

# Infrastructure Funding Statement 2020/2021 **DRAFT**

Prepared November 2021

By Lincolnshire County Council

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# Foreword

This report is to be published outlining how millions of pounds of developer contributions from new housing and other developments have been spent by the county council in the last financial year. This report increases visibility of the processes involved, as Lincolnshire County Council seeks to ensure that growth and development in Lincolnshire communities brings investment in facilities and infrastructure.

Housing and other developments in Lincolnshire are essential to make sure our economy and communities thrive. Developments can also lead to an increased need for public services such as schools, transport and other infrastructure. All local authorities in Lincolnshire take their responsibility for planning very seriously, and councils work together to consider the positive and negative impacts of any development, before permission is granted.

Construction companies and developers will often be required to make contributions towards local improvements at the time of granting planning permission. This is either through a Section 106 agreement, or through a 'Community Infrastructure Levy' (CIL), depending what is in place in each district.

Some of the projects that received money in this way during 2020/21 include:

- Additional capacity at St George's Academy to serve Ruskington;
- New capacity at Wygate Park Primary School, Spalding;
- Reduction of existing speed limits in Heighington; and,
- Contributions to Lincoln Road/A46 roundabout near Welton and Dunholme.

Since March 2020, £668,000 has also been allocated to the recently completed Lincoln Eastern Bypass, and more than £200,000 has been allocated to ongoing or future projects. These allocations could include changes to speed limits, bus stops and other travel measures.

# Introduction

As far as understood at the time of writing in November 2021, developer contributions would not immediately form part of Government changes to the planning system. The following statement was relevant in November 2021 to fulfil the current legal requirements to produce an Infrastructure Funding Statement (IFS). Future annual statements will be prepared where the relevant legal framework is in place.

This statement provides relevant summary details of certain types of financial and other contributions Lincolnshire County Council (LCC) has secured and/or spent for the year ending March 2021. This is to fulfil the obligation for all Councils to report annually as set out in the second of the 2019 amendments to the original *Community Infrastructure Levy Regulations 2010*, under the *Planning Act 2008*. These regulations may be referred to elsewhere in this statement as the 2019(no2) Regulations or simply the Regulations. The summary details primarily relate to the Community Infrastructure Levy (CIL) and "section 106 agreements". Information has also been included on agreements under the Highways Act as is optional under the CIL Regulations.

The sections of this statement provide the following to meet the obligations of Regulation 121A:

1. Statement on how future Community Infrastructure Levy or CIL is intended to be used to fund infrastructure;
2. CIL Report, including details on CIL transferred to Lincolnshire County Council to March 2021; and,
3. Section 106 Report. Relevant summary details of "section 106 agreements" to March 2021.

This is the second such annual statement with Regulations introduced in advance of last year's IFS. References in this statement to 'the year' or 'the reported year' are 1st April 2020 to 31st March 2021 and references to any other days, months or years will be made clear.

# Statement on future Community Infrastructure Levy (CIL)

As stated in the introduction above, at the time of writing in November 2021, this statement was under the legal framework that was current and relevant to developer contributions.

This part of the IFS relates to clause 'a' of Regulation 121A.

Lincolnshire is a "two-tier" area with Lincolnshire County Council and seven district councils. Although LCC works very closely with each district council on infrastructure planning matters, it is the district councils who are the CIL charging authorities: responsible for if and how to set CIL. Local Plan preparation and CIL preparation are often closely aligned so comments below are made in relation to those processes for the respective areas.

Four of the seven districts have not adopted CIL and do not have immediate intentions for it: Boston Borough, East Lindsey, South Holland and South Kesteven. LCC will continue to engage with these authorities on their Local Plans, including relevant infrastructure planning. This will involve the consideration of policies for section 106 and potentially CIL or successors to those regimes.

Three district councils moved forward together in alignment to adopt and implement CIL within a few weeks of each other: City of Lincoln, North Kesteven and West Lindsey. Those three authorities, with LCC, had already formed a Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) to produce the Central Lincolnshire Local Plan and other relevant documents.

