

**OXFORDSHIRE COUNTY COUNCIL'S  
UPDATED REGULATION 122 COMPLIANCE STATEMENT**

<b>Location:</b>	Part Land On The North East Side Of Gavray Drive Bicester
<b>Planning Ref:</b>	<b><u>15/00837/OUT</u></b>
<b>Appeal Ref:</b>	APP/C3105/W/17/3189611
<b>Proposal:</b>	OUTLINE - Residential development of up to 180 dwellings to include affordable housing, public open space, localised land remodelling, compensatory flood storage and structural planting
<b>Date:</b>	18/06/18

**1. INTRODUCTION**

- 1.1. Oxfordshire County Council (OCC) considers that the proposed development of Part Land On The North East Side Of Gavray Drive Bicester, is unacceptable without an agreement under Section 106 of the Town and County Planning Act 1990 (S106) which is required to mitigate the demands which will be placed on infrastructure and services as a result of the development. This statement by OCC provides the justification for its requirements for contributions towards education & transport and also justification for an administration & monitoring fee.
- 1.2. This statement supplements the formal response by OCC dated June 2015 and updated March 2017 to the consultation by Cherwell District Council (CDC).
- 1.3. R122(2) of the Community Infrastructure Levy (CIL) regulations 2010 (as amended) introduced three tests for S106 agreements which must apply if a planning obligation is to constitute a reason for granting planning permission. It should be, 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. The purpose of this statement is to show that the requested contributions comply with the requirements of the three tests.

**2. INFRASTRUCTURE CONTRIBUTIONS:**

- 2.1. OCC considers that the development would have a detrimental impact on the local services it provides unless the contributions sought are provided as set out below:

Table 1: Infrastructure Contributions

	<b>Contribution</b>	<b>Price Base</b>
<b>Primary Education Contribution</b>	<b>£1,006,400*</b>	<b>Q4 2016</b>
<b>Secondary Education Contribution</b>	<b>£1,118,340*</b>	<b>Q4 2016</b>

<b>Special Educational Needs (SEN) Contribution</b>	<b>£38,751*</b>	<b>Q4 2016</b>
<b>Bus Service Contribution</b>	<b>£187,462</b>	<b>Feb 2017</b>
<b>Bus Infrastructure Contribution</b>	<b>£18,023</b>	<b>Feb 2017</b>
<b>Highways Infrastructure Contribution</b>	<b>£317,721</b>	<b>Feb 2017</b>
<b>Travel Plan Monitoring Contribution</b>	<b>£1,240</b>	<b>Feb 2017</b>
<b>Junction Improvement Contribution</b>	<b>£20,000</b>	<b>Feb 2017</b>

*\*Final Contribution amount will vary according to mix of units delivered*

**2.2. Administration and Monitoring Fee £3,000**

2.3. The above contributions save for the Travel Plan Monitoring Fees and Administration and Monitoring Fee are to be indexed-linked to maintain the real values of the contributions so that they can in future years deliver the same level of infrastructure provision as currently required.

2.4. The County Council has, in identifying the various contributions associated with this proposed agreement sought to avoid exceeding the limit of five obligations to a type of infrastructure or infrastructure project to comply with the requirements of the CIL Regulations 2010 - Reg 123 (3). Further details on compliance with Regulation 123(3) is provided in a separate statement.

**3. Population Assessment**

3.1. Contributions are assessed in accordance with the population likely to be generated by the proposed development, and the likely demands that this additional population would place on local infrastructure and services. Such assessment is made using the county's population forecasting tool, which uses the results of the 2008 Oxfordshire Survey of New Housing to generate a population profile of new development, taking into account:

- a) The locations of the development (by district)
- b) The scale and dwelling mix of development
- c) An allowance for attendance of children at non-state funded schools

3.2. The contributions detailed below are based on the following housing development mix:

- 22 no. x One Bed Dwellings
- 46 no. x Two Bed Dwellings
- 78 no. x Three Bed Dwellings
- 34 no. x Four/+ Bed Dwellings

3.3. It is estimated that the proposed development would generate a net increase of 443 additional residents including:

- 51 primary school pupils
- 38 secondary school pupils, and
- 1.0 pupils with special education needs

## 4. EDUCATION CONTRIBUTIONS

### 4.1. Policy: Education

Education authorities have statutory duties to;

- Ensure sufficient school places (The Education Act 1996 S14)
- Increase opportunities for parental choice (S2 of the Education and Inspections Act 2006 inserts sub-section 3A into S14 of the Education Act 1996)
- Comply with any preference expressed by parents provided compliance with the preference would not prejudice the provision of efficient education or the efficient use of resources (School Standards and Framework Act 1998 S86)
- Ensure fair access to educational opportunity. (S1 of the Education and Inspections Act 2006 inserts sub-section 1(b) into S13 of the Education Act 1996)

### 4.2. Relevant Policies:

*Paragraph 72 of the **National Planning Policy Framework (NPPF)** states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, giving great weight to the need to expand or alter schools to meet the needs of communities*

Policy INF 1 (Infrastructure) of the adopted Cherwell Local Plan 2011-31 states that “Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.”

### 4.3. **Primary Education - £1,006,400 index linked from 4Q2016 using PUBSEC Tender Price Index, towards the expansion of permanent capacity at Longfields Primary School**

#### **(a) Necessary to make the development acceptable in planning terms**

The County Council has a statutory duty to ensure that sufficient places are available within their area for every child of school age whose parents wish them to have one; to promote diversity, parental choice and high educational standards; to ensure fair access to educational opportunity; and to help fulfil every child’s educational potential.

Pupil numbers in Bicester primary schools are forecast to rise rapidly, as a result of permitted housing development and that included in the adopted Local Plan. This requires a strategic approach to increasing primary school capacity through a mixture of expansions of existing schools and new schools. The implementation of this strategy commenced in 2013, and since then 125 additional places per year group have been added, increasing the number of places available across the Bicester school planning area (which includes surrounding villages) from 607 to 732. Without these additional places, the county council would not have been able to meet its statutory duty to ensure sufficient

school places, as four of the current primary year groups, and all forecast intakes after 2018, are larger than the number of places that would have been available without the expansion.

