

INFRASTRUCTURE FUNDING STATEMENT 2019-20

Review of Section 106 Planning Obligations 2018-19 and 2019-20



SCARBOROUGH BOROUGH COUNCIL

Planning Services



1.0 INTRODUCTION

1.1 Section 106 of the Town and Country Planning Act 1990 allows Local Planning Authorities (LPAs) to impose restrictions or requirements on land, including the payment of monies towards infrastructure or securing affordable housing. Collectively, these are known as planning obligations and may take the form of a Section 106 (S106) agreement between a developer/landowner, the Council and possibly other parties, or alternatively, a unilateral undertaking providing a legal commitment by the developer alone.

1.2 Obligations form part of a planning permission, but are only used when planning conditions are unsuitable, because of their complexity and the delay they can add to the planning process. Since 2010 it has been a legal requirement that that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is: -

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

1.3 The 2008 Planning Act made provision that most financial contributions could be secured by the Community Infrastructure Levy (CIL) and it was the government's intention at the time that this would become the usual means of securing funding for off-site infrastructure (excluding affordable housing). Scarborough Borough Council ultimately decided not to introduce CIL, since across much of the Borough it would not be viable. Indeed, this has often found to be the case in parts of England where developer profits are more marginal, and S106 obligations can be more sensitively adapted to such market conditions. As a result, both processes continue to co-exist across the country.

1.4 The publication of this Infrastructure Funding Statement (IFS) is a legal requirement arising from the Community Infrastructure

Levy Regulations 2019. All LPAs must publish an annual report covering both CIL and S106 obligations regarding the monies secured, received, held and spent, as well as provision of certain on-site infrastructure, such as affordable housing. This is the first such IFS and complies with the requirement to cover the financial year 2019/20 (1st April 2019 to 31st March 2020). To provide continuity from previous Section 106 Monitoring Reports prepared by the Council, it also covers 2018/19.

1.5 This IFS in effect replaces these Monitoring Reports which have been regularly published by the Borough Council since the early 2000s. These were not a statutory requirement, but it was considered best practice to assist with transparency in the planning process. These reports largely covered the same issues as the IFS. They included a comprehensive list of all 'live' individual S106 obligations securing infrastructure or payments in its place, together with a short commentary on the current status. Although not a specific requirement of the IFS, we have continued with this practice and this information can be found in Appendix A.

1.6 This Statement only relates to those S106 obligations for which Scarborough Borough Council (SBC) is legally responsible for ensuring compliance. In accordance with the 2019 Regulations, the data in this IFS therefore does not cover S106 obligations applying to land in the Borough in the following cases:

- (A) Where the North York Moors National Park Authority is the LPA.
- (B) Where North Yorkshire County Council (NYCC) is the LPA (e.g. mineral and waste applications)
- (C) Where SBC determined the planning application, but where NYCC is signatory of the S106 to the effect that it is directly responsible for compliance — this mainly relates to certain highway payments.
- (D) Section 278 Highways agreements between the developer and NYCC.

1.7 Those obligations falling in Category C above were previously reported in monitoring reports and where appropriate they are referred to in the commentary, as well being listed in Appendix A, but they are not included in cumulative figures.

1.8 Section 2.0 of this Statement provides a brief overview of S106 obligations. The remaining Sections 3.0 to 8.0 consider in greater depth the key areas where funding or infrastructure has been secured, namely for affordable housing, green space, education, transport, health and miscellaneous/other. These sections are then structured around the different stages of the S106 process from securing the monies through to expenditure, largely based on the categories identified in the 2019 CIL Regulations.

2.0 OVERVIEW OF PLANNING OBLIGATIONS

2.1 Table 1 below provides a summary of the key S106 obligations for the year 2019-20. These largely cover the figures which IFs are specifically required to publish. It is appreciated that in isolation that these figures may be difficult to interpret. Hence, the remainder of this statement seeks to provide context and more detailed explanation.

Monies Secured and Held

2.2 Figure 1 on the following page provides an overview of current financial S106 obligations as they stood at the end of March 2020. It does not cover infrastructure secured by obligations and constructed by the developer, such as on-site affordable housing or open space. If the monetary value of such items were to be

Table 1 - Overview of Section 106 Financial Contributions

	Affordable Housing	Green Space	Education		Transport	Health	Other	Totals
			Sum	Primary School Place Equivalent				
Entered into 19/20	£300,000	£345,030	£336,501	24.75	£5,000	£0	£0	£986,531
Received 19/20	£25,000	£161,569	£125,630	8	£87,300	£72,833	£11,852	£484,184
Received before 19/20 & not allocated	£0	£142,100	£926,112	69.25	£296,524	£54,329	£11,010	£1,430,075
Allocated for infrastructure but not spent end of 19/20	£477,898	£379,419	£0		£183,999	£0	£140,015	£1,181,422
Monies spent 19/20	£22,035	£122,826	£0		£63,173	£0	£0	£208,034
Total monies held end of 19/20	£549,778	£675,042	£1,051,742	77.25	£583,544	£127,162	£162,877	£3,150,170
Maintenance monies held end of 19/20	N/A	£47,850	N/A		£0	N/A	£11,852	£59,702

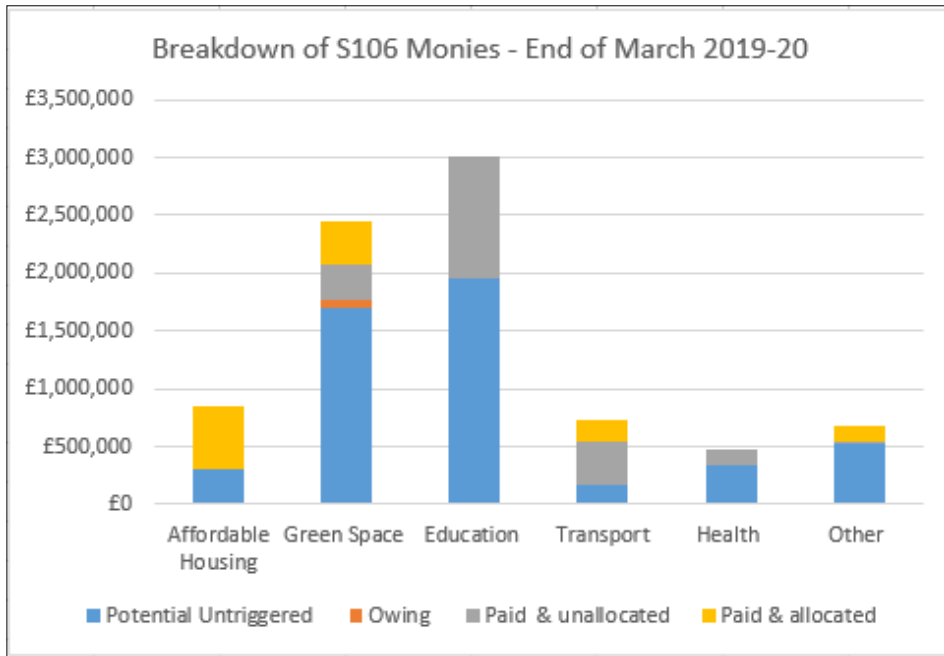


Figure 1

included it would significantly increase the net worth of S106 contributions. It also does not cover money which has now been spent. The majority of sums are secured from residential development and in accordance with national and local planning policy these largely relate to schemes of 10 or more dwellings.

2.3 The bars on Figure 1 show the main types of infrastructure as covered by Sections 3.0-8.0 of this IFS. Each individual bar is then subdivided according to the stage the obligations have reached. These are as follows:

- i. Monies which have been secured by s106 obligation, but where the trigger point for payment has not been reached, e.g. commencement of development or occupation of 50% of dwellings (blue).
- ii. Monies which the Borough Council has billed, but have not been paid (orange).

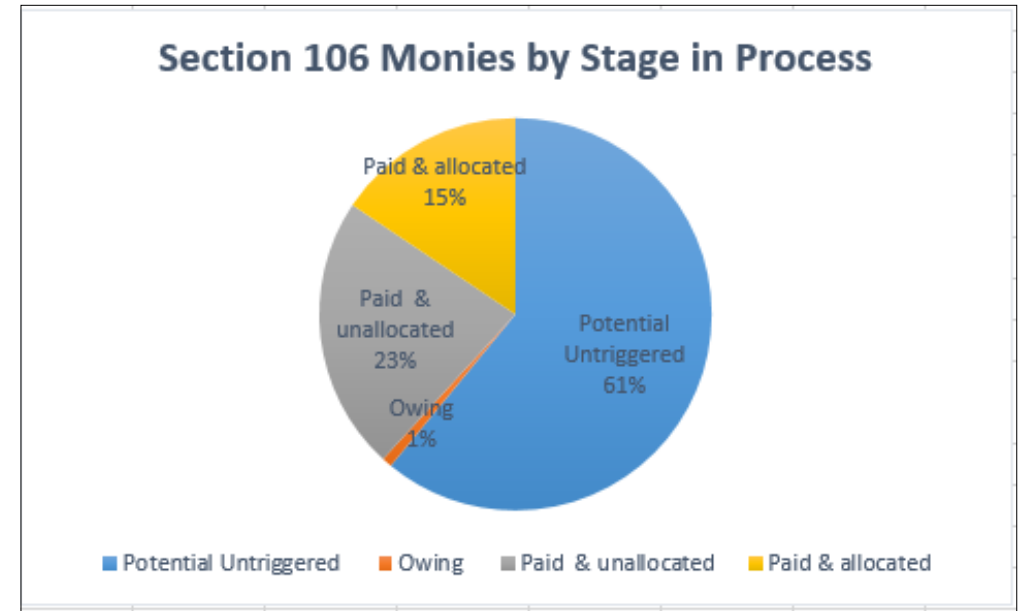


Figure 2

- iii. Monies which have been paid, but have not been committed or allocated to be spent on a particular project (grey).
- iv. Monies which have been paid and have been committed or allocated to be spent on a particular project (yellow).

2.4 Figure 2 above shows the total sums from Figure 1, re-expressed solely as a percentage of the total potential worth of the obligations which stood at **£8,206,087**.

2.5 The 61% which has not been triggered (£5,055,917) should be treated with some considerable caution. It is likely that a proportion of this will never be collected. The principal reason for this is the fact that not all planning permissions are implemented before expiring, normally after 3 years if not started. In other cases development may stall before the trigger point for payment is reached. This is slightly offset by the fact that where the payment is triggered months or years later, then indexation is usually liable. On outline planning permissions it should also be noted that some

of the figures are estimates at this stage.

2.6 The total amount of S106 sums held by the Borough Council at the end of **2019-20** was **£3,150,170**. This comprises the 38% of monies coloured yellow and grey in Figures 1 and 2. The differentiation between 'allocated' and 'unallocated' sums is not always entirely clear cut. Generally, it refers to cases where the Borough Council (and occasionally other statutory bodies) have made a spending commitment.

2.7 While a sum may be identified as 'unallocated' for the purposes of this document, the scope of projects on which it may be spent can be quite restricted due to the original terms of the S106 obligation. As a result of statutory limits mentioned in para.1.2 the contribution will be limited to a specific type of infrastructure within a geographical area. For a number of years up until 2019 the government imposed pooling restrictions, allowing no more than 5 obligations to fund the same item of infrastructure. To circumvent this it became increasingly necessary for the obligation to identify a specific project, such as an individual play area, for example, but this could severely restrict flexibility if spending priorities changed. The lifting of these restrictions was a welcome development, making the S106 process more manageable.

2.8 Returning to Table 1 on page 3, it does not provide a complete picture of all infrastructure secured by S106 obligation. In particular, it does not indicate on-site provision such as actual provision of affordable housing or green space, which are examined in greater detail later. The actual cost of providing on-site infrastructure will often exceed the sums collected by S106 obligation. For example, this is often more easily secured by planning conditions alone.

2.9 The CIL Regulations require the amount of money (received under planning obligations) and spent on repaying money borrowed to be reported. In the case of Scarborough Borough Council this was nil.

2.10 Table 1 also does not include Section 106 monitoring fees, to cover associated administration costs to Planning Services. In 2019-20, there was £14,994 of expenditure drawn from the fees, leaving an end of the year a balance of £30,039 waiting to be spent.

2.11 To help put the figures in Table 1 in context the next page shows 4 line graphs indicating trends over a period of approximately the last 4 years (Figures 3-6). They show the fluctuation in the value of sums at different stages of the S106 process. The lines on each of these graphs represents the different categories of infrastructure benefitting from contributions, reflecting the columns in Table 1. The last two periods covered in the graphs relate precisely to the financial years 2018/19 and 2019/20. However, the first 2 periods going back to December 2015 relate to 14 month periods, reflecting figures and periods covered by previous S106 monitoring reports. This should be noted when interpreting the graphs, but they nonetheless show broad trends. These graphs are referred and analysed in more detail in Sections 3.0-8.0 of this document. The impact of larger housing developments should also be noted; thus in 2017-8 the trigger point for payment for several such schemes occurred, accounting for the noticeable upturn during that period shown in Figure 4.

2.12 Figures 3 to 6 show the following:

- Figure 3 relates to potential S106 sums, where planning permission was granted during the relevant period with an accompanying S106 agreement/undertaking completed which would secure monies towards infrastructure, assuming the development proceeds.
- Figure 4 shows Section 106 sums received by SBC, i.e. where the payment has been triggered and paid during the period.
- Figure 5 shows the S106 monies held by the Borough Council. This may be in trust for other bodies such as the County Council.
- Figure 6 shows expenditure of S106 contributions, including transfers to other organisations.

