

GLH S106 Primary Healthcare Extracts 15/00976/OUT

"Primary Healthcare Facility"	means either:- <ul style="list-style-type: none">(a) a multi-purpose primary medical care facility which comprises floor space up to approximately 464 square metres in gross internal area, being an amount of floor space which is reasonably sufficient to accommodate up to four general practitioners, to be located upon the Site; or(b) such other improvements to existing off-site primary healthcare facilities within the normal catchment area of the Site;(c) an equivalent combination of on Site primary healthcare provision and improvements to off-site primary healthcare facilities within the normal catchment area of the Site;
"Primary Healthcare Contribution"	means the sum of ONE MILLION ONE HUNDRED and FIFTY SEVEN THOUSAND SEVEN HUNDRED POUNDS (£1,157,700.00) subject to the Relevant Index set out in this Deed and to be paid to the District Council for the purposes set out in Part 9 of Schedule 3;
"Primary Healthcare Facility Land"	means an area of land within the Site which is reasonably sufficient to accommodate the Primary Healthcare Facility in the event that the District Council confirms in the Primary Healthcare Facility Notice that it is to be provided within the Site;
"Primary Healthcare Facility Notice"	means a written notice to be served by the District Council on the Owners in accordance with paragraph 7 of Part 10 of Schedule 3 stating whether there is a requirement for the Primary Healthcare Facility Land to be Transferred to the District Council on the basis that the Primary Healthcare Facility is to be provided within the Site, to include the details relating to the gross internal area. Or, stating that the Primary Healthcare Facility Land is not required;

PART 9

PRIMARY HEALTHCARE CONTRIBUTION

1. The Owners covenant to pay to the District Council the Primary Healthcare Contribution in accordance with paragraphs 2, 3 and 4 of this Part 9 below.
2. A first instalment of £115,770 (10%) of the Primary Healthcare Contribution shall be paid to the District Council upon or before the First Occupation of 400 Dwellings.
3. Subject to paragraph 4 of this Part 9 a second and final instalment comprising the remaining ninety per cent (90%) of the Primary Healthcare Contribution shall be paid to the District Council upon or before the First Occupation of 750 Dwellings.
4. Where paragraph 7.2 of Part 10 of this Schedule 3 below applies and the District Council confirms in its written notice that the Primary Healthcare Facility is to be provided off-Site then paragraph 3 of this Part 9 shall no longer apply and

instead the Primary Healthcare Contribution shall be paid to the District Council in accordance with the following timescales:

- 4.1. a second instalment of £173,655 shall be paid to the District Council upon or before the First Occupation of 750 Dwellings;
 - 4.2. a third instalment of £173,655 shall be paid to the District Council upon or before the First Occupation of 1,000 Dwellings
 - 4.3. a fourth instalment of £173,655 shall be paid to the District Council upon or before the First Occupation of 1,250 Dwellings
 - 4.4. a fifth instalment of £173,655 shall be paid to the District Council upon or before the First Occupation of 1,500 Dwellings
 - 4.5. a sixth instalment of £173,655 shall be paid to the District Council upon or before the First Occupation of 1,750 Dwellings; and
 - 4.6. a seventh and final instalment of £173,655 shall be paid to the District Council upon or before the First Occupation of 1,900 Dwellings
5. The Primary Healthcare Contribution is to be paid to the District Council for the purpose of providing the Primary Healthcare Facility or such other local healthcare provisions to service the Development.

PLEASE NOTE THAT IN RELATION TO THE TEMPORARY HEALTHCARE FACILITY THE CLINICAL COMMISSIONING GROUP HAVE ALREADY ADVISED THAT THIS IS NOT REQUIRED

