

**North Yorkshire County Council**

**Business and Environmental Services**

**Planning and Regulatory Functions Committee**

**15 December 2020**

**Publication of Developer Contribution Agreements – Infrastructure Funding Statements**

**Report of Assistant Director, Growth Planning and Trading Standards**

**1.0 Purpose**

1.1 The purpose of the report is to set out the information required to be published and how, as part of the County Councils Infrastructure Statement.

Recommendation: To note the contents of the report.

**2.0 The Infrastructure Funding Statements**

- 2.1 The Community Infrastructure Levy (CIL) regulations require all local planning authorities that issue a CIL liability notice or enter into section 106 planning obligations during a reporting year to publish an infrastructure funding statement (IFS) at least annually. The information required to be published is set out in an IFS is pursuant to Community Infrastructure Levy (Amendment)(England)(No 2) Regulations 2019.
- 2.2 The regulations require:
- (a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”);
  - (b) A report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);
  - (c) A report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).
- 2.3 North Yorkshire County Council is required to publish these on the Council’s website. Appendix A is the explanatory text for the public. Appendix B shows the data that will be published which includes an Infrastructure List, CIL Report and S106 Report.
- 2.4 The reporting year is 1 April 2019 to 31 March 2020.

2.4 The County Council can update the report at any time during the year, though must report on the previous reporting year's activity by 31 December each year.

### **3.0 Community Infrastructure Levy**

3.1 The County Council is not a CIL charging Authority and has not received any CIL funds from District Councils during the reporting period. Therefore, the report is limited to s106 agreements that the County Council is party to.

### **4.0 Website**

4.1 The information at Appendix A and B will be made available on the website.

<h3><b>5.0 Recommendations</b></h3>
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<p>5.1 The committee notes the contents of the report.</p>
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## **Appendix A**

### **Infrastructure Funding Statements**

The requirement to publish an Infrastructure Funding Statement is pursuant to Community Infrastructure Levy (Amendment)(England)(No 2) Regulations 2019. Regulation 121A – Annual Infrastructure Statements. Schedule 2 – Matters to be included in the annual funding statement.

The regulations require:

- (a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”);
- (b) A report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);
- (c) A report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).

The reporting period is 1 April 2019 to 31 March 2020

### **The Community Infrastructure Levy**

The County Council is not a CIL charging Authority and has not received any CIL funds from District Councils during the reporting period. Therefore, the report is limited to s106 agreements that the County Council is party to.

### **Section 106 Agreements**

Planning obligations under Section 106 of the Town and Country Planning Act 1990), commonly known as s106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development.

For the County Council this often means entering into a s106 agreement with a developer to provide for example additional school places to accommodate a new development or required alterations to the highway. These can be in form of works or financial contribution. Details of these agreements are below.

## Appendix B

### Annual Infrastructure Funding Statement April 2019-March 2020

#### Infrastructure list

The County Council is not a CIL Charging Authority. There are four CIL charging Authorities within the County Council

Hambleton District Council  
Harrogate Borough Council  
Ryedale District Council  
Selby District Council

The County Council is not in receipt of any CIL funds. When we are in receipt of CIL funds we will publish here what infrastructure those CIL receipts have been passed to the County Council for.

#### CIL Report

No CIL funds have been received from District Councils during the reporting period

#### Section 106 Report

Date of S106 Agreement	Planning Application Reference	Site	Contribution	Non financial contribution	Purpose	Received
18 June 2019	18/02118/OUTMAJ / 19/04375/REMMAJ		£155,566.00		For the purpose of providing additional educational facilities at Goldsborough Church of England Primary School and/or such other primary school within the locality served by the Development the need for which only arises as a result of the Development.	No

29 October 2019	63/2012/13167		£ 231,132.00		Education facilities at Greatwood and/or provision of new school within locality site	No
30 July 2019	19/00768/OL		£169,950.00		Education Facilities	No
11 June 2019	18/01532/FULMAJ		£74,778.00		Education Facilities	No
10 February 2020	18/00710/FULL		£220,935.00		Education Facilities	No
18 June 2019	18/04749/FULMAJ		£183,546.00		Education Facilities for key stage 2	No
7 June 2019	19/00109/FL		£166,551.00		Education Facilities	No
11 July 2019	18/02960/FULMAJ		£13,596.00		Education facilities for Rossett Acre and / or other primary schools serving the area.	No
9 April 2019	17/00710/OUT		£197,142.00		"Education Contribution" means the sum of £197,142 (one hundred and ninety seven thousand one hundred and forty two pounds) to be paid to the County Council and to be used by it towards capital expenditure to enable the provision of additional school places at St Mary's Church of England Primary School, Bolton on Swale and/or towards a new school serving the locality within which the Development is situated PROVIDED THAT if the total number of dwellings to be constructed pursuant of the Planning Permission is fewer than 58 the amount of the education contribution will be recalculated in accordance with the following formula:- 1) the number of dwellings divided by four to give the number of primary school places created by the Development (A) 2. the contribution per primary school place is £13,596 (B) 3. the education contribution is AxB	No
11 November 2019	18/04528/FULMAJ		£122,364.00		to be used by the County Council for the provision of additional education facilities at Tockwith Church of England Primary School.	No
09/04/2019	17/00710/OUT	Land to the West of Scorton			Associated Highways Works	No
24/12/2019	18/01053/FL	Land adjoining Church Lane			Associated Highways Work	No
10/04/2019	2017/18237/OUT	Hawbank Field	£15,000.00		Highway Improvement Contribution - Improvements to the junction of the A6131 and A59 located to the north-east of the site	No
22/05/2019	17/01350/OUTMAJ	Land off Boroughbridge Road	£50,000.00		Traffic Scheme Contribution - complementary measures associated with the Traffic and air quality scheme	No
			£5,000.00		Travel Plan Monitoring Fee	
			£8,000.00		TRO Contributions - extend the 30mph speed limit on Boroughbridge Road and implementing such order if confirmed	