Figure 3

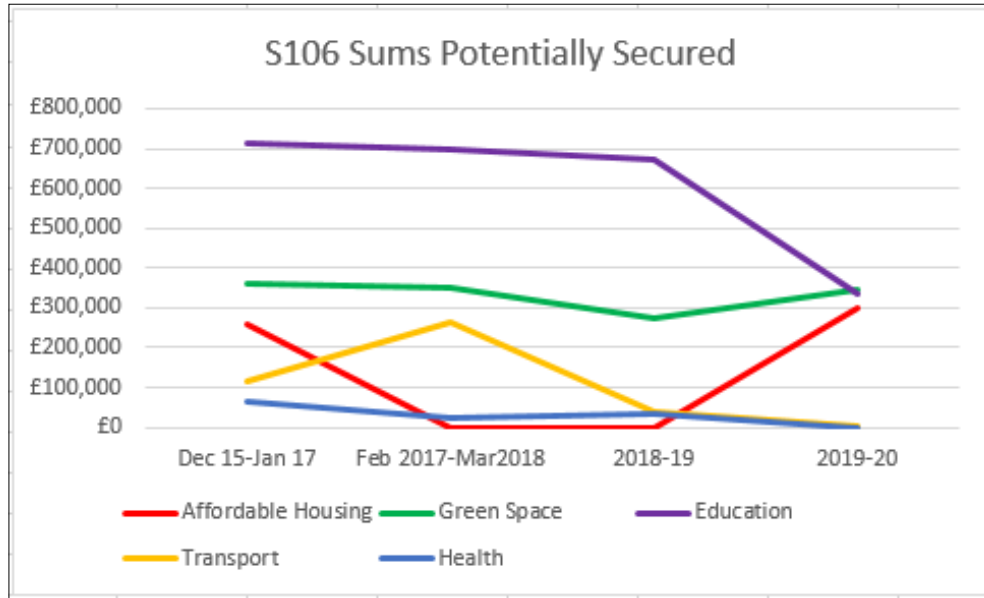


Figure 5

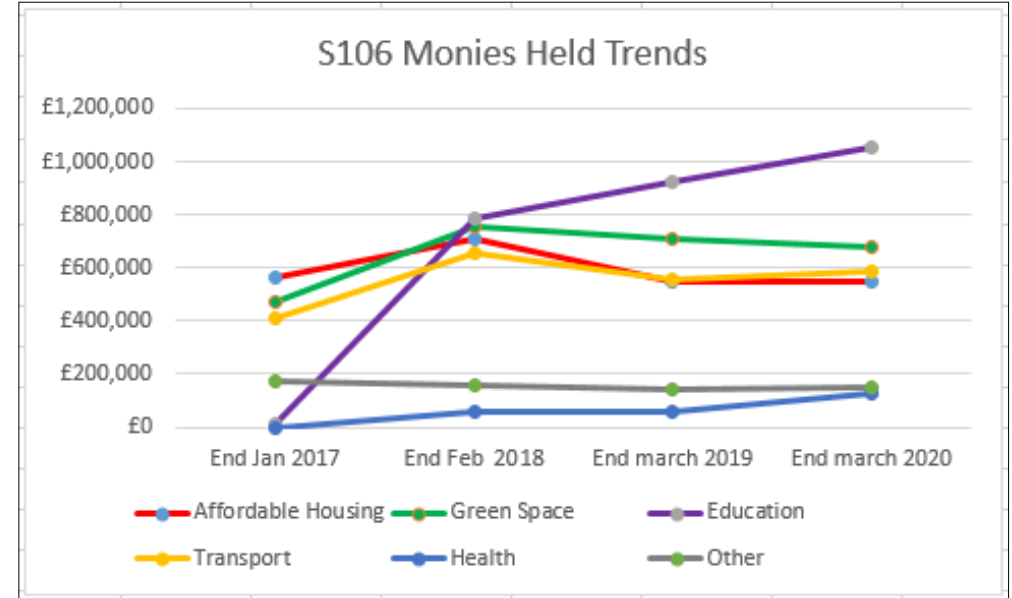


Figure 4

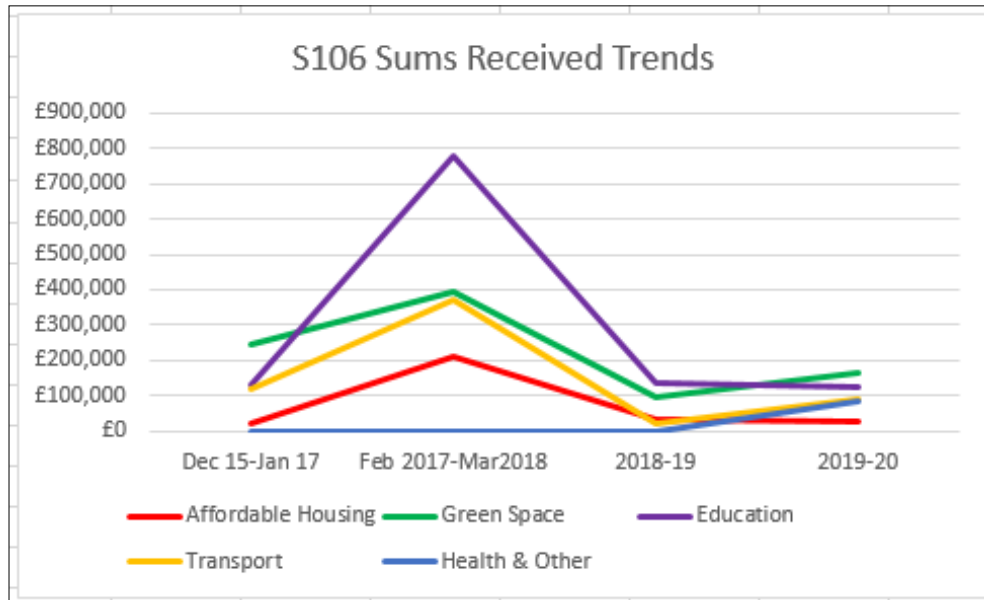
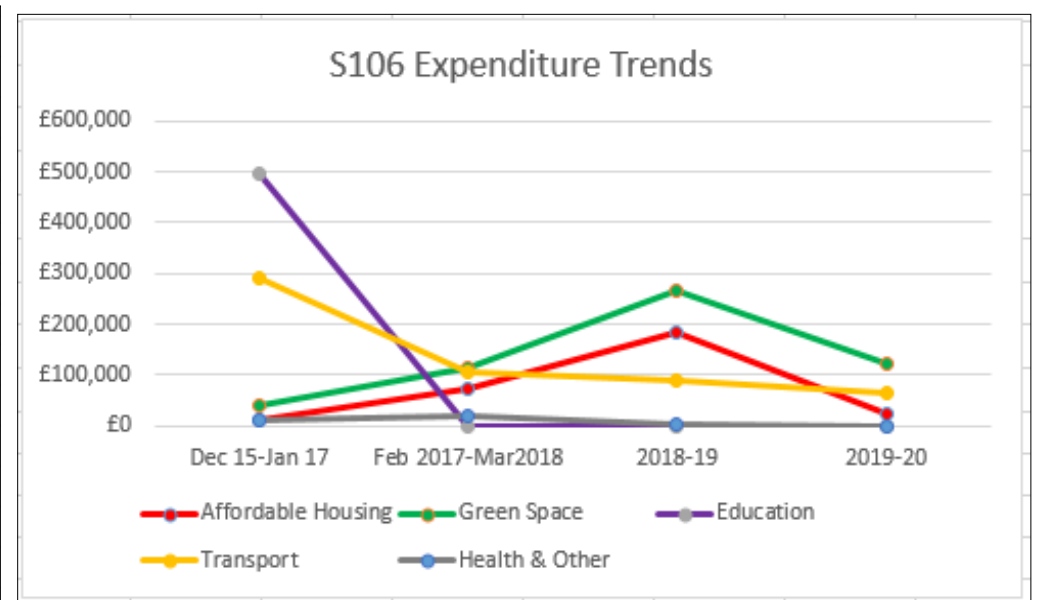


Figure 6



3.0 AFFORDABLE HOUSING

Background

3.1 The Affordable Housing SPD sets out the Council’s policy for determining the level of provision within new residential schemes, and where applicable, the amount of off-site contribution required. On larger residential schemes of 10+ units, provision of between 10% and 30% provision is normally expected - the higher requirements applying to more buoyant housing market areas, such as Whitby. Normally, affordable units should be provided on site, but occasionally this is impractical and a commuted sum is accepted in its place, and usually this relates to certain schemes for apartments and/or for the elderly.

3.2 If the cost of providing affordable housing on site were to be given a monetary figure it would make it the type of infrastructure towards which the greatest contribution is made by developers. Partly as a consequence it is also the most likely reason why a Viability Assessment may accompany an application, seeking to make the case that reduced contributions should be provided. National and local policies permit this approach, but in such cases the veracity of figures supplied is rigorously assessed by officers.

3.3 Not all affordable units are secured by the S106 route. Where the planning applicant is a Registered Provider of social housing, then a planning obligation may not always be necessary since they are governed by other regulatory safeguards to ensure the delivery and retention of affordable stock.

Affordable Housing Secured by S106 Obligation

3.4 Figure 7 shows the trends over the last 4 years, using the same time periods as Tables 3-7. However, this graph uses the number of affordable dwellings secured through the S106 process rather than a monetary value.

3.5 The green line on the graph shows that in **2019/20** a potential **85** affordable homes were secured by S106. The figure for

2018/19 was **56**. Although a reduction from 2017/18, the figures are reasonably consistent with the long term averages. The orange line at the top of the graph represents the estimated number of unbuilt affordable homes with planning permission. This shows a gradual decline from 371 in December 2015 to **275** at the end of **2019-20**. This is not a cause for concern; it partly results from the high number of completions in 2017/18, as well as the expiry of the planning permission for later phases at High Mill Farm, Scalby. The 2019/20 figures do not include this recent planning permission for an estimated 111 affordable homes on this large site, which would in effect compensate for the decline shown on the graph.

3.6 An estimated 45 (or 80%) of the dwellings granted permission in 2018-19 are on 2 sites off Racecourse Road, East Ayton. Of these 25 would be at Tara Fields, which is under construction. A further estimated 11 units were allowed on appeal at Limestone Road, Burniston.

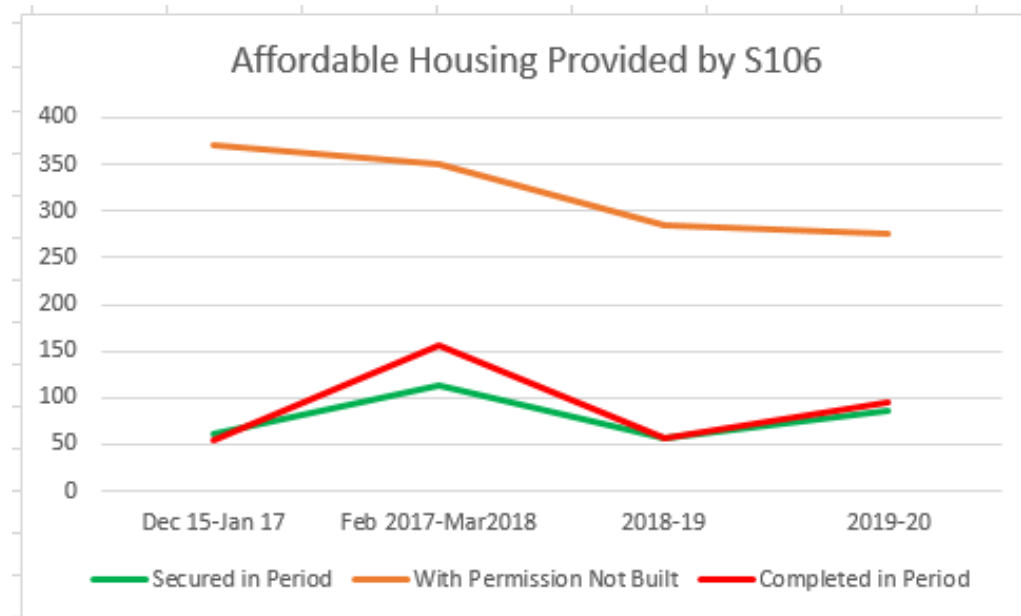


Figure 7

3.7 Section 106 obligations helped to secure the following affordable homes in 2019/20:

- Lady Edith's Drive, Newby - 49 (all dwellings on site)
- Racecourse Road, East Ayton - 15
- Land west of Church Lane, Cayton - 10
- Filey Fields Farm - 11 (see next paragraph).

3.8 In practice all 70 extra-care apartments under construction at Filey Fields would be affordable. However, for technical reasons relating to the operation of planning policy and procurement only 11 needed to be secured by S106 obligation. If all apartments from this scheme were to be included the total number of affordable dwellings granted permission in 2019/20 this would increase the total from 85 to 144, which is actually a higher rate than other recent years.

Affordable Housing Completed

3.9 These figures are the most critical, since they represent actual provision. The red line on Figure 7 shows trends in the number of affordable dwellings secured through S106. The completions were **56 in 2018/19** and **91 in 2019/20**. As noted before, completions on housing sites subject to S106 obligations were high in 2017/18, so the slight subsequent dip is not a cause for concern.

3.10 The majority (79%) of affordable dwellings completed in 2018/19 were in Whitby:

- St Peters Road, Whitby — 29
- Shackleton Close, Whitby — 9
- The Garth, Whitby — 6
- Farside Road, West Ayton — 8
- Middle Deepdale, Eastfield – 4

3.11 In contrast, completions in 2019-20 were mainly in Eastfield (80%):

- Middle Deepdale, Eastfield – 44

- Braeburn House, Eastfield - 29 (right hand photo on front page)
- Farside Road, West Ayton — 13
- Shackleton Close, Whitby — 5.



