

NORTH PLANNING
COMMITTEE

REPORT OF THE DIRECTOR OF PLANNING AND
COMMUNITY SERVICES

29th April 2010

CONTACT OFFICER: Nikki Wyatt
EXTENSION: 6227

Item No. S.106/278 PLANNING AGREEMENTS - QUARTERLY FINANCIAL MONITORING REPORT

SUMMARY

This report provides financial information on s106 and s278 agreements in the North Planning Committee area up to 31 December 2009, where the Council has received and holds funds.

RECOMMENDATION

That Members note the contents of this report.

INFORMATION

1. Circular 05/05 and the accompanying best practice guidance requires local planning authorities to consider how they can inform members and the public of progress in the allocation, provision and implementation of obligations whether they are provided by the developer in kind or through a financial contribution.
2. The information contained in this report was reported to Cabinet on 18 March 2010 and updates the information received by Cabinet in December 2009. The attached Appendix 1 provides updated financial information on s106 and s278 agreements in the North Planning Committee area up to 31 December 2009, where the Council has received and holds funds.
3. Appendix 1 shows the movement of income and expenditure taking place during the financial year. The agreements are listed under Cabinet portfolio headings. Text that is highlighted in bold indicates key changes since the previous report of January 2010 to the Planning Committee. Figures shown in bold under the column headed 'Total income as at 31/12/09' indicate new income received. Agreements asterisked under the column headed 'case ref' are those where the Council holds funds but is unable to spend for a number of reasons. These include cases where the funds are held as a returnable security deposit for works to be undertaken by the developer and those where the expenditure is dependant on other bodies such as transport operators. In cases where schemes have been completed and residual balances refunded, the refund amount is either the amount listed in the "Balance of Funds" column or where the amount listed in this column is zero the difference between the amounts listed in the columns titled "Total Income as at 30/09/09" and "Total Income as at 31/12/09".

4. Members should note that in the Appendix, the ‘balances of funds’ held include funds that may already be committed for projects such as affordable housing and school expansion projects. Expenditure must be in accordance with the legal parameters of the individual agreements and must also serve a planning purpose and operate in accordance with legislation and Government guidance in the form of Circular 05/2005. The Council has adopted Supplementary Planning Guidance for Planning Obligations that provides the framework in which the Council will operate.
5. Members should also note that the listed “balances of funds”, i.e. the difference between income received and expenditure, is not a surplus. As explained in a previous report, a majority of the funds is linked to projects that are already underway or programmed but have not been drawn down against the relevant s106 (or s.278) cost centre. The column labelled “balance spendable not allocated” shows the residual balance of funds after taking into account funds that the Council is unable to spend and those that it has committed to projects.

Financial implications

6. This report provides information on the financial status on s106 and s278 agreements up to 31 December 2009. The recommendation to note has no financial implications.

CORPORATE CONSULTATIONS CARRIED OUT

Legal

It is a requirement of the District Audit report into planning obligations and the Monitoring Officers report that regular financial statements are prepared.

EXTERNAL CONSULTATIONS CARRIED OUT

There are no external consultations required on the contents of this report.

BACKGROUND DOCUMENTS

ODPM Circular 05/2005 ‘Planning Obligations’

District Auditor’s “The Management of Planning Obligations” Action Plan May 1999

Monitoring Officers Report January 2001

Cabinet Report December 2002 / March 2003 / October 2003 / January 2004 / June 2004 / September 2004 / November 2004 / March 2005 / July 2005 / October 2005 / December 2005 / March 2006 / July 2006 / Sept 2006 / November 2006 / March 2007 / July 2007 / September 2007 / December 2007 / March 2008 / June 2008 / September 2008 / December 2008 / March 2009/ June 2009 / September 2009 / December 2009 / March 2010.

Planning Obligations Supplementary Planning Document Adopted July 2008.

