

**ECONOMY AND RESOURCES SCRUTINY COMMITTEE
9 JANUARY 2025**

SECTION 106 FUNDING

**Responsible Cabinet Member -
Councillor Chris McEwan, Economy Portfolio**

**Responsible Director -
Ian Williams, Chief Executive**

SUMMARY REPORT

Purpose of the Report

1. To update Scrutiny on the position with respect to Planning Section 106 (S106) Agreements of its information and monitoring.

Summary

2. S106 agreements are legal agreements which secure financial contributions from developers to run in tandem with planning permissions, to make developments acceptable and fund infrastructure in the vicinity of the development.
3. The information set out below shows the current position in relation to the live S106 agreements as of the 19 November 2024.
4. The Live S106 planning agreements currently have a total value of £33.5m.
5. From these agreements the council has received £19.9m and in that respect £9.4m has been spent on the obligations agreed with developers.
6. The remaining monies have been allocated to infrastructure projects which are either in progress or planned to be so.

Recommendation

7. It is recommended that Economy and Resources Scrutiny Committee notes the report.

Reason

8. The recommendation is to note the details of the financial contributions received from the S106 agreements associated with the planning permissions.

**Ian Williams
Chief Executive**

Background Papers

No background papers were used in producing this report.

Michael Chandler : Extension 6484

Council Plan	This is a reflection of the negotiated sums agreed with developers to ensure that development is carried out appropriately.
Addressing inequalities	To ensure that the provision of essential infrastructure is provided by developers and not a burden on the public purse.
Tackling Climate Change	The Council has recognised the need to consider the carbon impact of the decisions it makes.
Efficient and effective use of resources	Our approach to reducing emissions will mean that resources are used more efficiently.
Health and Wellbeing	This report is a reflection of the financial contributions made by developers to support the health and wellbeing of residents of the Borough.
S17 Crime and Disorder	There is no expected impact on Crime and Disorder in Darlington.
Wards Affected	The whole Borough
Groups Affected	The whole Borough
Budget and Policy Framework	This report does not recommend a change to the budget and policy framework
Key Decision	This report is not a key decision.
Urgent Decision	This report is not an urgent decision.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

9. The headline totals for November 2024 are:

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Grand Total	33,571,411.41	19,932,178.98	9,458,359.98	10,473,819.01	701,644.00

10. For the purposes of this report the main obligations have been summarised as follows .

11. Affordable Housing Contributions

There was a total of £5.19m due for the provision of Off Site affordable housing within Darlington and we have now received over £4.33m including Indexation, with a spend of just over £4m.

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Affordable Housing	5,197,378.52	4,330,919.81	4,099,901.68	231,018.13	
Low Coniscliffe	0.00		0.00	0.00	
Middleton St George	0.00		0.00	0.00	
Neasham Road	0.00		0.00	0.00	
On Site	0.00		0.00	0.00	
On Site - Former Snipe House Farm	0.00		0.00	0.00	
On Site - Former Springfield School S	0.00		0.00	0.00	
On Site - Lingfield Point	0.00		0.00	0.00	
On Site - Middleton St George	0.00		0.00	0.00	
School Aycliffe	0.00		0.00	0.00	
within Darlington	5,197,378.52	4,330,919.81	4,099,901.68	231,018.13	

12. Education contributions

There is a total of £3.6m due of which £3.27m has been received, with a spend of £2.25m.