Image 1 - St Peters Road, Whitby

Committed Sums Secured by S106 Obligation

3.12 These figures have inevitably diminished from the period between 2012 and 2015. At that time committed sums were collected on smaller residential schemes of 1 to 9 dwellings, resulting in a steady supply of numerous, but smaller sums of under £10,000. Government policy now prevents this and the SPD was amended accordingly. Given the preference for on-site provision, payments in lieu of this are now a seldom occurrence, and largely restricted to private apartment schemes where mixed tenure is deemed to be impractical.

3.13 However, on those relatively rare occasions that committed

sums are now secured they tend to be relatively substantial. This is reflected in the figures, so in both 2017/18 and 2018/19 no new monies for affordable housing were secured by S106 obligation. This jumped to **£300,000** in **2019/20** and this is solely derived from one residential scheme for the elderly at Church Hill, Filey. This is currently under construction, but the payment has not yet been triggered.

Affordable Housing Commuted Sums Received

3.14 A similar fluctuating picture emerges for the commuted sums paid towards affordable housing over recent years. Thus, in 2017/18 a relatively large sum of £210,487 was collected, solely derived from a residential scheme for the elderly at Newby Farm Road, Newby. The sums collected in the last 2 years were substantially less, but will increase once again when the £300,000 relating to Church Hill Filey is paid.

3.15 In **2018/19** the total sums collected were **£32,050**. The first of two instalments was secured from the conversion of the former Brooklands Hotel at Esplanade Gardens, Scarborough to apartments. The remaining £7,050 related to the former Carlton Hotel, Belmont Road, Scarborough.

3.16 In **2019/20** only a single sum of **£25,000** was collected. This consisted of the second and final instalment from the Esplanade Gardens development.

Unspent Commuted Sums and their Allocation

3.17 The total unspent S106 monies for affordable housing at the end of 2019/20 was **£549,778**. All of this money has been allocated by Cabinet. During the last financial year all previously unallocated monies totalling **£325,564** were committed towards the Council's Homelessness Strategy (see para 3.18 below).

3.18 In previous years monies have mainly been allocated towards capital projects by Registered Providers (Housing Associations) as they arose and there is still £155,253 in this

category, including £30,000 identified for Sneaton Castle, Whitby. The remaining £68,961 has been allocated towards Housing Services staff costs to help secure additional affordable provision.

3.19 Moving forward, the main beneficiary of remaining unspent S106 affordable housing funds will be the Homelessness Strategy. Thus, it has been agreed by Cabinet the £325,564 referred to above will be spent on increasing the pool of Housing Association-owned temporary accommodation for the homeless by 10 to 15 additional units.

Expenditure of Commuted Sums

3.19 As with most S106 monies there is a geographical limit as to where sums may be spent, but in the case of affordable housing this normally relates to Scarborough Borough as a whole. The catchment area of a school or park, for example, is limited to a more constrained locality, whereas the area in which a potential resident of affordable provision is prepared to live is likely to be broader.

3.20 In **2018/19** a total of **£184,096** S106 affordable housing monies were spent. Of this the vast majority, £150,000, went towards Young Person's Pathway Housing, comprising 6 units at Victoria Road, Scarborough. The remainder and the **£22,035** spent in **2019/20** contributed towards Housing staff costs to help secure extra affordable provision.

4.0 GREEN SPACES

Background

4.1 This Section covers the provision of or contribution towards parks & gardens, play and sports facilities, which are identified as 3 different categories in the Green Spaces SPD. This gives guidance as to whether such facilities should be provided on or off site. This only occurs if there is a recognised need, taking account

of the Green Space Audit and Playing Pitch Strategy. While on-site provision would usually be expected on larger residential schemes, there is not an overriding presumption that this is in preference to an off-site commuted sum. For smaller developments on-site provision may not be practical and even on larger developments greater community benefit may be gained by improving existing or creating new facilities, possibly in the form of pooled contributions, which may also attract matching funding.

On-Site Provision of Facilities

4.2 As stated above, the preference is that on larger residential schemes outdoor recreational facilities would be provided on site. There are also cases where S106 obligations may be used to secure replacement facilities, if for example a playing field is lost as a result of development. Historically, obligations were often used to manage the process of securing on-site provision of open space and its subsequent adoption by the Borough Council, typically accompanied by a payment to cover the first 10 years of maintenance costs. There are still some examples (e.g. Middle Deepdale) where the S106 agreement is framed in such a manner. However, a more varied approach involving a combination of planning conditions, obligations and private agreements tends now to be used. This partly reflects the fact that open space is less often adopted by the Local Authority and long-term maintenance is secured by the developer setting up a management company with costs recouped from residents.

4.3 The only S106 obligations securing on site facilities in the last two years were outline applications for residential development, where it was necessary to ensure that a subsequent detailed application for reserved matters would include adequate provision. These were for two sites; land at Limestone Road, Burniston Road (2018-19) and land south of Racecourse Road, East Ayton (2019-20).

4.4 In the last two years the following items of public open space (POS), sports and play facilities were provided on site and secured by S106 obligation:

- Scarborough TEC, Filey Road, Scarborough - expansion of multi-use games area with provision for tennis (2018/19)
- Eskdale Park, Whitby - provision of POS and play area (2019/20) (see left hand photo on front page).
- Farside Road, West Ayton - provision of POS and play area (2019/20) - see below.



Image 2 - Land off Farside Road, West Ayton

On-Site Maintenance Funding

4.5 As previously explained, S106 obligations are now seldom used for securing such funding. Hence, no new S106 obligations securing maintenance POS maintenance funds were completed during the last 2 financial years. Nor were any such payments made. At the end of 2019/20 a total of **£47,850** was still held by the Council ring-fenced for expenditure on POS or play facilities, whereby 10% of the sum paid is released annually for the Parks & Countryside Service to spend on maintenance. This now just relates to 3 sites: Pasture Crescent, Filey, Chancel Way, Whitby

and Wyecourt, Scarborough.

4.6 In **2018-19**, **£22,751** of S106 funds were spent on POS/ play area maintenance. In **2019/20** the figure was **£15,846**. This is likely to reduce further in future since the final tranche of S106 funding towards facilities at Centurion Way, Crossgates was spent in the last year.

Off-Site Green Space Sums Secured by S106 Obligation

4.7 Such sums are the most frequent type of financial contribution levied, being applicable to most developments of 10 or more dwellings, unless there is more than adequate existing provision of green space type facilities in the vicinity, taking account of the estimated population increase. They are also the most significant type of Section 106 spending for which the Borough Council is primarily responsible.

4.8 It is estimated that S106 obligations completed in **2018/19** would potentially generate up to **£271,286**. The equivalent figure for **2019/20** was **£345,030**. Table 3 on page 6 shows how these are broadly in line with previous years. The figures for outline applications are often estimates.

4.9 The sums potentially secured in 2018/19 are set out below:

- Land south of Racecourse Road, East Ayton - £126,800 (est)
- Limestone Road, Burniston - £81,400 (est)
- Tara Fields, Racecourse Road, East Ayton - £57,568
- Sandybed Court, Scarborough - £5,518.

4.10 The sums potentially secured in 2019/20 are set out below and in some cases they aggregate separate contributions towards parks & gardens, play and sports facilities.

- Land west of Church Lane, Cayton - £94,773
- Land south of Racecourse Road, East Ayton - £83,400 (est)
- Lady Edith's Drive, Newby - £64,195
- Manor Road Nurseries, Scarborough - £54,969

- Church Cliff Drive, Filey - £31,835
- Filey Fields Farm, Filey - £15,858.

Commuted Sums Received

4.11 In **2018/19** a total of **£96,645** was paid by developers towards recreational facilities. In **2019/20** the figure was **£161,569**. Table 4 on page 6 shows how these total sums are reduced from the amount received in 2017/18, but it is also observed that this was a common trend also applicable to other types of S106 payment. This arose because a number of larger scale developments reached a stage in 2017/18 when payments were due.

4.12 Despite a lower total amount being paid in 2018/19 it was still obtained from a reasonable range of 7 sites. Many of the payments were just of a smaller amount in relative terms. They were as follows :

- Farside Road, West Ayton £24,596
- The Garth, Whitby - £22,365
- 7-11 Esplanade Gardens, Scarborough - £13,584
- Highfield Road, Whitby - £11,708
- Seraphis Court, Holbeck Hill, Scarborough - £11,830
- Salisbury Hotel, Scarborough - £7,044
- Sandybed Court, Scarborough - £5,518.

4.13 The £161,569 received in 2019/20 was made up of the payments set out below, with the first contribution listed in Whitby largely accounting for the increase over the previous year.

- Shackleton Close/Anchorage Way, Whitby - £63,621
- Former Bramcote School, Filey Rd, Scarborough - £30,278
- Farside Road, West Ayton - £25,698
- 7-11 Esplanade Gardens, Scarborough - £13,584
- Filey Fields Farm,. Filey - £15,858
- Braeburn House, Eastfield - £12,530

Unspent Commuted Sums and their Allocation

4.14 At the end of 2019/20, the total amount of unspent money identified in S106 obligations for the various types of green space infrastructure amounted to **£675,042**. Excluding monies ring-fenced for on-site maintenance, the figure was **£627,192**. As indicated in Figure 5 on page 6 this has remained at a reasonably steady level in recent years.

4.15 Green Space S106 monies is the funding area where there is possibly greatest discretion on how monies are spent, but there are still limitations. In urban parts of the Borough much of the money collected is spent on facilities on Borough Council owned public open space. In smaller settlements or rural areas Parish Councils are informed, so they may play a role in identifying projects. Likewise, councillors can help to identify local community schemes. Monies can be potentially spent by Parish/Town Councils, schools, community groups or sports organisations.

4.16 Some caution should nonetheless be exercised. Apart from geographical restrictions to the local settlement, ward or parish, they are often ring-fenced to the 3 categories of parks & gardens, sports and play facilities. Furthermore, for obligations were often even more specific during the period when pooling restrictions applied (see para. 2.17). It is recommended that any organisation wanting to draw on S106 funds should first check with Planning Services to ascertain whether the proposed project would comply with the requirements of the relevant legal obligations.

4.17 Before S106 sums are spent they need to be allocated or committed and this is a decision normally made by the Borough Council's Cabinet. At the end of 2019-20 a total of **£331,569** or 53% of S106 monies held for off-site expenditure on green spaces had been allocated.

4.18 In **2019-20**, **£185,278** was formally allocated for expenditure on parks/gardens, play and sports facilities across the Borough. These were as follows:

- Oliver's Heights Public Open Space, Scarborough — £50,000
- Cloughton Village Playground - £39,235
- The Cinder Track cycle route - £38,651 (see para 4.19 below)
- Clarence Drive Playing Fields, Filey— £18,806
- Falsgrave Park, Scarborough — £14,481
- White Leys Play Area, Whitby — £9,106
- Evron Centre Gardens, Filey— £6,869
- The Dell Nature Reserve, Eastfield - £5,752
- West Ayton Playing Field - £1,825
- Glen Gardens Play Area, Filey - £553.

4.19 Occasionally there are projects which can draw monies from more than one S106 'pot' and the Cinder Track is an example. In addition to the sum referred to above a further £60,308 was derived from transport contributions, making total allocations of £98,959. The majority is committed to works in Whitby, but £12,414 relates to improvements at the Scarborough end of the Track.



Image 3

Expenditure of Commuted Sums

4.20 Figure 6 on page 6 shows that S106 green space infrastructure expenditure over the last years was larger than other categories and increased with a peak of **£242,937** in **2018-19**, mainly as a result of the Eastside Park project in Whitby. Expenditure in 2018-19 related to the following projects:

- Eastside Park, Whitby - £175,162 (87% for play area & 13% for sports facilities)
- Pindar School, Eastfield all weather pitch - £50,000
- Eskdale School, Whitby 3G pitch - £15,328
- Oriel Crescent Public Open Space, Scarborough - £1,871
- Glen Gardens Play Area, Filey - £553.

4.21 Expenditure/transfer of funds in **2019/20** was **£106,980**. It consisted of the following and to an extent overlaps with the list of allocations in para. 4.18:

- Cloughton Village Playground - £39,235
- Eastside Park, Whitby (sports facilities) - £19,726
- Clarence Drive Playing Fields, Filey - £18,806
- South Cliff Gardens, Scarborough - £12,814
- Evron Centre Gardens, Filey - £6,869
- The Dell Nature Reserve, Eastfield - £5,752
- West Ayton Playing Field - £1,825
- Falsgrave Park, Scarborough - £1,400
- Glen Gardens Play Area, Filey - £553.

5.0 EDUCATION

5.1 The Education Payments SPD sets out the circumstances in which contributions are sought towards local schools. All the current S106 obligations relate to primary schools. The threshold for securing such a contribution SPD is normally 25 dwellings (or 15 in some rural areas) and the County Council only requests a sum where insufficient school capacity exists. On sites of 150+ dwellings sums can be negotiated for secondary schools.

Developments of such scale are relatively infrequent, and where they have been approved no such sum has been deemed necessary, taking existing capacity into account. The payments directly relate to the estimated extra number of school places required as a result of new development. Consequently, Table 1 (page 5) and this section of the report also expresses figures in such terms. In the case of some outline planning permissions the figures provided are estimates. Sums are normally ring-fenced for expenditure on a named school or a 'successor establishment'.