Where CIL has been received, it has been used to repay a small part of the cost of the Lincoln Eastern Bypass (LEB) that in the meanwhile has been forward funded by LCC borrowing. This has been a longstanding principle of LCC and partner authorities' joint assessments and strategies around the Central Lincolnshire Local Plan and CIL. The LEB is also the subject of a signed Memorandum of Understanding between the four authorities that agrees its importance in developer contributions funding. The LEB has also been a key part of the Lincolnshire Local Transport Plan and Lincoln Transport Strategy as well as fitting with the objectives of LCC's Corporate Plan. LCC intends that this same purpose continues for future CIL from those three districts in the short term so this will be LCC's strategy, working with those three district councils and the CLJSPC.

# CIL Report

This part of the IFS relates to clause 'b' of Regulation 121A. Each matter from schedule 2 of the Regulations is included in brackets alongside the relevant information.

LCC received £54,952 from City of Lincoln Council and £613,292 from North Kesteven District Council for the relevant year (matter 1(b) in Schedule 2 to the Regulations).

As indicated in the Statement on Future CIL above, this £668,244 was used solely to make repayments towards some of the cost of Lincoln Eastern Bypass. Clearly spending on the Bypass has been much larger given the scale of that project. There was no other CIL expenditure in the year (matter 1(e) and matter 1(g)(i)).

There were no CIL receipts, whenever collected, which were allocated but not spent during the reported year (matter 1(f) and 1(h))

Of the amount of CIL spending as immediately above, noting that this is a loan repayment, the notional interest is £24,153 (matter 1(g)(ii)).

LCC is not a CIL collecting authority. "County matters" development almost exclusively relates to minerals and waste operations or to infrastructure itself which do not usually involve buildings. In instances where buildings are developed under relevant permissions, these would rarely if ever meet the legal tests to attract CIL. Therefore, matters 1(a) to (l) where not covered above do not apply to LCC. In short, LCC did not collect any CIL for the relevant year and is unlikely to do so in future years.

# Section 106 Report

This part of the IFS relates to clause 'c' of Regulation 121A. The following paragraphs each address a matter as it appears in Schedule 3 of the 2019(no2) Regulations.

During the year to March 31st 2021, Lincolnshire County Council (LCC) entered into planning obligations which, if and when triggered, would total £6,609,449 (matter 3(a)).

LCC received £1,567,241.18 in total during the year from planning obligations (matter 3(b)).

At 1st April 2021, LCC had not allocated £1,991,754.81 that had been received before the reported year (matter 3(c)). This statement was prepared in November 2021 and, during the months from April, some of that money had been allocated.

For the year to March 2021, there have not been any non-monetary contributions agreed (matter 3(d)).

During the year, LCC allocated but did not spend £205,132 (matter 3(e)). For money allocated but not spent, summary details are provided in table 1 overleaf (matter 3(g)).

During the year, LCC spent £1,381,721.41 in respect of all planning obligations (matter 3(f)). Summary details of money spent by LCC during the year are shown in table 2 in the following pages (matter 3(h)-(i)).

At 1st April 2021, LCC retained £2,601,861.14 in total from all contributions and no money was retained for maintenance (matter 3(i)). In the months to November 2021, when this statement was drafted, some of that money had been spent.

Where monies were not allocated, not spent or retained, there will be an intention for the relevant sum within the original planning agreement. It will usually take some time to spend sums received. Reasons might relate to the funding of that improvement, for example, the need to bring sums together into one pot from several sources. Reasons might also relate to the practical delivery of the intervention which might itself require planning permission and potentially other third-party consents or approvals too.

It is an optional requirement here, against matters 4(a) and 4(b) of Schedule 2 to the Regulations, to provide details on Section 278 agreements (delivered under that section of the Highways Act 1980) and other highways agreements (respectively). The summary information provided in Table 3 (for matter 4(a)) is for agreements which could amount to £1,129,013. The summary information provided in Table 4 (for matter 4(b)) is for agreements which could amount to £18,423,375.69.