Pupil forecasts for the Bicester school planning area:

Bicester	R	Yr1	Yr2	Yr3	Yr4	Yr5	Yr6	Total primary
<b>2016 actual</b>	<b>612</b>	<b>655</b>	<b>609</b>	<b>582</b>	<b>624</b>	<b>604</b>	<b>553</b>	<b>4239</b>
2017 forecast	615	609	655	609	582	620	598	4288
2018 forecast	577	614	612	656	613	579	618	4269
2019 forecast	622	585	627	615	666	615	582	4312
2020 forecast	655	630	597	635	623	670	622	4432
2021 forecast	675	664	639	603	645	625	674	4525

One strand of this strategy is the two-phase expansion of Longfields Primary School, which is the designated school for this area, lying approximately 0.5 miles' walking distance from the proposed development.

In phase 1, this school increased its admission number from 40 to 45 in 2013. In Phase 2 the school expanded further to 2 form entry (60 children per year group) through a capital project completed recently in 2016/2017 and costing £2,368,000. Phase 2 provides four new classrooms, i.e. 120 pupil places, and the cost per place is therefore £19,733. Part of the cost has been forward funded by the county council from corporate resources, in anticipation of retrospective s106 developer contributions being required from development including the one in this application. This was necessary to ensure sufficient school places could be provided in time for the locally growing population.

Prior to the Phase 2 expansion, Longfields Primary School could accommodate 45 children per year group, or 315 children in total. As of the October 2017 pupil census, the school already had 320 children on roll. The school therefore could not have accommodated the children expected to be generated from this proposed development without expansion. The Phase 2 expansion has created sufficient places for the proposed development, and was necessary to make the proposed development acceptable in planning terms.

October 2017 pupil census data for Longfields Primary School:

Reception	Y1	Y2	Y3	Y4	Y5	Y6
41	46	55	44	44	43	47

At the close of on-time applications for 2018 reception places, Longfields Primary School had received 57 first preference applications, and the total number on roll is therefore expected to rise further in September 2018.

This development is therefore required to contribute retrospectively to the Phase 2 expansion of Longfields Primary School.

**(b) Directly related to the development**

Longfields Primary School is the designated (catchment) Primary school for this area, lying approximately 0.5 miles walking distance from the proposed development.

**(c) Fairly and reasonably related in scale and kind to the development**

Contributions are assessed based on a direct assessment of likely demand for primary pupil places arising from the development and the cost per pupil of providing additional school places.

It is estimated that the proposed development would generate 51 primary school pupils.

The Phase 2 expansion of Longfields Primary School cost £2,368,000 and provided places for an additional 120 pupils. The cost per pupil place is therefore £19,733.

The proportionate Primary School Contribution from this development is:

**£19,733 (cost per pupil) x 51 (the forecast number of new primary school pupils) = £1,006,400**

**As this figure is based on costs as at 4Q 2016 this amount is index linked using the PUBSEC Tender Price Index**

The final contribution will vary depending on the mix of units delivered, the following contribution per dwelling amounts will be used to ensure that the contribution remains in scale to development.

<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4+ Bed</b>
<b>£0.00</b>	<b>£3,078.23</b>	<b>£7,061.82</b>	<b>£9,234.69</b>

This contribution is based on the anticipated number of new primary school pupils arising from the proposed development and the cost per pupil of providing the extra places it is therefore proportionate to the scale of the proposed development.

**4.4. Secondary Education - £1,118,340 index linked from 4Q 2016 using PUBSEC Tender Price Index, towards the cost of providing the first 600 secondary education places at NW Bicester.**

**(a) Necessary to make the development acceptable in planning terms**

As set out above to fulfil the County Council statutory responsibilities there needs to be sufficient places for children of school age.

Pupil numbers in Bicester secondary schools are forecast to rise rapidly, as a result of permitted housing development and that included in the adopted Local Plan. This requires a strategic approach to increasing secondary school capacity through the establishment of new schools. The implementation of this strategy commenced in 2013 with the opening of Heyford Park Free School, which added 60 places per year group, increasing the total

number of places per Key Stage 3 year group across the Bicester school planning area from 460 to 520. Without these additional places, the county council would not now be able to meet its statutory duty to ensure sufficient school places, as the two most recent Year 7 intakes, and all forecast Year 7 intakes, are larger than the number of places that would have been available without the new school.

Pupil forecasts for the Bicester school planning area:

Bicester	Yr7	Yr8	Yr9	Yr10	Yr11	Yr12	Yr13	Total secondary
<b>2016 actual</b>	<b>477</b>	<b>442</b>	<b>423</b>	<b>429</b>	<b>360</b>	<b>230</b>	<b>161</b>	<b>2522</b>
2017 forecast	487	479	440	467	426	236	173	2708
2018 forecast	524	490	479	498	464	277	178	2910
2019 forecast	549	531	494	540	499	305	226	3144
2020 forecast	525	560	535	559	542	328	249	3298
2021 forecast	554	533	563	594	561	352	267	3424
2022 forecast	598	562	533	622	591	360	283	3549
2023 forecast	545	605	563	587	621	378	287	3586

These forecasts demonstrate that further additional secondary school places are required, and these will be provided through two further new schools, one at SW Bicester (planned to open 2019) and one within the NW Bicester eco-town development, which will provide secondary school places for the pupils generated by this application.

This development is therefore required to contribute towards the new NW Bicester secondary school in line with its expected pupil generation.

**(b) Directly related to the development**

This development is required to contribute towards the provision of additional secondary school places to serve the Bicester area.

**(c) Fairly and reasonably related in scale and kind to the development**

Contributions are assessed based on a direct assessment of likely demand for primary pupil places arising from the development and the cost per pupil of providing additional school places.

It is estimated that the proposed development would generate 38 secondary school pupils.

Secondary school provision will be through a new secondary school. This application should make a proportionate contribution towards this school.

To allow phasing of the school construction, in the first instance, a 600-place secondary school is expected to be built, the cost of which is estimated to be £16,009,800 @4<sup>th</sup> Quarter 2014 prices, equivalent to £26,683 per pupil place.