The obligations have been allocated to existing schemes identified below:

This quarter has seen the release of grant funding of £290k for the remodelling of Heighington Primary School to provide nursery provision and additional toilets and £267k for the provision of a modular classroom structure and provide a sensory suite and a general classroom at Abbey Schools site Cleveland Terrace

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Education	3,600,160.00	3,278,252.89	2,254,166.80	1,024,086.09	122,200.00
Carmel Road South	180,245.00	180,245.00	180,245.00	0.00	
Heathfield Primary School	500,000.00	500,000.00	500,000.00	0.00	
Heighington	360,490.00	372,387.67	290,047.49	82,340.18	
Holy family Places	46,875.00	46,875.00	46,875.00	0.00	
Hurworth Primary School	644,105.00	678,499.38	422,584.71	255,914.67	
Land at Berrymead Farm	-315,500.00		0.00	0.00	
Middleton St George	1,169,122.00	434,547.85	0.00	434,547.85	122,200.00
New Primary School Land Middleton St George	0.00		0.00	0.00	
School Aycliffe	81,000.00	81,998.20	0.00	81,998.20	
St George's Church Primary School	168,025.00	169,285.19	0.00	169,285.19	
St Georges Expansion	678,798.00	727,414.60	727,414.60	0.00	
within Darlington	87,000.00	87,000.00	87,000.00	0.00	
New Primary School Staindrop Road	0.00		0.00	0.00	

13. Highways contribution

There is a total of £6.9m due of which we have received just over £2.1m.

The latest obligations include the A68 corridor at Cockerton, Faverdale Industrial Estate and Blands Corner schemes.

We are currently waiting for Highways England to confirm how we can release funds to them for previous projects.

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Highways	6,907,901.38	2,179,943.34	249,629.26	1,930,314.09	333,596.00
A66 Improvements - Yarm Road	153,455.64	166,868.02	0.00	166,868.02	
A66 Improvements Lingfield Point	271,888.88	271,888.61	0.00	271,888.61	
Carmel Road South	20,000.00	20,000.00	0.00	20,000.00	
db Symmetry	86,974.69	56,158.63	0.00	56,158.63	
db Symmetry - A66 Improvements	156,176.40	156,176.40	3,219.00	152,957.40	
Former Springfield School	80,000.00	80,000.00	800.00	79,200.00	
Land at Berrymead Farm	854,074.28	332,281.64	0.00	332,281.64	260,896.00
Light Controlled Crossing / TRO's /20 mph zon	137,137.50	137,137.50	126,207.00	10,930.50	
Lingfield Point	299,411.00	77,369.84	4,240.19	73,129.65	
Little Burdon Network Contribution	149,227.34	47,957.77	0.00	47,957.77	12,700.00
Low Coniscliffe	310,212.79		0.00	0.00	
Middleton St George	520,403.14	12,000.00	13,633.07	1,633.07	
Morton Palms Network Contribution	1,618,302.91	695,574.93	0.00	695,574.93	60,000.00
Offsite Highway Improvements	3,200.00		0.00	0.00	
On Site Morton Park	0.00		0.00	0.00	
School Aycliffe	100,000.00	101,530.00	101,530.00	0.00	
West Park - Link Road by Developer	0.00		0.00	0.00	
A68 corridor Cockerton	1,947,436.81		0.00	0.00	
On Site Abbey Road	25,000.00	25,000.00	0.00	25,000.00	
Staindrop Road	5,000.00		0.00	0.00	
Faverdale Ind Estate	50,000.00		0.00	0.00	
Blands Corner	120,000.00		0.00	0.00	

14. Children's Play Areas contribution

There is a total of £608k due of which £587k has been received and £176k spent.

The obligations have been allocated to specific schemes as shown below.

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Childrens Play	608,563.00	587,030.80	240,525.88	346,504.92	56,980.00
Broken Scar Play Area	24,057.00	24,057.00	24,057.00	0.00	
Darrowby Drive Play Area	15,625.00	15,625.00	15,624.51	0.49	
Harrogate Hill Play Area	12,200.00	12,200.00	6,100.00	6,100.00	
Leadenhall Street	6,980.00		0.00	0.00	6,980.00
Mowden	80,703.00	80,703.40	80,487.57	215.83	
Non Financial - Lancaster House Play Area	0.00		0.00	0.00	
Sadberge village	50,000.00		0.00	0.00	50,000.00
South Park	67,798.00	71,079.42	64,456.80	6,622.62	
West Park JV - Mount Pleasant Farm	183,750.00	204,227.61	0.00	204,227.61	
West Park JV - Stag House Farm	116,250.00	129,338.37	0.00	129,338.37	
West Park, Eggleston or Auckland Oval	51,200.00	49,800.00	49,800.00	0.00	

15. Sport and Recreation contribution

There is a total of £1.03m due of which £984k has been received and £662k spent.