**Table 1: Summary details of planning obligations money allocated but not spent during 2020/21 (matter 3(g))**

| Site  | Details   | Amount   |
|---|---|----------|
| Station Road, Former Brick Pits, Waddington | £40,000 on or before the first occupation on the site, £40,000 on or before first occupation of the 27th dwelling, £40,000 on or before first occupation of the 56th dwelling, and £37,000 on or before first occupation of the 81st dwelling. To be spent on any of the following works: 1. Improvements to existing uncontrolled pedestrian crossings 2. Provision of new uncontrolled pedestrian crossings 3. Existing bus stop improvements (Station Rd adj 147 - new shelter and new high kerbs, Station Rd adj 122A - new shelter, Station Rd adj 82A - new shelter and new high kerbs) 4. Bar Lane environmental improvements (part contribution to works) 5. Brant Road footway improvements (between 459 Brant Rd and Station Rd) 6. Byway/footpath improvements (opposite 459 Brant Rd - part contribution to works) 7. Station Rd footway improvements (between nos. 14 & 66 Station Rd) 8. Melbourne Way/Holywell Road cycleway provision | £192,629 |
| land at Lincoln Road/Honeyholes, Dunholme   | Bus stop works - part of major works not yet completed 25.11.20   | £8,000   |
| Grantham Road, Waddington                   | TRO contribution prior to 1st occupation – to cover the cost of the TRO process to seek to relocate the existing speed limit on Grantham Road as a consequence of the Development   | £4,503   |

**Table 2: Summary details of planning obligations money spent by LCC during 2020/21 (matter 3(h)-(i))**

| Site   | Details   | Amount      |
|--|---|-------------|
| Poplar Close, Ruskington                       | Towards additional secondary capacity in Ruskington - provided to St George's Academy in relation to extension to technology block to provide additional classrooms and associated ancillary spaces, completed late July 2015 | £93,079.91  |
| Land off Deepdale Lane, Nettleham              | Towards an extension of Monks Abbey Primary (both Lincoln North Primary planning area at the time of signing s.106 with a lot of movement from Lincoln north to Nettleham primary schools)                                    | £125,557.31 |
| Thimbleby Hill, Horncastle                     | Towards internal remodelling at Horncastle Primary  | £37,734.00  |
| Wygate Park, Spalding                          | Towards the costs of the new primary school at Wygate Park, Spalding, opened in 2014. The school was front-funded by the County Council in advance of S106 receipts.  | £970,000.00 |
| Land south of Fen Road, Heighington            | Towards the cost of introducing a traffic regulation order to reduce the existing speed limit on Fen Road adjacent to the proposed access to the site.  | £3,681.00   |
| Manor Farm, Bardney                            | Bus subsidy contribution (for existing Lincoln and Horncastle via Bardney route) – £30,000 in full on/before commencement or £131,000 paid in instalments 1st £33,906 on/before development of Phase 3a                       | £10,376.00  |
| Linchfield Road, Deeping St. James             | TRO to move 30mh speed limit  | £4,628.00   |
| Land at Lincoln Road/Honeyholes Road, Dunholme | Contribution towards A46 Centurion Garage Junction  | £20,000.00  |
| Land off Cliff Road / Heath Lane, Welton       | Contribution towards Lincoln Road/A46 (Centurion Garage) and the A15 junction improvements. Money to be paid: 10% - occupation of 1st dwelling, 45% - occupation of 30th dwelling, 45% - occupation of 45th dwelling.         | £10,000.00  |
| Land East of Hacktorn Road, Welton             | Contribution towards A46 Centurion Garage junction. Money to be paid occupation of 20th dwelling  | £103,071.00 |
| Brant Broughton                                | Moving road signs in the locality   | £3,594.02   |

