

Bromsgrove District Council
Annual Infrastructure Funding Statement
2020/21



Bromsgrove
District Council

www.bromsgrove.gov.uk

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Introduction

Local Planning Authorities (LPAs) are now required to produce an annual Infrastructure Funding Statement (IFS) in conformity with The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 (No.1103)¹, which came into force on 1 September 2019 (the Regs).

Part 10A (Reporting and monitoring on CIL and planning obligations) of the Regs sets out details about planning obligation receipts and anticipated expenditure. This is to provide clarity and transparency to local communities and developers on the infrastructure and expenditure in relation to planned development.

Bromsgrove District Council is not a CIL charging authority, therefore this report provides a summary of financial contributions the Council has secured through S106 agreements from new developments for off-site infrastructure works and affordable housing.

Schedule 2 of the Regs refers to the reporting of details relating to any funding or provision of infrastructure which is to be provided through a highway agreement under Section 278 (S278) of the Highways Act 1980, which was entered into during the reported year. Bromsgrove District Council is not a Local Highway Authority, therefore all S278 agreements for Bromsgrove District should be reported by Worcestershire County Council (WCC) as the appropriate Local Highway Authority.

The information included in the report will be updated annually and published on the Council's website. This will ensure the most up to date information on the amount of developer contributions received from new developments in addition to information on where these monies have been spent is readily available to members of the public and other interested parties.

This IFS covers the monitoring year 2020/21 (1st April 2020 to 31st March 2021).

¹ <https://www.legislation.gov.uk/uksi/2019/1103/contents/made>

Section 106 Obligations

Section 106 of the Town and Country Planning Act 1990 allows Local Planning Authorities (LPAs) to seek both physical on-site obligations and off-site financial contributions, when it is considered that a development will have negative impacts that cannot be dealt with through conditions in the planning permission. This includes the payment of monies towards infrastructure or securing affordable housing. Collectively, these are known as planning obligations and may take the form of a Section 106 (S106) agreement between a developer/landowner, the Council and possibly other parties, or alternatively, a unilateral undertaking providing a legal commitment by the developer alone.

Obligations form part of a planning permission, but are only used when planning conditions are unsuitable, because of their complexity and the delay they can add to the planning process. Since 2010 it has been a legal requirement that that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The Council generally negotiates S106 contributions for the following:

- Open Space, Play Areas and Sports Facilities
- Affordable Housing
- Waste & Recycling
- Healthcare
- Education
- Highways & Transport
- Community Facilities
- Financial Contributions Monitoring Fee

Affordable housing contributions are generally provided on-site unless it is not practical do so, whereby an off-site financial contribution will be sought. Off-site financial contributions are reported in this IFS, however on-site affordable housing provision will be reported in the annual Housing Land Availability document, which can be found on the Council's website at:

<https://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies-and-other-planning-information/monitoring-documents.aspx>

S106 contributions for Education or Highways & Transport infrastructure are included in S106 agreements drawn up as part of the planning process, however these funds are paid directly to Worcestershire County Council, as Education and Highway Authority and do not form part of this document.

The Regs now allow LPAs to charge a Monitoring Fee through S106 obligations, to cover the cost of the monitoring and reporting on delivery of that S106 obligation as described above. Monitoring Fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation. However, Monitoring Fees should not be sought retrospectively for historic agreements.

The Council approved the introduction of a Legal Obligation Monitoring Fee at a meeting of Full Council on 25 September 2019. The schedule below was subsequently ratified by Full Council on 22 January 2020:

Trigger	Fee
<i>Obligations: District Council Recipient:</i>	
All contributions (financial or non-monetary) per Obligation	£298
Pre-commencement per Obligation	£103
Other (phased payments/provision of Infrastructure) per trigger point	£154
Other (eg. occupation restrictions or removal of Permitted Development Rights) per trigger point	£123
<i>Obligations: Another Signatory Recipient:</i>	
All contributions (financial or non-monetary per Obligation	£180
Pre-commencement per Obligation	£62
Other (phased payments) per trigger point	£92
<i>Obligations: Complex major Sites:</i>	
Ongoing monitoring of complex major sites	£410 pa

Monitoring fees are subject to annual revisions

This document records all S106 contributions secured, received, and spent 1 April 2020-31 March 2021. The figures recorded in this document represent the most accurate figures at the time of reporting and can be subject to change. It is expected that any changes to S106 contributions would be reported as and when appropriate in future ISF documents.