5.2 The monetary contributions made towards education tend to be much less frequent than payments for green space, for example. However, both individually, and as a total, they are often the largest sums paid by developers. This is readily apparent from Figures 1, 3, 4 and 5 earlier in this statement.

5.3 Before considering the detailed financial contributions, it should be noted that the most significant item of investment in education in the Borough to a large extent falls outside the scope of this statement. This is the new Overdale Primary School currently under construction at Middle Deepdale. Its provision has largely been secured outside the Section 106 process and was granted planning permission by the County Council in 2018. However, it includes community rooms and the S106 agreements relating to the residential development at Middle Deepdale will in due course require financial contributions of £523,600 (excluding any indexation). Since these sums were secured for community facilities rather than education they are not included in the figures otherwise referred to in this Section. Instead, they are included in the 'Miscellaneous' category as reported in Section 8.0.

Potential Sums Secured by New S106 Obligation

5.4 It is estimated that S106 obligations completed in **2018/19** would potentially generate up to **£673,002** or 49.5 school places. This is derived from 3 sites, 2 of which are at Racecourse Road, East Ayton, which would contribute to facilities at the primary school in the village. They consist of £312,708 from the development under construction on the northern side of the road

(Tara Fields) and an estimated £237,930 relating to an outline consent for part of the large housing allocation to the south of this route (the A170). The remaining component is an estimated £122,364 relating to land at Limestone Road, Burniston towards the school in the village.

5.5 The equivalent total figure for **2019/20** was **£336,501** or 24.75 school places. This is roughly equally divided between two sites. A renewed outline permission on a further part of the allocated housing site south of Racecourse Road, East Ayton would secure an estimated £169,950. The other sum secured in 2019/20 relates to development north of Lady Edith's Drive, Newby. It would be for £166,551 or 12.25 places at Newby & Scalby Primary School or a successor establishment.

5.6 Table 3 on page 6 shows that the sums secured in new obligations have remained at a level of approximately £700,000 per annum for 3 years, before roughly halving in 2019/20. However, this is not a cause for undue concern, noting that already in 2020/21 figures would show a sharp upturn in the graph as a result of S106 agreements relating to High Mill Farm, Scalby, generating potential contributions of almost £1.2m.

Commutated Sums Received towards Education

5.7 In **2018/19** a total of **£137,145** in education payments were received. This consisted of £76,545 from Highfield Field, Whitby towards 5 places to primary schools in the catchment area and the first of 3 instalments relating to Farside Road, West Ayton (£60,600). A payment of £45,107 was also made by the developers of land at Town Farm, Cloughton towards Lindhead School at Burniston. Since the County Council is directly responsible for this obligation it is otherwise excluded from the figures in this IFS.

5.8 In **2019-20**, a total of **£125,630** of education payments were received. These were the final 2 instalments relating to Farside Road, West Ayton. In total, £186,231 has been received from this site, equating to 11.75 places at East Ayton School.

5.9 Figure 4 on page 6 indicates a significant reduction in payments compared to 2017-18. However, this was due the payment of 2 very large sums in that year relating to High Mill Farm, Scalby and Sneaton Castle, Whitby.

Unspent Commuted Sums

5.10 At the end of 2019-20 the Borough Council held a total of **£1,051,742** from 5 sites in trust for the County Council until such time that monies are required to provide new school facilities. This total has gradually increased over the last 2 years following the receipt of payments reported above, while there have not been any outgoings in the form of transfers to the County Council.

5.11 For the purposes of this IFS all education monies currently held have been identified as 'unallocated' since they do not yet form part of a confirmed capital project. As previously noted, the S106 obligations nonetheless normally identify a school where the monies would be spent.

Potential Expenditure

5.12 There was no transfer or expenditure of S106 education funds in the last 2 financial years. Such spending would not be expected every year, although clearly there has been investment in education infrastructure from non-S106 sources, notably at the new Overdale School, Eastfield.

5.13 One of the purposes IFS is to identify potential areas of future expenditure. Since education obligations normally identify particular schools this is more easily achieved than for other types of S106 funding. Table 2 on the following page therefore categorises the potential sums at the end of 2019/20 according to the beneficiary school/ catchment areas. This shows that the primary schools (or successors) which would be most likely to benefit from S106 in forthcoming years are those at East Ayton, Newby, Seamer and Stakesby in Whitby

Primary School (or successor)	Untriggered Potential Monies	Monies received and unspent	Total	Equivalent School Places
East Ayton	£720,588	£186,231	£906,819	64.75
Newby & Scalby	£166,551*	£433,204	£599,755*	44.25*
Seamer & Irton	£696,795	0	£696,795	51.25
Cayton	£152,955	0	£152,955	11.25
Filey Infants	£20,128	£9,064	£29,192	3
Stakesby, Whitby	0	£346,698	£346,698	25.5
Whitby unspecified	0	£76,545	£76,545	5
Lindhead, Burniston	£122,364	0	£122,364	9
Scarborough unspecified - now expired	£81,576	0	£81,576	6
Totals	£1,960,957	£1,051,742	£3,012,699	220

Table 2 - Potential Distribution of Education Funds (Figures as of 31/03/2020)

** These figures exclude a potential £1.2m secured in 2020/21*

6.0 TRANSPORT

6.1 Commuted sums for transport are requested in response to specific impacts on local infrastructure, rather than having standard formulae/thresholds, contained in an SPD. Planning obligations relating to transport are normally provided at the request of the Highway Authority (HA), North Yorkshire County Council. In some cases, where a financial contribution is required this is paid to the Borough Council and released to the HA when expenditure is required. This IFS reports on these in full, but it does not normally include those cases (e.g. Middle Deepdale monies) where the County Council is legally responsible for ensuring compliance with an obligation, except to provided context. Such individual cases are also included in Appendix A to provide continuity with previous S106 monitoring reports.

Potential Sums Secured by New S106 Obligation

6.2 Over the last 2 years transport new S106 obligations have

diminished in number. In **2018-19** a single potential sum of **£40,000** was secured to pay for a possible Traffic Regulation Order (TRO) restricting parking on residential roads in the vicinity of the recently constructed hotel adjacent to the Alpamare Water Park in Scarborough. In **2019/20**, **£5,000** was secured for a TRO relating to the introduction of speed restrictions on Church Lane Cayton.

6.3 The causes of this reduction, as shown in the graph in Figure 3 on page 6 may be several. A transport obligation is only likely to be required where there is a particular impact to be mitigated, rather than as a standard requirement. Fluctuations are therefore likely and an example of this is the fact that the current year will see a sharp increase due substantial sums having been negotiated in connection with High Mill Farm, Scalby. Other mechanisms such as planning conditions or Section 278 Highways Act agreements may also be used to obtain the same objective.

The absence of transport obligations may also have some indirect beneficial impacts. Under the viability assessment process 'abnormalities' including high off-site highway costs are recognised as a valid justification for reducing other S106 contributions such as affordable housing - a case which cannot be made if the costs are absent.

Commuted Sums Received

6.4 A similar picture of reduced sums applies to receipts over the last 2 years. In **2018-19** a single sum of **£19,600** was received towards cycle and pedestrian improvements at Stainsacre Lane Whitby.

6.5 In **2019/20** a total of **£87,300** was received. Of this £79,800 was the first instalment from development north of Beacon Road, Seamer towards improvements to the junction at the Seamer end of Stoney Hags Road. The remaining £7,500 from development at Shackleton Close, Whitby will contribute towards pedestrian crossing facilities on Mayfield Road.

Unspent Commuted Sums and their Allocation

6.6 At the end of **2019/20**, the Borough Council held **£583,544** in S106 transport monies, which has remained at a similar level over recent years. Of this £183,999 has been allocated to projects either by the Borough or County Councils. During the last financial year a total of £114,922 was allocated as follows:

- Cinder Track, Whitby - £60,308 from development at Eskdale Park (this increases to £98,959 if sums from the sports 'pot' are added – see para.4.19).
- Four Junctions Project, Scarborough — £35,014 from 3 different contributions - this excludes £55,000 from s106 obligations for which the County Council is responsible.
- Stainsacre Lane, Whitby (cycle and pedestrian improvements) - £19,600.



Image 4 - Pedestrian Crossing near Scarborough Sixth Form College (part of Four Junctions Project)

Expenditure/Transfer of Commuted Sums

6.7 The graph on Figure 6 on page 6 shows this has continued at a similar level over the last 3 years. In **2018/19**, **£90,073** was transferred to the County Council for expenditure on the following:

- Scalby to Scarborough bus service enhancement - £42,750 (from High Mill Farm scheme)
- Cayton Highway Improvements - £32,323 (from West Garth development)
- White Leys Road area, Whitby, improvements to pedestrian facilities - £15,000.

6.8 In **2019/20** there was expenditure of **£63,173** as follows:

- Cinder Track, Whitby - £38,559 (SBC expenditure)
- Stainsacre Lane, Whitby (cycle and pedestrian improvements) - 19,600
- Four Junctions Project, Scarborough - £5,014.

7.0 HEALTH INFRASTRUCTURE

7.1 Policy INF5 of the Scarborough Borough Local Plan sets out the type of infrastructure which may benefit from S106 planning obligations and this includes health facilities. The contributions that have been secured are for primary healthcare provision, namely doctors' surgeries. This has normally been in the form of payments rather than on site provision. The NHS Scarborough and Ryedale Clinical Commissioning Group (CCG) plays a number of key roles in the process of securing such funds. There is not an Supplementary Planning Document which sets out development thresholds or formulae for calculating commuted sums. However, on larger scale residential schemes the CCG is able to advise whether there is spare capacity at local surgeries or whether additional facilities are required. NHS formulae are also utilised to calculate the estimated monetary cost of new primary healthcare provision per head of predicted population generated by development. This helps to provide consistency and proportionality to the scale of new residential schemes.

Potential Sums Secured by New S106 Obligation

7.2 Over the previous two financial years only one new sum for health facilities was secured. In **2018-19** it was established that **£33,865** would be paid in relation to the development at Tara Fields towards the West Ayton or Seamer surgeries. The processes for securing healthcare sums are less well established than other types of infrastructure, so historically there have been fewer sites where sums have been requested. It is therefore also more difficult to identify long term trends from the data available. It is however noted that some larger sums have already been included in obligations from 2020-21, notably at High Mill Farm, Scalby.

Committed Sums Received

7.3 The only sum received in the last two years has been £72,833 (paid in 2019-20) from Middle Deepdale towards Eastfield Medical Centre. This is the first of 4 potential instalments.



Image 5 - Eastfield Medical Centre

Unspent Commuted Sums, their Allocation and Expenditure

7.4 The total value of health contributions held at the end of **2019/20** was **£127,162**. In addition, to the Middle Deepdale sum, there are 2 contributions towards surgeries in Newby/Scalby totalling £54,329.

7.5 The S106 will normally identify a local surgery or surgeries where the monies shall be spent. The decision on how expenditure shall be precisely take place is in effect taken by the CCG. When expenditure is required for a project (as has recently occurred at Eastfield) the money is then transferred from the Council to the CCG.

7.6 Table 3 on the following page gives an indication how expenditure may proceed. It includes monies which have not yet been triggered (excluding indexation). The table does not include a potential sum of £155,271 towards Newby/Scalby surgeries from 2020-21 High Mill Farm obligations.

Surgery/Area	Untriggered Potential Monies	Monies received & unspent	Total
Danes Dyke/ Hackness Road, Newby	0 (see para 7.6)	£54,329	£54,329
Eastfield	£196,765	£72,833	£269,598
Seamer / West Ayton	£97,167	0	£97,167
Filey	£50,000	0	£50,000
Totals	£343,932	£127,162	£471,094

Table 3 - Potential Distribution of Health Funds (Figures as of 31/03/2020)

8.0 MISCELLANEOUS S106 CONTRIBUTIONS

8.1 This final section of this IFS covers other contributions not previously categorised. Local Plan Policy INF5 refers to other possible projects which may benefit from S106 contributions, including community facilities, drainage measures and nature conservation. The last of these is likely to increase in importance in future years given the greater significance attached to biodiversity in emerging planning policy. This list is not exhaustive and a further area which has previously benefitted is economic regeneration. Due to the disparate nature of these categories and the relative sparsity of contributions it is not possible to establish clear trends.

Sums Secured and/or Paid

8.2 No new potential sums in this category have been secured in the last 2 financial years. The only sum paid was in 2019-20, namely £11,852 towards upgrading and maintaining the local

drainage network from development at the former TT Electronics site, Gristhorpe.

Sums Held and their Expenditure

8.3 The total sum held in this category at the end of **2019-20** was **£162,877** and apart from the sum mentioned above, this was paid by the developers of Middle Deepdale. The main bulk of this (£140,015) is ring-fenced for a drainage study undertaken by Yorkshire Water. The only monies spent were in 2018-19 and this sum of £3,509 related to surface water monitoring equipment.

8.4 The most substantial sum in this category has not been triggered yet and is the £523,600 for community facilities at Middle Deepdale. As previously mentioned, this will be provided in the new Overdale Primary School, which is under construction.

SCARBOROUGH BOROUGH COUNCIL - INFRASTRUCTURE FUNDING STATEMENT 2019-20 – APPENDIX A

Current Status of Individual Section 106 Planning Obligations

The tables below should be read in conjunction with the Infrastructure Funding Statement (IFS) which provides an overview of S106 obligations in the Borough. The tables indicate the current status of individual obligations and cover the main categories of infrastructure benefitting from contributions, as set out in Sections 3.0 to 8.0 of the main IFS document. The tables indicate any changes in the status of individual obligations since the last time they were reported, namely the Section 106 Monitoring Report of March 2018, noting the financial year in which actions took place. The position at the end the financial year 2019-20 (31 March 2020) is provided in line with IFS reporting requirements, but any subsequent progress is also stated up until October 2020. The tables do not cover every current S106 obligation and are restricted to those which secure financial obligations or public infrastructure.

