

North East Lincolnshire

Infrastructure Funding Statement 2021-2022



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 2021/22 monitoring period;
 - s106 contributions for future years;
 - projects delivered in the Borough via s106 agreements in the 2021/22 monitoring period, and;
 - projects through Section 278 Highway 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 2022	£
Net total as of 31 st March 2021	£1,750,931.84
s106 income received 2021/22	£1,810,530.78
Sub total	£3,561,462.62
Minus monies spent 2021/22	£457,258.98
Total	£3,104,203.64

Table 2.1 Total s106 (net) amount available to spend March 2022

- 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

Planning reference	Site	Amount received
DM0882/16/FUL	Land adjacent pumping station Hewitts Avenue, New Waltham	£10,148.80
DM/0269/17/FUL	Immingham Resource Centre, Margaret Street, Immingham	£84,573.30
DM/0579/16/OUT	Land at Grimsby Road, Waltham	£33,829.32
DM/0804/18/FUL	Land at Waterworks Street, Immingham	£101,487.96
DM/0313/16/FUL	Becklands, A16 roundabout, New Waltham	£160,000.00
DC/939/12/HUM	Scouts Lane (Humberston Park Golf Club), Humberston	£93,972.00
DC/268/13/HUM	Land rear 32 to 34 Humberston Avenue, Humberston	£451,057.60
DM/0334/17/REM	Land at Stallingborough Road, Healing	£112,764.40

Table 2.2 Education S106 contributions received 2021-22

Planning reference	Site	Amount received
DM/0334/17/REM	Land at Stallingborough Road, Healing	£42,699.00
DM/0118/15/OUT	Land at Louth Road, New Waltham	£515,000.00
DC/281/13/SCA	Land off Shaw Drive, Grimsby	£23,999.00
DC/268/13/HUM	Land rear 32 to 34 Humberston Avenue, Humberston	£58,500.00
DM/0335/14/OUT	Land of Blyth Way, Laceby	£40,000.00
DM/0995/16/OUT	Land at Bradley Road, Waltham	£38,500.00

Table 2.3 Highway s106 contributions received in 2021-22

Planning reference	Site	Amount received
DM/1175/17/FUL	Land off Habrough Fields and Pilgrims Way, Immingham	£4,000.00

Table 2.4 Drainage s106 contributions received in 2021-22

Planning reference	Site	Amount received
DM/117/17/FUL	Land off Habrough Fields and Pilgrims Way, Immingham	£40,000.00

Table 2.5 Play area s106 contributions receive in 2021-22

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
Play area maintenance	£17,989.98

Table 2.6 s106 contributions spent in 2021-22

2.4 Projects delivered by S106 contributions 2021-2022

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 2021 to 2022. These are listed below:

Site	Number of new build homes
Millennium Park, Humberston	6
Stallingborough Road, Healing	6
Becklands, New Waltham	37

Site	Number of new build homes
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Table 2.7 New affordable homes delivered on-site through s106 agreements in 2021-22

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 sites or once a specified number of homes has been delivered on the site.

Planning reference	Site	Purpose	Contribution agreed
DM/1032/21/FUL	Former Matthew Humberston Playing Field, Davenport Drive, Cleethorpes	Play area	£21,393.00
DM/1032/21/FUL	Former Matthew Humberston Playing Field, Davenport Drive, Cleethorpes	Affordable housing	Up to 5.8 units (10% to be affordable)
DM/1032/21/FUL	Former Matthew Humberston Playing Field, Davenport Drive, Cleethorpes	Education	Up to £316,508.52
DM/0552/21/FUL	Land off Humberston Road, Grimsby	Biodiversity	£50,000.00
DM/0552/21/FUL	Land off Humberston Road, Grimsby	Highways	£172,000.00
DM/0552/21/FUL	Land off Humberston Road, Grimsby	Play area	£45,000.00
DM/0552/21/FUL	Land off Humberston Road, Grimsby	Education	£746,097.36

Planning reference	Site	Purpose	Contribution agreed

Table 2.8 S106 agreements signed in 2021-2022

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 2021 to 2022

3.3 The following table sets out the works carried out in the Borough under s278 agreements in the current year 2021 to 2022.

Development site	Summary of works
Suggitts Lane, Cleethorpes	Footway alterations for bridge over railway
Station Road, New Waltham	New signalised junction for Barratts housing site

Table 3.1 S278 projects delivered in 2021-2022

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