The proportionate Primary School Contribution from this development is:

**£26,683 (cost per pupil) x 38 (the forecast number of new secondary school pupils) = £1,013,954 @4Q 2014**

**For the final County UU the secondary contribution amounts have been uplifted to a 4Q 2016 price base. This revises the estimated Secondary Education contribution to £1,118,340.**

The final contribution will vary depending on the mix of units delivered, the following contribution per dwelling amounts will be used to ensure that the contribution remains in scale to development.

<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4+ Bed</b>
<b>£0.00</b>	<b>£2,855.82</b>	<b>£7,425.14</b>	<b>£11,994.45</b>

This contribution is based on the anticipated number of new secondary school pupils arising from the proposed development and the cost per pupil of providing the additional places it is therefore proportionate to the scale of the proposed development.

#### **4.5 Special Education Needs - £38,751 index linked from 4Q 2016 using PUBSEC Tender Price Index, towards the phase 2 expansion of Bardwell School.**

##### **(a) Necessary to make the development acceptable in planning terms**

Based on the mix above this development is estimated to generate 1.0 pupils attending special educational needs provision (SEN).

The local SEN provision is insufficient to meet the extra needs arising from this and other developments in and around the area. Therefore to satisfactorily address the needs arising from the development additional accommodation will be necessary.

Education authorities have statutory duties to:

- ensure sufficient school places;
- increase opportunities for parental choice;
- comply with any preference expressed by parents provided compliance with the preference would not prejudice the provision of efficient education or the efficient use of resources;
- ensure fair access to educational opportunity.

Without expansion of facilities the detrimental impacts of the development would not be appropriately mitigated.

The NPPF (para 72) confirms that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement; giving great weight to the need to expand or alter schools to meet the needs of communities.

##### **(b) Directly related to the development**

The closest SEN school to this site is Bardwell School, Bicester.

Bardwell School caters for children with severe, profound and multiple learning difficulties (S & PMLD) aged two to nineteen. A £1m capital project at Bardwell School has recently been completed which adds 9 SEN places and re-provides in permanent accommodation for 11 places previously in temporary accommodation. A further phase 2 extension at Bardwell is now being planned and will be necessary to provide for additional places generated by this development.

**(c) Fairly and reasonably related in scale and kind to the development**

Based on the current number of children being educated in Special Educational Needs (SEN) schools in Oxfordshire 1.11% of the estimated pupils will need to be educated in a SEN school (the majority of pupils with a statement of special educational needs are educated in “mainstream” schools). This development generates an estimated 1.0 pupils who will need to be educated in a SEN school.

Expansions of SEN schools are estimated to cost £35,134 per pupil place (4Q 14 prices).

The SEN contribution sought is calculated as follows:

- 1.0 pupil places addressed by expanding SEN school provision at £35,134 per pupil place = £35,134

**For the final County UU the SEN contribution amounts have been uplifted to a 4Q 2016 price base. This revises the estimated SEN contribution to £38,751.**

The final contribution will vary depending on the mix of units delivered, the following contribution per dwelling amounts will be used to ensure that the contribution remains in scale to development.

1 Bed	2 Bed	3 Bed	4+ Bed
£0.00	£110.17	£265.67	£381.21

This contribution is based on the anticipated number of new SEN pupils arising from the proposed development and the cost per pupil of providing the additional places it is therefore proportionate to the scale of the proposed development.

**5. TRANSPORT CONTRIBUTION**

**Relevant Policies:**

**General**

**NPPF para 32:**

“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and



decisions should take account of whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

### **Highway Infrastructure**

#### **Cherwell Local Plan Policy SLE 4: Improved Transport and Connections:**

“The Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections...”

New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development.”

#### **Local Transport Plan 4 Bicester Area Strategy Policy BIC1:**

“Improve access and connections between key employment and residential sites and the strategic transport system by:

Upgrade link to dual carriageway on the A4421 between the Buckingham Road and Gavray Drive to complement the transport solution at the railway level crossing at Charbridge Lane and facilitate development in the area. This scheme will improve the operation of this section of the eastern perimeter road, and enhance the integration of the North East Bicester Business Park site with the rest of the town.”

#### **Bicester Area Strategy Policy Bic 4:**

“To mitigate the cumulative impact of development within Bicester and to implement the measures identified in the Bicester area transport strategy we will secure strategic transport infrastructure contributions from all new development”

### **Sustainable transport**

#### **National Planning Policy Framework Paragraph 35:**

“developments should be located and designed where practical to... give priority to pedestrian and cycle movements and have access to high quality public transport facilities...”

#### **Policy Bicester 13 - Gavray Drive**

Additional bus stops on the A4421 Charbridge Lane will be provided, with connecting footpaths from the development. The developers will contribute towards the cost of improving bus services in the wider South East Bicester area.

#### **Connecting Oxfordshire: Oxfordshire County Council’s Fourth Local Transport Plan 2015-2031 (LTP4)**

Policy 3: Oxfordshire County Council will support measures and innovation that make more efficient use of transport network capacity by reducing the proportion of single occupancy car journeys and encouraging a greater proportion of journeys to be made on foot, by bicycle, and/or by public transport.

Policy 17: Oxfordshire County Council will seek to ensure through cooperation with the districts and city councils, that the location of development makes the best use of existing and planned infrastructure, provides new or improved infrastructure and reduces the need to travel and supports walking, cycling and public transport

Policy 34: Oxfordshire County Council requires the layout and design of new developments to proactively encourage walking and cycling, especially for local trips, and allow developments to be served by frequent, reliable and efficient public transport. To do this, we will:

- secure transport improvements to mitigate the cumulative adverse transport impacts from new developments in the locality and/or wider area, through effective travel plans, financial contributions from developers or direct works carried out by developers;
- identify the requirement for passenger transport services to serve the development, seek developer funding for these to be provided until they become commercially viable and provide standing advice for developers on the level of Section 106 contributions towards public transport expected for different locations and scales of development.....

### **Travel Planning**

National Planning Policy Framework:

Paragraph 36 : “A key tool to facilitate this (more use of sustainable transport) will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.

