

Bromsgrove District Council
Annual Infrastructure Funding Statement
2023/24



Bromsgrove
District Council

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Introduction

Local Planning Authorities (LPAs) are 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 2023/24 (1st April 2023 to 31st March 2024).

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. Monitoring Fees are amended from time to time and currently are charged as follows:

Trigger	Fee
<i>Obligations: District Council Recipient:</i>	
All contributions (financial or non-monetary) per Obligation	£368.40
Pre-commencement per Obligation	£128.29
Other (phased payments/provision of Infrastructure) per trigger point	£190.67
Other (eg. occupation restrictions or removal of Permitted Development Rights) per trigger point	£153.01
<i>Obligations: Another Signatory Recipient:</i>	
All contributions (financial or non-monetary per Obligation	£222.45
Pre-commencement per Obligation	£77.68
Other (phased payments) per trigger point	£114.17
<i>Obligations: Complex major Sites:</i>	
Ongoing monitoring of complex major sites	£507.29 per year

Monitoring fees are subject to revision

This document records all S106 contributions secured, received, and spent 1 April 2023-31 March 2024. The figures recorded in this document represent the most accurate figures at the time of reporting and can be subject to change.

S106 Contributions Summary

The tables below summarise the S106 contributions that have been secured, received and spent between 1 April 2023 and 31 March 2024. The following pages give further details of these.

S106 Contributions to be received under planning obligations entered into between 1 April 2023 and 31 March 2024

MONETARY:

Infrastructure Type	S106 contributions entered into (£)
Open Space, Play Areas and Sports Facilities	£48.97 per sqm gross internal floor area
Waste & Recycling	£2,472.20
Financial Contributions Monitoring Fee	£2,358.30
Total (£)	£4,830.00+

NON-MONETARY:

Infrastructure Type	S106 contributions entered into (£)
Non-monetary - Affordable Housing Contribution	Scheme required to be submitted in the event of the Reserved Matters resulting in an increase in floorspace.
Total (non-monetary)	0 units

TO BE FORWARDED/PAYABLE TO OTHER ORGANISATIONS:

Infrastructure Type	S106 contributions entered into (£)
Healthcare (for onward payment)	£13,526.18
Total	£13,526.18

S106 Contributions received between 1 April 2023 and 31 March 2024

Infrastructure Type	S106 contributions received (£)
Open Space, Play Areas and Sports Facilities	£99,188.92
Waste & recycling	£11,066.04
Financial contribution monitoring fee	£14,425.97
Total	£124,680.93

S106 Contributions received between 1 April 2023 and 31 March 2024 to be forwarded/payable to other organisations

Infrastructure Type	S106 contributions received (£)
Open Space, Play Areas and Sports Facilities	£249,363.94
Healthcare	£85,814.88
Total	£335,178.82

S106 Contributions spent between 1 April 2023 and 31 March 2024

Infrastructure Type	S106 contributions spent (£)
Open Space, Play Areas and Sports Facilities	£86,814.88
Financial Contributions Monitoring Fee	£2,944.69
Total	£89,759.57

S106 Contributions secured between 1 April 2023 and 31 March 2024 (not yet received)

Infrastructure Type	S106 contributions secured (£)
Total	0.00

S106 Contributions secured between 1 April 2011 and 31 March 2024 (not yet received)

Infrastructure Type	S106 contributions not spent (£)
Healthcare	4,146.00
Total	4,146.00

S106 Contributions received between 1 April 2011 and 31 March 2024 (unspent)

Infrastructure Type	S106 contributions not spent (£)
Open Space, Play Areas and Sports Facilities	46011.10
Miscellaneous	13,571.16
Healthcare	199.20
Total	£59,781.46

S106 Contributions to be received under planning obligations entered into 2023/24

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

Open Space, PlayAreas & Sports Facilities	Planning Application Details	S106 contributions (£)
	20/00198/OUT Rubery Social Club, 141 New Road, Rubery	£48.97 per sqm gross internal floor area
	Total	£48.97 per sqm gross internal floor area

Waste & Recycling	Planning Application Details	S106 contributions(£)
	20/00198/OUT Rubery Social Club, 141 New Road, Rubery	£123.61 per dwelling (x20 dwellings =2,472.20)
	Total	£2,472.20

Healthcare For onward payment to health service providers	Planning Application Details	S106 contributions (£)
	20/00198/OUT Rubery Social Club, 141 New Road, Rubery	
	- Integrated Care Board	£9267.66
	- Worcestershire Acute Hospitals NHS Trust	£4258.52
	Total	£13,526.18

Non- monetary: Affordable housing	Planning Application Details	S106 contributions
	20/00198/OUT Rubery Social Club, 141 New Road, Rubery	Scheme required to be submitted in the event of the Reserved Matters resulting in an

		increase in floorspace.
		0

Monitoring Fee	Planning Application Details	S106 contributions (£)
	22/01576/FUL Worms Ash Farm, Cockshutt Lane, Dodford	£487.30
	20/00198/OUT Rubery Social Club, 141 New Road, Rubery	£1470.00
	22/01146/FUL Prince of Wales, High Street, Shirley (Cross boundary – Solihull) (s106 legal mechanism to ensure that the development of both elements of the site (the care home and open space) are constructed and that neither element can be developed in isolation)	£401.00
	Total	£2,358.30

Miscellaneous	Planning Application Details	S106 covenants
	23/00663/FUL Woodlands Farm, Lilley Green Road, Alvechurch	Revoked planning permission 22/01270/FUL
	22/01576/FUL - Worms Ash Farm, Cockshutt Lane, Dodford	Covenants re: ownership and planning unit

S106 Contributions received in 2023/24

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 2023/24 monitoring period.