S106 Contributions Summary

The tables below summarise the S106 contributions that have been secured, received and spent between 1 April 2020 and 31 March 2021. The following pages give further details of these.

S106 Contributions to be received under planning obligations entered into between 1 April 2020 and 31 March 2021

MONETARY:

Infrastructure Type	S106 contributions entered into (£)
Open Space, Play Areas and Sports Facilities	281,980.65
Open space, play areas, sports Maintenance	745,904.22
Misc.: community transport	11,000.00
Waste & Recycling	10,487.12 plus communal bin cost
Financial Contributions Monitoring Fee	10,105
Total (£)	1,059,476.77

NON-MONETARY:

Infrastructure Type	S106 contributions entered into (£)
Non-monetary - Affordable Housing Contribution	166 units
Total (non-monetary)	166 units

TO BE FORWARDED/PAYABLE TO OTHER ORGANISATIONS:

Infrastructure Type	S106 contributions entered into (£)
Healthcare (for onward payment)	415,220.87
Highways (WCC)	4,439,599.75
Education (WCC)	1,080,256.00+
Scouts and Guides (for onward payment)	20,612.00
Total	5,955,688.62+

S106 Contributions received between 1 April 2020 and 31 March 2021

Infrastructure Type	S106 contributions received (£)
Open Space, Play Areas and Sports Facilities	177,976.57
Waste & recycling	1,007.80
Financial contribution monitoring fee	1,998.00
Total	180,982.37

S106 Contributions received between 1 April 2020 and 31 March 2021 to be forwarded/payable to other organisations

Infrastructure Type	S106 contributions received (£)
Open Space, Play Areas and Sports Facilities	183,107.62
Total	183,107.62

S106 Contributions spent between 1 April 2020 and 31 March 2021

Infrastructure Type	S106 contributions spent (£)
Open Space, Play Areas and Sports Facilities	59,151.39
Financial Contributions Monitoring Fee	0.00
Total	59,151.39

S106 Contributions secured between 1 April 2020 and 31 March 2021 (not yet received)

Infrastructure Type	S106 contributions secured (£)
Open Space, Play Areas and Sports Facilities	0.00
Off-site Affordable Housing contribution	0.00
Town Centre	0.00
Waste & Recycling	0.00
Healthcare	0.00
Financial Contributions Monitoring Fee	0.00
Total	0.00

S106 Contributions secured between 1 April 2011 and 31 March 2020 (not yet received)

Infrastructure Type	S106 contributions not spent (£)
Open Space, Play Areas and Sports Facilities	40,000.00
Waste & Recycling	817.72
Total	1,410,708.06
Transport (onward payment)	175,063.00

S106 Contributions received between 1 April 2011 and 31 March 2020 (unspent)

Infrastructure Type	S106 contributions not spent (£)
Open Space, Play Areas and Sports Facilities	221,074.46
Miscellaneous	25,161.12
Healthcare	199.20
Financial Contributions Monitoring Fee	0.00
Total	246,434.78

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S106 Contributions to be received under planning obligations entered into 2020/21

The tables below identify the relevant planning applications for which contributions are to be received under s106 Obligations entered into:

Open Space, PlayAreas & Sports	Planning Application Details	S106 contributions (£)
	16/1132 Land At Whitford Road – Sanders Park contribution	154,592.00
Facilities	19/01037/FUL /20/01274/FUL Burcot Garden Centre 354 Alcester Road	36,000
	19/01610/FUL The Council House Burcot Lane – play and sport facilities contribution at recreation ground	91,388.65
	Total	281,980.65
Maintenance of open space play & landscape areas	16/1132 Land At Whitford Road future management costs of managing & maintaining public open space, play area and landscaped areas	498,609.27
	19/01610/FUL The Council House Burcot Lane – future maintenance of open space	247,295.02
	Total (maintenance)	745,904.29