28/11/2019	17/01897/OUTMAJ	Harrogate Road	£5,000.00		Travel Plan Monitoring Fee	No
			£5,000.00		TRO Contribution - Extend the 30mph Speed limit on Harrogate Road	
20/05/2019	17/02937/FULMAJ	Land at Aldborough Gate	£5,000.00		Travel Plan Monitoring Contribution	No
			£5,000.00		TRO Contribution - relocate speed limit on Chapel Hill	
11/06/2019	18/01532/FULMAJ	Yule Lane/New Lane	£100.00 (per dwelling)		Public Transport Contribution [sum per dwelling]	No
			£25,000.00		Cycle/Pedestrian Infrastructure Contribution	
			£5,000.00		Travel Plan Monitoring Fee	
05/06/2019	18/01557/FULMAJ	Land comprising OS Field No. 6952, Harrogate Road	£12,000.00		Vehicle Activated Sign - Solar powered electronic traffic signs to monitor speed of traffic on the A6055 Harrogate Road	Yes
05/06/2019	2015/0712/OUT	The Poplars			Associated Highways Works	No
04/04/2019		Drax Power Station	£388,750.00		Landscape mitigation projects	No

Table 2

## Funds received in reporting year

Year payment received	Planning Application Reference	School named in S106 agreement	Value of payment	The purpose of payment	The amount of the payment that has been spent	The amount that has been committed but not spent	The amount that has not been committed or spent
2019/20	10/02373/OUT	Keeble Gateway Primary Academy	£ 650,000.00	To provide additional educational facilities.		£ 650,000.00	
2019/20	16/04981/OUTMAJ	Dishforth CE	£ 101,970.00	To provide additional educational facilities.	£ 101,970.00		
2019/20	14/03119/FULMAJ	Harrogate High and/or Harrogate Grammar and/or Rossett School	£ 448,475.00	To provide additional educational facilities.	£ 376,000.00		£ 72,475.00
2019/20	16/05603/FULMAJ (18/00187/DISCON)	Holy Trinity Junior	£ 52,441.71	To provide additional educational facilities.	£ 52,441.71		
2019/20	15/01691/FULMAJ	Meadowside Academy	£ 62,031.75	To provide additional educational facilities.			£ 62,031.75
2019/20	14/03119/FULMAJ	New Park Primary	£ 577,830.00	To provide additional educational facilities.	£ 577,830.00		
2019/20	13/02358/OUTMAJ (17/02123/REMMAJ)	Pannal CP	£ 125,000.00	To provide additional educational facilities.	£ 125,000.00		
2019/20	15/05478/OUTMAJ (17/05030/DVCMAJ) (18/00821/REMMAJ)	Rossett Acre Primary	£ 69,679.50	To provide additional educational facilities.			£ 69,679.50

2019/20	15/05478/OUTMAJ (17/05030/DVCMAJ) (18/00821/REMAJ)	Rossett School	£ 54,080.84	To provide additional educational facilities.	£ 54,080.84		
2019/20	15/01484/FULMAJ	Tockwith Primary Academy	£ 74,778.00	To provide additional educational facilities.		£ 74,778.00	
2019/20	15/01999/EIAMAJ	Western CP or New School	£ 121,321.00	To provide additional educational facilities.		£ 121,321.00	
2019/20	14/02737/EIAMAJ	Western CP/ Saltergate/ New School	£ 203,940.00	To provide additional educational facilities.			£ 203,940.00
2019/20	16/00139/FULL	Colburn CP	£ 311,941.04	To provide additional educational facilities.	£ 311,941.04		
2019/20	14/01362/FL	Lindhead Primary	£ 45,107.00	To provide additional educational facilities.		£ 45,107.00	
2019/20	2015/0586/OUT 2018/0468/REM	Barlby CP	£ 125,763.00	To provide additional educational facilities.		£ 125,763.00	
2019/20	2015/0712/OUT 2017/1356/REMM	Brayton CE or St Mary's Catholic	£ 74,778.00	To provide additional educational facilities.			£ 74,778.00
2019/20	2012/1103/FUL 2015/0318/FUL (2016/1382/FUL)	Kirk Fenton CE	£ 132,561.00	To provide additional educational facilities.			£ 132,561.00
2019/20	2015/0105/OUT	Selby High School	£ 111,855.02	To provide additional educational facilities.	£ 111,855.02		



2019/20	2012/0399/EIA & 2012/0400/EIA / 2014/1091/REM	Sherburn Athelstan CP	£ 509,837.50	To provide additional educational facilities.	£ 509,837.50		
2019/20	2015/0356/OUT	Whitley & Eggborough CP	£ 13,596.00	To provide additional educational facilities.			£ 13,596.00
2019/20	18/01557/FULMAJ	Ferrensby	£12,000.00	Vehicle Activated Sign - Solar powered electronic traffic signs to monitor speed of traffic on the A6055 Harrogate Road	£12,000		