FINANCIAL UPDATE ON SECTION 106 AND 278 AGREEMENTS AT 31 DECEMBER 2009 (NORTH AREA)

APPENDIX 1

CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL INCOME	TOTAL EXPENDITURE	2009 / 2010 EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALLOCATED	COMMENTS (as at mid February 2010)
			AS AT 31/12/09	AS AT 30/9/09	AS AT 31/12/09	AS AT 30/9/09	To 31/12/09	AS AT 31/12/09	
		SECTION 278							
		PORTFOLIO: PLANNING AND TRANSPORTATION							
PT278/46/35 *32	Northwood	10A Sandy Lodge Way Northwood 54671/APP/2002/54	7,458.07	7,458.07	2,458.00	2,458.00	0.00	5,000.07	0.00 Improvement of visibility for junction of Sandy Lodge Way & Woodridge Way. ECU fees have been claimed and £5,000 security remains. Works substantially complete 12 month maintenance period, ended 16 September 2006. Final certificate has been prepared. Security held to part offset outstanding education contribution which is being sought via legal proceedings.
PT278/63/175A *49	South Ruislip	BFPO, R.A.F Northolt 189/APP/2006/2091	5,000.00	5,000.00	0.00	3,500.00	0.00	5,000.00	0.00 25k received as the security deposit for the due and proper implementation of junction works at the White House Gate entrance to the development. Signals complete and in operation. Currently within 12 month maintenance period. Date of final completion to be confirmed. Spend towards engineering fees transferred to PT278/48.
PT278/64/173	Eastcote & East Ruislip	R.A.F. Eastcote 10189/APP/2004/1781	14,200.00	14,200.00	12,201.13	7,500.00	12,201.13	1,998.87	0.00 Engineers fees paid prior to the execution of an agreement to secure access works associated with this application. Waiting restriction in Lime Grove undertaking. Elm Ave/Lime Grove junction improvement pending. Elm Ave Pedestrian crossing technical approval pending (£5,500) design fees received plus further £6,700 for temporary footpath works carried out by LBH. £7,500 engineering fees claimed. Funds spent towards temporary footpath works.
PT278/72	West Ruislip	R.A.F West Ruislip Design check on S278 Designs 38402/APP/2007/1072	30,500.00	30,500.00	12,500.00	0.00	12,500.00	18,000.00	0.00 Fees received for design checks. Pelican crossing and signals on Long Lane. S278 agreement and technical approval pending. Further £18,000 returnable deposit received to ensure reinstatement of temporary crossover on Alysham Drive. Spend towards engineering fees claimed.
PT278/73	South Ruislip	R.A.F Northolt, South Ruislip Main Gate 189/APP/2007/1321	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00	0.00 Fees received for design checks. Junction improvements at West End Road/ Bridgewater Road. S278 agreement and technical approval pending.
PT278/75	Harefield	The Harefield Academy, Harefield 1109/APP/2006/825	4,000.00	4,000.00	0.00	0.00	0.00	4,000.00	0.00 Fees received for design checks. Alteration to Academy entrance and proposed zebra crossing. S278 agreement and technical approval pending. fees received for design checks for pedestrian crossing.
PT278/73/197 *62	Ruislip Manor	Windmill Hill Public House, Pembroke Road, Ruislip 11924/APP/2032	24,000.00	24,000.00	1,000.00	1,000.00	1,000.00	23,000.00	0.00 Fees received for design checks (£1,000). £23,000 received as a security deposit to ensure works are carried out to a satisfactory standard. £1,000 engineering fees claimed.
		SECTION 278 SUB - TOTAL	87,158.07	87,158.07	28,159.13	14,458.00	25,701.13	58,998.94	0.00
		SECTION 106							
		PORTFOLIO: PLANNING AND TRANSPORTATION							

