

EAST LINDSEY DISTRICT COUNCIL

INFRASTRUCTURE FUNDING STATEMENT

1st April 2019 to 31st March 2020



Contents

	Page
1. Introduction	3
2. Section 106 Developer Contributions Explained	4
3. Summary of S106 Planning Obligations for 2019/20	5
4. Section 106 Agreements Entered into in 2019/20*	6
5. Affordable Housing	6
6. Education	8
7. Health	9
8. Highways	10
9. Open Space	10
10. Conclusion	11
*Appendix A – List of all Legal Agreements entered into in 2019/20	13

1. Introduction

- 1.1 Welcome to East Lindsey District Council's Infrastructure Funding Statement. This sets out the year's income and expenditure relating to the Section 106 (S106) agreements for 2019/20.
- 1.2 Section 106 of the Town and Country Planning Act 1990 allows Local Planning Authorities (LPAs) to impose restrictions or requirements on land, including the payment of monies towards infrastructure or securing affordable housing. Collectively, these are known as planning obligations and may take the form of an agreement between a developer/landowner, the Council and possibly other parties, or alternatively, a unilateral undertaking providing a legal commitment by the developer alone – both are collectively known as S106 agreements.
- 1.3 The publication of this Infrastructure Funding Statement (IFS) is a legal requirement arising from the Community Infrastructure Levy (CIL) Regulations 2019. 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 as possible on the amount of developer contributions secured and received from new developments, in addition to information on where these monies are held or have been spent, as well as provision of certain on-site infrastructure such as affordable housing is readily available to members of the public and other interested parties. As East Lindsey District Council does not have a CIL, this statement is purely to report on the S106 planning obligations. This is the first IFS and complies with the requirement to cover the financial year 2019/20 (1 April 2019 to 31 March 2020).
- 1.4 Please note that data on developer contributions within this IFS is classed as live because in some cases it represents estimates at a given point in time and can be subject to change. The data reported within this document is the most robust available at the time of publication. Estimates and variations can be due to permissions with S106 agreements expiring, formulae for education based on outline permissions which can alter at full planning permission stage, Deeds of Variations being signed which alter the obligation amount in the original S106 agreement entered into.
- 1.5 Section 4 of this Statement provides a brief overview of the S106 obligations, which have been entered into during the 2019/20 year of the East Lindsey District Council Local Plan. The remaining Sections 5 to 10 provides a breakdown of the key areas where funding or

infrastructure has been secured, namely for affordable housing, open space, education, highways, health and miscellaneous/other. These sections also detail, where applicable, the different stages of the S106 process from securing the monies through to expenditure, largely based on the categories identified in the CIL Regulations 2019. It will include payments received for historic agreements, where triggers for obligations have been met.

2. Section 106 Developer Contributions Explained

- 2.1 Strategic Policy 28 of East Lindsey District Council's Local Plan (ELDCLP), which was adopted in July 2018, provides guidance on how developer contributions will operate within the district in the absence of a CIL, with such contributions being secured through Section 106 agreements. Developer contributions will also be subject to the criteria set out in the Community Infrastructure Regulations (2010) 122 and 123 (or any successors) which require any financial contribution or contributions in kind towards infrastructure to meet a number of criteria, i.e. affordable housing, highways, education, health, open space.
- 2.2 For a number of years up until 2019 the government imposed pooling restrictions, allowing no more than 5 obligations to fund the same item of infrastructure. It became increasingly necessary for the obligation to identify a specific project, such as an individual play area or a new classroom for a certain school, which could severely restrict flexibility if spending priorities changed. The lifting of these restrictions makes the S106 process more manageable to deliver key projects.
- 2.3 Once a s106 has been entered into, the planning obligations contained within it will only be realised if the planning permission is implemented and trigger points are reached for payment, such as 'commencement' or 'prior to occupation'. When the planning permission is granted, the s106 obligation is registered as a land charge, which stays with the land, obligating any future owners until the terms are met. It can sometimes take several years for S106 obligations to be delivered after receiving the granting of planning permission for a development site, which can be due to phased delivery or obligation triggers due upon completion on site.
- 2.4 When the trigger for a planning obligation has been met, i.e. a certain number of dwellings have been built/occupied on site as detailed within the S106 agreement, the obligation is deemed to be 'secured'.

