

EASTLEIGH BOROUGH COUNCIL

LOCAL DEVELOPMENT FRAMEWORK

Planning Obligations

BACKGROUND DOCUMENT



ADOPTED

JULY 2008

EASTLEIGH
BOROUGH COUNCIL

BACKGROUND PAPER: BASIS FOR CALCULATING FORMULAE AND STANDARD CHARGES

1 Introduction

- 1.1 The use of standard tariffs and charges in the proposed SPD is in accordance with the ODPM circular 05-2005 – Planning Obligations, and seeks to address the collective impact of both small and large scale developments.
- 1.2 Education and sustainable transport tariffs are set by Hampshire County Council, and the basis for their calculations is set out in this document.
- 1.3 For other obligations which are subject to standard charges, the Council has adopted a demand-led approach and methodology, based the anticipated need for new or improved infrastructure resulting from average housing completions of 591 dwellings per year between 2007 and 2012 (based on the Housing Trajectory shown in the Council’s Annual Monitoring Report).

2 Land Use Occupancy Levels

- 2.1 The calculation of charges will be based on the particular number and size of dwellings or size of non-residential development of each proposal. Dwelling occupancy levels of dwellings in Hampshire?? Are as follows:

No of beds	Average Occupancy
1	1.5
2	1.7
3	2.3
4	3.0
4+	3.5

Table 1.0

Source www.statistics.gov.uk

- 2.2 The resultant population is then used to calculate the specific infrastructure provision. If the housing mix or size of dwellings is not known then the general standard of 2.3 persons per dwelling is used. However, the Council will take into account any property that is to be demolished, and will make allowances in the case of sheltered housing or rest homes, nursing homes and other institutional uses.

3 Education

- 3.1 Hampshire County Council produced guidance and justification for education in March 2007: Developers' Contributions towards Children's Services Facilities which is attached as Appendix 1. This methodology and the standard charges resulting are endorsed by Eastleigh Borough Council.

4 Sustainable Transport

- 4.1 EBC has also agreed to adopt the methodology and standard charges for sustainable transport which were introduced by Hampshire County Council in September 2007, the full of details of which are attached as Appendix 2.

5 Community Infrastructure

- 5.1 The Council has long-established standard charges for community infrastructure (also called social and recreational facilities) which have been widely accepted by housebuilders as reasonable and fairly related to the scale of their developments. Whilst it is not the intention to increase these charges other than in line with inflation, they have, nevertheless been reviewed to ensure that they can deliver the necessary community infrastructure demands which are likely to arise in the future. A separate library tariff has not been introduced.
- 5.2 Community infrastructure projects include the provision of community centres and other community buildings, sports clubhouses and pavilions, other recreational and sporting facilities, children's and young people's play areas, social facilities including youth clubs, community safety projects, libraries, life-long learning projects, museums, health facilities, art projects, extended schools initiatives, environmental improvements, footpaths, cycleways, and recreational bridleways. It is considered that it may also be appropriate in certain circumstances for some revenue costs to be met from contributions, e.g. for start up or community worker initiatives, depending on the merits of the development proposed.
- 5.3 Developments with a net increase of 1 dwelling unit and above are required to make provision for community infrastructure. These are commensurately adjusted for the size and occupancy of dwelling units and are based on Council experience of the recent cost of community infrastructure provision. Current planned community facilities and infrastructure for each of the five local areas of the Borough are listed in Appendix 4 of the Draft SPD and priorities for provision will be reviewed annually.
- 5.4 The cost of provision would vary according to the type of facility, but to enable a standard charge to be levied a rate of £600,000 per 1,000

population (**£600/person**) is used and derives from the known costs (excluding land purchase) of providing new facilities using the ratio of 1 medium-sized community building providing accommodation including one large hall, one small hall, kitchen and storage facilities per 3000 population, at an average cost per facility of £1,200,000 per building (£400/person). This is in addition to the average estimated costs of other community infrastructure provision as specified above (£200/person). The community infrastructure standard charges per dwelling are detailed below:

Size	Occupancy	Community infrastructure charge*
1 bedrooms	1.5 persons	£900
2 bedrooms	1.7 persons	£1020
3 bedrooms	2.3 persons	£1380
4 bedrooms	3.0 persons	£1800
4+ bedrooms	3.5 persons	£2100

Table 2.0

*charges index-linked from January 2008

6 Public Open Space and Play Areas

6.1 The appropriate calculation for the standard charges is calculated by reference to the known costs of works and the likely occupancy of the development, plus commuted sums for maintenance where necessary. The figures are reviewed on an annual basis to reflect changes in the capital cost of provision. Costs are for January 2008 and will be index-linked. Provision required related to the size and occupancy of a development and its location in relation to existing district parks, local green spaces, wildlife sites and other open space.