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CASE REF.	WARD	SCHEME / PLANNING REFERENCE	TOTAL INCOME	TOTAL INCOME	TOTAL EXPENDITURE	2009 / 2010 EXPENDITURE	BALANCE OF FUNDS	BALANCE SPENDABLE NOT ALLOCATED	COMMENTS (as at mid February 2010)
PT11/45	Harefield	Springwell Lane - Cycle Way/ 6679/AZ/2008/0897	AS AT 31/12/09	AS AT 30/9/09	AS AT 31/12/09	To 30/9/09	AS AT 31/12/09	AS AT 31/12/09	
PT25/56 *24	South Ruislip	J Sainsbury, 11 Long Drive, Ruislip 33667/T/97/0884	3,283.20	3,283.20	2,121.57	2,121.57	0.00	1,161.63	0.00 Towards traffic calming in Springwell Lane. Funds earmarked committed towards traffic calming to benefit a cycle way. Delegated authority granted to advertise for 20m/hr speed zone. Works complete. Officers chasing confirmation of final s106 expenditure amount. Interest accrued. Unexpended funds at January 2011 to be returned
PT57/27C (see: EYL55 & E/18)	South Ruislip	Carmichael Close, Ruislip - Highway Works / 55898/APP/2000/2736	1,371.00	1,371.00	1,371.00	1,371.00	0.00	0.00	0.00 Highway improvements adjacent to the site. Legal advice stated that because of time that has elapsed, it would not be reasonable to proceed without Sainsbury's agreement. Officers investigating the potential to utilise these funds for traffic congestion mitigation at that junction to complement current works that have been commissioned for that location. A portion of land owned by Sainsbury's would need to be dedicated as public highway for the scheme to be feasible. Traffic mitigation scheme is fully funded. Officers investigating whether improvements could be tied into 114 busroute project. Excess funds are to be refunded to the developer following the date of the final account.
PT76/119	Northwood	Land at 64 Ducks Hill Road Northwood/26900/L99/1077	35,253.56	35,253.56	1,097.00	537.00	560.00	34,156.56	0.00 To provide a speed camera, anti-skid surface and associated road markings in Ducks Hill Road. Speed camera cannot be installed in this location, as the accident rate in this location is below the threshold established by TfL. Deed of variation not required. Site included in vehicle activated sign (VAS) forward programme. Officers looking into feasibility of 'Driver Feedback Sign'. Implementation due Spring 2007, subject to feasibility. Quotes being sought with the view to possible purchase of signs. Interest accrued. No time constraints. Utilities works completed Nov 08. Anti-skids can be implemented following 3 months after completion of utilities works. Scheme programmed for implementation April/May 2010.
PT91/142A	Northwood	3 Reginald Road, Northwood 58866/APP/2005/1087	1,049.35	1,049.35	0.00	0.00	0.00	1,049.35	0.00 For the introduction and maintenance of white lines on the highway adjacent to the development. Funds not spent within 7 years of receipt of PO1 Form to be refunded. Scheme completed and final invoices received . Expenditure charged to non-s106 code. Officers investigating whether spend can be recharged.
PT122/05A	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	7,502.15	7,502.15	0.00	0.00	7,502.15	0.00 Contribution towards improvements to the London cycle network within a radius of 150m of the site. Funds to be spent by September 2013	

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		AS AT 31/12/09	AS AT 30/9/09	AS AT 31/12/09	4,588.57	4,029.57	To 31/12/09	AS AT 31/12/09	0.00	
	PLANNING & TRANSPORTATION SUB - TOTAL	85,884.35	85,884.35				560.00	81,294.78		
	PLANNING & TRANSPORTATION TOTAL	173,042.42	173,042.42	32,748.70	18,487.57	26,261.13	140,293.72	0.00		
PORTFOLIO: CULTURE, SPORT AND LEISURE										
CSL/6/184A	West Ruislip	31-46, Pembroke Road, Ruislip 53816/APP/2006/2896	49,601.53	49,601.53	0.00	0.00	0.00	49,601.53	0.00	Funds have been allocated to the dining centre for Northwood and Ruislip elderly persons association. Funds not spent by 1/07/2015 to be returned.
CSL/6/189A	Ruislip	30 Kings End, Ruislip, 46298/APP/2006/2165	7,674.48	7,674.48	0.00	0.00	0.00	7,674.48	0.00	Towards the provision of community facilities in the immediate vicinity of the land. No time limits. Earmarked towards Manor Farm Library. Subject to formal
CSL/7/195A	Ruislip	Highgrove House, Eastcote Road, Ruislip, 10622/APP/2006/2494	9,578.00	9,578.00	0.00	0.00	0.00	9,578.00	0.00	Funds received towards the improvement of community facilities in the vicinity of the site. No time constraints on the expenditure of funds.
CSL/8/199A	Ruislip	41 Kingsend, Ruislip, 2792/APP/2006/3451	9,338.43	9,338.43	0.00	0.00	0.00	9,338.43	0.00	Funds received towards the provision of community facilities in the Borough. No time constraints. Earmarked towards Manor Farm Library. Subject to formal allocation of programme. Earmarked towards Ruislip Manor Library and Community Resources Centre. Subject to formal
CSL/10/200B	Manor	Former Ruislip Manor Library, Victoria Road, Ruislip, 14539/APP/2008/2102	5,200.00	5,200.00	0.00	0.00	0.00	5,200.00	0.00	Funds received towards improvements to nearby community facilities. Earmarked for Library Extension and Community Resources Centre. Subject to formal
CSL/11/205B	Eastcote	RAF Eastcote, Lime Grove, Ruislip, 10189/APP/2004/1781	277,131.54	277,131.54	0.00	0.00	0.00	277,131.54	0.00	Contribution towards the provision or improvement of leisure, youth and/or cultural services within Eascole and East Ruislip ward boundary. Funds to be spent by September 2014. Earmarked towards Highgrove pool improvement programme. Subject to formal allocation of funds.
	CULTURE, SPORT AND LEISURE SUB -TOTAL	358,523.98	358,523.98	0.00	0.00	0.00	358,523.98	0.00	9,578.00	
PORTFOLIO: EDUCATION AND CHILDREN'S SERVICES										
EYL/19/44	Harefield	The Springs, Springwell Lane, Rickmansworth / 6679/AZ/98/0897	32,595.93	32,595.93	0.00	0.00	0.00	32,595.93	0.00	Towards the provision of primary school places in Harefield. Earmarked for a nursery scheme at Harefield Infants School. Interest accrued. Unexpended funds by January 2011 to be repaid to the developer.
EYL/39/65A	Harefield	Land at North Works, Harefield Summerhouse Lane, Harefield 201AJ/98/2472	121,675.43	121,675.43	102,605.08	102,605.08	0.00	19,070.35	0.00	Primary School places in Harefield (103K). Funds spent on the Hillingdon Rising Fives Programme at Harefield Infant and Junior School. 5k spent towards CCTV at Harefield Primary with additional match funding of £10,000 from the £250,000 capital funds (see Cabinet Lead Member report March 2004). No time constraints. Balance allocated to proposed refurbishment of Harefield Nursery.