## **5.1 Bus Service Contribution - £187,462 index-linked from February 2017**

### **(a) Necessary to make the development acceptable in planning terms**

The half-hourly local bus service 22/23 which previously operated along Gavray Drive has now been withdrawn, so there are no services passing the site frontage. The residents would need to walk along Gavray Drive to use S5 services operating along Charbridge Lane/Wretchwick Way, linking the site with Bicester Town Centre and Oxford.

Currently this variant of the S5 service only operates hourly. To make it attractive for journeys to work, a more frequent service is required, as it avoids commuters having to waste time by catching a bus that arrives too early at their workplace, or having to wait a long time for a bus at the end of the day. It also limits the negative consequences of missing a bus. Without a more frequent service, it is very unlikely that residents who have the choice of travelling by private car, would choose to travel by bus. To reduce the impact on Bicester’s road network, it is vital that public transport modal share is boosted. Therefore, new development should contribute towards improving the frequency and hours of operation of bus services.

### **(b) Directly related to the development**

The bus service to which this development would contribute passes the end of Gavray Drive and would stop at stops to be provided by the development, on the A4421.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution is based on the cost of providing an additional vehicle on the S5 service route variant serving the Ambrosden/Langford Village area. The additional cost per vehicle on an existing commercial corridor is estimated at £400,000 on a pump priming basis over five years, i.e. £160,000 in year one, £120,000 in year 2, £80,000 in year three, £40,000 in year four and zero in year five. The declining amount represents the increasing income from passengers. This is a standard approach taken across the county for commercial routes. Proportionate contributions (relative to the scale of each development) have been secured from developments in Ambrosden/Arncott/Skimmingdish Lane and are being sought from proposed developments in that area.

**5.2 Bus Infrastructure Contribution £18,023 index-linked from February 2017 towards bus flagpoles, a bus shelter and real time information display at new bus stops serving the site**

**(a) Necessary to make the development acceptable in planning terms**

The contribution is necessary to enable the county council to provide a bus shelter, bus flagpoles and a real time information display at new stops on the A4421. Although this is currently a bus route, there are no stops at the location. Bus stops need to be provided within a reasonable walking distance of residents at the site, to encourage people to use public transport, and to cater for those residents who cannot walk far and rely on public transport to access vital services. The shelter and real time information display are required at the northbound stop, which is the stop where residents would wait to board the Bicester and Oxford-bound services. Without this important infrastructure, waiting conditions would discourage public transport use. The reassurance provided by real time information is important in providing confidence in the bus service and encouraging its use.

**(b) Directly related to the development**

The stops would be as close to the development as possible, on the A4421, within reasonable walking distance.

**(c) Fairly and reasonably related in scale and kind to the development**

The contribution is based on the cost to the county council of procuring and installing the infrastructure.

**5.3 Highways Infrastructure Contribution - £317,721 index-linked from February 2017 towards upgrading the A4421 Charbridge Lane from Gavray Drive to the Bicester Road roundabout, as part of plans to increase link and junction capacity along the eastern peripheral corridor.**

**(a) Necessary to make the development acceptable in planning terms**

Provision of strategic transport infrastructure for Bicester, as set out in the Cherwell Local Plan and Local Transport Plan 4 is necessary to satisfactorily accommodate the increased demand on highway infrastructure arising from proposed development. Without improvement of infrastructure the severe congestion impacts of cumulative development would not be appropriately mitigated.

Traffic from this site would contribute directly to the severe cumulative congestion impact on the A4421 peripheral route around the east of Bicester, and therefore a contribution is required towards the scheme identified in the Local Transport Plan Bicester Area Strategy Policy Bic 1 (see above): 'Upgrade link to dual carriageway on the A4421 between the Buckingham Road and Gavray Drive to complement the transport solution at the railway level crossing at Charbridge Lane and facilitate development in the area.'

A core principle of the Bicester transport strategy for many years has been to have functioning peripheral roads to encourage cars and other motorised vehicles to use these roads to drive around the town or to external destinations rather than through the central corridor. The pattern of movement over the years and distribution of growth has increasingly put pressure on the eastern peripheral route. Future year assessments show that without measures to increase link and junction capacity along this corridor, there will be severe congestion with an impact on the overall transport strategy.

The Cherwell District Council Infrastructure Development Plan supporting the Cherwell Local Plan states that highway capacity improvements for the peripheral routes in Bicester are prioritised as critical in the medium to long term for delivery by all Bicester sites.

East West Rail Phase 2 will provide a road bridge over the railway to replace the level crossing on Charbridge Lane. This will be built with the foundations and wingwalls required for additional lanes of traffic. The costings for the scheme being considered by Oxfordshire County Council excludes this work, but includes the additional tarmac that would be required on the bridge deck and works to the existing underbridge on Charbridge Lane.

**(b) Directly related to the development**

Almost a third of trips generated by the development are predicted to distribute to the north on Charbridge Lane, which forms part of the Eastern perimeter road of Bicester. This is the direction that traffic would take towards major employment sites on this corridor and the Launton Road employment area, as well as onward towards Milton Keynes and Northampton.

**(c) Fairly and reasonably related in scale and kind to the development**

The following formula has been applied: strategic transport contribution =

$$(X - Y - Z) \div E$$

Where,

X = Cost of Scheme(s)

Y = Held/Committed funding

Z = LGF Funding/Alternative Funding

E = Expected Growth (dwellings/employment floor space)

This formula is set out in the emerging Cherwell Planning Obligations SPD and the county council's emerging Developer Funding Guide.

X = £7.275m (Sept 2016 cost estimate) for Charbridge Lane additional capacity

Y = £1.047m (held or secured s106 contributions)

Z = 50% of gap =  $(7.275 - 1.047) * 50\% = £3.114m$

E =  $3.114 / 1,800$  homes (remaining housing numbers relevant to this scheme) = £1,730 per dwelling.

Applied to 180 homes at Gavray Drive = £311,400 @May 2016 prices

For the final County UU the Highways Infrastructure contribution amounts have been uplifted to a February 2017 price base. This revises the Highways Contribution to **£317,721**.

The contribution is based on the assumption that 50% of the remaining gap in funding should be found from developer contributions and is reasonable given the severity of the issues on the road network and the scale of works required.