No of bedrooms	Average Occupancy	District Park	Playing Fields	Local Green space	Wildlife Site	Total
1	1.5	13.5	13.5	9	6.75	42.75
2	1.7	15.31	15.31	10.17	7.66	48.45
3	2.3	19.81	19.81	13.17	9.91	62.7
4	3.0	27.02	27.02	17.96	13.5	85.5
4+	3.5	31.52	31.52	20.95	15.76	99.75

Table 3.0

6.2 The contributions payable per type of open space and per dwelling are as per the attached tables;

1 Bed	Area sq m	Price £/sq m	Total £
District Park	13.5	30.59	412.97
Playing Field	13.5	36.60	494.10
Local green space	9	18.07	162.63
Wildlife site	6.75	8.27	55.82

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Table 4.0

2Bed	Area Sq m	Price £/sq m	Total £
District Park	15.31	30.59	468.33
Playing Field	15.31	36.60	560.35
Local green space	10.17	18.07	183.77
Wildlife site	7.66	8.27	63.35

Table 5.0

3 Bed	Area Sq m	Price £/sq m	Total £
District Park	19.81	30.59	605.99
Playing Field	19.81	36.60	725.05
Local green space	13.17	18.07	237.98
Wildlife site	9.91	8.27	81.96

Table 6.0

4 Bed	Area Sq m	Price £/sq m	Total £
District Park	27.07	30.59	826.54
Playing Field	27.02	36.60	988.93
Local green space	17.96	18.07	324.54
Wildlife site	13.5	8.27	111.65

Table 7.0

4+ Bed	Area Sq m	Price £/sq m	Total £
District Park	31.52	30.59	964.20
Playing Field	31.52	36.60	1153.63
Local green space	20.95	18.07	378.57
Wildlife site	15.76	8.27	130.34

Table 8.0

- 6.3 All residential developments are required to make a basic provision for playing field provision and open space improvements, irrespective of their location as follows:

Bedrooms	Public open space/playing Field Base Contribution
1	£494.10
2	£560.35
3	£725.05

4	£988.93
4+	£1153.63

Table 9.0

6.4 The average cost for a 'reasonable' play area is **£50,000** this includes for the following,

- Steel dog proof fencing
- Two self closing gates – Approved for the DDA
- Play equipment) To BSEN 1176 and to meet the LEAP standard
- Impact absorbing surfacing) To BSEN 1177
- Two 'letterbox' style litter bins
- Two park benches
- Two signs and sign posts
- Reinstatement following works
- Post installation independent inspection
- Approx 10 lm x 1.2m wide footpath link to the nearest public footpath.

This is based on a level, well drained site with good access.

In addition there is a **7.5%** supervision fee which includes carrying out consultation with the local community, drawing up a design brief, tender process and project managing the works to completion and handover to the Grounds Maintenance unit (Direct Services).

Sk8 facilities – approx 6 units, tarmac base, teen shelter, bins, signs, 2x solar lights are approximately £65k - £70k

A teen shelter, installed with a bin on a tarmac base is c£5.5k

A basketball post on a 9m x 9m tarmac base ix c£6.5k

A combi goal unit installed would be in the region of £7k - £9k.

7 Commuted maintenance

7.1 Where the provision of open space facilities are predominantly for the benefit of the users of the associated development, rather than the wider public, commuted maintenance sums are taken. The laying out and initial maintenance of open space is the responsibility of the developer and the developer will be expected to provide commuted sums for subsequent maintenance. Commuted maintenance sums are calculated on the basis of the sum received being invested and the interest used for ongoing maintenance. These costs are reviewed annually by the Council. The calculation of the commuted sum payable is based on the current cost of maintenance and the long-term interest rates. The period of maintenance for the commuted sums is 15 years.

