**S106 Heads of Terms 18/00484/OUT – SGR Bicester 1 Ltd.**

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| **No.** | **Infrastructure Type** | **Entire Masterplan Requirement** | **SCG (Bicester) 1 Ltd Contribution** | **Comments** |
| 1 | NHS Health Facility (per dw contribution) | To provide an NHS Health Facility, 900 sq m over 2 floors on 0.2 ha of land plus financial contribution towards build cost of £259.46 per dw 2Q17. | Site to be provided through A2 Dominion’s 900 dw application. **This application to contribute**  **£259.46 per dwelling index linked from 2Q17 – total contribution is £19,459.50 index linked from 2Q17 based on 75 dwellings.** | Acceptable in principle, subject to agreement to how the Council use the funds/mechanism if they are not spent. |
| 2 | Neighbourhood Police (per dw contribution) | £848,339.10 financial contribution towards set up costs for additional staff and associated infrastructure (£151.30 per dw 2Q17) | **This application to contribute £151.30 per dwelling index linked from 2Q17 – total contribution is £11,347.50 index linked from 2Q17 based on 75 dwellings.** | This is acceptable in principle. |
| 3 | Community Building Provision (halls, sports pavilion, community use of Caversfield Church) | 4 new build in total sought - 2 North of the railway line, 1 South of the railway line and a sports pavilion south of the railway. | **To the north of the railway line, there is a requirement for 1 large community building on application site 14/01384/OUT. The cost for this building is £2,732,450.04 at 2Q17 costs. This equates to a cost per dwelling on the application 1 site of £1050.94 index linked from 2Q17.**  **It is proposed that this contribution be waived however in the circumstance that the application site provide the crossing to Caversfield Church and parking as below to provide access to this for use by the community.** | This does not meet CIL reg 122 (pooling), need to reference specific facility  Notwithstanding this, the contribution should be waived as it is proposed to provide for parking to be used by Caversfield Church, the allotments, and provision for a pedestrian crossing to the church. |
| 4 | Community Building Crossing – to facilitate access to Caversfield Church |  | **The application is to deliver the crossing and footway links to and from the site to Caversfield Church (part of which will be a S278 scheme) as well as parking on site. This should include a pedestrian island and any consequent amendments to the highway to facilitate this crossing. The applicant is requested to carry out the feasibility assessment and provide indicative drawings to allow further consideration of this proposal.** | Following pre-app discussions between PBA and OCC, feasibility studies are being carried out to ascertain based on three crossing options. |
| 5 | Community Development workers (per dw contribution) | 2 posts to be funded for the first 20 years build out of the development (£88,085.50 x 20 yrs =  £1,761,710.00) plus 2 x part time equivalent posts to be funded for 4 years following (£46,633.50 x 4 =  £186,534) = £1,948,244 = £347.46  per dw. (2Q17). | **This application to contribute £347.46 per dwelling index linked from 2Q17 – total contribution is £26,059.50 index linked from 2Q17 based on 75 dwellings.** | This is not compliant with CIL regulations, as stated by SoS in relation to appeal decision (ref: 3163551) for land at Howes Lane.  This is therefore not agreed. |
| 6 | Community Development fund (per dw contribution) | £253,893.50 paid on a £45.29 per dw basis (2Q17) | **This application to contribute £45.29 per dwelling index linked from 2Q17 – total contribution is £3396.75 index linked from 2Q17 based on 75 dwellings.** | This is not compliant with CIL regulations, as stated by SoS in relation to appeal decision (ref: 3163551) for land at Howes Lane.  This is therefore not agreed. |
| 7 | Skills and Training | CDC / OCC working up approach to secure sustained programme of apprenticeships throughout the build out of NW Bicester. | **Application to make a contribution towards construction apprenticeships programme as per the standards set out in the Developer Contribution SPD 2017.**  **A target number of 3 new apprentices will be sought.** | This is accepted. |
| 8 | Primary Schools | 3 additional needed – 3 X 2 FE. 2.22ha needed per school.  £8,838,000 per 2FE school (3Q16).  9A contribution from each site is to be based upon pupil generation.  Nursery provision will need to be provided through a mix of private and voluntary providers including preschools, day nurseries and childminders.  A matrix will be applied for variance in mix and type of dwelling. | The development is anticipated 5.77 children eligible for free nursery education, 22.85 primary pupils based on a policy SHMAA mix. **The total primary contribution will be based on a cost per pupil of £21,042 giving a total of £480,830 towards the Exemplar school extension. Index linked from 3Q16.** | Acceptable in principle, subject to agreement to how the Council use the funds/mechanism if they are not spent. |
