



COUNCIL EXECUTIVE

DEVELOPER CONTRIBUTIONS UPDATE

**JOINT REPORT BY HEAD OF DEVELOPMENT AND REGULATORY SERVICES AND
HEAD OF FINANCE**

A. PURPOSE OF REPORT

The purpose of this report is to update members on developer contributions received over the last four months and to advise members of expenditure over the same period as a result of developer contributions having been made.

B. RECOMMENDATION

It is recommended that the Council Executive notes the report.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focusing on our customers' needs;
being honest, open and accountable;
making best use of our resources; and
working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

The implementation of the West Lothian Local Plan (WLLP) requires substantial funding for infrastructure and substantial developer contributions. It is a key requirement of the WLLP and the approved Edinburgh and the Lothians Structure Plan (E&LSP) that development should not proceed beyond existing infrastructure capacity and that planning permission should not be granted until relevant infrastructure is provided or committed.

Policy IMP17 of the West Lothian Local Plan indicates that planning agreements (section 75s) will be entered into where appropriate and that developer contributions will be sought in accordance with circular 12/1996 - Planning Agreements.

Developer contributions may also be obtained through section 69 agreements under the Local Government (Scotland) Act 1973.

The council has approved supplementary planning guidance (SPG) as council policy which will help to secure developer contributions.

III Resources - (Financial, Staffing and Property)

Projects funded by developer contributions form part of the council's capital programme. The capital works will have revenue consequences because of the ongoing maintenance requirements.

IV Consultations

Education, Transportation, Finance, Legal, Housing, Property.

D. TERMS OF REPORT

Background

Developer contributions enable the council to ensure that developments are properly provided with infrastructure, services and facilities. They enable developments to proceed that might otherwise have been refused planning permission.

At the meeting of the Council Executive on 23 June 2009, elected members noted the progress that had been made during 2008/09 with regard to developer contribution receipts and expenditure on various projects arising from income received from developers. It was agreed that reports would be presented to Council Executive at periods 4, 6 and 9.

Progress over last four months

With the credit crunch and economic recession still having a severe impact on the level of development activity, there is limited progress to report in terms of income and expenditure .

Over the last four months, £171,685 was received as developer contributions and £19,689 was spent on various projects using funds received as developer contributions. The total balance of Development Plan cost centres at 31 July 2009 was £5,516,874, an increase of £151,996 over the period.

A breakdown of contributions by topic and funds drawn down is set out in Appendix 1.

The key points are summarised below:

Denominational secondary school infrastructure

£27,154 received and no funds drawn down.

Public Art

£1,800 received and no funds drawn down.

Woodmuir, Breich

£242 drawn down into Local Infrastructure Fund.

Denominational Primary School, Broxburn

£7,655 drawn down into Local Infrastructure Fund.

Linlithgow Academy

£6,180 received and no funds drawn down.

Longridge Primary School

£5,917 drawn down into Local Infrastructure Fund.

West Calder Medical Centre

£4,261 drawn down into Local Infrastructure Fund.

A89 traffic calming, Armadale

£864 drawn down into Local Infrastructure Fund.

Holy Family Primary School

£50,200 received and no funds drawn down.

Cemetery provision

£175 received and no funds drawn down.

B7015 Fauldhouse Road Improvements

£10,426 was received and no funds drawn down.

Livingston Town Centre Waiting Restrictions

£75,000 was received and no funds have been drawn down.

E. CONCLUSION

Developer contributions received during the first four months of 2009/10 have been limited due to the continued economic slowdown.

F. BACKGROUND REFERENCES

Edinburgh and the Lothians Structure Plan 2015.

West Lothian Local Plan.

SODD Circular 12/1996 - Planning Agreements.

Revision of Circular 12/1996 - Scottish Government 24 December 2008

Report to Development and Transport PDSP 9 October 2008 - The Effect of the Credit Crunch on the West Lothian Local Plan

Report to Council Executive 23 June 2009 - Developer Contribution Update

Appendices/Attachments: One

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Appendix 1 – Developer Contributions for 2009/10

Policy	Opening Balance 1/4/09	Income 2009/2010	Draw downs 2009/2010	Balance at 31/7/09
	£	£	£	£
Affordable Housing	26,474	0	0	26,474
Wester Inch, Bathgate	1,613,153	0	0	1,613,153
Denominational Secondary School Infrastructure	1,449,589	27,154	0	1,476,743
Armadale Academy	8,694	0	750	7,944
Bathgate Academy	165,716	0	0	165,716
Linlithgow Academy	4,680	6,180	0	10,860
St Nicholas PS, Broxburn	7,655	0	7,655	0
St Paul's PS, East Calder	2,450	0	0	2,450
Kirknewton PS	2,450	0	0	2,450
Longridge PS	5,917	0	5,917	0
Holy Family PS, Winchburgh	0	50,200	0	50,200
Cemetery Provision	2,031	175	0	2,206
Play Areas	84,900	0	0	84,900
Public Art	60,877	1,800	0	62,677
Travel Co-ordinator	40,466	750	0	41,216
Addiewell Prison bus service	112,353	0	0	112,353
Town Centre Link Road	453,493	0	0	453,493
Civic Centre Roads/BMX Park	634,612	0	0	634,612
Braehead Roundabout, Livingston	484,733	0	0	484,733
Mill Roundabout, Eliburn	80,971	0	0	80,971
A89 traffic calming, Armadale	864	0	864	0
A89 South Cycleway, Uphall	97,813	0	0	97,813
Woodmuir, Breich	242	0	242	0
West Calder Medical Centre	4,261	0	4,261	0
Off site environmental works, West Mains	20,484	0	0	20,484
B7015 Fauldhouse Road improvements	0	10,426	0	10,426
Livingston Town Centre waiting restrictions	0	75,000	0	75,000
TOTAL	5,364,878	171,685	19,689	5,516,874
Local Infrastructure Fund	0	39,558	0	39,558