facilities through the developer funded recreation schemes.

Introduction

1. This purpose of this the annual report to the Board is to:-
 - add to the Capital Programme further developer funded schemes;
 - give major project appraisal approval to release the developer contributions for the schemes to be implemented by the County Council as Highway Authority in 06/07; and
 - agree the list of schemes for implementation by the City Council in the 06/07 financial year.

A full monitoring report on all developer funding was presented to each Area Committee area in August 2005 and this will be repeated during the same period for 2006.

Constraints on using Developer Contributions

2. Developer contributions are sought to mitigate the impact of development and overcome what would otherwise be a potential reason to refuse a planning application. The contributions are received under the terms of legally binding planning agreements that restrict the purpose for which the contributions can be used. The expenditure of the contribution can only be used on schemes that cover the purpose for which the contribution was received.

Schemes implemented in the 2004/05 financial year and schemes implemented and planned for implementation this financial year

3. £720,750 of developer funding was spent in the 2004/05 financial year and nearly £1.6 million has been spent in the 03/04 and 04/05 financial years. Twenty three schemes were completed including:-

- Blackbird Leys/Minchery Farm cycle link;
 - Land off Richards Way – teenage street sports/kick about area;
 - Old Headington cycle safety measures;
 - Cripsey Road pedestrian Improvements;
 - Jowett Walk environmental improvements.
4. At the start of the 2005/06 financial year, the City held £6,268,960 in developer funding and has received £505,398.95 of developer funding so far this year. In this financial year, approximately £363,521 has been spent or is due to be spent by the end of the financial year and twelve schemes are due for completion. Again, the main schemes completed or due for completion include:-
- Frenchey Road traffic management;
 - New Marston Recreation Ground – street sport site;
 - Sandhills Play Area;
 - Paradise Square Garden improvements;
 - George Street, New Inn Hall Street, Gloucester Street Junction – cycle parking.

Capital Programme

5. **Appendix 1** sets out proposed changes to the Capital Programme for some schemes funded by developer contributions. These are new contributions received or are previously unallocated contributions. These changes are either:-
- New schemes to be added to the Capital Programme – the new schemes being proposed reflect the reason the development contribution was taken; where the legal agreement clause gives options, I have set out the reason for proposing the scheme below.
 - Additional contributions received which can be added to schemes already in the Capital Programme.
6. If these changes are agreed, Area Committee consultation will take place on individual schemes to be implemented by the City Council where appropriate once initial design work has been undertaken.

Major project approval for schemes to be implemented by the County as Highway Authority in 06/07

7. These are schemes where the City Council holds the developer funding but the schemes will be implemented by the County Council as Highway Authority. **Appendix 2** identifies the schemes currently proposed for implementation by the County Council during 2006/07 and forms a composite project appraisal for these schemes. The Appendix is divided

into 2 parts. The first part lists developer contributions for schemes 1-12 that are payable to the County Council. The second part lists schemes 13-22 that are schemes approved under a previous project appraisal and paid to the County in previous years but the implementation of the schemes by the County has slipped to 2006/07. This list of schemes has been formulated following the autumn round of meetings with the County as part of the Mini-Highways Agency agreement. The Appendix briefly sets out the scheme details, objectives and the contributions involved. The overall objective is to secure the implementation of highway schemes for which the City Council has secured financial contributions from developers to mitigate traffic problems from contributing developments. The County Council as Highway Authority is the most appropriate authority to implement these schemes. There are no alternative methods of achieving this objective. Approval is sought to release the contributions totalling £388,995.48 to the County Council. Regular meetings between officers will be held to ensure that the schemes proposed accord with the terms of the legal agreement under which the contribution was received.

8. These schemes will form the County Council's part of the agreed list of schemes required under the highway agency agreement with the County Council that needs to be signed by 31st March each year. **Appendix 3** contains the list of highway related City schemes for implementation in 06/07 that will form the City Council's part of the agreed list totalling £857,568.20.

<p>THIS REPORT HAS BEEN SEEN AND APPROVED BY: The Planning Services Business Manager: Michael Crofton-Briggs Financial Management: Emma Burson Legal and Democratic Services: Jeremy Thomas The Planning Portfolio Holder: Ed Turner The Leader of the Council: Alex Hollingsworth</p>
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Background papers:

Legal agreements for the developer contributions listed, copies of which are held in Planning Policy