



# Crawley Borough Council

## Report to Cabinet

2 July 2014

### Approval of Section 106 Monies for Education

Report of the Head of Strategic Housing and Planning Services - SHAP39

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#### **1. Purpose**

- 1.1 This report seeks the approval of the allocation of Section 106 monies that have been received for the provision of education services.

#### **2. Recommendations**

To the Cabinet

- 2.1 The Cabinet is recommended to:

Approve the allocation of £343,923 of Section 106 monies for education towards the provision of additional school places at Three Bridges Primary School and Waterfield Primary School.

#### **3. Reasons for the Recommendations**

- 3.1 Section 106 monies must be used for the purpose specified in the associated legal agreement. The monies that are being allocated in this report are required to be allocated to education and to assist in the provision of additional school places to help meet the needs of the new development from which they were received.

#### **4. Background**

- 4.1 Monies for education improvements have been received through Section 106 legal agreements connected to planning permissions for residential development. These are required to be spent on improving education provision in Crawley in order to help meet the extra demands placed on schools as a result of the development.
- 4.2 The Borough Council has previously approved the allocation of S106 education monies to improve capacity at various schools in Crawley. Since that time additional education monies have been received and need to be allocated to specific schemes.
- 4.3 Section 106 monies are usually received by the Borough Council as the local planning authority before being allocated to specific schemes and projects which are identified through working with the relevant infrastructure provider. West Sussex

County Council (WSCC) is responsible for the provision of education in Crawley and helps to identify where the money should be allocated.

## 5. Proposed Use of Section 106 Education Monies

5.1 A total of £343,923 of Section 106 monies is available to be allocated for education purposes. This has been received by the Borough Council through seven S106 agreements for education provision since 2011. There is a requirement in two of the legal agreements to spend the monies within ten years of receipt of the monies. These are Scallows Road by 2021 and Woodhall and Little Paddocks by 2023. There are no deadlines associated with the other developments.

5.2 The monies that have been received are from the following developments : -

100-104 Three Bridges Road, Three Bridges	Erection of 16 apartments and houses	CR/2010/0266/FUL	£59,126
Scallows Road, Three Bridges	Erection of 14 houses and 7 flats	CR/2010/0018/FUL	£75,413
Pembroke Park, Three Bridges	Erection of 829 dwellings	CR/2005/0714/FUL	£102,480
Oak, Maple and Beech Cottages, Bewbush	Conversion of buildings to provide 14 apartments	CR/2012/0441/FUL	£14,750
Dorsten Square, Bewbush	Erection of 21 apartments	CR/2010/0703/FUL	£16,673
Woodhall and Little Paddocks, Ifield	Erection of 27 dwellings	CR/2009/0606/OUT	£55,523
Deerswood Upper School. Ifield Green, Ifield	Erection of 14 dwellings	CR/2011/0678/FUL	£19,958

5.3 WSCC are proposing to use the S106 monies from the developments in Bewbush and Ifield to help increase the number of school places at Waterfield Primary in Bewbush. The monies from Three Bridges will be used to support the works associated with the conversion of Three Bridges Junior School to an all through Primary School which will also be linked to improving the capacity of the school.

## 6. Information & Analysis Supporting Recommendation

6.1 The proposed use of the monies will increase the availability of school places and therefore help address the additional demands placed on school places in Crawley as a result of the new residential development. This is deemed an appropriate use of S106 monies and is in line with the legal agreements. It is also considered that these proposed allocations reflect the general geographical location from where the monies were received and will assist in the provision of school places in the broad area of the town where the original development took place.

6.2 WSCC as the education authority has identified the schools where it is proposed to allocate the S106 monies. This has taken into account the need for additional school places, the existing capacity of the schools in Crawley and the ability of the schools to provide additional places.

6.3 The views of ward Members for Ifield, Bewbush and Three Bridges have been sought. The ward members for Three Bridges have indicated that the proposed use of the monies for Three Bridges Primary is supported.

## **7. Implications**

### Financial Implications

- 7.1 The monies being allocated have been received from developers through S106 agreements associated with residential development. The terms of the legal agreements require the monies to be spent on education provision. Therefore other uses for the monies cannot be considered. The monies are currently held by the Borough Council and will be transferred to WSCC.

### Legal Implications

7.2 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as S106 agreements, are a mechanism which make a development proposal acceptable in planning terms. The legal agreement sets out the obligations which are appropriate to that development and must be complied with.

### Other Implications

- 7.3 The monies will be spent by WSCC in their role as the local education authority. Therefore there are no other direct implications to the Borough Council in relation to the implementation of the schemes to which the monies are being allocated.

## **8. Background Papers**

- 8.1 Copies of the section 106 legal agreements can be found using the planning applications search section of the Borough Council website using the planning application numbers for each development.

[http://www.crawley.gov.uk/pw/Planning\\_and\\_Development/Planning\\_Permission\\_Applications/Planning\\_Applications\\_Search/index.htm](http://www.crawley.gov.uk/pw/Planning_and_Development/Planning_Permission_Applications/Planning_Applications_Search/index.htm)

Rachel Cordery  
Principal Planning Officer  
[Rachel.cordery@crawley.gov.uk](mailto:Rachel.cordery@crawley.gov.uk)  
01293 438498