Waste & Recycling	Planning Application Details	S106 contributions (£)
	16/1132 Land At Whitford Road –	4,701.60
	16/1132 Land At Whitford Road –1,100l communal waste receptable	252.43 per communal bin
	19/01037/FUL /20/01274/FUL Burcot Garden Centre 354 Alcester Road	627.36
	19/01610/FUL The Council House Burcot Lane -	5,158.16
	Total	10,487.12 plus communal bin cost

Healthcare	Planning Application Details	S106 contributions (£)
For onward payment to health service providers	16/1132 Land At Whitford Road -	289,027.87
	19/01037/FUL /20/01274/FUL Burcot Garden Centre 354 Alcester Road	4,416.
	19/01213/FUL – 466 Lickey Road - extending patient capacity at GP surgeries	11,362
	19/01610/FUL The Council House Burcot Lane – expanding patient capacity as GP surgeries	27,761.00
	19/01610/FUL The Council House Burcot Lane – Worcestershire acute NHS Trust contribution towards acute and planning healthcare services	82,654.00
	Total	415,220.87

Highways Payable to WCC	Planning Application Details	S106 contributions (£)
	16/1132 Land At Whitford Road -A38 Bromsgrove Route Enhancement Programme	1,312,706.94
	16/1132 Land At Whitford Road -junction improvement works at Market Street/St John Street and St Johns Street/Hanover Street/Kidderminster Road	744,681.58
	16/1132 Land At Whitford Road -provision and implementation of personal travel plan	101,000.00
	16/1132 Land At Whitford Road -public transport contribution	223,822.71
	16/1132 Land At Whitford Road -public transport additional contribution (public transport review)	126,177.29
	16/1132 Land At Whitford Road -sustainable infrastructure contribution	708,252.55
	19/01037/FUL /20/01274/FUL Burcot Garden Centre 354 Alcester Road – A38 Bromsgrove route enhancement programme	35,220.48
	Total	4,439.599/75

Non-monetary: Affordable housing	Planning Application Details	S106 contributions
	16/1132 Land At Whitford Road -	40%(148 units)
	19/01610/FUL The Council House Burcot Lane	30% (18 units)
	Total	166 units

Financial Contributions Monitoring Fee	Planning Application Details	S106 contributions (£)
	16/1132 Land At Whitford Road -	9,400.00
	19/01213/FUL 466 Lickey Road	705.00
	Total	10,105

Education payable to WCC	Planning Application Details	S106 contributions (£)
	16/1132 Land At Whitford Road education contribution-new 2-form entry first school & nursery.	885,000.00
	16/1132 Land At Whitford Road high school contribution to improving High School education provision & facilities at South Bromsgrove High School.	£867 per 2bed +flats, 2168 per 2/3 bed houses, 3,252 per 4bed+ house
	19/01610/FUL The Council House Burcot Lane – education facilities for on payment to WCC	195,256.00
	Total	1,080,256+

Misc.	Planning Application Details	S106 contributions (£)
	16/1132 Land At Whitford Road -Scout and Guide contribution	20,612.00
	19/01213/FUL 466 Lickey Road – Community transport contribution	11,000.00
	20/01482/FUL – 7 Marlborough Avenue – covenant not to implement earlier extant planning permission	Limits implementation of PP
	Total	

S106 Contributions received in 2020/21

The tables below identify the relevant planning applications which have secured S106 contributions and the financial contributions that were received by the Council during the 2019/20 monitoring period.

Open Space, Play Areas & Sports Facilities	Planning Application Details	S106 contributions received (£)
	17/0244: Drawbridge Road	34100.68
	19/01037: Former Burcot Garden Centre	37956.00
	11/0345: 2,4, 6 Hartle Lane	55433.70
	16/1087 Land off East Works Drive: Cofton Hackett open space	50486.19
	Total	177,976.57

Open Space, Play Areas & Sports Facilities Onward to Birmingham City Council	Planning Application Details	S106 contributions received (£)
	16/1087 Land off East Works Drive: Cofton Park – to BCC	70880.68
	16/1087 Land off East Works Drive: Cofton Park – to BCC	59066.70
	16/1087 Lickey Hills Country Park – to BCC	53160.24
	Total	183,107.62

Waste & Recycling	Planning Application Details	S106 contributions received (£)
	17/0244: Drawbridge Road:	346.80
	19/01037: Former Burcot Garden Centre	661.00
	Total	1007.80