| 10 | Secondary School | A site of 10.45 ha to be delivered at nil value to support the provision of a 1200 place school (based on 1152 pupils as per analysis of the pupil projections) on application site 14/01641/OUT. In order to assist overall site financial viability, OCC have said that the secondary school provision could be delivered as 3 phases (1 x 600 places, 1x 300 places and 1 x 300 places). An additional phase of 300 places may be required to create a 1500 place school but this will be funded by development elsewhere in Bicester as and when needed. The cost of a 600 place zero carbon secondary school is £16,886,400 (3Q16). | The development is anticipated to generate 13.97 secondary pupils. **The total contribution would be based on a cost per pupil of £32,439 giving a total of £453,180 based on a SHMAA mix. Index linked from 3Q16.**  A matrix will be applied for variance in mix and type of dwelling. | Acceptable in principle, subject to agreement to how the Council use the funds/mechanism if they are not spent. |
| 11 | Sports Centre | CDC is seeking a contribution towards enhanced sports facilities at Bicester Leisure Site for wider community use of £2,764,278 (£493.00 per dwelling 2Q17). | **This application to contribute £493.00 per dwelling index linked from 2Q17 – total contribution is £36,975 index linked from 2Q17 based upon 75 dwellings.** | This acceptable in principle |
| 12 | Sports pitches and associated buffers (capital and maintenance costs) | Main sports pitch site south of the railway line (13.9ha) and a smaller pitch of 1.4ha north of the railway line.  £1,276,359 (£8.34 per sq m x 153,000 sq m of sports pitches) capital costs and £1,403,746 maintenance costs. All 2Q17 and CPI linked. | **This application to contribute £227.68 per dwelling index linked from 2Q17 towards the capital cost of providing the permanent sports pitches across the site and £250.35 per dwelling index linked from 2Q17 towards the revenue costs of maintaining the permanent sports pitches – total contribution is £17,076 towards the capital cost of the permanent sports pitches and £18,776.25 towards the costs of maintaining the permanent sports pitches both index linked from 2Q17 based upon 75 dwellings.**  **Potential need for a contribution towards temporary pitches but this will be confirmed separately.** | Acceptable in principle, subject to agreement to how the Council use the funds/mechanism if they are not spent. |
| 13 | Burial ground | 4 ha site being provided at nil cost by A2 Dominion. Remaining applications to make financial contribution towards laying out at  £10.06 per dwelling index linked from 2Q17. | **This application to make a proportionate financial contribution towards laying out based upon £10.06 per dwelling index linked from 2Q17**  **– total contribution is £754.50 index linked from 2Q17 based upon 75 dwellings.** | Acceptable in principle, subject to agreement to how the Council use the funds/mechanism if they are not spent. |
| 14 | Allotments | Masterplan site to provide allotments in accordance with standards contained in Local Plan Policy BSC11. | **A minimum of 0.07ha required based on application of CDC Local Plan Policy BSC11 (based upon 75 dwellings proposed).** | On-site provision, in excess of minimum requirements. |
| 15 | Play areas | Play areas across the site (provision of all scales of play areas – NEAPs, LEAPs, combined LEAPs and LAPs and LAPs) are required along with commuted revenue contributions towards their long term management and maintenance. | **The application requires the provision of a combined LAP and LEAP based upon the number of dwellings proposed. The application will be required to layout the play areas and transfer them to the Local Authority with an appropriate commuted sum as follows:**  **Combined LAP and LEAP 4000 sq m facility (including a buffer)**  **Maintenance cost: £121,492.13 Index linked from 1Q18** | On-site provision of LAP and LEAP. The proposals comprise 2.79ha of open space, thus incorporates space for the required buffer.  Cherwell to confirm how the maintenance rates have been calculated, i.e. is it proposed the maintenance for this play area is provided by this development alone, or are contributions towards maintenance calculated on a per dwelling basis?  Cherwell to confirm that the maintenance cost covers maintenance of the play space prior to full build out of the wider development when council tax from the new residents takes effect.  The S106 should include provisions to either allow the transfer of maintenance a management company (thus removing the requirement for contributions), or the Council. |
| 16 | Other amenity space | General open space: - maintenance rate per sq m is £9.32  Hedges: maintenance rate per linear m is £14.35  Mature trees: Maintenance rate per tree is £334.82  Orchard: maintenance rate per square metre in respect of any orchard £23.23  SUDs (within open space) commuted sums:  £43.81 per sqm of ponds  £32.58 per sqm of ditch  £17.94 per sqm of stream  £11.63 per sqm of balancing pond All index linked from 1Q18 | **The application must provide between 0.35 – 0.53ha of open space to accord with Policy BSC11 of the adopted Local Plan. However, it is likely that far more than this will be required given the Masterplan identified uses for this land.**  **The applicant must lay out the open space on a phased basis. Long term management and maintenance must be by the Council or a management company, therefore transfer arrangements are required along with a commuted sum based upon the areas and features to be transferred to be worked out in accordance with the figures set out (if to be transferred to the Council). If a management company is chosen, then secure arrangements for long term management and maintenance will be required.** | On-site amenity space provision.  Orchard to be removed therefore the maintenance rate in respect of the orchard is not agreed.  Cherwell to confirm that the maintenance cost covers maintenance of the amenity spaces prior to full build out of the wider development when council tax from the new residents takes effect.  The S106 should include provisions to either allow the transfer of maintenance a management company (thus removing the requirement for contributions), or the Council. |