#### **5.4 Junction Contribution £20,000 index-linked from February 2017 towards safety improvements at the priority junction of Wretchwick Way and Peregrine Way.**

##### **(a) Necessary to make the development acceptable in planning terms**

Residents are likely to use Langford Village shops and facilities. Vehicular trips between the development and these facilities are expected to use the Wretchwick Way/Peregrine Way Priority Junction, intensifying its use. There would be a significant number of linked trips and in the am peak, in particular trips to the primary school. Local residents report incidences of non-injury accidents at this junction, and the risk of injury accidents will increase with the increased volume of turning movements. To mitigate this risk, by protecting right turning traffic, a contribution of £20,000 is requested to enable OCC to carry out a cost-effective scheme of safety improvements to this junction.

##### **(b) Directly related to the development**

The scheme would be in the immediate vicinity of the development, at a junction that would be well used by its residents.

##### **(c) Fairly and reasonably related in scale and kind to the development**

The contribution is based on the cost to the county council of the design and implementation of a scheme of traffic islands/road markings.

## **5.5 Travel Plan Monitoring Contribution £1,240 index-linked from February 2017**

### **(a) Necessary to make the development acceptable in planning terms**

NPPF Paragraph 36 states that all developments which generate significant amounts of movement should be required to provide a Travel Plan.

The travel plan aims to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car travel and so reducing the environmental impact and traffic congestion. A travel plan is required to make this development acceptable in planning terms, and is to be secured by condition.

A travel plan is a 'dynamic' document tailored to the needs of residents and requires an iterative method of re-evaluation and amendment. The county council needs to carry out biennial monitoring over five years of the life of a Travel Plan which includes the following activities:

- review survey data produced by the developer
- compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets
- agree any changes in an updated actions or future targets in an updated travel plan.

Government guidance, 'Good Practice Guidance: Delivering Travel Plans through the Planning Process' states that: 'Monitoring and review are essential to ensure travel plan objectives are being achieved. Monitoring for individual sites should ensure that there is compliance with the plan, assess the effectiveness of the measures and provide opportunity for review....Monitoring must be done over time – it requires action and resources.'

In accordance with this Guidance, it is the view of the county council that without monitoring the travel plan is likely to be ineffective. Therefore monitoring of the travel plan is required to make the development acceptable in planning terms.

The government's Good Practice Guidance has been archived but has not been superseded with any other guidance on the practicalities of implementing travel plans. The county council's own published guidance: Transport for new developments; Transport Assessments and Travel Plans, also includes the requirement for monitoring.

Further, the Good Practice Guidance states that 'local authorities should consider charging for the monitoring process and publish any agreed fee scales'.

Section 93 of the Local Government Act 2003 gives the power to local authorities to charge for discretionary services. These are services that an authority has the power, but not a duty, to provide. The travel Plan Monitoring Fee is set to cover the estimated cost of carrying out the above activities, and is published in the county council's guidance: 'Transport for new developments; Transport Assessments and Travel Plans'.

As with most non-statutory activities, councils seek to cover their costs as far as possible by way of fees. This is particularly required in the current climate of restricted budgets. Without the fees the council could not provide the resource to carry out the activity, as it is not possible to absorb the work into the general statutory workload. In the case of travel plan monitoring, the work is carried out by a small, dedicated Travel Plans team.

The travel plan monitoring fee is therefore required to make the development acceptable in planning terms, because it enables the monitoring to take place which is necessary to deliver an effective travel plan.

**(b) Directly related to the development**

The travel plan is a document that is bespoke to the individual development, reflecting the site's current and predicted travel patterns, opportunities for sustainable travel, and targets for improving the proportion of sustainable travel associated with the site.

Therefore the monitoring that will be charged for will be specific and relevant to this site alone.

**(b) Fairly and reasonably related in scale and kind to the development**

The fees charged are for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site. They are based on an estimate of the officer time required to carry out the following activities:

- review the survey data produced by the developer
- compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets
- agree any changes in an updated actions or future targets in an updated travel plan.

Oxfordshire County Council guidance – 'Transport for new developments: Transport Assessments and Travel Plans' sets out two levels of fees according to the size of the development. This development falls into the smaller category.

The estimate is based on three monitoring and feedback stages (to be undertaken at years 1, 3 & 5 following first occupation), which would require an expected 31 hours of officer time at £40 per hour. Total £1240. Note that this is considered a fair rate, set to include staff salary and overheads alone.

**6. ADMINISTRATION AND MONITORING FEE**

**- £3,000**

**(a) Necessary to make the development acceptable in planning terms**

In order to secure the delivery of the various infrastructure improvements, to meet the needs arising from development growth, OCC needs to monitor Section 106 planning obligations to ensure that these are fully complied with. To carry out this work, the County Council has set up a Planning Obligation Team and so charges an administration/monitoring fee towards funding this team of officers. The work carried out by the Planning Obligations Team arises solely as a result of the County Council entering into Section 106 Agreements in order to mitigate the impact of development on the infrastructure for which the County Council is responsible. The County Council then has a resultant obligation to ensure that when money is spent, it is on those projects addressing the needs for which it was sought and secured. The officers of the Planning Obligation Team would not be employed to do this work were it not for the need for Section 106 Obligations associated with the development to mitigate the impact of developments.

The County Council considers that in so far as an obligation is “necessary” to make a development acceptable in planning terms, then the monitoring of that same obligation is also “necessary” in order to ensure that it is being complied with, and that to conclude otherwise is irrational. This is because if compliance with the obligations in a section 106 agreement is not ensured, then the agreement will be ineffective in making the development acceptable in planning terms. Indeed, this reasoning formed the basis of the advice in the now-withdrawn Circular of July 2006, to the effect that local planning authorities should monitor compliance with planning obligations to ensure that the development “contributes to the sustainability of the area”.

In a recent recovered appeal<sup>1</sup>, the Secretary of State endorsed the Inspector’s conclusion at paragraph 163 of his report that contribution towards administration and monitoring costs would be compliant with the CIL tests, as follows: “[The Secretary of State] considers that the other contributions considered at IR155-161 and 163 would fairly and reasonably relate to the scale of the proposal and would accord with the tests in paragraph 204 of the Framework.”

