

Report to:	Planning Committee		
Date of meeting:	December 9 th 2021		
Report of:	Director of Place	Report Number:	
Reporting Officer:	Paul Whittingham Assistant Director Economic Development and Regeneration	Telephone Number:	
Contact Officer:	Matthew Kay Head of Planning	Telephone Number:	
Report title:	Infrastructure Funding Statement 2020-2021		
Not confidential			
This report does not contain information which warrants its consideration in the absence of the press or members of the public.			
Purpose:	<p>Local Authorities, such as Bolton Council, are now required to produce an Infrastructure Funding Statement on an annual basis as a result of changes to government legislation as required by Community Infrastructure Levy (Amendment) (England) (No. 2) 2019.</p> <p>All Local Planning Authorities who agree or receive contributions through Section 106 planning obligations in any given year are required to produce an Infrastructure Funding Statement to be published on its website along with the supporting datasets. For this year it must be published by 31 December 2021 covering the previous financial year.</p>		
Recommendations:	The Planning Committee is asked to note this report:		
Decision:			
Background documents:	Infrastructure Funding Statement 2019/20		
Date:			

Consultation with other officers			
Finance	Yes	31/11/21	David Shepherd
Legal	No	n/a	n/a
HR	No	n/a	n/a
Procurement	No	n/a	n/a
Climate Change	No	n/a	n/a
Equality Impact Assessment	No	n/a	n/a
(a) Post consultation reports Please confirm that the consultation response has been taken into consideration in making the recommendations	Yes		
Vision outcomes Please identify the appropriate Vision outcome(s) that this report relates or contributes to by putting a cross in the relevant box.	1. Start Well		
	2. Live Well		
	3. Age Well		
	4. Prosperous		
	5. Clean and Green		

		6. Strong and Distinctive	x
1. Start Well	Our children get the best possible start in life, so that they have every chance to succeed and be happy.		
2. Live Well	The health and wellbeing of our residents is improved, so that they can live healthy, fulfilling lives for longer.		
3. Age Well	Older people in Bolton stay healthier for longer and feel more connected with their communities.		
4. Prosperous	Businesses and investment are attracted to the borough, matching our workforce's skills with modern opportunities and employment.		
5. Clean and Green	Our environment is protected and improved so that more people enjoy it, care for it and are active in it.		
6. Strong and Distinctive	Stronger, cohesive, more confident communities in which people feel safe, welcome and connected.		

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BOLTON COUNCIL
INFRASTRUCTURE FUNDING
STATEMENT: 2020/21

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1. Introduction

1.1 About this statement

Welcome to the Bolton Council Infrastructure Funding Statement.

Local Authorities, such as Bolton Council, are now required to produce an Infrastructure Funding Statement on an annual basis as a result of changes to government legislation as required by Community Infrastructure Levy (Amendment) (England) (No. 2) 2019.

All Local Planning Authorities who agree or receive contributions through Section 106 planning obligations in any given year are required to produce an Infrastructure Funding Statement to be published on its website along with the supporting datasets. For this year it must be published by 31 December 2021 covering the previous financial year. Those datasets are also required to be submitted by that date to the Department of Levelling Up, Housing and Communities (DLUHC) as part of a new National Register of Developer Contribution.

The purpose of the Infrastructure Funding Statement is to provide an overview which will give policy makers and communities better insight into how developer contributions are supporting new development and local infrastructure.

Bolton Council does not operate a Community Infrastructure Levy and, as such, this statement will only set out this year's income and expenditure relating to Section 106 (S106) agreements. By way of reference, S106 (collectively known as 'planning obligations' or 'developer contributions') income is used to offset harm caused by development and help fund the provision of supporting infrastructure in association with development and maximise the benefits and opportunities from growth, such as employment opportunities and affordable homes.

The changes in the Regulations, referred to above, require datasets to be compiled detailing new S106 agreements signed in 2020/2021 along with all monies received and spent within that period with respect of existing signed S106 Agreements and provide a balance of accounts as of 31 March 2021. The Infrastructure Funding statement is an overview of the information collected in those datasets for the financial year 2020/21.

This document represents the Council's Infrastructure Funding Statement.

Section 2 of this Statement sets out progress in the collection and spending of S106 income over the last financial year (2020/21).

Section 3 sets out S106 planned expenditure over the next reporting period (2021/22).

Key headlines from the statement

In 2020/21, the headline figures are as follows:

Section 106 agreements:

£1,988,113.67 was secured through S106 agreements signed in 2020/21

122 units of affordable housing secured through S106 agreements in 2020/21

£1,358,471 of funding was drawn down principally towards transport and travel, education and open spaces and leisure.

£735,546 has been received in S106 receipts - mostly sums towards transport and travel, affordable housing and highways.

There is a remaining balance of £2,918,102 rolling forward into 2021/22.