| 17 | Biodiversity Off-set contribution | CDC / OCC are seeking £491,892.97 Sum per ha is £1333.04 (491,892.97 / 369ha masterplan site area) financial contribution to offset loss of habitats of farmland birds and brown hares. | **This application is to contribute £7065.13 index linked from 2Q17 based upon the site area of 5.3ha.** | Contribution towards farmland birds accepted in principle.  Contribution towards brown hares not accepted as there is no justification on why this is required. |
| 18 | Cultural Wellbeing (whole application approach) | Strategic approach to cultural enrichment of site required so that it is embedded in design approach to public realm, facilities, landscape as well as through community engagement initiatives etc. | **CDC’s Cultural Wellbeing Strategy for NW B (as contained in the NW Bicester SPD) will apply to this application.** | Obligation to prepare and submit a Cultural Wellbeing Strategy is accepted. |
| 19 | Community Management Organisation (CMO) | Cost to run is estimated to be  £14,608,670.52 so £2605.43per dw index linked from 2Q17, based on Stage 1 Business Plan and up to date CDC cost estimates. However, this figure includes a contribution towards management of community facilities (as set out below). These have been disaggregated out (and are required separately – see below). This leaves a per dwelling requirement for the CMO of  £2,202.31 index linked from 2Q17. | **This application to contribute £2,202.31 per dwelling index linked from 2Q17 – total contribution is £165,173.25 index linked from 2Q17 based on 75 dwellings.** | This is not compliant with CIL regulations, as stated by SoS in relation to appeal decision (ref: 3163551) for land at Howes Lane.  This is therefore not agreed. |
| 20 | Community Facility Maintenance | There is a requirement for the management and maintenance for allotments, the community farm and community buildings. These features may be managed and maintained by the CMO in the long term. | **The application is to contribute £403.12 per dwelling index linked from 2Q17 towards the long term management and maintenance of the community facilities (allotments, community farm and community buildings). The total contribution is £30,234 index linked from 2Q17 based on 75 dwellings.** | Duplication of CMA contribution, which is not compliant.  This is therefore not agreed. |
| 21 | Affordable Housing (physical provision) | 30% of all dwellings to be affordable with the split at 70% affordable rent and 30% shared ownership.  Affordable housing would also need to comply with the additional standards and design criteria laid out in the NW Bicester SPD.  The standard we currently apply to affordable housing is that the rental housing should be at the nationally described space standard with 50% of the rental units meeting building regulations for accessible housing part M4(2). The shared ownership should meet the same design as market housing and be agreed with the District Council.  All the housing should be indistinguishable externally from the market housing and dispersed in clusters of no more than 15 units (or 10 units if all the properties are for rent).  All properties should benefit from parking provision with two spaces available for properties of 2 bedrooms or more. The registered provider should be agreed with the Council. | We would be looking at an indicative mix for the 30% affordable housing (23 units) as follows:  **Affordable rent (70%)**  11% 1B Maisonette – 2no. 56% 2BH – 8no.  24% 3BH – 4no.  5% 4BH – 1no.  4% 2BB – 1no.  **Shared Ownership (30%)**  60% 2BH – 4no.  40% 3BH – 3no. | On-site provision  The total amount and mix of housing that will be delivered on site will be confirmed through the provision of reserved matters applications. As such, it is not practical to set out a fixed mix in the S106 for affordable housing.  A condition is therefore suggested to require an overall provision of 30% affordable housing with a strategy on how this will be delivered and the mix. |
| 22 | Waste collection |  | **A contribution of £111 per dwelling index linked from 2Q17 towards the provision of refuse and recycling containers for each dwelling, towards collection vehicle provision and towards recycling banks** | This is not compliant with CIL regulations, as stated by SoS in relation to appeal decision (ref: 3163551) for land at Howes Lane.  This is therefore not agreed. |
| 23 | Bus provision | 10 minute frequency to be provided serving rail stations, town centre and other key destinations. Buses to be electric hybrid vehicles and RTI to be provided in stops and in homes. Bus only links to be provided throughout the site - means of enforcement to be confirmed by OCC. £2,990,064 (1Q16) is the sum advised by OCC as being the overall sum required north of the railway line. | **A contribution of £86,252 (1Q16) towards funding a commercially sustainable bus service linking the site with Bicester town centre and rail station.**  Note – there is also proposed to be formed a NW Bicester bus forum and it would be expected that the developer be part of that. | This is a pro rata calculation – 75/2600 X the bus contribution requested from App 1, representing the cost of the service north of the railway.  This is acceptable in principle subject to the receipt of updated costs |