The Council will contact the developer, notifying them that payment is due.

- 2.5 It is important to note that “allocated” means a decision has been made by the local authority to commit funds to an item of infrastructure or project. For most Section 106 agreements, this decision has been made at the planning application stage with each infrastructure or project requirement specified within the legal agreement.
- 2.6 It is similarly important to note that “unallocated” money will still be bound by the terms of the Section 106 legal agreement and, as a minimum, will be required to be spent on a particular infrastructure type specified within the agreement, i.e. affordable housing or equipped play areas. Further, individual Section 106 legal agreements usually specify criteria needing to be met for “unallocated” money to be allocated to a project. For example, the Section 106 legal agreement may specify that the monies may only be spent on open space projects within a certain area.

3. Summary of S106 Planning Obligations for 2019/20:

- 3.1 The total number of legal agreements entered into or provided to the council under s106 in 2019/2020 was **17**.
- 3.2 The total amount of money under any planning obligations which were entered into during the financial year 2019/20 is **£521,161.00**.
- 3.3 The total amount of money under any planning obligations which was received during the financial year 2019/20 is **£476,466.50**.
- 3.4 The total amount of money spent under any planning obligations during the financial year 2019/20 is **£140,729.00**.
- 3.5 The total amount of money held at the end of the financial year 2019/20 under any planning obligations to be allocated or spent (including monies held by Lincolnshire County Council (LCC) (as the Local Education Authority) is **£1,323,649.40**.
- 3.6 The only non-monetary planning obligation contributions which were entered into during the financial year 2019/20 were for Affordable Housing. The total number of units from these agreements which will be provided within the district is **127 Units**.
- 3.7 The CIL Regulations require the amount of money (received under planning obligations) and spent on repaying money borrowed to be

reported. In the case of East Lindsey District Council (ELDC) this was **nil**.

4. Section 106 Agreements Entered into in 2019/20:

4.1 Of the 17 legal agreements signed in 2019/20 (including Deeds of Variations to existing S106 agreements), notable development sites included:

Planning Application	Development Site	Obligations
S/215/01157/17	Land at Gleneagles Drive, Woodhall Spa	<ul style="list-style-type: none"> Affordable Housing Education Health Highways
S/215/01969/16	Land off Tattershall Road, Woodhall Spa	<ul style="list-style-type: none"> Affordable Housing Education
N/003/00562/18	Land west of Hanby Lane, Alford	<ul style="list-style-type: none"> Health

For a Full List of the signed Legal Agreements in 2019/20 see Appendix A

S106 agreements and other relevant documentation from each planning application can be viewed on the Council’s website in the Planning Page – Search, View and Comment on Applications under the planning application reference number.

5. Affordable Housing

5.1 Securing the delivery of affordable housing remains one of the strategic priorities for ELDC. Chapter 3 (Strategic Policy 7) of the ELDCLP sets out how the delivery of affordable housing will be delivered within the district through the Settlement Proposals Development Plan 2016-2031 and the East Lindsey Housing Strategy 2013-2018. Whilst existing social housing stock, properties in the private-rented sector and vacant housing brought back into use, will continue to meet needs it is recognised that new affordable housing stock is needed to improve choice and provide improved accommodation that is more energy efficient. The East Lindsey Strategic Housing Market Assessment 2016 showed a need for 2825 additional affordable homes over the 15 year plan period. As a result,

new affordable housing may be provided in many ways, i.e. by developers who are acting as social landlords, or can also be provided as a proportion of a market housing development scheme.