PART 10

TEMPORARY HEALTHCARE FACILITY AND PRIMARY HEALTHCARE FACILITY LAND

TEMPORARY HEALTHCARE FACILITY

1. The Owners shall submit a scheme for the provision of the Temporary Healthcare Facility to the District Council for approval alongside the first Reserved Matters Application for any Dwellings to the east of the B4100.
2. The scheme to be submitted by the Owners to the District Council for approval pursuant to paragraph 2 of this Part 6 shall include:
 - 2.1 the proposed specification of the Temporary Healthcare Facility and the facilities to be provided within it; and
 - 2.2 the proposed location within the Site of the Temporary Healthcare Facility
PROVIDED THAT
 - 2.2.1 the Temporary Healthcare Facility may be provided in the same location or building as the Temporary Community Hub; and
 - 2.2.2 the scheme may provide for the Temporary Healthcare Facility to be relocated within the Site from time to time with the written agreement of the District Council as the Development progresses.
 - 2.3 details of services provision, means of access for pedestrians/cyclist/vehicles and parking arrangements; and
 - 2.4 the days and hours of opening;
 - 2.5 details of the management roles and maintenance responsibilities.
3. The Owners shall provide the Temporary Healthcare Facility in accordance with the scheme approved by the District Council pursuant to paragraph 2 of this Part 10 by no later than the date of First Occupation of 100 Dwellings on that part of the Site situated to the east of the B4100 unless the District Council has previously written to the Owners advising them that the Temporary Healthcare Facility is not required (in which case the provisions of paragraphs 2, 3 and 4 of this Part 10 shall cease to have effect forthwith).

4. Following the provision by the Owners of the Temporary Healthcare Facility in accordance with paragraph 3 of this Part 10 the Owners shall thereafter retain the Temporary Healthcare Facility in accordance with the approved scheme (subject to such variations thereto as may be agreed between the Owners and the District Council in writing from time to time) until either:
 - 4.1 the date of First Occupation of 1000 Dwellings; or
 - 4.2 the date upon which the District Council serves (or is deemed to have served) notice on the Owners pursuant to paragraph 7.2 of this Part 10 below confirming that the Primary Healthcare Land is not required; or
 - 4.3 the date of Practical Completion of the Primary Healthcare Facility on the Site; or
 - 4.4 the District Council confirm in writing to the Owner that the Temporary Healthcare Facility is no longer required.whichever is the earlier date.

PRIMARY HEALTHCARE FACILITY LAND

5. The Owners shall submit the proposed location and boundaries of the Primary Healthcare Facility Land to the District Council alongside the first Reserved Matters Application relating to any Commercial Development.
6. From the date of the District Council's approval of the boundaries of the Primary Healthcare Facility Land pursuant to paragraph 5 of Part 10 of this Schedule 3 above the Owners shall, subject to paragraphs 7 and 9 of this Part 10 below, reserve the Primary Healthcare Facility Land solely for the purpose of providing the Primary Healthcare Facility PROVIDED THAT The location of the Primary Healthcare Facility Land may be varied by written agreement between the Owner and the District Council from time to time.
7. By no later than 60 Working Days from the date the Owners first notify the District Council of the First Occupation of 725 Dwellings pursuant to Clause 8.2 of this Deed the District Council shall serve the Primary Healthcare Facility Notice upon the Owners confirming that either:
 - 7.1 this paragraph 7.1 of this Part 10 of Schedule 3 applies and the Primary Healthcare Facility is to be provided on the Primary Healthcare Facility Land; or
 - 7.2 this paragraph 7.2 of this Part 10 of Schedule 3 applies in the alternative that the Primary Healthcare Facility Land is not required.

PROVIDED THAT in the event that the District Council fails to serve the Primary Healthcare Facility Notice upon the Owners in accordance with this paragraph 8 of this Part 10 then paragraph 7.2 shall be deemed to apply.

- 8 In the event that the District Council confirms in the Primary Healthcare Facility Notice that paragraph 7.1 of this Part 10 of Schedule 3 applies then the Owners shall offer to Transfer the Primary Healthcare Facility Land to the District Council within 30 Working Days of receipt of the Primary Healthcare Facility Notice on the terms set out in Schedule 8:

- 9 In the event that the District Council confirms in the Primary Healthcare Facility Notice, or is deemed to confirm, that paragraph 7.2 of this Part 10 of Schedule 3 applies then paragraph 2 of this Part 10 shall cease to apply and the Primary Healthcare Facility Land shall be released from all restrictions, covenants and obligations set out in this Deed.