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EYL/68/144	Northwood	68 Ducks Hill Road 11900/A/PP/2005/1087	AS AT 31/12/09 183,044.65	AS AT 30/9/09 183,044.65	AS AT 31/12/09 99,819.57	AS AT 30/9/09 99,819.57	To 31/12/09 0.00	83,225.08	AS AT 31/12/09 0.00	Towards the costs of providing primary and secondary school places in the Borough. No time constraints. £16,400 spent on Ruislip High School. £75,852.85 spent towards Primary School costs. Earmarked for Primary School expansions in north Ruislip/Northwood areas. Further £1,423 spent towards Ruislip High School. £5,000 spent towards Sacred Heart Primary School modernisation.
EYL/87/145B	Harefield	Dairy Farm, Breakspear Rd, Harefield 27314/APP/2005/844	103,122.52	103,122.52	74,935.52	74,935.52	28,187.00	28,187.00	For the provision of educational places in the Borough. Funds not spent by 25 August 2014 are to be repaid. Earmarked for primary School expansions in north Ruislip/Northwood areas. Funds spent towards Sacred Heart Primary School modernisation. Further £28,187 received as an additional contribution for provision of educational places in the Borough. No time limits on spend.	
EYL/102/196	Harefield	19, Vernon Drive, Harefield. 57498/APP/2008/3031	739.00	739.00	0.00	0.00	0.00	739.00	739.00	Funds received towards the provision of nursery school places in the Borough. No time limits.
EYL/103/197A	Ruislip Manor	Windmill Public House, Pembroke Road, Ruislip. 11924/APP/2632	68,689.00	68,689.00	0.00	0.00	0.00	68,689.00	68,689.00	Funds received towards the provision of education facilities within the locality. Funds to be spent within 5 years of receipt (Feb 2014).
EYL/105/199B	Ruislip	41, Kingsend, Ruislip. 2792/APP/2006/3451	37,459.20	37,459.20	0.00	0.00	0.00	37,459.20	37,459.20	Funds received towards the cost of providing education places within the Borough. No time limits on spend.
EYL/106/200A	Manor	Former Ruislip Manor Library, Victoria Road, Ruislip. 14539/APP/2008/2102	3,519.00	3,519.00	0.00	0.00	0.00	3,519.00	3,519.00	Funds received towards improvements to nearby educational facilities arising from the needs of the development. No time limit on spend.
EYL/108/202	Ickenham	179, Sakeleys Road, Ickenham. 52293/APP/2006/2360	8,037.00	8,037.00	0.00	0.00	0.00	8,037.00	8,037.00	Funds received towards the provision of additional or improved education facilities within a 3 mile radius of the site. No time limit on spend.
EYL/110/205C	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	1,830,551.09	1,830,551.09	0.00	0.00	0.00	1,830,551.09	1,830,551.09	First and second installments towards the cost of providing educational places in or improvements to nursery, primary or secondary schools in the North Secondary Planning Area. Nursery (£421,026.76), primary (£750,525.95) and secondary (£668,986.39). Funds to be spent within 7 years of receipt of the first contribution (September 2016).
EYL/112/208	Northwood	10, Green Lane, Northwood 46543/APP/2005/2697	4,085.75	0.00	0.00	0.00	0.00	4,085.75	4,085.75	Funds received towards additional or improved education facilities in the Northwood area. No time limits.
		EDUCATION, YOUTH AND LEISURE SUB - TOTAL								
		PORTFOLIO: EDUCATION AND CORPORATE SERVICES								
		FINANCE & CORPORATE SERVICES SUB - TOTAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
		PORTFOLIO: IMPROVEMENT, PARTNERSHIPS AND COMMUNITY SAFETY								