- 7.2 Any land to be transferred to the Council for Public Open Space purposes shall be laid out in accordance with the approved landscape plans. Once this has been completed then the Council shall be called in to inspect the land and if satisfactory it shall be maintained by the developer for a period of no less than 12 months this also includes for all existing trees, shrubs and grassed areas. During this 12 month period the Council will carry out ad-hoc inspection visits to ensure compliance. Once the 12 month period has expired the Council shall be asked to re-inspect the site with a view to a final handover to the Council. If the land has been satisfactory maintained and all trees, shrubs and grass areas are growing healthily and all existing trees and vegetation are in a safe and healthy condition the land will be adopted by the Council for future maintenance pending the legal conveyance.
- 7.3 In regards to developments where developers have taken to supply and install any play areas themselves (the design, choice of equipment and supplier to have been previously approved by the council and all in accordance with BSEN1176 and 1177) the developer will again be expected to maintain the play area for no less than 12 months following satisfactory inspection by the Council. The Council will only consider putting the play area on to 12 months maintenance once they have received a satisfactory copy of the 'Post Installation Inspection' carried out by an Inspector qualified to annual inspector status on the Register of Play Inspectors International (RPII). During the 12 month maintenance period the Developer will be required to carry out (by qualified staff / contractors) regular inspection and maintenance visits according to the equipment manufacturers instructions and in accordance with Part 7 of BSEN1176 – or subsequent standards to include for daily visual inspections / litter picking bin emptying, quarterly operational (engineering) inspections and an annual inspection carried out by an independent inspector (RPII). All inspection visits shall be recorded and passed to the Council prior to the final handover inspection at the completion of the 12 months maintenance period. The final annual inspection must be carried out in the final month of the maintenance period and the satisfactory report given to the Council. If all inspection and maintenance reports are in order and the play area and its environs have been satisfactory maintained the Council will then agree to adopt the play area pending the legal conveyance.

Type of Labour	2007/2008 £
Grass areas	£86.25 per hectare £1293.75 for 15 years
Grass sports pitch	£3034 per hectare £45,510 for 15 years
Rough grass area	£414 per hectare £6,210 for 15 years
Ornamental shrub area	£149.5 per 100m ² £2,242.50 for 15 years
Thicket planting	£500 per 100m ² 7500.00 for 15 years
Hedges	£41.40 per 100 lm £621.00 for 15

	years
Newly planted tree	£20.49 per tree £307.35 for 15 years
Newly planted woodland	£240 per 100m ² £3,600 for 15 years
Woodland	£50 per 100m ² £750.00 for 15 years
Footpath - tarmac	£151.8 per 1000 lm £2,277 for 15 years
Footpath - gravel	£374.00 per 1000 lm £5,610 for 15 years
Mature trees	£50 per tree £750 for 15 years
Total	£70,461.60 per hectare for 15 years
Play areas	
LAP	£1656 100 m ² site £24,840 for 15 years
LEAP	£3009 400m ² site £45,135 for 15 years
NEAP	£5291 1000m ² site £79,365 for 15 years
Teenage play areas	£2863 per site £42,945 for 15 years

In addition there is a **7.5%** supervision fee which includes supervising the laying out and landscaping of the open space and handover to the Grounds Maintenance unit (Direct Services).

Table 10.0

7.4 Annual maintenance of play areas currently is around **£2000** per annum and includes the following:

- Daily litter picking and emptying the bins, sweeping up glass etc
- Daily equipment inspections
- Quarterly engineering inspections
- External annual independent inspection

This does not take into account spare parts and vandalism which is an unknown quantity, but Council experience is this is approximately £500 per year over the average life expectancy of a play area of between 10 and 15 years depending on use / wear and tear / location etc. Most play areas in the Borough are refurbished after about 10 – 12 years depending on funding.

8 Public Art

8.1 Public art standard charges are based on an average cost of art provision, and the percent for art policy. Public art planning obligations are applicable to both residential and commercial developments and the standard charges are introduced to provide the certainty in costs that developers have indicated they need. The charges have been considered by the Council's Public Art Group and an independent consultant and are supported by the Council's Public Art Strategy.

Commercial charges are varied in line with the value of different types of commercial development.