Table 4A – Affordable Housing (On Site)

Tables 4A and 4B relate to Section 3.0 of the IFS.

Planning Ref	Site	Date of Agreement	Requirements	Current Status
Affordable Housing Completed				
11/00160/FL	Land at Helredale Gardens & St Peters Road, Whitby	19/06/2015	91 affordable dwellings (87% of total)	All affordable dwellings complete, including 29 at St Peters Road completed in 2018-19
11/01914/OL	Land north of Eastfield (Middle Deepdale) – Western Site (HA1)	15/03/2013	60 affordable dwellings (9%)	All affordable dwellings complete and transferred to Registered Provider prior to 2018-19
15/01632/FL	Farside Road, West Ayton	22/01/2016	21 affordable dwellings (30%)	8 affordable dwellings completed 2018-19. 13 affordable dwellings completed 2019-20
16/00825/FL	Former Highways Depot, The Garth, Whitby	10/11/2016	6 affordable houses (30%)	All 6 affordable dwellings complete and transferred to Registered Provider in 2018-19

Planning Ref	Site	Date of Agreement	Requirements	Current Status
17/02404/FL	Braeburn House, Moor Lane, Eastfield	01/03/2017	29 affordable apartments for the elderly (100%)	All dwellings complete 2019-20
Affordable Housing Partially Completed				
11/01914/OL	Land north of Eastfield (Middle Deepdale) – Eastern Site (HA2)	15/03/2013	78 affordable dwellings (15%) with reserved matters (RM). Target of 10% on remaining land where RM not approved yet (excludes 60 extra-care flats at Jazz Court)	30 affordable houses completed prior to 2018-19 4 affordable bungalows completed 2018-19 44 affordable homes completed 2019-20 (20 bungalows and 24 apartments)
17/01248/FL	Shackleton Close and Anchorage Way, Whitby	16/03/2018	18 affordable houses (25%)	9 affordable houses completed 2018 -19 5 affordable houses completed 2019-20 (remaining 4 subsequently completed)
No Affordable Housing Completed Yet				
07/01700/OL & 09/02472/RM	Highfield Road, Whitby	25/10/2007	10 affordable apartments (24%)	Open market houses occupied or under construction – trigger point for providing affordable units is likely soon.
14/02177/OL	Land off Columbus Ravine, Scarborough	06/06/2017	20% provision (estimated 5 dwellings)	At the end of 2019-20 reserved matters were still awaited. (The planning permission has subsequently expired).
15/01219/FL	Former Scarborough RUFC Scalby Road, Scalby	02/12/2015	Extra care facility with 63 rooms for the elderly (72% affordable)	Under construction at end of 2019-20, but subsequently all completed.
16/01593/OL	Racecourse Road, (Central part of Site HA32) East Ayton	03/04/2018	30% provision (estimated 20 dwellings)	Awaiting reserved matters application when precise numbers would be decided.

Planning Ref	Site	Date of Agreement	Requirements	Current Status
17/00452/FL	Land north of Beacon Road, Seamer	06/12/2017	36 affordable units (15%)	Construction started - no affordable dwellings complete, although some under construction – 11 completions expected during current year.
17/00474/OL	Cayton Village Caravan Park, Mill Lane, Cayton	27/10/2017	15% provision (estimate 17 affordable homes)	Not started yet - awaiting reserved matters application
17/01201/OL	Waipori Lodge, 69 Carr Hill Lane, Briggswath	10/11/2017	30% provision (estimated 3 dwellings)	Awaiting reserved matters application when precise numbers would be decided.
17/02645/OL	Tara Fields, North of Racecourse Road, East Ayton	12/04/2018	25 affordable dwellings (26%) Affordable provision reduced from 29 dwellings in April 2019 based on Viability Assessment	Construction started, but no affordable dwellings complete yet (17 expected during 2020-21)
18/00505/OL	Limestone Road, Burniston	26/11/2018	30% provision (estimated 11 affordable dwellings)	Awaiting reserved matters application when precise number of units would be decided.
18/01053/FL	Land west of Church Lane, Cayton	24/12/2019	10 affordable houses (16%)	Construction recently started, but no dwellings complete yet.
19/00109/FL	Lady Edith's Drive, Newby,	07/06/2019	49 dwellings (100%)	Development on site recently commenced
19/00486/FL	Filey Fields Farm, Scarborough Road, Filey	04/10/2019	Minimum of 11 extra-care apartments (15% of total) is the S106 requirement, but in practice all 70 apartments will be affordable.	Development commenced, but no apartments completed yet.
19/00768/OL	Racecourse Road, (Western part of Site HA32) East Ayton	30/07/2019	30% provision (estimated 15 affordable dwellings)- was 40% in previous planning	Awaiting reserved matters application when precise numbers would be decided (This s106 replaces one relating to 2016 planning)

Planning Ref	Site	Date of Agreement	Requirements	Current Status
			permission	permission which expired).
Miscellaneous				
09/00717/OL (19/01237/FL & 19/01248/OL)	High Mill Farm, Scalby	08/10/2010 (& 03/09/20)	50 dwellings previously built in phase 1 - 97 units were proposed for later phases	Original planning permission expired for later phases. Planning permissions for phases 2 & 3 approved in 2020-21 for up to 111 additional affordable homes.

Table 4b - Affordable Housing (Off Site Contributions)

In most cases repayment clauses do not apply to these contributions, but they are indicated where they apply.

Planning Ref	Site	Date of Agreement	Commuted Sum	Notes
Expenditure Complete				
13/01239/FL	8 Queens Terrace, Scarborough	02/10/2013	£4,968	£1,233 spent on Housing Services in 2018/19 to secure affordable housing and remaining balance of £3,735 spent in 2019/20.
13/01744/FL	5 Belvedere Place, Scarborough	08/10/2013	£3,633	Spent 2018-19 on Housing Enabler costs
13/02114/FL	14 Weydale Avenue, Scarborough	25/11/2013	£23,183	£23,000 previously spent on operating costs for Housing Services to secure affordable housing, & remaining £183 spent on same 2018/19.
14/00398/FL	Wesley Hall, Moor Lane, Eastfield	25/04/2014	£31,500	Contribution previously helped to fund Rural

Planning Ref	Site	Date of Agreement	Commuted Sum	Notes
				Housing Enabler. £1,500 spent on same 2018/19
Payment made and partially spent				
02/02114/OL	The Sands North Bay	15/10/2004	464,253	<ul style="list-style-type: none"> • £79,000 previously spent on Newburn House, Alma Square, £50,000 on affordable housing in Sleights. • £30,000 spent at Sneaton Castle, Whitby in 2017/18 & £150,000, towards Young Person's Pathway Housing comprising 6 units at Victoria Road, Scarborough in 2018/19 • Unspent balance of £155,253. Cabinet has agreed to spending commitments on affordable housing as follows: a further £30,000 for Sneaton Castle, Whitby and £125,253 towards other housing schemes
13/00009/FL	29/31 Falsgrave Road, Scarborough	14/05/2013	£590	£440 remains which will be utilised for Housing Services costs in 2020/21
13/00667/FL	111-113 North Marine Road, Scarborough	12/07/2013	£28,396	£22,817 spent in 2018-19 on Housing Services costs. £5,578 will be used for Housing Services costs in 2020-21
13/02140/FL	79 Coach Road, Sleights	20/12/2013	£5,190	£750 previously spent on operating costs to secure affordable housing, leaving a balance of £4,440. Planned to be used for Housing Services 2020/21

Planning Ref	Site	Date of Agreement	Commuted Sum	Notes
13/02156/FL	Former Police Station, 7 Murray Street, Filey	08/04/2014	£28,696	£14,250 previously spent on operating costs to secure affordable housing, leaving a balance of £14,446. Planned to be used for Housing Services in 2020/21.
14/00857/FL	5 The Crescent Scarborough	12/06/2014	£14,838	£9,111 previously spent on operating costs to secure affordable leaving a balance of £5,727.
Paid and waiting expenditure				
12/01887/FL	131 Victoria Road, Scarborough	05/11/2012	£1,709	Allocated to Homelessness Strategy in 2019/20
12/02587/FL	148 Victoria Road, Scarborough	18/02/2013	£2,550	Allocated to Homelessness Strategy in 2019/20
13/01117/FL	1a Hope Street Scarborough	13/08/2013	£1,929	Allocated to Homelessness Strategy in 2019/20
13/01509/FL	13 Blackburn's Yard, Church Street, Whitby	17/10/2013	£3,600	Allocated to Homelessness Strategy in 2019/20
13/02107/FL	Lockton & Kepwick Houses, Peasholm Gap, Scarborough	30/01/2014	£26,764	Allocated to Homelessness Strategy in 2019/20
13/02244/FL	Carlton Hotel, Belmont Road, Scarborough	03/02/2014	£7,050	Paid 2018-19. Allocated to Homelessness Strategy in 2019/20
13/02550/FL	133 North Marine Road, Scarborough	28/02/2014	£4,730	Allocated to Housing Services in 2018/19 to secure affordable housing

Planning Ref	Site	Date of Agreement	Commuted Sum	Notes
13/02625/FL	The Landings, 7-8 The Beach, Filey	25/03/2014	£15,120	£6,818 allocated to Housing Services & £8,301 to Homelessness Strategy – latter in 2019/20
14/00279/FL	Rear of 2 Westwood, Scarborough	09/07/2014	£9,220	£4,700 allocated to Housing Services & £4,520 to Homelessness Strategy - latter in 2019/20
14/00715/FL	47 North Marine Road, Scarborough	01/08/2014	£3,783	Allocated to Homelessness Strategy in 2019/20
14/01076/FL	Albion PH, 136 Castle Road, Scarborough	18/07/2014	£18,300	Allocated in 2019-20 to operating costs to secure affordable housing
14/01265/FL	12 Holbeck Hill, Scarborough	12/08/2014	£2,840	Allocated to Homelessness Strategy in 2019/20
14/01110/FL	6 Belle Vue Parade, Scarborough	12/09/2014	£5,812	Allocated to Homelessness Strategy in 2019/20
15/02421/FL	Newby Farm Road, Scalby	09/06/2016	£210,487	Awaiting expenditure (Repayment date in 2027). Allocated to Homelessness Strategy in 2019/20
16/00163/FL	7-11 Esplanade Gardens, Scarborough	11/05/2016	£50,000	First instalment of £25,000 paid in 2018/19. Second instalment of £25,000 paid 2019-20. Allocated to Homelessness Strategy in 2019/20.
Not invoiced/triggered yet				
13/00181/FL	4B Russet Grove, Newby	26/06/2013	£5,250	Status being clarified
17/02734/FL	Land at Church Cliff Drive, Filey	02/04/2019	£300,000.	Not triggered yet

Planning Ref	Site	Date of Agreement	Commuted Sum	Notes
No Longer Applicable				
13/00481/FL	2 & 2A Somerset Terrace, Scarborough	28/06/2013	£2,400	Obligation removed by Deed of Release following change in government planning policy

Table 5A – Green Space - On Site Provision and Maintenance

Tables 5A and 5B relate to Section 4.0 of the IFS.

Application Number	Site	Date of Agreement	Maintenance Sum or Requirement	Repayment date /period	Current Status
Expenditure complete /Provision complete					
02/00145/FL	Crab Lane III - Centurion Way, Crossgates	31/07/2003	£138,405 POS/play maintenance	16/9/2024	All spent - £13,841 in 2018/19 and final £6,936 in 2019/20
17/02586/FL	Scarborough TEC, Filey Road, Scarborough	24/04/2018	Provision of tennis court or pay £30,000 for tennis facilities	18 months from start of construction of workshop building	On site provision made in 2018-19 with expansion of multi-use games area, so sum not applicable.
11/00213/FL	Eskdale Park, Whitby	17/05/2012	Provision of public open space (with maintenance by management company or transfer to SBC with maintenance sum)	n/a	Public open space with play area provided 2019-20. Management arrangements to be agreed.
15/01632/FL	Farside Road, West Ayton	21/01/2016	Provision of on-site open space/play/sports	n/a	Public open space and play area provided on site 2019-20

Application Number	Site	Date of Agreement	Maintenance Sum or Requirement	Repayment date /period	Current Status
			facilities		
Payment made and expenditure ongoing					
00/00587/FL	Lismore Place/ Wyecourt	08/05/2001	£10,000 POS	None	Received and partially spent. Balance of £4,000. Expenditure of £1,000 in both 2018/19 and 2019/20.
04/01191/FL	Pasture Crescent , Filey	24/07/2003	£21,500 POS and play equipment	None	Received and partially spent. Balance of £15,050 Expenditure of £2,150 in both 2018/19 and 2019/20.
4/35/289E/FL (99/01153/FL)	Chancel Way Whitby	02/11/2001	£57,600 POS	None	Received and partially spent Balance of £28,800 (Expenditure of £5,760 in both 2018/19 and 2019/20).
Site provision awaited or ongoing and payment awaited					
10/00903/OL	West Garth, Cayton	21/06/2011	Community land/facilities - sum of £11,500 for maintenance	5 years from payment	Only triggered if land transferred to Borough or Parish Council before Feb 2023 - not occurred yet
11/01914/OL	Land north of Eastfield (Middle Deepdale) HA1 (western side)	15/03/2013	Open Space & Play provision with maintenance sum of £40,000/ha (to be confirmed, but estimated at £184,800 if applicable)	Spend on maintenance over 7 years	Not triggered yet, but open space partially complete to south adjacent to areas where housing has been constructed. Payment only applicable if POS/play area adopted by Council.