| 24 | Ped / cycle infrastructure | High Quality pedestrian and cycle links plus field paths throughout the site and routes upgraded to key town and village destinations. Cycle parking to be provided at all local centres, schools and employment sites. Cycle stores at each home. | Infrastructure contributions towards:   * **Footpath along the railway £38,187** * **Cycle improvements along Banbury Road**   **£2,796**  **All index linked from 1Q16.** | These are based on 75/2600 of the amount being requested from App  1. The schemes for these works are being reviewed and we have not yet received updated costs.  This is acceptable in principle subject to the receipt of updated costs. |
| 25 | Rights of way contribution | Contributions towards provision of field paths – creating links from (1) Exemplar – Banbury Road, (2) link to Bucknell Road and (3) link to Bucknell Village. | **This application to contribute £2,418 index linked from 1Q16.** | This would be a proportionate contribution of the current cost for the works. This may need updating.  This is acceptable in principle subject to the receipt of updated costs |
| 26 | Exemplar Southern Access | Works to improve the Exemplar Southern access and to increase the capacity at the junction. | **This application to contribute £6,146 index linked from 1Q16** | An assessment demonstrating impact on this junction will be required. A network % impact assessment has been undertaken in the TA, however as confirmed by OCC, it is acceptable not to pursue junction modelling of this access T Junction provided there is a commitment to pay proportionate share of infrastructure costs.  This contribution is a proportionate contribution based on 75/2600 and the latest cost estimate, however this is being reviewed and we have not yet received updated costs.  This is acceptable in principle subject to the receipt of updated costs |
| 27 | Strategic highway contribution | Banbury Road Roundabout contribution – towards capacity improvements at the roundabout junction of the B4100, Banbury Road and realigned Lords Lane  There will be a requirement for contributions to the major infrastructure (the realigned Howes Lane and tunnel) to be based upon a formulaic approach. There will be a need for a Grampian to restrict development on this site until the road and tunnel are provided and open to vehicular traffic given the traffic impacts identified and the agreed triggers across the site. | **Contribution towards the Banbury Road roundabout works of £36,174 index linked from 1Q16.**  **As suggested, contributions towards the major infrastructure would need to be based upon a formulaic approach.** | Cost towards the Banbury Road roundabout scheme is a proportionate contribution based on 75/2600 and the latest cost estimate. This is being reviewed and we have not yet received updated costs.  This is acceptable in principle subject to the receipt of updated costs  A separate response will be provided on the need for a Grampian condition. |
| 28 | Village traffic calming | Contributions towards mitigating the impact of this development on Bucknell Village. | **This application is to contribute £4,298 index linked from 1Q16.** | This cost is a proportionate contribution based on 75/2600 and the latest cost estimate. This is being reviewed and we have not yet received updated costs.  This is acceptable in principle subject to the receipt of updated costs |
| 29 | Caversfield Junction | Improvements required to the existing Caversfield junction as identified through the Masterplan Access and Travel Strategy. | **This application is to contribute £1,828 index linked from 1Q16.** | This cost is a proportionate contribution based on 75/2600 and the latest cost estimate. This is being reviewed and we have not yet received updated costs.  This is acceptable in principle subject to the receipt of updated costs |
| 30 | Travel Plan Monitoring |  | **£1,240 index linked from 1Q16 towards the cost of monitoring the travel plan** | This is accepted |
| 31 | Bonds |  | OCC decreasing Bond for education and transport S106 contributions may be required. This would be calculated from the contribution profile. Bond would not be for the whole amount but the bulk of the payment. | This is accepted subject to timings and cost. |
| 32 | S106 Monitoring Costs |  | **£500 for CDC** 2Q17 and index linked and **£3750 for OCC** | This is accepted |
| 33 | Construction Standards |  | Requirements around achievement of CEEQUAL standard Excellent, local sourcing of materials… | This is accepted |
| 34 | Monitoring of PPS1 standards (per dw contribution) |  | There will be a requirement built into the S106 for ongoing monitoring of standards during the construction and operational phases. | This is accepted |
| 35 | Design Standards |  | There will be a requirement for Design Review to assess proposed development against the standards for NW Bicester and to secure comprehensive development | This is not accepted as it is not necessary for the development to be subject to additional arrangements for considering design, this is sufficiently governed by planning policies. |
| 36 | Zero Carbon Strategy |  | Requirements around the provision of a zero carbon strategy to demonstrate how the development will achieve Policy Compliance in this regard | This is not compliant with CIL regulations, as stated by SoS in relation to appeal decision (ref: 3163551) for land at Howes Lane.  This is therefore not agreed, and could be addressed via condition. |