Type of commercial development	Average Rateable Value (£)	Public Art standard charge (£) per 100sqm
Retail	44,629	360
Office	37,179	300
Industrial	31,574	250
Warehousing	44,823	360
Leisure	27,374	220
Hotels	87,401	£200/bedroom
Residential	-	£300 per residential unit

Table11.0

- 8.2 Public art standard charges will be index-linked from January 2008. Public Art maintenance costs will be negotiated individually depending on the location and type of art being provided.

APPENDIX 1

Developers' Contributions towards Children's Services Facilities

This document sets out the principles to be applied to all negotiations. Details are subject to review in the context of changes to local and national policies and priorities

Children's Services Department
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March 2007

1. Introduction

1.1 In line with central government guidance on developers' contributions given in OPPM Circular 05/2005, the County Council expects developers' contributions to meet the cost of children's services facilities required as a direct consequence of development. The purpose of this document is to establish consistent, and open, criteria so that Local Planning Authorities and Developers can make informed decisions. Children's services facilities include primary and secondary schools, provision for children with special educational needs and facilities to support young children and their families.

2. When are contributions required?

- 2.1 With the emphasis on sites identified in Urban Capacity Studies and greater use of brownfield sites, it is likely that there will be more reliance on smaller sites to meet housing targets. Consequently, District and Borough Planning Departments are expected to consult Hampshire Children's Services Department on any planning proposals relating to a development of 10 dwellings or more. This consultation should take place when sites are allocated in local development frameworks, when development briefs are published and when planning applications are received. This should also be part of pre-application / scoping discussions so that developers are aware of the specific requirement for a contribution from the outset.
- 2.2 Where the availability of school places is particularly critical, contributions will be sought in relation to each additional dwelling. These areas will be agreed with individual local planning authorities.
- 2.3 In order to satisfy the requirement in Circular 05/2005, the County Council will make an assessment of the extent of capacity in schools in the immediate area. This will indicate the extent to which additional capacity will be required to cater for the additional demand. This can be referred to as the "sufficiency" factor. It is the County Council's policy that new primary schools be provided within major new developments. In the interests of integrating new development into existing communities and to promote sustainability principles relating to reducing reliance on the motor car, it is expected that a new development will be served by its nearest schools.
- 2.4 In those cases where there will be a shortfall in places to meet the assessed demand, the amount of contribution can be calculated in accordance with the formula set out in paragraph 5.2 below.
- 2.5 Even where there is apparently sufficient capacity to cater for all, or part, of the additional demand, there is likely to be a need for additional facilities at a school. The reason for this is that the method of assessing capacity does not take full account of the need for schools to have dedicated space for specialist facilities, such as ICT (Information and Communications Technology). Also, the inclusion of children with special educational needs in mainstream schools

means that schools need spaces which can be used for individual or small group teaching, which is unlikely to have been provided in the original room allocations. In other words, schools which have theoretical spare capacity will be using those spaces for legitimate educational uses, which will need to be rehoused before those teaching spaces can be brought back into use for general class use. There may also be factors, such as an undersized hall, which would mean that it would be difficult to meet present day educational requirements if the school was full to capacity. These can be referred to as “suitability” issues.

2.6 Suitability issues are assessed as part of the Asset Management Plan for the school. Developers’ contributions will be expected where it is necessary to remove limitations so that existing nominal capacity can be fully used to meet additional demand from a development. The cost of alleviation will vary.

3. School sites

3.1 Where a new school is required to cater for new development, the County Council will expect the developer to provide, within the required timescales, a cleared, fully serviced and accessible site free of charge, in addition to the normal level of contributions towards school buildings. The Children’s Services Department needs to be consulted early in any master planning of such developments to ensure that any proposed school sites are appropriate and suitable for its requirements.

3.2 The actual site required for a new school will depend on several factors, including location, access, shape, topography and the relationship with adjacent community and other land uses. As a general principle, the minimum useable areas should be as follows:

- 1 Form entry primary (210 places): 1.2 hectares
- 2 Form entry primary (420 places): 2.0 hectares
- 3 Form entry primary (630 places): 2.8 hectares

The areas required for new secondary schools will depend on the particular circumstances in the area.

3.3 Where a large development is shared between several developers, it may be appropriate to make provision in the Section 106 agreements so that the burden falls on all those involved. If this is the case, it will be necessary to discuss the exact mechanism that is applicable.