- 5.2 In 2019/20, there were 6 new legal agreements signed which will deliver **127** new affordable housing units within the district:

Planning Application	Development Site	Affordable Housing Units
S/215/01157/17	Land at Gleneagles Drive, Woodhall Spa	100
S/215/01969/16	Land off Tattershall Road	10
S/216/02053/16	Land at Victoria Street, Wragby, Lincolnshire	8
N/132/01648/17	Land at Chapel Field, Keeling Street, North Somercoates	6
N/132/00057/19	Land at Conisholme Road, North Somercotes	2
S/029/01318/19	Land Adjacent to 22 Occupation Lane, New Bolingbroke	1
TOTAL:		127

- 5.3 In 2019/20 a total of **100** affordable housing units were delivered through existing S106 agreements across a number of development sites within the district:

Planning Application	Development Site	Affordable Housing Delivered
N/105/01593/12	Land at Fulmar Drive, Louth	24
N/092/01017/20	Land to the South of Tennyson Fields, Louth	20
N/105/01702/00 & N/105/02217/04	Land off Monks Dyke Road, Louth	15
N/003/02538/16	Land at Willoughby Road, Alford	11
N/172/02265/04	Land off Alford Road, Sutton on Sea	9

N/085/00588/16	Land on the East Side of Louth Road, Holton le Clay	8
S/169/01275/15	Land rear of Sanlyn, Main Road, Stickney	5
S/035/00460/16	Land at Kings Manor, Hoplands Road, Coningsby	5
N/105/00987/14 & N/105/02071/18	Land adjacent to 82 Eastfield Road, Louth	2
N/092/01853/16	Land at Chestnut Drive, Louth	1
TOTAL:		100 Units



Land rear of Sanlyn, Main Road, Stickney



Land at Fulmar Drive, Louth

- 5.4 Commuted sums of **£521,161.00** were also entered into which, when received, will be held by the Council and allocated and spent on the future provision of affordable housing within the district.

6. Education

- 6.1 The ELDC Infrastructure Delivery Plan (IDP) provides details of how education contributions are calculated and will be sought to provide any additional capacity required for primary, secondary and sixth form education within the district arising from the development of new sites.
- 6.2 In 2019/20 a total of **£800,779.00** of education contributions were entered into within the district. This was from four S106 agreements,

which will contribute towards the provision of primary, secondary and sixth form education within Wragby, Tattershall and Woodhall Spa.



Wragby Primary School

- 6.3 In 2019/20, **£157,864.00** was received from planning applications N/105/02442/14 and N/105/00987/14 towards an additional classroom at Eastfield Primary School, Louth.
- 6.4 As of 31 March 2020, LCC retained a total of **£506,405.05** in respect of education planning obligations to be spent within the district. LCC work with the Council to notify us when monies for planning obligations for education are secured, received, allocated, spent and returned.

7. Health

- 7.1 The ELDC IDP details the need to help make provision for health care facilities from any new development site within the district to meet local needs as required for the plan growth period (until 2031). Therefore developer contributions for new or improved health care facilities will be sought from relevant residential developments.
- 7.2 There were four new S106 agreement signed in 2019/20, which included **£153,032.00** in health contributions for the district. These are listed at the top of page 10.

Planning Application	Development Site	Health Contribution
S/215/01157/17	Land at Gleneagles Drive, Woodhall Spa	£101,750.00
S/216/02053/16	Land at Victoria Street, Wragby	£ 28,490.00
S/215/00195/18	Land at Tattershall Road, Woodhall Spa	£ 17,501.00
N/003/00562/18	Land West of Hanby Lane, Alford	£ 5,291.00
		£153,032.00

7.3 At the end of 2019/20, ELDC held **£105,004.00** in health contributions for improvements to GP surgeries in the district, which include Spilsby, Louth and Holton-Le-Clay.

8. Highways

8.1 The ELDC IDP details the strategic road network for Lincolnshire identified by LCC in the 4th Lincolnshire Local Transport Plan (LTP4). The LTP4 states that increasing development puts further pressure on existing transport networks in the county. Therefore, where necessary, planning obligations will be sought on new development sites within the district.

8.2 In 2019/20 one S106 agreement was entered into which included highways obligations for a travel plan and a travel bus subsidy amounting to **£46,800.00** within the Woodhall Spa area (S/215/01157/17).