Open Space, Play Areas & Sports	Planning Application Details	S106 contributions received (£)
	21/01046/FUL Land North of Perryfields	£13,374.04
	19/00592/FUL Blue Bird Confectionary Ltd Blue Bird Park Bromsgrove Road Romsley Halesowen Worcestershire B62 0EW (to be forwarded to Romsley Parish Council)	£85,814.88
	Total	£99,188.92

Waste & Recycling	Planning Application Details	S106 contributions received (£)
	14/0408 Land Rear Of Algoa House Western Road Hagley Worcestershire	£1,428.34
	19/00592/FUL Blue Bird Confectionary Ltd Blue Bird Park Bromsgrove Road Romsley Halesowen Worcestershire B62 0EW	£6,283.72
	21/01046/FUL Land North of Perryfields	£3353.98
	Total	£11,066.04

Financial Contributions Monitoring fee	Planning Application Details	S106 contributions secured (£)
	21/01657/FUL 277 Birmingham Road Bromsgrove Worcestershire B61 0EP	£422.00
	14/0408 Land Rear Of Algoa House Western Road Hagley Worcestershire	£3,095.00
	21/01046/FUL Land North of Perryfields	£1,508.97
	16/1132 Whitford Road/Albert Road	£9,400.00
	Total	£14,425.97

Healthcare	Planning Application Details	S106 contributions received (£)
	14/0408 Land Rear Of Algoa House Western Road Hagley Worcestershire - Enhanced medical facilities - Worcestershire Acute hospitals NHS Trust	£10,448.79 £10,698.02
	19/00592/FUL Blue Bird Confectionary Ltd Blue Bird Park Bromsgrove Road Romsley Halesowen Worcestershire B62 0EW	£165,182.98
	21/01046/FUL Land North of Perryfields - Integrated care Board: Enhanced medical facilities - Worcestershire Acute hospitals NHS Trust	£23,224.24 £39,809.91
	Total	£249,363.94

S106 Contributions spent in 2023/24

Open Space, Play Areas & Sports Pitches	Planning Application Details	S106 contributions received (£)
	16/1056 and 14/0821 Asda rec ground - Sculpture	£1,000.00
	19/00592/FUL Blue Bird Confectionary Ltd Blue Bird Park Bromsgrove Road Romsley Halesowen Worcestershire B62 0EW - Transferred to Romsley PC for spend on play area St Kenelms Recreation Ground -	£85,814.88
	Total	£86,814.88

Monitoring fee	Planning Application Details	S106 contributions secured (£)
	21/01657/FUL 277 Birmingham Road Bromsgrove Worcestershire B61 0EP (year1 out of 5)	£84.40
	21/00778/FUL + 21/01666/S73 - Longbridge East And River Arrow Development Site Groveley Lane Cofton Hackett Worcestershire (year 2 of 5)	£282.00
	20/01392/FUL The Halls Nursing Home (year 2)	£70.50
	18/00769/FUL Bennett Drive, Hagley (Year 2 of 10)	£82.50
	19/01037: Former Burcot Garden Centre (year 2 of 10)	£189.50
	14/0408 Land Rear Of Algoa House Western Road Hagley	£619.00

	Worcestershire (1 of 5)	
	21/01046/FUL Land North of Perryfields (1 of 5)	£301.79
	16/1132 Whitford Road/Albert Road	£940.00
	19/00977/HYB Salters Lane, Weights Lane, Brockhill Lane	£375.0
	Total	£2,944.69

S106 Contributions secured in 2023/24

The following tables detail the contributions secured during the 2021/22 monitoring year that have not yet been received or spent.

None

S106 Contributions secured between 1 April 2011 and 31 March 2024 (not yet received)

Healthcare	Planning Application Details	S106 contributions secured (£)
	19/01037: Former Burcot Gardens	£4,146.00
	Total	£4,146.00

***S106 Contributions received between 1 April 2011 and 31 March 2024
(unspent)***

Open Space, Play Areas & Sports Pitches	Planning Application Details	S106 contributions received (£)
	11/0672: Land at rear of Birmingham Road, Alvechurch	130.00
	16/1056: Former Masonic Hall and Job Centre, Churchfields	45,881.10
	Total	46011.10

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
	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	13,571.16

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—	6
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	
(b) the total amount of money under any planning obligations which was received during the reported year;	6&7
(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—	7
(i) in relation to affordable housing, the total number of units which will be provided;	
(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;	NA
(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;	NA
(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—	7
(i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;	
(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/uksi/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.	NA
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,	NA
(b) summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.	NA
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;	NA
(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."	NA