Financial Contributions Monitoring fee	Planning Application Details	S106 contributions secured (£)
	19/01037: Former Burcot Garden Centre	1998.00
	Total	1998.00

Healthcare	Planning Application Details	S106 contributions received (£)
	16/1087 Land off East Works Drive Cofton	42944.28
	Total	42944.28

S106 Contributions spent in 2020/21

Open Space, Play Areas & Sports Pitches	Planning Application Details	S106 contributions received (£)
	11/0741: Land At Fiery Hill Road – Bittell Road Recreation Ground new trim trail (pathway route) and fitness	43,603.92
	12/0912: Bleakhouse Farm, Wythall – fitness trail and equipment Wythall Park	15,547.47
	Total	59,151.39

S106 Contributions secured in 2020/21

The following tables detail the contributions secured during the 2020/21 monitoring year that have not yet been received or spent.

All categories	Planning Application Details	S106 contributions secured (£)
	None	0.00
	Total	0.00

S106 Contributions secured between 1 April 2011 and 31 March 2019 (not yet received)

Open Space, Play Areas & Sports Pitches	Planning Application Details	S106 contributions secured (£)
	18/0119: Brine Pump Cottages, Weston Hall Road, Stoke Prior	40,000.00
	Total	40,000.00

Waste & Recycling	Planning Application Details	S106 contributions secured (£)
	17/0244: Drawbridge Road, Shirley	104.00
	18/0119: Brine Pump Cottages, Weston Hall Road, Stoke Prior	713.72
	Total	817.72

Transport (for onward payment to Local Highways Authorities)	Planning Application Details	S106 contributions secured (£)
	12/0912: Bleakhouse Farm, Wythall (Gallagher)	175,063.00
	Total	175,063.00

**S106 Contributions received between 1 April 2011 and 31 March 2020
(unspent)**

Open Space, Play Areas & Sports Pitches	Planning Application Details	S106 contributions received (£)
	09/0989: Land at Crown Meadow First School, Alvechurch	162.00
	11/0672: Land at rear of Birmingham Road, Alvechurch	130.00
	11/0741: Land at Fiery Hill Road, Barnt Green	4448.95
	14/0821: Recreation Road, Bromsgrove	170,452.41
	16/1056: Former Masonic Hall and Job Centre, Churchfields	45,881.10
Total	221,074.46	

Healthcare	Planning Application Details	S106 contributions received (£)
	14/0629: Land off Kidderminster Road, Hagley	199.20
	Total	199.20

Misc. Receipts	Planning Application Details	S106 contributions received (£)
	10/953: Land at former Wagon Works, St Godwalds Road Air quality mitigation	10,000.00
	12/0709: Land at Norton Farm, Bromsgrove Air quality mitigation	11,589.96
	13/0242: Land off Regent's Park Road, The Oakalls	306.55
	13/0819: Land at Brook Crescent, Hagley	609.21
	15/0054: Land at Strathearn Road, Hagley Improvements to Clent Parish Hall	2,655.40
	Total	25,161.12

Appendix 1: How the IFS meets the requirements of the Regulations²

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 (No.1103)

Part 10A

Reporting and monitoring on CIL and Planning obligations

Annual infrastructure funding statements

121A (1) (c) a report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).

Schedule 2:	Page
3. The matters to be included in the section 106 report for each reported year are— (a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	6
(b) the total amount of money under any planning obligations which was received during the reported year;	6
(c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	NA
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— (i) in relation to affordable housing, the total number of units which will be provided;	6
(ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	See pg 10 NB: This will be reported in WCC IFS
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	7
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	7
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	7
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of— (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;	7
(ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);	NA

² <https://www.legislation.gov.uk/ukxi/2019/1103/contents/made>

Schedule 2:	Page
(iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	7
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.	6
4. The matters which may be included in the section 106 report for each reported year are—	
(a) summary details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year,	3
(b) summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.	3
5. For the purposes of paragraph 3—	
(a) where the amount of money to be provided under any planning obligations is not known, an authority must provide an estimate;	NA
(b) a non-monetary contribution includes any land or item of infrastructure provided pursuant to a planning obligation;	6
(c) where the amount of money spent in respect of monitoring in relation to delivery of planning obligations is not known, an authority must provide an estimate.”	N/A