8.3 At the end of 2019/20 ELDC held **£70,000** from two S106 agreements which LCC will use towards transport contributions in Louth and Skegness in the near future.

9. Open Space

9.1 ELDC's IDP details the importance of green infrastructure, which is a term used to describe the different elements that form the network

of green and natural spaces, including open space in any new developments. The Council will therefore encourage and, where necessary require, the provision of new or improved open space, recreational or sports facilities on new development sites.

- 9.2 At the end of 2019/20, the Council held **£118,365.36** for open space maintenance on specified development sites within the district, which will deliver the ongoing maintenance for many years to come. These sites include Hunters Lane, Tattershall, Land off Main Road, Orby and Land off Church Lane, Holton Le Clay.

10. Other Planning Obligations

- 10.1 In 2019/20, there were no new agreements entered into which required the need for any other financial planning contributions, however, the Council did spend **£75,573.79** from monies held on other planning obligations towards projects within the district which included new benches, bins and bollards in Tattershall Market Place and a new footpath to the play area at Chapel St Leonards.



***New Benches, Bins and Bollards in
Tattershall Market Place***



***New Footpath to Play Area at
Chapel St Leonards***

11. Conclusion

- 10.1 East Lindsey District Council is committed to working with the local community, developers and other stakeholders to ensure that planning contributions are sought and used appropriately, as detailed within the ELDCLP, to deliver the infrastructure needs and requirements arising from development, such as new affordable housing, health, education and highways.

10.2 If you have any queries or comments about this statement, please do not hesitate to contact us via email local.plan@e-lindsey.gov.uk

Appendix A**List of All Legal Agreements Signed in 2019/20**

Planning Application No	Agreement Type *	Site Address	Date Signed	Obligations
S/215/01157/17	S106	Land at Gleneagles Drive, Woodhall Spa	09/04/2019	Affordable Housing Education Health Highways
N/110/00404/18	UU	Land south Jacklin Crescent, Golf Road, Mablethorpe	02/05/2019	Other
N/105/00987/14 & N/105/00369/18 & N/105/02071/18	DoV	Land Adjacent to 82 Eastfield Road, Louth	28/05/2019	Other
S/074/00426/17	S106	Land at West Lane, Haltham, Horncastle	07/06/2019	Affordable Housing
S/086/01888/15	DoV	Land south of Thimbleby Hill, Horncastle	17/06/2019	Affordable Housing
S/023/01992/18	S106	Land at Ingoldmells Road, Burgh Le Marsh	25/06/2019	Other
S/215/01969/16	S106	Land off Tattershall Road, Woodhall Spa	04/07/2019	Affordable Housing Education
S/215/01685/17	S106	Land at rear Railway Hotel, Witham Road, Woodhall Spa	13/08/2019	Education
N/092/00450/19 N/092/00454/19	DoV	Land south of Chestnut Drive, Louth	13/08/2019	Highways
N/132/00057/19	S106	Land at Conisholme Road, North Somercotes	23/08/2019	Affordable Housing
S/216/02053/16	S106	Land at Victoria Street, Wragby	02/09/2019	Affordable Housing Education Health
N/215/00195/18	S106	Land at Tattershall Road, Woodhall Spa	12/09/2019	Affordable Housing Health
N/003/00562/18	UU	Land West of Hanby Lane, Alford	07/10/2019	Health
N/208/00615/18	UU	Land at Grange Farm, Church Lane, Willoughby	30/10/2019	Other
S/029/01318/19	UU	Land Adjacent to 22 Occupation Lane, New Bolingbroke	03/02/2020	Affordable Housing
N/178/01536/19	DoV	Land at Tetney Golf Club, Station Road, Tetney	11/03/2020	Affordable Housing
N/132/01648/17	S106	Land at Chapel Field, Keeling Street, North Somercotes	24/03/2020	Affordable Housing

* Agreement Type Definitions	S106	Section 106 Agreement
	UU	Unilateral Undertaking
	DoV	Deed of Variation