Indeed the inspector also concurred with the argument that, once it is accepted that an obligation is necessary as a matter of planning judgement, then the proper costs of administering that obligation cannot rationally be found to be unnecessary in planning terms simply because the administration is a function of the local authority. The relevant case is Recovered appeal: Highworth Road, Faringdon, Oxfordshire SN7 7EG ( DCLG ref): APP/V3120/A/13/2210891, 19 February 2015) [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/405445/15-02-19\\_DL\\_IR\\_Highworth\\_Road\\_2210891.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/405445/15-02-19_DL_IR_Highworth_Road_2210891.pdf)

#### **(d) Directly related to the development**

OCC has developed a sophisticated recording and accounting system to ensure that each separate contribution (whether financial or otherwise), as set out in all S106 legal agreements, is logged using a unique reference number. Systematic cross-referencing enables the use and purpose of each contribution to be clearly identified and tracked throughout the lifetime of the agreement.



This role is carried out by the Planning Obligations Team which monitors each and every one of these Agreements and all of the Obligations within each Agreement from the completion of the Agreement, the start of the development through to the end of a development and often beyond, in order to ensure complete transparency and financial probity. It is the Planning Obligations Team which carries out all of the work recording Agreements and Obligations, calculating and collecting payments (including calculating indexation and any interest), raising invoices and corresponding with developers, and thereby enabling appropriate projects can be delivered. They also monitor the corresponding obligations to ensure that non-financial obligations on both the developer and the County Council are complied with. As such, the admin/monitoring fee is directly related to the development, as it is the obligations arising from that development which are administered and monitored by the team which is funded from that fee.

**c) Fairly and reasonably related in scale and kind to the development**

The County Council considers that its fee is fairly and reasonably related in scale and kind to the development.

To calculate these fees the County Council looked at the number of Agreements signed in a year, the size and nature of the various Obligations in those Agreements, and how much work was expected in monitoring each Agreement. From this, the County Council calculated the structure/scale of monitoring fees that would cover the costs of that team. This was then tested to see whether or not the corresponding fees associated with X number of agreements at Y contributions, would be sufficient to meet the costs; the answer was yes. It is relevant to note that the team costs, (against which the current fees were assessed) were established when there were only two officers in the Planning Obligation Team. There are now five officers. The team is therefore now bigger than when the fees were originally calculated. Nevertheless, the monitoring/administration fees have not been increased since they were first established in 2007.

The monitoring fee as calculated will be reviewed prior to the completion of a s106 agreement/UU to ensure it reflects the number, level and complexity of the obligations within the s106 agreement.

Further justification for the administration and monitoring fee is set out in Annex 1.

## Annex 1

### Oxfordshire County Council Admin Fee Statement

#### Planning Appeal Ref: APP/C3105/W/17/3189611 Part Land On The North East Side Of Gavray Drive Bicester

---

1. This note provides detailed justification for the administration fee and covers the High Court decision on the case between Oxfordshire County Council v Secretary of State for Communities and Local Government and others<sup>1</sup> which was on the issue of Administration & monitoring fees and the County Council's assessment of how this will apply to the s106 agreement/Unilateral Undertaking (UU) to be submitted as part of the present appeal.
2. The first point to note from the decision is that whilst the Council is disappointed in the decision, Mrs Justice Lang does not state that monitoring & administration fees are not capable of being compliant with Regulation 122 of the Community Infrastructure Levy Regulations 2010. In paragraph 52 she says the test of 122 of the CIL Regulations "*requires an assessment as to what is, or is not, acceptable in planning terms, which is quintessentially a matter of planning judgement*". This is supported by her comments at paragraph 55 where she said the Inspector's decision in the Adderbury Court decision "*was an exercise of planning judgement on his part*". Accordingly, the local planning authority and Inspectors in appeals are required to exercise their planning judgement in all other cases and so may equally decide that monitoring fees are Regulation 122 compliant.
3. In paragraph 53 the judge states that how the costs of the administration and monitoring of a Section 106 agreement were to be met "*was plainly a relevant consideration in deciding whether or not a contribution to those costs was needed, in order to make the development acceptable*".

---

<sup>1</sup> Case ref: (*Oxfordshire County Council v Secretary of State for Communities and Local Government and others* [2015] EWHC 186 (Admin)).

4. In comparison to the present case, the Council considers that it is important to note the comments of Mrs Justice Lang in paragraph 54 about the fact that the Adderbury case involved only two contributions, both of which were payable prior to the commencement of the development. The judge noted that they “*did not require on-going management or maintenance*”. She then goes on to state that “***In these circumstances** (my bold), I consider that the Inspector was entitled to conclude that a contribution towards the administration and monitoring costs was not “necessary” to make the development acceptable on planning terms*”.
5. It is the County Council’s position that for any s106 the decision maker may exercise their planning judgement to say monitoring/administration fees are necessary. However, where a Section 106 agreement is more “complicated” and so requires on-going management or maintenance, numerous staged payments, post-agreement calculation of/reassessment of contributions or involves the supply of benefits in kind, then this case supports the assessment that an administration/monitoring fee can be determined to be “necessary”.
6. At the time of writing there is a final draft proposed Unilateral Undertaking for this site. The draft UU contains the following provisions:-

Contributions towards:

- i. Primary School Contribution payable in three instalments;
  - ii. Secondary School Contribution payable in two instalments;
  - iii. Special Educational Needs payable in one instalment;
  - iv. Bus Service Contribution payable in two instalments;
  - v. Bus infrastructure Contribution payable in one instalments;
  - vi. Highways Infrastructure Contribution payable in two instalments;
  - vii. Junction Improvement Contribution payable in one instalment;
  - viii. Travel Plan Monitoring payable in one instalment
7. The above demonstrates that this is a complicated agreement which will require close monitoring of trigger points for 8 contributions payable over 13 instalments, post agreement recalculation of contributions (in line with actual mix of dwellings

built), calculations for these payments applying three different indices (of which one is a composite index) and collection of payments.