2. Section 106 collection and expenditure: 2020/21

S106 agreements are used to mitigate the impacts of development and ensure that Bolton's planning policy requirements (as set out in the Core Strategy, the Infrastructure and Planning Contributions Supplementary Planning Document (SPD) and the Affordable Housing SPD) are fully met. S106 obligations include:

- Site-specific financial contributions - these are secured and must be used for defined purposes; for instance, the provision of education facilities, traffic and transport/highways related works, open space provision and affordable housing contributions (where accepted in lieu of on-site provision);
- Provision of on-site affordable housing; and
- Non-financial obligations, including requirements such as employment and skills strategies, construction management plans and travel plans.

The Core Strategy Policy IPC1 sets out our requirements for planning obligations in the context of negotiations on planning applications where it states:

"The council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. In doing so, the council will ensure that a scheme is made acceptable in planning terms and achieves the objectives of sustainable development"

The Infrastructure and Planning Contributions SPD identifies areas where contributions will be sought. This document outlines the range and nature of planning obligations to be sought depending on the type of development in the authority.

The areas identified are as follows:

- Affordable housing
- Open space and children's play space
- Health and well-being
- Education
- Community and cultural facilities
- Public art and public realm improvements
- Sustainable Drainage Systems
- Other contributions (Highway Contributions etc.)

Further detail on the implementation of this approach is set out in the Infrastructure and Planning Contributions Supplementary Planning Document. More specific requirements for securing affordable housing are set out in the Affordable Housing SPD.

These documents can be viewed from our web site at:

<https://www.bolton.gov.uk/downloads/file/864/infrastructure-and-planning-contributions>

<https://www.bolton.gov.uk/downloads/file/857/affordable-housing>

2.1 Section 106 agreements signed

2.2 Developments with notable S106 agreements signed in the last financial year (2020/21) include:

[06769/19](#) LAND OFF WELLINGTON STREET, FARNWORTH – Affordable Housing £82,500.00

[06410/19](#) LAND AT BOWLANDS HEY, WESTHOUGHTON – Education £506,925.36 Highways £28,536.20

[07844/20](#) 58 MANCHESTER ROAD, KEARSLEY, BOLTON, BL4 8NZ – Open Space £3000.00

[08439/20](#) LAND AT GREAT BANK ROAD, WESTHOUGHTON, BOLTON – Highways £59,000.00

[05937/19](#) LAND OFF COLLINGWOOD WAY, WESTHOUGHTON, BOLTON, BL5 – Education £142,062.00
Open Space £56,320.00

[04766/18](#) LAND WEST OF WINGATES INDUSTRIAL ESTATE OFF CHORLEY ROAD, WESTHOUGHTON,
BOLTON, BL5 3LY Highways £794,583.07 Transport £308,000.00

These S106 agreements and other relevant documentations can be viewed online following Planning Application Reference Number links above.

S106 agreements value 2020/21

Total monetary value from all S106 agreements signed 2020/21 - £1,988,113.67

Non-financial contributions secured through S106 agreements

Total Number of affordable housing units provided in 2020/21 - 122

[07844/20](#) 58 MANCHESTER ROAD, KEARSLEY, BOLTON, BL4 8NZ - 24 No units

[08038/20](#) ST COLUMBA RC CHURCH, RIPLEY STREET, BOLTON, BL2 3AR – 24 No units

[05937/19](#) LAND OFF COLLINGWOOD WAY, WESTHOUGHTON, BOLTON, BL5 – 16 No units

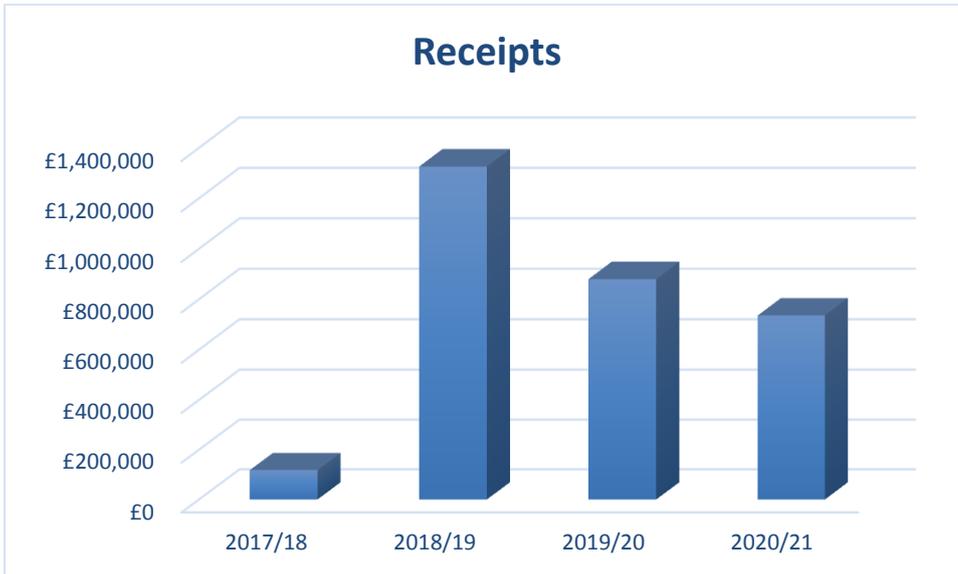
[06410/19](#) LAND AT BOWLINGS HEY, OFF COLLINGWOOD WAY & OLD LANE, WESTHOUGHTON, BOLTON - 58
No Units

2.3 Section 106 financial contributions received

In 2020/21, a total of £735,546 was received in S106 contributions

The table and bar chart show S106 income over the last four financial years.