4. How many places are required?

4.1 In order to assess the long term demand arising from a new development, the Children’s Services Department uses the following factors:

- Primary Schools (ages 4 to 11) – 0.25 to 0.30 children per dwelling
- Secondary Schools (ages 11 to 16) – 0.18 to 0.21 children per dwelling

The lower secondary factor is because secondary schools cater for five year groups, compared with seven for primary schools. The range shown for the pupil yield takes account of differing size and tenure of the new housing and its attraction to households with children, which tends to increase the proportion of children when compared with the population of the area as a whole.

- 4.2 These factors assume a mixed development in terms of size and tenure of units. It is not, therefore, appropriate to make any deduction in respect of “social” or “affordable” housing, as these will still increase the overall number of dwellings in an area which can be occupied by families with children. It is, however, acceptable to disregard one bedroom flats and units provided specifically for elderly persons.

5. What level of contribution is required?

- 5.1 In cases where a sufficiency factor has been identified, the actual cost will vary with the individual school, depending on factors such as the type of building and actual site characteristics.

- 5.2 A detailed analysis has been undertaken, based on actual projects designed and tendered in recent years. From this the following costs per place are indicated, as at April 2007:

Primary schools : New Schools - £18,739 per pupil place

Primary schools : Extensions - £14,959 per pupil place

Secondary schools : Extensions - £21,873 per pupil place

(A specific calculation will be necessary if development requires the provision of a new secondary school)

The cost per place for new primary schools is based on a two form entry (420 place) school and takes into account the need for core facilities (such as a hall, library, music / drama room, offices and staffroom) that are required in addition to the basic classroom spaces.

- 5.3 Applying these cost multipliers to the numbers of additional children expected from new housing, the following level of contribution per dwelling is derived:

Primary Education, where a new school is required - £5,622 per dwelling unit

Primary Education, in other cases - £4,488 per dwelling unit

Secondary Education - £4,593 per dwelling unit

- 5.4 As mentioned in paragraph 2.6, the cost of alleviating suitability factors will vary, depending on individual circumstances. The Asset Management Plan allocates ratings to individual schools. Each teaching space is placed in one of four categories - A to D - in descending order of adverse impact. For the purpose of calculating an appropriate level of contributions, in those cases where part of the demand has to be met within the existing capacity of a

school where 30% or more of the teaching spaces are in Categories A or B, a contribution level of 50% of the figures in paragraph 5.2 will apply.

5.5 Where a specific facility can be identified and costed, for example where a primary school lacks an adequate school hall, the contribution will be based on the projected cost.

6. Special educational needs

6.1 Wherever possible, children with special educational needs are educated in mainstream schools. For some specific needs, it is appropriate to provide additional resources and, in a small number of cases, to provide places in special schools or education centres.

6.2 Larger developments may generate a need for additional facilities. This can only be determined by the assessment of individual situations. As a guideline, an appropriate level of additional contribution is £74 per dwelling for primary provision and £138 per dwelling for secondary provision.

7. The mechanism for obtaining contributions

7.1 The County Council is pleased to work in partnership with local planning authorities to obtain contributions. As mentioned above, consultation needs to take place at several stages. Firstly, there should be a local plan / local development framework policy that sets out the basic principles. Secondly, specific requirements can be identified in development briefs. Thirdly, detailed discussion, and negotiation if necessary, can take place prior to, and when planning applications are received. The Children's Services Department expects to be involved at all of these stages.

7.2 The agreed requirements are included as obligations in a Section 106 agreement. This would normally be drawn up by the County Council (Chief Executive's Department) or as part of a joint County and District/Borough agreement.

7.3 Section 106 agreements will provide for the agreed contributions to be index-linked to an index of building costs and for appropriate triggers for payment, related to the intended phasing of development. .

8. Contributions towards other children's services facilities

8.1 In addition to the provision of schools for children of statutory school age, the County Council has a duty to ensure that there is adequate provision for pre-school education and childcare (although not normally as a provider itself). Traditionally, pre-school playgroups have been considered as potential users of community buildings. However, with the increasing requirements for

facilities and numbers of sessions that have to be offered, there is a trend towards pre-school providers looking for exclusive use of space. This will also facilitate the establishment of full day care and after school clubs.

