



Dated

30th November

2006

- (1) City of York Council
- (2) Ian Hamish Leslie Melville and Richard Manners Sutton acting as trustees of The Third Earl of Halifax 2004 Discretionary Trust
- (3) William Matthew Wrigley and Richard Manners Sutton acting as trustees of The Halifax 2004 Life Interest Trust
- (4) Landmatch Limited
- (5) The University of York

Agreement

under section 106 of the Town and Country Planning Act 1990 relating to the
land south of Field Lane, Heslington, York
(proposed Heslington East Campus)

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5. **Public Access to external areas**

- 5.1 On completion of the Development the public shall be granted permissive access to the footpaths, cycleways and landscaped areas outside building curtilages within the Site provided that the Landowners or the Developer shall be entitled to exclude from these areas any member of the public who is likely to cause nuisance or annoyance or injury to other members of the public or occupiers of the Development or likely to cause injury or damage to the Development or the Site or any part thereof or any member of the public who is or is likely to be in breach of any byelaw relating to the Site which is now or hereafter comes into force.

6. **Sports Facilities**

- 6.1 In order to secure public access to indoor and outdoor sports facilities to be provided by the Developer on the Site (which sports facilities shall include a competition standard swimming pool (i.e. 8 lane 25 metre pool) and indoor sports hall provision equivalent to 12 badminton courts and 3 tennis courts) the Developer shall, as part of the application for approval of reserved matters for each phase of the Development, prepare and submit to the Council for approval a scheme for the provision of public access to those sports facilities to be provided as part of that phase, such scheme to include a programme of works.
- 6.2 The Developer will implement the approved scheme referred to in paragraph 6.1 above in accordance with the agreed programme of works.
- 6.3 The Developer shall provide and maintain on the land shown edged red and shown edged blue on Plan B outdoor sports facilities in accordance with Sport England standards.

Education Contribution

- 7.1 The Developer shall pay to the Council prior to the first occupation of any Family Unit a sum or sums to be used by the Council for educational purposes, such sum or sums to be calculated separately for primary school and secondary school places in accordance with the following formula: