

North East Lincolnshire

Infrastructure Funding Statement 2022-2023



Working in partnership

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Introduction

- 1.1** This report provides a summary of the financial and actual contributions the Council has secured through section 106 (s106) agreements from new developments for on and off-site infrastructure works and affordable housing.
- 1.2** In summary, the report provides:
- an overview of s106 agreements;
 - the s106 contributions paid to the Council in the 2022-2023 monitoring period;
 - s106 contributions for future years;
 - projects delivered in the Borough via s106 agreements in the 2022-2023 monitoring period, and;
 - projects through Section 278 Highways Agreements.
- 1.3** 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.
- 1.4** Please note that data on developer contributions is a snapshot because it represents estimates at a given point in time and can be subject to change. However, the data reported within this document is the most robust available at the time of publication.

Section 106 obligations

- 2.1** Under section 106 (s106) of the Town and Country Planning Act 1990 a Local Planning Authority (LPA) can seek obligations, both physically on-site and contributions for off-site, when it is considered that the impacts of a development need to be mitigated to ensure that it is acceptable to the community in planning terms. A Legal Agreement will cover matters which cannot be dealt with through conditions in the planning permission.
- 2.2** For example, new residential developments place additional pressure on existing social, physical and economic infrastructure in the surrounding area. Planning obligations aim to balance this extra pressure with improvements to the surrounding area to ensure that a development makes a positive contribution to the local area and mitigates its impact.
- 2.3** The obligations may be provided by the developers 'in kind' – that is, where the developer builds or provides directly the matters necessary to fulfil the obligation. This might be to build a certain number of affordable homes on-site, for example. Alternatively, planning obligations can be met in the form of financial payments to the Council to provide off-site infrastructure works or contributions towards providing affordable housing elsewhere in the Borough. A common requirement in North East Lincolnshire is a financial contribution towards schools to meet the educational needs of a housing development. Strategic ecological mitigation for industrial developments on the Humber Bank is a more recent requirement and involves payments to fund habitat areas to mitigate the loss of over wintering bird habitat.
- 2.4** In many cases, it can be a combination of both on-site provision and off-site financial contributions.
- 2.5** Regulations state that a planning obligation can only be required for a development if the obligation is required to mitigate its impact. It has to be a reasonable request on land use planning grounds. This should be supported by planning policy.
- 2.6** Affordable housing and education contributions are a requirement of the North East Lincolnshire Local Plan 2013 to 2032 (Adopted 2018). In particular Policy 6 and 18 which require social infrastructure facilities.
- 2.7** Habitat mitigation on the South Humber Bank is delivered through Policy 9 of the Local Plan based on a contribution formula.
- 2.8** Contributions towards required highway works as a result of new development is agreed on a case-by-case basis, evidenced by an assessment of the impact the development will have on the local highways and mitigation works required to minimise this impact.

- 2.9** Once the s106 has been signed, it is an obligation, but it will only be realised if the planning permission is implemented and reaches the trigger point 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.
- 2.10** Any commuted sums received by the Council, but not spent within the timeframes set out in the s106 agreement, will be identified during monitoring and will be refunded in accordance with the details set out in the specific agreement.

2.1 S106 contributions summary

Total s106 (net) amount available to spend as at March 2023	£
Net total as of 31 st March 2022	£3,104,204.24
s106 income received 2022/23	£1,670,717.72
Sub total	£4,774,921.96
Minus monies spent 2022/23	£158,938.76
Total carried forward	£4,615,983.20

Table 2.1 Total s106 (net) amount available to spend March 2023

- 2.11** Further details about which developments have provided contributions and where these contributions have been spent are provided in the tables below.