- 8.2 The County Council expects local planning authorities to bear this in mind in considering allocations of space for, and contributions towards the cost of providing, community facilities within any new development. The Children's Services Department can provide a calculation to assess the appropriate level of demand for pre-school facilities.
- 8.3 As part of the Change for Children agenda, it is government and County Council policy to establish a network of Children's Centres. These will operate as one-stop shops for children and their parents and carers, working with local providers to secure combined pre-school education, childcare and health services. The first wave of centres are being provided in disadvantaged areas, but eventually all children and their families will have access to such a centre within a reasonable distance from home. In most cases, new housing will be within reach of a centre, but the long term population of large developments may require their own provision, or additional capacity at existing centres. It is, therefore, expected that developers will make a contribution of £98 per dwelling towards the capital costs of establishing or extending the Children's Centre serving the development.
- 8.4 In large developments there may also be a requirement for facilities for the Youth Service. This will need to be the subject of individual discussion in appropriate cases.

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APPENDIX 2



Transport Contributions Policy

September 2007

1 Introduction

- 1.1 This policy will introduce a formulaic approach to calculating transport contribution across the County which will define the level of contribution which new development should contribute. This policy is designed to be applicable to developments of all sizes, from a single unit upwards.
- 1.2 The formula is based on the transport impact of each development in accordance with Circular 05/2005. The basic measurement of transport impact will be quantified by the number of multi-modal trips that a development is expected to generate. A financial value is then be attached to each multi-modal trip
- 1.3 In order to calculate the level of contribution payable it is necessary to first establish the net additional multi-modal trips generated by the site. This number of trips is then multiplied by the agreed cost per trip.

2 How to Calculate the Transport Contribution

- 2.1 The table below illustrates the cost per trip and the number of multi-modal trips per dwelling/100 sqm floor area needed to calculate the contribution payable.

C3 - Residential	Cost per Trip (£)	Household Occupancy	Multi-Modal Trips (per dwelling)	Cost per dwelling (£)
1 Bed Dwelling	535	1.3	3.7	1980
2-3 Bed Dwelling	535	2.42	7.0	3745
4+ Bed Dwelling	535	3.5	10.2	5457
B - Employment	Cost per Trip (£)		Multi-Modal Trips (per 100sqm)	Cost per 100 sqm (£)
B1 Business	230		18.7	4301
B2 General Industry	230		7.5	1725
B8 Warehouse & Distribution	230		9.4	2162

- 2.2 The residential multi-modal trip rates within the above table apply to all residential developments within the County, regardless of size.
- 2.3 The employment multi-modal trip rates within the above table only apply to those developments which do not require a TA. Where a TA is required the agreed multi-modal trip rate will be used to calculate the contribution.

- 2.4 For all other types of development, for instance leisure, retail or a nursing home, the multi-modal trip rate will be determined by the TA or Transport Statement submitted with the planning application and the cost per trip used for the employment uses will be applied.

3 Local weighting factor and economic viability

- 3.1 For developments other than residential, the economic viability of the site will be considered and there will be scope to negotiate from the starting contribution calculated using this policy. However, that case must be supported by the Planning Authority to demonstrate that there is a need for the development and that the viability of the development will be put in jeopardy should the County Council insist of a level of contribution in line with the policy.

4 Future review of the costs

- 4.1 It is intended to use appropriate indexation to review and update the policy in forthcoming years. This indexation will be in line with that used to index the financial contributions within the Section 106 Agreements.

5 Section 278 Agreements and Travel Plans

- 5.1 Section 278 Agreements will identify the works required to access the site. If the package of works agreed includes some works which may be considered to have wider public benefit, for instance a section of cycleway, the cost of these works may be deducted from the contribution.
- 5.2 If a Travel Plan is produced and secured by way of a Section 106 Agreement with a bond, the elements of the plan that are bonded and may provide wider public benefit may be deducted from the contributions

6 What will the contributions be spent on?

- 6.1 The contributions collected will be spent on improvements to transport and the highway developed through the Area Transport Strategies by the Area Transport Teams.
- 6.2 The contributions will be allocated to schemes or transport improvements which may reasonably benefit the site, in accordance to the terms of the Section 106 Agreement and Circular 05/05, and will not be spent elsewhere in the County.