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- "Primary Healthcare Contribution" means the sum of **FIVE HUNDRED AND SEVENTY EIGHT THOUSAND EIGHT HUNDRED AND FORTY FOUR POUNDS (£578,844)** subject to the Relevant Index set out in this Deed and to be paid to the District Council for the purposes set out in Part 8 of Schedule 3;
- "Primary Healthcare Facility" means either:-
- (a) a multi-purpose primary medical care facility which comprises floor space up to approximately 464 square metres in gross internal area, being an amount of floor space which is reasonably sufficient to accommodate up to four general practitioners, to be located upon the Neighbouring Site; or
 - (b) such other improvements to existing off-site primary healthcare facilities within the normal catchment area of the Site; or
 - (c) a combination of the Neighbouring Site primary healthcare provision and improvements to off-site primary healthcare facilities within the normal catchment area of the Site;
- "Primary Healthcare Facility Notice" means a written notice to be served by the District Council on the Owner in accordance with paragraph 6 of Part 8 of Schedule 3 stating whether the Primary Healthcare Facility is to be provided on the Neighbouring Site;

SCHEDULE 2

PART 8

PRIMARY HEALTHCARE CONTRIBUTION

1. The Owner covenants to pay to the District Council the Primary Healthcare Contribution in accordance with paragraphs 2, 3 and 4 of this Part 8 below.
2. A first instalment of **FIFTY SEVEN THOUSAND EIGHT HUNDRED AND EIGHTY FOUR POUNDS (£57,884)** of the Primary Healthcare Contribution shall be paid to the District Council upon or before the First Occupation of 200 Dwellings.
3. Subject to paragraph 4 of this Part 8 a second and final instalment of **FIVE HUNDRED AND TWENTY THOUSAND NINE HUNDRED AND SIXTY POUNDS (£520,960)** of the Primary Healthcare Contribution shall be paid to the District Council upon or before the First Occupation of 400 Dwellings.
4. Where paragraph 6.2 below applies and the District Council confirms in its written notice that the Primary Healthcare Facility is not to be provided on the Neighbouring Site then paragraph 3 of this Part 8 shall no longer apply and instead the Primary Healthcare Contribution shall be paid to the District Council in accordance with the following timescales:
 - 4.1. a second instalment of **EIGHTY SIX THOUSAND EIGHT HUNDRED AND TWENTY SIX POUNDS (£86,826)** shall be paid to the District Council upon or before the First Occupation of 375 Dwellings;
 - 4.2. a third instalment of **EIGHTY SIX THOUSAND EIGHT HUNDRED AND TWENTY SIX POUNDS (£86,826)** shall be paid to the District Council upon or before the First Occupation of 500 Dwellings
 - 4.3. a fourth instalment of **EIGHTY SIX THOUSAND EIGHT HUNDRED AND TWENTY SIX POUNDS (£86,826)** shall be paid to the District Council upon or before the First Occupation of 625 Dwellings
 - 4.4. a fifth instalment of **EIGHTY SIX THOUSAND EIGHT HUNDRED AND TWENTY SIX POUNDS (£86,826)** shall be paid to the District Council upon or before the First Occupation of 750 Dwellings
 - 4.5. a sixth instalment of **EIGHTY SIX THOUSAND EIGHT HUNDRED AND TWENTY SIX POUNDS (£86,826)** shall be paid to the District Council upon or before the First Occupation of 875 Dwellings; and

- 4.6. a seventh instalment of **EIGHTY SIX THOUSAND EIGHT HUNDRED AND THIRTY POUNDS (£86,830)** shall be paid to the District Council upon or before the First Occupation of 950 Dwellings; and
5. The Primary Healthcare Contribution is to be paid to the District Council for the purpose of providing the Primary Healthcare Facility or such other local healthcare provisions to service the Development.
6. By no later than 60 Working Days from the date the Owner first notifies the District Council of the First Occupation of 350 Dwellings pursuant to Clause 8.2 of this Deed the District Council shall serve the Primary Healthcare Facility Notice upon the Owner confirming that either:
- 6.1 this paragraph 6.1 of this Part 8 of Schedule 3 applies and the Primary Healthcare Facility is to be provided on the Neighbouring Site, (and therefore paragraph 3 above applies); or
- 6.2 this paragraph 6.2 of this Part 8 of Schedule 3 applies and the Primary Healthcare Facility is not to be provided on the Neighbouring Site (and therefore paragraph 4 above applies).

PROVIDED THAT in the event that the District Council fails to serve the Primary Healthcare Facility Notice upon the Owner in accordance with this paragraph 6 of this Part 8 then paragraph 6.2 shall be deemed to apply.