Application Number	Site	Date of Agreement	Maintenance Sum or Requirement	Repayment date /period	Current Status
11/01914/OL	Land north of Eastfield (Middle Deepdale) HA2 (eastern side)	15/03/2013	Open Space & Play provision with maintenance sum of £40,000/ha (to be confirmed, but estimated at £172,800)	Spend on maintenance over 7 years	Open space partially complete to south, adjacent areas where housing has been constructed. Payment would only occur after completion and adoption. See box below re. play area.
11/01914/OL	Land north of Eastfield (Middle Deepdale) - HA1 & HA2	15/03/2013	Additional Play Area & maintenance contribution of £100,000 in total equally split between HA1 & HA2	Spend on maintenance over 7 years	Provision triggered on HA2 (eastern side) only and discussions ongoing with developer regarding improved play area adjacent to Eastway.- sum only paid after works. Provision not triggered on HA1 yet.
11/01914/OL	Land north of Eastfield (Middle Deepdale) HA2 (eastern side) only	15/03/2013	Open Space enhancement (Deep Dale Area) & maintenance sum of £11,000/ha (to be confirmed, but estimated at £35,750)	Spend on maintenance over 7 years	Works would involve creation of semi-wild area around flood attenuation basin. Notionally triggered, but completion anticipated when development near to Deep Dale takes place. Payment would follow this.
17/00739/FL	McCain Foods, Havers Hill, Eastfield	04/08/2017	Community Use Agreement for public use of playing fields	n/a	Community Use Agreement awaiting completion.
On Site Provision Not Triggered					
14/02177/OL	Land off Columbus Ravine	06/06/2017	Provision of on-site open space	n/a	At the end of 2019-20 reserved matters were still awaited. (The planning permission has subsequently expired).

Application Number	Site	Date of Agreement	Maintenance Sum or Requirement	Repayment date /period	Current Status
16/01593/OL	Racecourse Road, (Central part of HA32) East Ayton	03/04/2018	Provision of on-site open space	n/a	Awaiting submission of reserved matters
17/00452/FL	Land north of Beacon Road, Seamer	06/12/2017	Provision of on-site green space and play area	n/a	Details agreed, but provision not triggered yet.
18/00505/OL	Limestone Road, Burniston	26/11/2018	Provision of on-site open space	n/a	Awaiting submission of reserved matters
19/00768/OL	Racecourse Road, (Western part of Site HA32) East Ayton	30/07/2019	Provision of on-site open space	n/a	Awaiting submission of reserved matters (This s106 in effect replaces one from 2016 for which the planning permission expired)

Table 5B – Green Space - Off Site Provision / Improvements

In the 'Project for Expenditure' column underlined text indicates that the project for expenditure is fixed by the planning obligation or Cabinet. *Italic* text indicates that Cabinet has identified in principle the location of the expenditure.

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
Expenditure complete						
03/00538/FL	Former Dulverton Hall, Montpellier Terrace	01/07/2003	£10,385	<i>South Cliff Gardens</i>	06/12/2019	£9,218 spent - South Cliff Gardens design costs 2019/20. (£1,167 previously spent on sign at South Cliff Gardens).

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
04/00944/FL	Oriel House, Oriel Crescent	15/07/2004	£6,038	Oriel Crescent Open Space	21/01/2022	Mainly spent several years ago, remaining balance of £1,871 spent 2018/19 on vegetation clearance through Friends group
08/00647/FL	New George Hotel, Newborough	18/09/2008	£3,596	<i>South Cliff Gardens</i>	23/11/2019	Monies spent on South Cliff Gardens design costs 2019/20
11/00213/FL	Eskdale Park Larpool Lane, Whitby	17/05/2012	£152,284	<u>St Peter's Play Area (Eastside Community Centre)</u>	2026/2027 (2 instalments)	Monies all spent 2018/19 at Eastside Park, Whitby.
14/01362/FL	Town Farm, Cloughton	28/09/2017	£39,235	Play facilities for Cloughton	2030	Monies received & spent by Parish Council in 2019/20 on redevelopment of village Play Area.
15/01343/FL	Rear of 31-33 Main Street, Seamer	03/06/2016	£15,330	<u>Seamer Village Green</u>	None	Monies all spent on Village Green - transferred to Parish Council 2017/18
17/00739/FL	McCain Foods, Havers Hill, Eastfield	04/08/2017	£50,000	<u>All weather pitch at Pindar School</u>	07/08/2027	Monies all spent on Pindar School pitch 2018/19
13/02156/FL	Former Police Station, 7 Murray Street, Filey	08/04/2014	£4,979	<u>Glen Gardens Play Area</u>	None	All spent on play equipment and outdoor furniture at Glen Gardens, including £576 in 2018-19. Balance of £553 spent on toddler play area 2019-20.

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
17/02404/FL	Braeburn House, Moor Lane, Eastfield	01/03/2018	£5,752	<u>The Dell Local Nature Reserve</u>	None	Received, allocated and spent in 2019-20 on footpath works at the Dell Nature Reserve
Payment made and partially spent						
02/01170/FL	Old Montrosa, Avenue Victoria, Scarborough	05/12/2002	£15,707	<i>South Cliff Gardens</i>	15/05/2019 (n/a - developer no longer exists to be repaid)	£8,440 previously spent on South Cliff Gardens. £7,267 allocated to the same & waiting expenditure
11/00213/FL	Eskdale Park Larpool Lane, Whitby	17/05/2012	£139,273	<u>Sport facilities at Eastside/ Larpool Lane</u>	2026/2027	£54,224 spent at Eastside Park (£11,620 in 2017/18, £22,878 in 2018/19 & £19,726 in 2019/20), £1,535 spent at 3G pitch 2018-19 Balance of £83,515 commitments are £50,000 at Eastside Community Centre & £33,515 to 3G pitch.
11/00389/FL	The Crown, Queen Street, Filey	01/01/2012	£22,358	To be determined	26/09/2022	£19,058 was previously spent at Filey Country Park. £3,300 was returned 2019/20 as unspent, so will need to be re-allocated.

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
12/00604/FL	48 & 50 Norwood Street, Scarborough	21/08/2012	£11,251	<i>Cinder Track/ Falsgrave Park Entrance Improvements/ storage container.</i>	None	£779 previously spent on information board for Cinder Track. £8,963 allocated in 2019/20 with £1,400 spent in 2019/20 on storage unit at Falsgrave Park. The unspent balance is £9,072.
15/01284/FL	Southdene, Filey	18/04/2016	£38,010	<u>Public Open Spaces/Sports/Play facilities in Filey</u>	06/03/2027	Part spent on works at Clarence Drive playing fields £18,806 and £6,869 Evron Centre Gardens in 2019/20, leaving £12,335 unallocated.
Payment made and awaiting expenditure (wholly or in part)						
04/02315/FL	35 – 36 Esplanade Gardens	21/03/2005	£8,334	<i>South Cliff Gardens</i>	10/05/2022	Monies received, allocated & awaiting expenditure
04/02456/FL	The Carlton Hotel, Belmont Rd, Scarborough	11/03/2005	£10,358	<i>South Cliff Gardens</i>	None	Monies received 2018-19 & awaiting expenditure
05/00954/FL	28/30 Prince of Wales Terrace	08/08/2005	£7,661	<i>South Cliff Gardens</i>	15 years (2026-27 – payments were phased)	Monies received, allocated & awaiting expenditure
02/01309/FL	Grosvenor House Hotel	23/02/2004	£4,000	<i>South Cliff Gardens</i>	06/10/2029	Monies received, allocated & awaiting expenditure

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
07/01700/OL & 09/02472/RM	Highfield Road, Whitby	22/12/2010	£9,106	<u>White Leys Play Area</u>	06/11/2023	Monies received 2018-19 & awaiting expenditure. Allocated in 2019-20 and spent 2020-21.
07/01700/OL & 09/02472/RM	Highfield Road, Whitby	22/12/2010	£2,602	<i>Sports Facilities in Whitby</i>	06/11/2023	Monies received 2018-19 & awaiting expenditure
09/02030/FL	Sandybed Ct, Sandybed Lane, Scarborough	15/02/2019	£5,518	<i>Falsgrave Park</i>	None	Monies received 2018-19 & allocated in 2019/20 to Falsgrave Park entrance improvements - awaiting expenditure
09/02166/FL	9a Royal Crescent Lane, Scarborough	29/11/2013	£9,364	<i>South Cliff Gardens</i>	None	Monies received & awaiting expenditure
12/01108/FL	9 Grosvenor Crescent Scarborough	18/12/2012	£1,044	<i>South Cliff Gardens</i>	None	Monies received & awaiting expenditure
12/01144/FL	4 Belgrave Crescent, Scarborough	10/05/2013	£11,062	To be determined	None	Monies received & awaiting expenditure
13/01160/FL	Former Bus Station, Somerset Terr. Scarborough	05/08/2013	£2,158	<i>South Cliff Gardens</i>	None	Monies received & awaiting expenditure
13/02107/FL	Lockton & Kepwick Houses, Peasholm Gap, Scarborough	30/01/2014	£5,466	Play facilities in the vicinity	None	Monies received & awaiting expenditure

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
13/02114/FL	14 Weydale Avenue, Scarborough	25/11/2013	£3,454	<u>Scarborough Cinder Track</u>	None	Monies received & awaiting expenditure. Allocated in 2019/20
14/00222/FL	Allatt House, 5 West Parade Road, Scarborough	06/06/2014	£8,960	<u>Manor Road Park and/or Cinder Track</u>	None	Monies received & awaiting expenditure. Allocated to Cinder Track in 2019/20
14/01376/OL	Sneaton Castle Farm, Castle Road, Whitby	27/11/2015	£97,888	Outdoor sports facilities in Whitby	09/04/2027	£13,793 spent 2018/19 and remaining balance of £84,095 committed to 3G pitch at Eskdale School
14/01755/FL	Blueberry Way (Olivers Heights), Scarborough	27/03/2015	£50,000	<u>Oliver Heights Parking & Footpath</u>	None	Received & waiting expenditure. Allocated in 2019/20
07/01917/FL	Seamer Rd (Hinderwell and Newcoln Rds)	20/11/2007	£214	Not committed, but likely to be added to sum above	None	Monies received & awaiting expenditure
15/01079/FL	Salisbury Hotel, Huntriss Row, Scarborough	11/09/2015	£7,044	<u>Gardens at Alma Square and Albemarle Crescent</u>	None	Received 2018-19 & waiting expenditure
15/01180/RG4	Former McCain Stadium, Scarborough	15/06/2016	£20,367	<u>Sensory Garden or Edge Hill Road wood footpaths</u>	None	Received, & waiting allocation/expenditure

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
15/01632/FL	Farside Road, West Ayton	22/01/2016	£50,294	<u>Changing Rooms/ Junior Football Pitch at W. Ayton Sports Field.</u>	2029	£24,596 paid 2018/19 £25,698 paid 2019/20 £1,825 spent 2019/20 on junior goal posts - Balance of £48,469 awaiting expenditure.
15/02421/FL	Newby Farm Road, Newby	09/06/2016	£9,513	<u>Linden Road Neighbourhood Park</u>	2027	Received & waiting expenditure
15/02659/FL	Former Bramcote School, Filey Road, Scarborough	15/03/2017	£30,278	<u>Tennis Courts in Scarborough Urban Area</u>	2029	Paid 2019-20 and waiting allocation/expenditure
16/00163/FL	7-11 Esplanade Gardens, Scarborough	11/05/2016	£27,168	<u>Footpath infrastructure at South Cliff Gardens</u>	2028/29	£13,584 paid 2018/19 & £13,584 paid 2019/20 - awaiting expenditure.
16/00825/FL	Highways Depot, The Garth, Whitby	10/11/2016	£9,872	<u>Parks & Gardens at West Cliff</u>	2028	All received (£5,208 in 2018-19).
16/00825/FL	Highways Depot, The Garth, Whitby	10/11/2016	£11,633	<u>White Leys Playing Field - Sports</u>	2028	All received (£6,317 in 2018-19) & waiting expenditure
16/00825/FL	Highways Depot, The Garth, Whitby	10/11/2016	£20,548	<u>White Leys Playing Field – Play Facilities.</u>	2028	All received (£10,840 in 2018-19) & waiting expenditure. Allocated in 2020/21 and mainly spent.
17/01248/FL	Shackleton Close and Anchorage	16/03/2018	£26,237	<u>Cinder Track/ Whitby Parks and Gardens</u>	2027	Paid 2019-20 & awaiting expenditure. Allocated to Cinder Track in 2019/20

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
	Way, Whitby					
17/01248/FL	Shackleton Close and Anchorage Way, Whitby	16/03/2018	£37,384	Sports Facilities in Whitby	2027	Paid 2019-20 & awaiting expenditure
17/02404/FL	Braeburn House, Moor Lane, Eastfield	01/03/2018	£6,778	<u>Cayton Bowling Club or Eastfield Playing Fields</u>	None	Received 2019-20 and waiting expenditure
19/00486/FL	Filey Fields Farm, Scarborough Road, Filey	04/10/2019	£15,858	<u>Local Plan open space allocations OS9 & OS10 near site</u>	10 years after completion	Paid 2019-20 & waiting expenditure
19/02928/FL	13-14 Royal Crescent, Whitby	18/08/2020	£4,946	Outdoor Sports in Whitby	05/09/2030	Paid 2020/21 & waiting expenditure
19/02928/FL	13-14 Royal Crescent, Whitby	18/08/2020	£4,198	Parks & Gardens in Whitby	05/09/2030	Paid 2020/21 & waiting expenditure
Part Paid & Waiting Expenditure/ Part not Triggered or Owing						
08/01385/FL	47/49 Bridlington St./ 10 Hungate Lane, Hunmanby	05/09/2008	£12,655	Public Open Space or Play Equipment	10 years (12/06/17 for first payment)	£3,793 paid and waiting expenditure. Site only partly developed, so £8,862 not paid yet.
11/01844/FL	The Sands, Burniston	28/08/2013	£117,450 (2	<u>Play area on or in vicinity of</u>	None	£67,450 invoiced and owing. Second instalment of £50,000 +