**Table 3: Summary details of S278 Highways Agreements entered into in 2020/21 (matter 4(a))**

| Location                   | Parish           | Details  |
|----------------------------|------------------|--|
| A16 Sibsey Road            | Boston           | Ghost Island Right Turn Lane                             |
| Crease Drove               | Crowland         | (Ref H02-0575-18) Road widening and new vehicular access |
| St Bernards Avenue         | Louth            | Zebra crossing   |
| Crease Drove               | Crowland         | (Ref H02-0723-16) Road widening and new vehicular access |
| Crease Drove               | Crowland         | (Ref H02-0615-19) Road widening and new vehicular access |
| Tattershall Road           | Woodhall Spa     | New footway and bus stop                                 |
| Reston Road                | Legbourne        | Frontage footway and crossing point                      |
| Thoresby Road              | Tetney           | New Footway (50m)  |
| Asserby Road               | Asserby          | 2 Passing places and minor road widening                 |
| Network 46                 | Witham St Hughs  | New footway and 2 new bus stops                          |
| Alford Road                | Mablethorpe      | New Footway (1000m)                                      |
| Linchfield Road            | Deeping St James | 2 new Bus Stops  |
| Station Road               | Burgh Le Marsh   | New footway (140m)                                       |
| Town Road/Stump Cross Hill | Quarrington      | New pedestrian refuge                                    |
| Moulton Chapel Road        | Cowbit           | Footway  |
| Mill Lane                  | Martin           | New Footway (60m) and Road widening                      |
| WLDC Depot                 | Caenby Corner    | New vehicular access                                     |
| Northfield Road            | Market Deeping   | Frontage Footway   |
| Holbeach Road              | Spalding         | Parking layby  |
| Legbourne Rd               | Louth            | Footway & access to care home                            |
| Cowbit Road                | Spalding         | New Access and Footway Widening                          |
| Pinfold Lane               | Weston           | Road Widening and Resurfacing                            |

**Table 4: Summary details of other Highways Agreements for 2020/21 (matter 4(b))**

| Site/ Phase                       | Parish              | Details    |
|-----------------------------------|---------------------|------------|
| Harvester Way phase 1             | Crowland            | Section 38 |
| Penny Hill                        | Holbeach            | Section 38 |
| Land off The Sidings              | Horncastle          | Section 38 |
| Caswell Drive phase 1             | Quadring            | Section 38 |
| Church Lane ph 1                  | Saxilby             | Section 38 |
| Lincoln Road ph 1                 | Skellingthorpe      | Section 38 |
| Former Julian Bower playing field | Louth               | Section 38 |
| Wigtoft Road                      | Sutterton           | Section 38 |
| Witham Road - phase 2             | Woodhall spa        | Section 38 |
| The Quadrant phase R5             | Wyberton            | Section 38 |
| Station Road                      | Surfleet            | Section 38 |
| Caulton Fields phase 1            | Deeping St Nicholas | Section 38 |
| Teal Park access road 1 (phase 1) | North Hykeham       | Section 38 |
| Prebend Lane, Welton phase 2      | Welton              | Section 38 |
| Elsa Park zones 4 & 5, area 1     | Bourne              | Section 38 |
| London Road                       | Kirton              | Section 38 |
| Swineshead Road                   | Boston              | Section 38 |
| Broadfield Lane phase 4           | Boston              | Section 38 |
| Church Lane ph 2                  | Saxilby             | Section 38 |
| Station Road                      | Tetney              | Section 38 |
| Westbrooke Road phase 4           | Lincoln             | Section 38 |
| Golf Road ph 5                    | Mablethorpe         | Section 38 |
| Grantham Road                     | Waddington          | Section 38 |
| Station Road phase 1              | Branston            | Section 38 |
| Louth Road phase 1a               | Holton le clay      | Section 38 |
| Whisby Road                       | North Hykeham       | Section 38 |
| Station Road                      | Long Sutton         | Section 38 |
| Crease Drove phase 4?             | Crowland            | Section 38 |
| Handley chace 5x & 5y             | Sleaford            | Section 38 |
| Lindis Road phase 1               | Boston              | Section 38 |
| Thorpe Lane                       | South Hykeham       | Section 38 |
| Prebend Lane, Welton phase 1      | Welton              | Section 38 |
| Grimsby Road, phase 1             | Louth               | Section 38 |
| The Meadows phase 4               | Skegness            | Section 38 |
| Crease Drove phase 1              | Crowland            | Section 38 |
| Crease Drove phase 2              | Crowland            | Section 38 |

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