2.2 S106 contributions received

Education

Planning reference	Site	Amount received
DC/268/13/HUM	Land rear 32 to 64 Humberston Avenue, Humberston	£417,228.00
DM/0118/15/OUT	Land at Louth Road, New Waltham	£164,950.47
DM/0995/16/OUT	Land at Bradley Road, Waltham	£105,502.83
DM/0334/17/REM	Land at Stallingborough Road, Healing	£112,764.40

Table 2.2 Education S106 contributions received 2022/23

Highways

Planning reference	Site	Amount received
DC/268/13/HUM	Land rear 32 to 64 Humberston Avenue, Humberston	£48,750.00
DM/1167/16/FUL	Land at Brigsley Road, Waltham	£93,000.00

Table 2.3 Highway s106 contributions received in 2022/23

Affordable housing

Planning reference	Site	Amount received
DM/1130/14/FUL	Land at Cheapside, Waltham	£728,522.02

Table 2.4 Drainage s106 contributions received in 2022/23

2.3 S106 contributions spent

Infrastructure type	Amount
Contribution to Toll Bar capital scheme	£260,000.00
Affordable housing	£165,000.00
Eco park scheme	£14,269.00

Table 2.5 s106 contributions spent in 2022/23

2.4 Projects delivered by S106 contributions 2022-2023

2.12 As well as reporting on the total amount of contributions the Council has received through s106 obligations, it is also useful to include information on the projects delivered by developers as a result of these monies across the Borough in 2022- 2023.

Site	Number of new build homes
Millennium Park, Humberston	17
Blyth Way, Laceby	12
Becklands, New Waltham	6
The Green, Waltham	4
Springfield Park, Scartho, Grimsby	4

Table 2.6 New affordable homes delivered on-site through s106 agreements in 2022/23

2.5 S106 contributions secured for future years

2.13 The Council has also secured s106 contributions from the following development sites with planning permission which will be paid in future years should the developments progress as planned. These contributions will be paid by the developers either once development has commenced on site or once a specified number of homes has been delivered on the site.

Planning reference	Site	Contribution agreed	Purpose
DM/0647/21/FUL	Land at Caspian Crescent, Scartho Top	£74,000.00	Affordable housing
DM/1240/21/FUL	Toll Bar Phase 2, Louth Road	34 units	Affordable housing
DM/1240/21/FUL	Toll Bar Phase 2, Louth Road	11 units	First homes
DM/1240/21/FUL	Toll Bar Phase 2, Louth Road	£1,131,568.00	Education
DM/0965/17/REM	Clee Fields, Ladysmith Road, Grimsby	£210,000.00	Education
DM/0965/17/REM	Clee Fields, Ladysmith Road, Grimsby	£9,000.00	Highway works
DM/0237/21/FUL	Land at Littlefield Lane, Grimsby	£50,000.00	Play area contribution
DM/0237/21/FUL	Land at Littlefield Lane, Grimsby	£457,848.12	Education
DM/0237/21/FUL	Land at Littlefield Lane, Grimsby	Up to £10,000.00	Undertake gas works or pay a Cricket contribution
DM/0285/22/FUL	Land at Torbay Drive, Waltham	9 units	Affordable housing
DM/0285/22/FUL	Land at Torbay Drive, Waltham	£341,957.33	Education

Table 2.7 S106 agreements signed in 2022-2023

Section 278 agreements

3.1 Section 278 agreements (s278) under the Highways Act 1980 are legally binding agreements between the Local Highway Authority (North East Lincolnshire Council) and the developer to ensure delivery of necessary highway works as a result of new development.

3.2 It may allow for items such as:

- roundabouts
- priority junctions
- junctions with traffic lights
- right turn lanes
- improved facilities for pedestrians and cyclists
- improvements to existing junctions; and
- traffic calming measures.

3.1 S278 projects delivered in 2022-2023

3.3 The following table sets out the works carried out in the Borough under s278 agreements in the current year 2022-2023.

Development site	Summary of works
Highgate, Cleethorpes	Footway works
Suggitts Lane, Cleethorpes	Snagging work
Toll Bar Academy, New Waltham	Snagging works
Station Road, New Waltham	Minor access works

Table 3.1 S278 projects delivered in 2022-2023

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