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
	Road, Scarborough		instalments)	<u>the site</u>		indexation would only be triggered if development on former Mr Marvel's site proceeds.
15/01517/RG4	Seraphis Court, Holbeck Hill, Scarborough	26/09/2016	£22,609	<u>Footpath infrastructure at South Cliff Gardens</u>	15 years (2033 for 1 st instalment)	1 st instalment of £11,830 paid 2018/19 & waiting expenditure. Payment of £10,779 + indexation not triggered yet.
Payment not invoiced/triggered yet						
07/00547/OL	Muston Road, Filey	13/11/2007	£15,520	<u>Multi-use se games area within vicinity</u>	10 years	Payment not triggered yet (development stalled)
14/02177/OL	Land at Columbus Ravine, Scarborough	06/06/2017	To be decided at reserved matters stage (estimate £39,700)	<u>Public open space & play in Central or Northstead Wards</u>	10 years	At the end of 2019-20 reserved matters were still awaited. (The planning permission has subsequently expired).
15/02636/FL & 18/03085/FLA	24 Vernon Road, Scarborough	29/11/2016	£22,717	<u>Tennis Facilities in Scarborough Urban Area</u>	n/a	Not triggered yet (Payment dependent on outcome of viability assessment)
15/02636/FL & 18/03085/FLA	24 Vernon Road, Scarborough	29/11/2016	£19,278	<u>Footpath infrastructure at South Cliff Gardens</u>	n/a	Not triggered yet (Payment dependent on outcome of viability assessment)
16/01593/OL	Racecourse Rd, (Central	03/04/2018	To be calculated	<u>Contributions towards open</u>	10 years	Awaiting reserved matters application, so not triggered yet.

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
	part of HA32) East Ayton		at reserved matters stage (estimate £126,800)	<u>space, play, parks and sports in East or West Ayton</u>		Estimated figure may reduce with on-site provision.
17/00293/FL	Breece Hotel, 7 West Street, Scarborough	20/06/2017	£6,472	<u>Play facilities in Ramshill or Weaponness Ward</u>	n/a	Construction underway, but not triggered yet
17/00452/FL	Land north of Beacon Road, Seamer	06/12/2017	£143,026	<u>Sports facilities/ open space in Seamer</u>	10 years	Not triggered yet
17/00474/OL	Cayton Village Caravan Park, Cayton	27/10/2017	To be calculated at reserved matters stage (estimate up to 223,275)	<u>Public Open Space in Cayton</u>	10 years	Reserved matters awaited so sum not quantified or triggered yet. The estimated sum may reduce depending on the level of on-site provision.
17/00739/FL	McCain Foods, Havers Hill, Eastfield	04/08/2017	£4,500	<u>Cricket Pitch Covers Contribution</u>	n/a	Awaiting trigger for payment.
17/01201/OL	Waipori Lodge, Carr Hill Lane, Briggswath	10/11/2017	To be calculated at reserved matters stage (est. £43,400)	<u>Sports and Play Facilities in Briggswath/ Sleights</u>	10 years	Awaiting reserved matters when sum will be calculated in accordance with SPD

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
17/01304/FL	84 Filey Road, Scarborough	20/03/2018	£4,353	<u>Prince of Wales Gardens</u>	None	Not triggered at end of 2019/20
17/01304/FL	84 Filey Road, Scarborough	20/03/2018	£6,472	<u>Play Facilities Weaponness/Ramshill Ward</u>	None	Not triggered at end of 2019/20
17/01304/FL	84 Filey Road, Scarborough	20/03/2018	£5,130	<u>Sports Facilities Weaponness/Ramshill Ward</u>	None	Not triggered at end of 2019/20
17/02645/OL	Tara Fields, North of Racecourse Rd, East Ayton	12/04/2018	£57,568	<u>Sports Facilities in West or East Ayton</u>	10 years from completion	Not triggered yet
17/02734/FL	Church Cliff Drive, Filey	02/04/2019	£14,614	<u>Open Space – Local Plan Sites OS9 & OS10</u>	None	Not triggered yet
17/02734/FL	Church Cliff Drive, Filey	02/04/2019	£17,221	<u>Sports Facilities in Filey</u>	None	Not triggered yet
18/00505/OL	Limestone Road, Burniston	26/11/2018	To be calculated at reserved matters stage (est. £81,400)	<u>Contribution towards parks, play and sports facilities in Burniston/Cloughton</u>	10 years	Awaiting reserved matters when sum will be calculated in accordance with SPD. Estimated figure may reduce with on-site provision.

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
18/01053/FL	Land west of Church Lane, Cayton	24/12/2019	£60,515	<u>Play area at Jackson Close or new play area on land east of Church Lane.</u>	10 years	Not triggered yet
18/01053/FL	Land west of Church Lane, Cayton	24/12/2019	£34,258	<u>Sports Facilities in Cayton or Eastfield</u>	10 years	Not triggered yet
19/00109/FL	Lady Edith's Drive, Newby, Scarborough	07/06/2019	£20,833	<u>Throxenby Mere</u>	10 years	Not triggered yet
19/00109/FL	Lady Edith's Drive, Newby, Scarborough	07/06/2019	£43,362	<u>Play Facilities in Woodlands /Newby Wards</u>	10 years	Not triggered yet
19/00768/OL	Racecourse Rd (Western part of Site HA32), East Ayton	30/07/2019	To be calculated at reserved matters stage (estimate £58,900)	<u>Green space/ play facs. in East Ayton parishes</u>	10 years	Awaiting submission of reserved matters (This s106 in effect replaces one from 2016 for which the planning permission expired). Estimated figure may reduce with on-site provision.
19/00768/OL	Racecourse Rd, (Western part of HA32), East Ayton	30/07/2019	To calculate at reserved matters stage (est. £24,500)	<u>Sports facs. in E. or W. Ayton parishes</u>	10 years	Awaiting submission of reserved matters (This s106 in effect replaces one from 2016 for which the planning permission expired)

Planning Ref:	Site	Date of Agreement	Commuted Sum	Project for Expenditure*	Repayment date/period	Current Status
19/01248/OL	High Mill Farm, Scalby (Phase 3)	03/09/2020	To calculate at reserved matters stage	Sports facilities	10 years	Awaiting submission of reserved matters
19/01519/FL	Manor Road Nurseries, Scarborough	21/01/2020	£26,859	<u>Play facilities at Manor Road Park, Sainsbury's Park or in vicinity</u>	10 years	Not triggered yet
19/01519/FL	Manor Road Nurseries, Scarborough	21/01/2020	£12,904	Parks & Gardens in vicinity	10 years	Not triggered yet
19/01519/FL	Manor Road Nurseries, Scarborough	21/01/2020	£15,206	Sports facilities – adjacent games area or in vicinity.	10 years	Not triggered yet

Table 6 - Education

This Table relates to Section 5.0 of the IFS. Obligations in *italics* relate to sums re paid directly to North Yorkshire County Council.

Planning Ref	Site	Date of Agreement	Sum /Action/School Places Created	Project for expenditure	Repayment date/period	Current Status
Payments made in part/full						
07/01700/OL & 09/02472/RM	Highfield Road, Whitby	25/10/2007	£76,545 (equivalent of 5 places)	Primary school(s) in catchment area	06/11/23	Sum paid 2018-19 and waiting expenditure
09/00717/OL (19/01237/FL & 19/01248/OL)	High Mill Farm, Scalby	8/10/2010 (& 03/09/20)	Phase 1 - £433,204 (32 places) Phase 2 – £513,249 (37.75 places) Phase 3 - £747,780 (55 places)	Newby & Scalby Primary School (or a successor establishment)	10 years (2027 for sum paid)	£433,204 previously paid & awaiting expenditure. Phases 2 and 3 not commenced so payment not triggered yet. S106s - completed in 2020-21
07/00547/OL	Muston Road, Filey	13/11/2007	£29,192 (3 places)	Filey Infant & Nursery School	10 years (2025 for 1 st instalment)	First instalment of £9,064 previously paid and awaiting expenditure – remaining £20,128 not triggered yet
<i>14/01362/FL NYCC obligation</i>	<i>Town Farm, Cloughton</i>	<i>28/09/2017</i>	<i>£45,107 (6.5 places)</i>	<i>Lindhead Primary School, Burniston</i>	<i>n/a</i>	<i>Sum paid 2018/19 & transferred to NYCC 2019/20</i>
14/01376/OL	Sneaton Castle, Castle Rd, Whitby	27/11/2015	£346,698 (25.5 places)	Stakesby Community Primary School or successor	09/04/2027	Previously paid and waiting expenditure.

Planning Ref	Site	Date of Agreement	Sum /Action/School Places Created	Project for expenditure	Repayment date/period	Current Status
				establishment		
15/01632/FL	Farside Road, West Ayton	22/01/2016	£186,231 over 3 payments (11.75 places)	East Ayton Community Primary School	2028 & 2029	£60,600 paid 2018-19 & £125,630 paid 2019-20. Awaiting expenditure .
Payments not triggered yet						
14/01141/OL	TT Electronics, Filey Road, Gristhorpe	29/01/2015	£152,955 (11.25 places)	Cayton Primary School	10 years	Payment not triggered yet
18/00505/OL	Limestone Road, Burniston	26/11/2018	To calculate at reserved matters stage (estimate of £122,364 or 9 places)	Lindhead Primary School	10 years	Awaiting reserved matters application, so not triggered yet
14/02177/OL	Land off Columbus Ravine	06/06/2017	To calculate at reserved matters stage (estimate £81,576 or 6 places)	To be confirmed	10 years	Awaiting reserved matters application, so not triggered (planning permission expired 2020/21)
16/01593/OL	Racecourse Road, (Central part of Site HA32) East	03/04/2018	To calculate at reserved matters stage (estimate of £237,930 or	East Ayton Community Primary School	10 years	Awaiting reserved matters application, so not triggered yet

Planning Ref	Site	Date of Agreement	Sum /Action/School Places Created	Project for expenditure	Repayment date/period	Current Status
	Ayton		17.5 places)			
17/00452/FL	Land north of Beacon Road, Seamer	06/12/2017	£696,795 (51.25 places)	Seamer & Irton Community Primary School	10 years	Not triggered yet
17/02645/OL	Tara Fields, North of Racecourse Rd, E. Ayton	12/04/2018	£312,708 (23 places)	East Ayton Community Primary School	10 years	Not triggered yet
19/00109/FL	Lady Edith's Drive, Newby,	07/06/2019	£166,551 (12.25 places)	Newby & Scalby Primary School	n/a	Development not started so payment not triggered.
19/00768/OL	Racecourse Road, (Western part of Site HA32) East Ayton	30/07/2019	To calculate at reserved matters stage (estimate £169,950 or 12.5 places)	East Ayton Community Primary School	10 years	Awaiting reserved matters application, so not triggered yet This s106 in effect replaces one from 2016 for which planning permission expired.

Table 7 - Transport

This Table relates to Section 6.0 of the IFS. Obligations in *italics* are cases where sums are paid directly to North Yorkshire County Council.