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Sports Facilities	931,130.00	920,843.32	696,384.76	224,458.56	61,893.00
Hurworth	70,000.00	72,982.08	46,000.00	26,982.08	
Off Site	38,535.00	38,832.95	0.00	38,832.95	
On Site	45,392.00	48,950.73	0.00	48,950.73	
South Park	715,310.00	735,997.80	650,384.76	85,613.04	
Whessoe Parish	61,893.00	24,079.76	0.00	24,079.76	61,893.00
Sports Pitches	104,800.00	109,830.09	55,824.00	54,006.09	
Lancaster House - MsG	15,180.00	15,407.70	15,350.00	57.70	
Heighington	19,633.00	19,860.27	0.00	19,860.27	
Low Coniscliffe	10,816.00	11,237.82	0.00	11,237.82	
Middleton St George	39,209.00	43,479.14	40,474.00	3,005.14	
Mowden Hall - Staindrop Road	8,988.00	8,871.16	0.00	8,871.16	
SW Darlington	10,974.00	10,974.00	0.00	10,974.00	

16. Transport contribution

There is a total of £1.49m due of which £1.23m has already been received, with projects detailed as below:

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Transport - Bus Services	1,265,647.00	1,006,020.92	93,996.73	912,024.19	
Bus Service - Middleton St George	297,000.00		0.00	0.00	
Bus Service - Faverdale	80,000.00	80,480.00	1,500.00	78,980.00	
Bus Service - Hurworth	327,600.00	345,705.36	0.00	345,705.36	
Bus Service - Lingfield Point	23,550.00	23,550.00	0.00	23,550.00	
Bus Service - Sadberge	30,000.00	18,128.83	0.00	18,128.83	
Bus Service - Yarm Road	15,000.00	15,000.00	0.00	15,000.00	
Bus services - Mowden	92,497.00	92,496.73	92,496.73	0.00	
Non-Financial Bus Pass Middleton St George	0.00		0.00	0.00	
Non-Financial Bus Pass Station Road, MsG	0.00		0.00	0.00	
On Site	400,000.00	430,660.00	0.00	430,660.00	
Transport - Bus Stops	228,690.00	238,828.79	79,336.30	159,492.49	
Burtree	20,000.00	23,352.00	0.00	23,352.00	
Bus Shelter - Acorn Close MsG	7,000.00	7,000.00	5,587.00	1,413.00	
Bus Shelter - Briar Walk/Blackwell House	18,000.00	18,000.00	0.00	18,000.00	
Bus Shelter - East of Oak Tree Inn - MsG	5,750.00	5,945.00	0.00	5,945.00	
Bus Shelter - Edward Pease	26,000.00	26,156.00	0.00	26,156.00	
Bus Shelter - Elm Ridge	16,000.00	16,000.00	0.00	16,000.00	
Bus Shelter - Lancaster House MsG	21,000.00	21,315.00	0.00	21,315.00	
Bus Shelter - Middleton Lane	10,500.00	13,565.00	0.00	13,565.00	
Bus Shelter - Mowden Shops	31,500.00	31,812.00	30,853.10	958.90	
Bus Shelter - Tyne Cres / Tees Drive	40,000.00	40,000.00	40,000.00	0.00	
Bus Shelter - West Park	7,500.00	7,500.00	0.00	7,500.00	
Bus Stops - Faverdale	15,440.00	18,029.29	0.00	18,029.29	
Heighington	10,000.00	10,154.50	2,896.20	7,258.30	

17. Sustainable transport contribution

There is a total of £5.4m due of which £1.49m has been received and £410k already spent. The obligations have been allocated to specific schemes but typically include improvements to cycle routes, footpaths and traffic calming measures.