8. The County Council also considers that it is important for the Inspector to be fully appraised as to the work that the s106 monitoring team have to carry out generally following the entering into of a s106 agreement because this covers not only monitoring and collection of funds but also allocation to provide the necessary mitigating measures.
9. The Infrastructure Funding section of the Council comprises two teams. One of which comprises officers who negotiate with applicants and their agents/consultants with respect to infrastructure and contributions the County Council considers are necessary to meet the impact arising from new development in the county (no fees are requested with respect to this part of the section); the other of which is the Planning Obligations Team. This is a dedicated team of five full time equivalent staff who manage and administer Section 106 obligations for the County Council. Their work includes updating and maintaining a set of planning obligation databases which hold comprehensive details as to each and every planning obligation given to and by the County Council since 1982. In designing its monitoring systems the Council took into account the advice in Circular 05/05 Planning Obligations and the Planning Obligations: Planning Guidance of July 2006 (now both withdrawn, but attached at section 1 of the attachments which advised that s106 agreements will require monitoring by local planning authorities and recommended the use of standardised systems, for example, IT databases, in order to ensure that information on the implementation of planning obligations is readily available to the local authority, developer and members of the public.
10. The County Council enters into between 70 and 100 planning obligations a year including both Section 106 agreements and Unilateral Undertakings. For ease of use, I refer to all such documents as “Agreements” with “Obligation” referring to the individual undertakings in the corresponding Agreements. These Agreements can be anything from a simple undertaking to pay a 3-figure sum for particular works, to a complex Agreement comprising tens of

million pounds of contributions, arrangement to transfer land to the County Council, the delivery of works and the protection of land against certain activities. The Planning Obligations Team monitors each and every one of these Agreements and all of the Obligations from the completion of the Agreement, the start of the development through to the end of a development and often beyond, in order to ensure complete transparency and financial probity. The total annual value of these Agreements over the last 6 financial years has varied from £9.5 million in 2011 at the height of the recession, to £59 million in 2008/09. Each year the County Council receives in payments related to extant Agreements in the region of £10 million per year. It is the Planning Obligations Team which carries out all of the work recording Agreements and Obligations, calculating and collecting payments, and thereby enabling appropriate projects to be delivered. They also monitor the corresponding obligations to ensure that non-financial obligations on both the developer and the County Council are complied with. Detail as to the work that the Planning Obligations Team does is set out in detail in the paragraphs below.

11. The Planning Obligations Team operates 3 databases recording all necessary information. Using an excel spread sheet, the Planning Obligations Team gives each Agreement a unique code and against them they record the date, the parties, the location, the parish and details of the agreement type. An extract from that database is attached at section 2 of the attachments. The geographical area to which each Agreement applies is also plotted on the Council's GIS mapping system. Thus the Planning Obligations Team can quickly confirm which Agreement and hence which Obligations will be relevant in respect of newly constructed housing estates, where the names of new roads often bear no relation to the name of the development site.
12. The second database is called ORBIT: Obligations Recorded By Individual Terms. This contains full details of every Obligation relevant to the County Council within each Agreement, regardless of whether that Obligation is owed to the County Council or by the County Council. The purpose of this is to monitor subsequent compliance with each and every Obligation and to ensure

payments and compliance with obligations can be sought as they fall due. In respect of financial Obligations, ORBIT contains details of the principal sum due, any indexation, the trigger date for payment, the relevant clause of the Agreement so that if there is any query as to the terms this can quickly be checked, the long stop date on which unspent money is due to be paid back to the original payer or developer, records of every invoice issued, and the date invoices are paid. Without the information recorded in ORBIT the Council would not be able to confirm that the proposed appropriate mitigation, considered necessary at the time planning permission is issued, is provided. An extract from ORBIT showing an example of the information that is held in respect of each Agreement is attached at section 3 of the attachments.

13. ORBIT also records the nature of information that the Developer is obliged to provide to ensure compliance, for example, when a particular number of occupations is reached etc. There are also separate records detailing Obligations relating to physical works, Travel Plan Information, and details of minerals aftercare Obligations, all of which require a level of practical monitoring on site to ensure these are met and complied with.
14. The third set of databases maintained by the Planning Obligations Team are the service area spread sheets. These hold all the information regarding Obligations by reference to the relevant service areas e.g. education, libraries, highways. This enables, for example, the Education directorate to understand what money is available, for which projects, and when that money must have been spent. By holding the information centrally the Planning Obligations Team can work to ensure that the necessary mitigation measures are appropriately delivered.
15. The combined effect of the databases operated by the Planning Obligations Team enables the County Council to follow a contribution from an Agreement through to a specific scheme, or to track backwards from a scheme to the relevant Agreement. This allows the Council to produce End of Year Balance Sheets which provide a CIPFA compliant audit trail and an extract of an End Year Balance sheet is attached at section 10 of the attachments. The

databases also ensure the appropriate amounts, with or without the addition of indexation due to be called for/paid, are calculated in advance of issuing an invoice; an example of the calculation sheets is attached at section 11 of the attachments along with the corresponding invoice.

16. The work carried out by the Planning Obligations Team arises solely as a result of the County Council entering into Section 106 Agreements in order to mitigate the impact of development on the infrastructure for which the County Council is responsible. For example, a developer providing additional new housing may provide contributions towards primary education infrastructure to mitigate the impact of an increase in the number of pupils in the area where the local primary school would not otherwise have room for them. A developer might also provide funding for highway projects in order to mitigate the impact of this development on the local highway network. Thus the money is to be spent on those projects addressing the needs for which it was sought and secured. The officers of the Planning Obligation Team would not be employed to do this work but for the need for Section 106 Obligations associated with the development to mitigate the impact of developments.

17. Accordingly, the County Council charges an administration/monitoring fee towards funding this team of officers. The team costs (against which the current fees were assessed) were established when there were only two officers in the Planning Obligation Team. There are now five officers. To work out the fees to be charged the County Council looked at the number of Agreements signed in a year, the size and nature of the various Obligations in those Agreements, and how much work was expected in monitoring each Agreement. From this, we calculated the structure/scale of monitoring fees that would cover the costs of that team. This was then tested to see whether or not the corresponding fees associated with X number of agreements at Y contributions, would be sufficient to meet the costs; the answer was yes. The team is now bigger than when the fees were originally calculated however, the monitoring/admin fees have not been increased since they were first established in 2007.