Planning Ref	Site	Date of Agreement	Sum	Requirement/Project	Repayment date /period	Current Status
Expenditure taken place in whole						
07/01981/OL /09/02013/RM	Creamery, White Leys Road, Whitby	19/3/2010	£15,000	Off-site highway improvement	02/07/2018	Spent in 2018-19 on improved pedestrian facilities in vicinity of site.
07/01996/FL	37 Seamer Road, Scarborough	5/12/2007	£5,014	Seamer Road - Four Junctions Project	11/02/2020	Spent on project by NYCC 2019/20
10/00903/OL	West Garth, Cayton	21/06/2011	£10,608	Bus stop on West Garth	18/08/2018	Monies spent by NYCC 2017- 18
10/00903/OL	West Garth, Cayton	21/06/2011	£30,074	Footway/ cycleway contribution	18/08/2018	Monies spent by NYCC 2018- 19
10/00903/OL	West Garth, Cayton	21/06/2011	£27,680 (s106 stated £125,000 max)	Traffic Regulation Order payment for works on Main Street, Cayton (only if required by NYCC)	24/07/2018 & 15/01/2019 (paid in 2 instalments)	£7,680 previously spent on traffic signals. £2,249 spent in 2018-19. £17,751 returned to developer in 2020-21 as not spent by NYCC within time limits.
17/01971/FL	Fairfield Way, Whitby (Aldi)	01/02/2018	£19,600	Cycle/pedestrian route improvements on Stainsacre Lane #	May 2020	Payment made 2018/19 and expenditure by NYCC in 2019/20

Planning Ref	Site	Date of Agreement	Sum	Requirement/Project	Repayment date /period	Current Status
Expenditure taken place in part						
02/02114/OL	The Sands, Scarborough	15/10/2004	£11,856	Cycle route between North & South Bays (see also 11/01844/FL) later in this table.	2023	Original sum paid and £9,856 awaiting expenditure. £2,000 previously spent on related feasibility study.
11/00213/FL	Eskdale Park, Larpool Lane, Whitby	17/05/2012	£196,109	Prospect Hill/ Mayfield Road junction	20/08/2022 for sum not transferred yet	£96,447 paid & previously spent by NYCC , 2 nd instalment of £99,662 awaiting transfer for junction improvements
Payment made (wholly or in part) and awaiting expenditure/transfer						
09/00717/OL 19/01237/FL & 19/01248/OL	High Mill Farm, Scalby	08/10/2010 & 03/09/2020	Phase 1 - £145,000 Phases 2 & 3 - £90,000 for each	Improvement of bus service between site and Scarborough town centre	20/08/2022 10 years for phases 2 & 3)	£145,000 paid & awaiting transfer to NYCC. £42,750 spent in 2018-19, leaving £102,250 balance. Phases 2 & 3 not started so payment not triggered yet
09/00717/OL	High Mill Farm, Scalby	08/10/2010	£56,687	Signalised junction in centre of Scalby	07/10/2024	Paid and waiting expenditure by NYCC
09/02118/FL	Stainsacre Lane, Whitby (Sainsbury)	21/12/2010	£62,853	Pedestrian/cycle route along Stainsacre Lane	03/01/2017	Monies not spent by NYCC before the repayment date. Following negotiations with Sainsbury £47,132 was returned leaving £15,721 for expenditure
11/00213/FL	Eskdale Park, Larpool	17/05/2012		Cinder Track and pedestrian crossing		Payment previously received. £38,559 spent on Cinder track

Planning Ref	Site	Date of Agreement	Sum	Requirement/Project	Repayment date /period	Current Status
	Lane, Whitby		£80,308	on Helredale Road (£20,000 reserved for latter)	2026/27	works and £21,749 allocated for same in 2019-20 £22,000 waiting transfer/ /expenditure (crossing has been constructed)
11/00160/FL	Helredale Gardens & St Peters Road, Whitby	20/10/2014	£10,000	Pedestrian crossing on Helredale Road	26/07/2027	Payment received & awaiting transfer to /expenditure by NYCC - crossing has been constructed
11/01844/FL	The Sands, Burniston Road, Scarborough	28/08/2013	£11,638	Cycle Infrastructure in the vicinity	19/01/2028	Payment received and awaiting expenditure
14/01376/OL	Sneaton Castle Farm, Castle Road, Whitby	27/11/2015	£56,681	Prospect Hill / Mayfield Road junction improvements	09/04/2027	Payment received and awaiting request to transfer from NYCC.
15/00407/RG3 NYCC obligation	Sports Village, Ashburn Rd Scarborough	07/04/2017	£15,000	Signal improvements on A64 Seamer Road – allocated to Four Junctions Project	06/04/2022	Awaiting expenditure on allocated project.
15/00791/RG4	Coventry University, Ashburn Road, Scarborough	18/08/2015	£20,000	Monitoring of parking and introduction of Traffic Regulation Order if deemed necessary by NYCC	19/08/2022	Payment received & awaiting expenditure by NYCC. Monitoring of parking situation has taken place and awaiting partial transfer of sum

Planning Ref	Site	Date of Agreement	Sum	Requirement/Project	Repayment date /period	Current Status
15/00791/RG4	Coventry University, Ashburn Road, Scarborough	22/02/2016	£15,000	Signal improvements on A64 Seamer Road – allocated to Four Junctions Project	21/02/2023	Payment received and works awaiting implementation Transfer of sum to NYCC awaited
15/00792/RG4	University Technical College, Ashburn Rd, Scarborough	09/01/2017	£15,000	Signal improvements on A64 Seamer Road – allocated to Four Junctions Project	01/10/2023	Payment received and works awaiting implementation Transfer of sum to NYCC awaited
16/00043/FL	Former McCain Stadium, Seamer Rd, Scarborough (Lidl)	13/04/2016	£20,000	Seamer Road/ Queen Margaret's Road Junction	n/a	Payment received –signal improvements to be made by NYCC
17/00452/FL	Land north of Beacon Road, Seamer	06/12/2017	£159,600	Scarborough Road/Stoney Hags Road / Pasture Lane junction improvements,	10 years – 2029 for first instalment	First instalment of £79,800 paid 2019/20 and waiting expenditure. Second instalment triggered and invoiced 2020/21
17/01248/FL	Shackleton Close and Anchorage Way, Whitby	16/03/2018	£7,500	Mayfield Road Pedestrian Crossing	22/09/2024	Payment made 2019/20 and waiting expenditure
18/00702/RG4	Hotel adj. to Alpamare, Burniston Road,	09/11/2018	£40,000	North Bay/Newlands Traffic Regulation Order if required	08/09/2026	Monies paid. 2018/19 Assessment of need for TRO to follow hotel coming into use

Planning Ref	Site	Date of Agreement	Sum	Requirement/Project	Repayment date /period	Current Status
	Scarborough					– not occurred yet
18/01053/FL	Land west of Church Lane, Cayton	24/12/2019	£5,000	Traffic Regulation Order (TRO) to extend 30 mph zone on Church Lane	10 years	Payment made 2020/21 and awaiting TRO and transfer to NYCC
Payments partially triggered						
11/01914/OL NYCC obligation	Land north of Eastfield (Middle Deepdale)	15/03/2013	£55,000	Urban traffic control in Scarborough town centre & Stepney Hill crossing	5 years	£15,937 triggered on HA2 and to be collected by NYCC. Stepney Hill crossing recently completed.
11/01914/OL NYCC obligation	Middle Deepdale	15/03/2013	£10,000	Bus stop contribution	5 years	£5,325 triggered on HA2 and to be collected by NYCC
11/01914/OL NYCC obligation	Middle Deepdale	15/03/2013	£250,000	Bus services contribution	5 years	£133,150 triggered on HA2 and to be collected by NYCC
Payments not triggered yet						
11/01914/OL NYCC obligation	Middle Deepdale	15/03/2013	£125,000	Bridge Mitigation Contribution	14 days after link road completion	Only payable if link road bridge not complete.
11/01914/OL NYCC obligation	Middle Deepdale	15/03/2013	£10,000	Cycle route contribution	5 years	Not reached stage when payment is triggered
11/01914/OL NYCC obligation	Middle Deepdale	15/03/2013	£100,000	Sustainable transport contribution	5 years	Not reached stage when payment is triggered
17/00474/OL	Cayton	27/10/2017		Church Lane One		Reserved matters application

Planning Ref	Site	Date of Agreement	Sum	Requirement/Project	Repayment date /period	Current Status
	Village Caravan Park, Mill Lane, Cayton		£25,000	Way System and Footway	10 years	awaited, so not triggered
19/01237/FL	High Mill Farm, Scalby (Phase 2)	03/09/2020	£162,500	Contribution to provide pedestrian/cycle bridge/ route	10 years	Phase not started so payments not triggered
19/01248/OL	High Mill Farm, Scalby (Phases 2 & 3)	03/09/2020	Phase 2 - £12,000 Phase 3 - calculated at reserved matters stage	Contribution to provide/maintain pedestrian/cycle bridge/ route	10 years	Phases not started so payments not triggered
Miscellaneous						
<i>11/01844/FL NYCC obligation</i>	<i>The Sands, Burniston Road, Scarborough</i>	<i>28/08/2013</i>	<i>Up to £267,335 (over 5 years)</i>	<i>Bus service between Water Park and A64 Park & Ride during tourist season</i>	<i>Annual reconciliation process with NYCC</i>	<i>£136,770 was spent by NYCC to cover the bus service for 2016-18 summer seasons. The bus has now been discontinued due to lack of custom</i>
11/00213/FL	Eskdale Park Larpool Lane, Whitby	17/05/2012	£40,000	Travel plan mitigation	5 years	Only applicable if Travel Plan targets not met – no request made for sum by NYCC. Unless circumstance change not to be reported in future

Planning Ref	Site	Date of Agreement	Sum	Requirement/Project	Repayment date /period	Current Status
17/01971/FL	Fairfield Way, Whitby (Aldi & adjacent store)	01/02/2018	£7,500	Traffic Regulation Order (TRO) on Fairfield Way	2 years from receipt	Although notionally triggered NYCC have indicated that a TRO is not currently justified as only 1 of 2 retail stores is occupied.
No Longer Applicable /Expired						
09/00717/OL	High Mill Farm, Scalby	8/10/2010	Up to £40,000	Green infrastructure payment (only paid if Travel Plan targets not met)	3 years	Sum not required in connection with Phase 1 which was only part of this planning permission which was built. Not included in more recent S106s.
10/02538/FL NYCC obligation	Sainsbury Falsgrave Rd, Scarborough	22/06/2012	£135,000	<i>Pedestrian crossing, extension of urban traffic control for Falsgrave /Seamer Roads & new road markings.</i>	3 years	<i>£35,000 paid and spent on pedestrian crossing. Remaining £100,000 not collected by NYCC – as wording of s106 no longer relates to current highways movement systems.</i>
15/01293/FL	Duchess PH, Hovingham Drive, Scarborough	10/06/2016	£10,000	Traffic regulation measures on Hovingham Drive/Woodlands Drive	n/a	Planning permission expired 2019-20
17/00182/FL	Newborough/ Market St / Queen St	05/05/2017	£40,000	Pedestrian Facilities on Newborough	10 years	Development not started, so payment not triggered. (Permission expired 2020-21)
17/00182/FL	Newborough/ Market St / Queen St	05/05/2017	£6,000	Amend Traffic Regulation Order on Newborough	10 years	As above

Table 8 - Health Infrastructure

This table relates to Section 7.0 of the IFS.

Planning Ref	Site	Date of Agreement	Sum	Project for Expenditure	Repayment date /period	Current Status
Payment made or triggered (wholly or in part) and awaiting expenditure						
09/00717/OL 19/01237/FL & 19/01248/OL	High Mill Farm, Scalby	08/10/2010 & 03/09/2020	Phase 1- £29,329 Phase 2 – £67,991 Phase 3 - £88,281.	Danes Dyke or Hackness Road Surgeries	01/02/2027 for phase 1 10 years for later phases	£29,329 previously paid in relation to Phase 1 and waiting expenditure. Phases 2 & 3 not started so payments not triggered.
11/01914/OL	Land north of Eastfield (Middle Deepdale)	15/03/2013	£269,598	Primary health care facilities in locality	7 years (2027 for 1 st instalment)	First instalment for HA2 £72,833 received 2019/20 & waiting expenditure on Eastfield Medical Centre. Remaining sums not triggered yet.
15/02421/FL	Land at Newby Farm Road, Newby	09/06/2016	£25,000	Danes Dyke or Hackness Road Surgeries	2027	Paid previously and awaiting expenditure
Payment/Action Not Triggered Yet						
07/00547/OL	Land east of Muston Road, Filey	13/11/07	£50,000	Filey Surgery	10 years	Development not progressed to stage and payment not yet triggered.
15/01219/FL	Former Scarborough RUFC	02/12/2015	n/a	Allow use of area of land for provision of GPs' surgery and	Only applies for 5 years from	No current proposals. This also relies on the proposals being put forward by eligible GP

Planning Ref	Site	Date of Agreement	Sum	Project for Expenditure	Repayment date /period	Current Status
	Scalby Road, Newby			allow access to eligible buyer.	commence-ment	surgeries/ies.
17/00452/FL	Land north of Beacon Road, Seamer	06/12/2017	£63,302	Healthcare facilities in Seamer or West Ayton	10 years	Development started but payments not triggered yet.
17/02645/OL	Tara Fields, Racecourse Rd, E. Ayton	12/04/2018	£33,865	Healthcare facilities in Seamer or West Ayton	10 years	Development started, but payment not triggered yet.

Table 9 - Miscellaneous

This Table relates to Section 8.0 of the IFS.

Planning Ref	Site	Date of Agreement	Requirement	Repayment date /period	Current Status
Paid and Waiting Expenditure in part or in whole					
11/01914/OL	Land north of Eastfield (Middle Deepdale)	15/03/2013	£100,010 towards Eastfield High Street Regeneration Study / Development Brief	2021	£90,000 previously spent on Regeneration Study & professional services for land transaction, leaving an unspent balance of £10,010.
11/01914/OL	Middle Deepdale	15/03/2013	£10,005 towards surface water flow monitoring equipment	2021	£5,496 previously spent. £3,509 spent 2018/19. Balance of £1,000 remaining
11/01914/OL	Middle Deepdale	15/03/2013	£140,015 towards Cayton Trunk Sewer Study (Yorkshire Water Study)	2021	Paid and awaiting expenditure

Planning Ref	Site	Date of Agreement	Requirement	Repayment date /period	Current Status
14/01141/OL	Former TT Electronics Site, Gristhorpe	29/01/2015	£11,852 towards upgrading and maintaining the local drainage network	10 years	Paid 2019/20 and awaiting expenditure by Drainage Board
Triggered					
11/01914/OL	Middle Deepdale	15/03/2013	Minimum 0.6ha small builder & self-build housing in accordance with strategy	n/a	Strategy triggered and resolution sought
11/01914/OL	Middle Deepdale	15/03/2013	Provision of 2-6 small scale retail premises in accordance with strategy	n/a	Retail units constructed at Jazz Court.
Not Triggered Yet					
11/01914/OL	Middle Deepdale	15/03/2013	Community Facilities - provide community hall to accord with Comm. Facilities Strategy or pay commuted sum (£523,600)	7 years	Not triggered yet, but community facilities to be provided in new primary school which has planning permission and is under construction.