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		AS AT 31/12/09	AS AT 30/9/09	AS AT 31/12/09	AS AT 30/9/09	To 31/12/09	AS AT 31/12/09	0.00	0.00	
		PERFORMANCE, PARTNERSHIPS & REGENERATION SUB - TOTAL	0.00	0.00						
		PORTFOLIO: ENVIRONMENT								
E/46/176B	Northwood	Former True Lovers Knot Public House, Rickmansworth Road, Northwood 27717/APP/2007/1440	21,195.00	21,195.00	0.00	0.00	0.00	21,195.00	0.00	Funds received towards the costs of providing environmental improvements at "The Gravel Pits" within the vicinity of the Development or other green space within the Borough. No time constraints. A local officer is drawing up a programme of works to be implemented at this site.
E/47/177B	Manor	41-55, Windmill Hill, Ruislip planning ref.48283/APP/2006/2353	38,258.39	38,258.39	0.00	0.00	0.00	38,258.39	0.00	Funds received towards open green space and recreational open space within a 3 mile radius of the land. This sum includes approximately £3k for bins and benches and £30k for children's play space. Funds not spent within 5 years of receipt (24 December 2012) are to be refunded. Officers currently drawing up a programme of works for Warrender Park.
E/48/181A	West Ruislip	Bury Wharf, Bury Street Ruislip. Planning ref. 19033/APP/2007/3269	2,030.70	2,030.70	1,315.31	1,315.31	0.00	715.39	0.00	Funds received for an interpretation sign to be located in the nearby plot of land known as Murphy's Field, more particularly described as Public Open Space to the south of the development site immediately adjoining Ducks Hill Road. Interest accrued must be applied to the above purpose. Funds not spent prior to 8 February 2013 are to be refunded. Project complete, awaiting invoices. Spend against revenue account, costs to be journalised to show for March quarter. Journal completed.
E/50/180B	Northwood Hills	16 Watford Rd and 36, Brookend Drive, Northwood planning ref. 62535/APP/2007/2726	20,253.00	20,253.00	0.00	0.00	0.00	20,253.00	0.00	Funds received towards the costs of providing local open space facilities at Firthwood Park within the vicinity of the development or other green spaces within the borough of Hillingdon. No time limits. Officers looking at programme of improvements for Firthwood Park.
E/56/200C	Manor	Former Ruislip Manor Library, Victoria Road, Ruislip. 14539/APP/2008/21/02	5,652.00	5,652.00	0.00	0.00	0.00	5,652.00	5,652.00	Funds received towards improvements to nearby open space facilities. No time limits for spend.
E/57/205D	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	118,803.95	118,803.95	0.00	0.00	0.00	118,803.95	118,803.95	Contribution received towards the provision or improvement of outdoor sports facilities within a 300m radius of the land. Funds to be spent by September 2014.
E/58/205E	Eastcote	RAF Eastcote, Lime Grove, Ruislip. 10189/APP/2004/1781	28,275.50	28,275.50	0.00	0.00	0.00	28,275.50	0.00	Contribution received to improve the High Grove Nature Reserve and upgrade the path network. Works are specified in the agreement. Funds to be spent by 2011.
		ENVIRONMENT SUB - TOTAL	234,468.54	234,468.54	1,315.31	1,315.31	0.00	233,153.23	124,455.95	
		PORTFOLIO: SOCIAL SERVICES, HEALTH AND HOUSING								
H/9/184C	West Ruislip	31-46, Pembroke Rd, Ruislip 53816/APP/2006/2896	21,675.10	21,675.10	0.00	0.00	0.00	21,675.10	0.00	Funds received towards primary health care facilities within a 3 mile radius of the development. Funds not spent by 01/07/2015 must be returned to the developer.
*55										