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Sustainable Transport	5,444,668.81	1,492,514.94	410,904.88	1,081,610.06	126,975.00
Cycling signage and infrastructure - Brinkburr	15,625.00	15,625.00	0.00	15,625.00	
db Symmetry	30,816.06	30,816.06	0.00	30,816.06	
Footpaths - Faverdale	52,600.00	61,421.02	0.00	61,421.02	
Footpaths - Yarm Road - MsG	10,800.00	11,167.00	0.00	11,167.00	
Former Springfield School	62,500.00	62,500.00	14,832.27	47,667.73	
Heighington	78,900.00	82,825.28	0.00	82,825.28	
Hurworth	6,000.00	6,000.00	6,000.00	0.00	
Land at Berrymead Farm	277,500.00	161,932.65	0.00	161,932.65	69,375.00
Low Coniscliffe	423,207.75		0.00	0.00	
Middleton St George	208,000.00		0.00	0.00	
Millfields Area - Lingfield Point	109,113.00	109,113.00	109,113.00	0.00	
Morton Park	40,650.00		0.00	0.00	
Mowden Hall - Staindrop Road	25,500.00	25,168.50	0.00	25,168.50	
Neasham Road	295,850.00	171,597.36	0.00	171,597.36	
Northgate	4,200.00		0.00	0.00	
On Site - Middleton St George	0.00		0.00	0.00	
S&D Railway walking and cycling route	11,000.00		0.00	0.00	
School Aycliffe	90,000.00	91,098.00	14,494.38	76,603.62	
Teesside International Airport	1,500,000.00		0.00	0.00	
Various schemes in Roundhill Road	202,500.00	211,137.62	171,699.64	39,437.98	
Walking - Cycling in Middleton St George	28,800.00	28,800.00	0.00	28,800.00	
Walking and cycling in Neasham	10,800.00	11,540.88	0.00	11,540.88	
Walking and cycling in Victoria Road area	7,800.00	7,800.00	0.00	7,800.00	
West Park JV - Mount Pleasant Farm	227,850.00	247,235.96	56,962.00	190,273.96	
West Park JV - Stag House Farm	144,150.00	156,736.61	37,803.59	118,933.02	
Yarm Road Footpaths - Middleton St George	56,700.00		0.00	0.00	57,600.00
Staindrop Road	1,476,957.00		0.00	0.00	
Faverdale Ind Estate	2,850.00		0.00	0.00	
db Symmetry shown in Highways	0.00		0.00	0.00	
Grange Road	44,000.00		0.00	0.00	

18. Financial contribution – West Park

The £6m Financial Contribution from West Park is split between a Secondary School, Affordable Housing and Playing Pitches, which we have now received over £3.8m.

Obligation	Contribution	£ Received	Total Spend @ 28/10/2024	Balance @ 28/10/2024	£ Due FY 25/26
Financial Contribution	6,087,000.00	3,869,199.93	0.00	3,869,199.93	

19. Obligations which are now complete and will be removed from future reports :-

(a) **09/00530/FUL – received from the Central Park development, Haughton Road**

In total £755,958 was spent on Blackwell Meadows Infrastructure, Changing Rooms – Pitches and Parking Spaces over the last 10-years.

(b) **06/00959/FUL – received from the Snipe House Farm development**

In total £78,630 was spent on the new pitch Skerne Park and improvements to Bus Stops in the vicinity along with 20 affordable housing units provided on site.

(c) **14/00001/FUL – received from Opus Land storage unit**

In total £5,000 was spent on Cockerbeck reconnection and to maintain the woodland in Faverdale.

(d) **13/01001/FUL – received from Yorvik Homes development, Hurworth Place**

In total £18,330 was spent at Hurworth Primary School, £5,460 at Hurworth Play Park and £6,000 on bus stop improvements at Croft House.