18. The County Council considers that the monitoring fee is compliant with Regulation 122 as it is directly related to the additional work required to ensure compliance with all aspects of the Section 106 agreement for that site. The nature, scale and extent of the Obligations set out in the agreement require the County Council to provide resources to deal with this work and the monitoring fee goes some way to funding those necessary resources. This Section 106 management work is required solely as a result of the development and the Section 106 agreement which is considered necessary to make that particular development acceptable. The contributions paid to the County Council are to provide the necessary mitigation and do not include any element of administration costs which the Council necessarily incurs in order to “deliver” the funding for these mitigation measures. The use of any portion of the contributions to fund the necessary administration would reduce the amount available to provide the necessary mitigation, and could compromise the Council’s ability to provide that mitigation. This would be particularly challenging in respect of the monitoring of non-financial obligations where this would require the diversion of funds from other Council budgets.
19. The S106 monitoring fee is charged on Agreements at a stepped/sliding scale, increasing as the amount of contributions and number of payments increase. This is because as the value of the financial and non-financial obligations increases and the number of required payments increases, the complexity of the corresponding monitoring is also likely to increase. As such, the monitoring fee is considered to be reasonable in scale and kind. The monitoring fee as calculated is reviewed to ensure it reflects the number, level and complexity of the obligations within the S106 agreement/UU.
20. It is considered that insofar as the contributions are necessary then ensuring the money is received and allocated for mitigating measures is also necessary to satisfactorily address the impacts of the development. The management of the agreement arises directly out the need for the agreement and there is no other reason for the Council to incur these operating costs. It is therefore appropriate that these additional costs arising solely as a result of a Section 106 agreement are met by the developer; costs which are necessary to



manage and monitor the agreement in order that development mitigation can be delivered for that site. As such, not only are the costs necessary but they are directly related to the site/development in question.

21. The monitoring/administration fee is ring-fenced to pay for the long-term funding of the Planning Obligations Team, the loss of these contributions has a direct impact on the Council's ability to monitor s106 obligations and deliver the necessary mitigating infrastructure.

### **Recent appeal decisions**

**Appeal Ref: APP/V3120/A/13/2210891**

**LAND OFF HIGHWORTH ROAD, FARINGDON**

**Date of decision: 19 February 2015**

Inspector's conclusion:

"163. Lastly, OCC sought a contribution of £5,000 towards OCC's costs of monitoring and administering the s106 agreement. The appellants argued that the contribution was not necessary to make the development acceptable in planning terms, that the applicant had paid a fee for the determination of the application, and that there is no justification for additional internal or external resources. Although administration is a function of local government, monitoring all s106 planning obligations throughout the County must place an extra burden on the authority with its associated costs. OCC submitted copies of two separate opinions on this matter from Ian Dove QC60. He advised that, once it is accepted that an obligation is necessary as a matter of planning judgement, then the proper costs of administering that obligation cannot rationally be found to be unnecessary in planning terms simply because the administration is a function of the local authority. I am persuaded by this opinion and conclude that the administration fee of £5,000.00 would be compliant with the CIL tests. There is no merit in the appellants' argument that a planning fee has been paid, as the fee is paid to the District Council, irrespective of whether there is an obligation.

Secretary of State Comments:

“28. The Secretary of State agrees with the Inspector’s assessment at IR155-163 of the Section 106 Planning Agreement. For the reasons given he agrees that all of the contributions would be CIL compliant, with the exception of the £10,000 sought by Oxfordshire County Council towards the cost of maintaining public rights of way which he agrees would not be CIL compliant ((IR162). He considers that the other contributions considered at IR155-161 and 163 would fairly and reasonably relate to the scale of the proposal and would accord with the tests in paragraph 204 of the Framework.

**Appeal Ref: APP/D3125/W/15/3005737**

**Burford Road, Witney, Oxford OX28 6DJ**

**Date of decision: 24<sup>th</sup> August 2016**

Inspector’s conclusion:

“241. It is the function of the County Council to administer, monitor and enforce planning obligations. In this case the proposed development is of a significant scale in terms of the number of dwellings and the consequential extent of the contributions required. It would be necessary to administer and monitor, including enforcement if necessary, the terms of the agreement, particularly as some contributions do not fall to be payable until after commencement, at a particular stage in the development. Therefore, I consider the required fee to be necessary, in order to make the development acceptable.”

Secretary of State Comments:

21. The Secretary of State has considered the Inspector’s assessment of the planning obligations to both the Council and Oxfordshire County Council as submitted to the Inquiry (IR232-241), and he is satisfied that these Unilateral Undertakings comply with Regulation 122 of the CIL Regulations and the tests at paragraph 204 of the Framework.”

**Appeal Ref: APP/D3125/W/15/3136376**

**Land South of New Yatt Road, North Leigh, Oxfordshire OX29 6TN**

**Date of decision: 02 November 2016**

“93. There was lengthy dispute at the Inquiry as to whether the monitoring contribution met the tests and I am mindful of legal judgment in relation to this matter. However, it was common ground that the case in point leaves it to the decision maker to come to a view on whether or not such contributions meet the relevant tests, and different Inspectors have come to different conclusions in various appeal decisions on the basis of the evidence and arguments presented to them.

94. In this instance, I accept the County Council’s argument that the monitoring of the relevant UU is integral to ensuring its effective implementation. The sums involved are not enormous, but that is not the point. There are a number of obligations with a range of trigger points and index linking clauses and I accept that some degree of oversight would be required to monitor them appropriately to ensure that they achieve that which is expected of them. This being so, I find that the contribution sought meets the relevant CIL regulation tests in this instance.”

**Appeal Ref: APP/Q3115/W/16/3165351**

**CABI International, Nosworthy Way, Mongewell, Wallingford, Oxfordshire**

**Date of decision: 31<sup>st</sup> August 2017**

“89. Administration and monitoring fees are included, which would be payable to both the district and county councils. Some obligations would be fairly straightforward and relate to one-off payments. However, there are others that would be more complicated and involve ongoing work that would go beyond the normal development management duties that the respective councils would be expected to undertake. I have had regard to all the evidence, including the Oxfordshire County Council High Court judgement and the submitted appeal decision relating to land north of 12 Celsea Place, Cholsey. I am satisfied that in this case there is justification for the two payments.”

End.

08 February 2018.