Year	Receipts
2020/21	£735,546
2019/20	£879,565
2018/19	£1,325,612
2017/18	£117,959



The graph shows significant differences in income over the last four years derived from S106 agreement. However, it is important to qualify that this is not a performance issue as the income is derived from Major planning applications granted planning permission by the Council. In all cases, the Council seeks to maximise S106 contributions in accordance with its S106 Supplementary Planning Document and the provisions of Community Infrastructure Levy Regulations 2010.

The variation in income between years is determined by the actual S106 agreements themselves and the trigger points for when payments need to be made to the Council. Accordingly, one year may see a higher Income from S106 agreements than another, simply because there may be more or larger S106 contributions triggered and paid to the Council during that period.

Total receipts in 2020/21 came from 6 sites, however most of the contributions came from the following 3 sites:

Most notable agreements

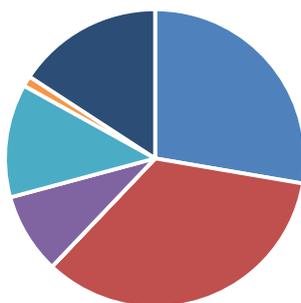
90539/13	Cutacre Logistics North	322,739.29
01373/17	Former Horwich Loco Works	136,950.74
03484/18	Former Greyhound Stadium, Wigan Road, Westhoughton	113,795.89

2.4 Section 106 spending

Expenditure of section 106 funds was concentrated in affordable housing, transport and travel, education and open spaces and leisure.

Areas of spend in 2020/21

Area of Expenditure 2020/21



- affordable-housing
- education
- health
- highways
- open-space-and-leisure
- other
- transport-and-travel

Summary of main spending during 2020/21:

Affordable Housing	£376,356	Lever Gardens Extra Care Scheme.
Transport and Travel	£214,167	Support of Logistics North Local Link transport service
Education	£215,549	Blackrod Primary School
Education	£161,874	Primary School Improvements Great Lever and neighbouring wards
Open spaces and leisure	£143,795	Play Strategy play area refresh schemes
Highways	£118,655	Tonge Moor/Crompton Way junction improvements
Open spaces and leisure	£23,395	Committed sums use for maintenance of play and open space areas
Open spaces and leisure	£77,187	Contribution to play refresh strategy at 11 sites across borough.

Travel & Transport

The section 106 agreement arising from planning application 90539/15 provides funding over a number of years to support transport links to the Logistic North site. Approval was given in a report to the Executive Cabinet Member Deputy Leader on 27th February 2019 for use of s106 funds to provide a transport local link service.

Education

The section 106 agreement arising from planning application 94656/15 Hill Lane Blackrod provided funding for education expansion and maintenance at Blackrod Primary School whilst the agreement under planning application 96907/17 Beehive Mills, Crescent Road provided funding for improvement to existing primary schools in Great Lever and its surrounding wards.

Open Spaces and Leisure

When land is transferred by a developer to the Council as an open space, provision is sometimes made within the s106 agreement for a contribution towards future maintenance costs. This takes the form of a commuted sum which is a lump sum that is drawn down usually over ten years as a contribution to the greenspace maintenance budget.

Capital sums are used to fund the provision of new or refreshed play areas and equipment across the borough. In 2020/21 7 sites across the borough were refreshed with use of funding from a collection of agreements. Details of how s106 is used for equipped play areas was set out in a report to the Executive Cabinet Member Leaders Portfolio of 3rd March 2013 setting out the strategy and a ten year Action Plan Framework.

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) is £0

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 is £0

2.5: Current section 106 balances

A balance of £3,541,027 was carried through from 2019/20 to financial year 2020/21.

As a result of the income and expenditure set out in sections 2.3 and 2.4 of this statement, current S106 balances for 2020/21 are as follows:

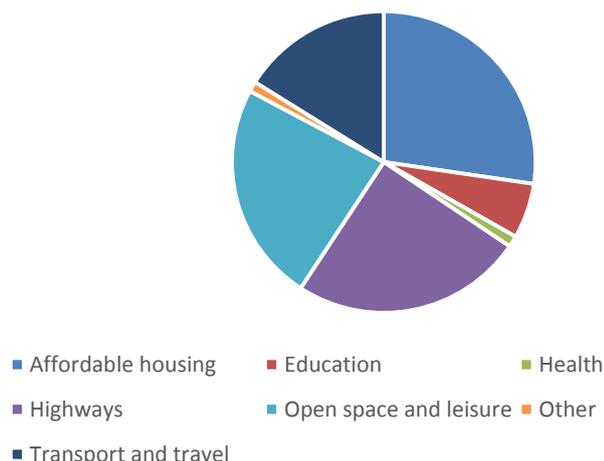
- £2,918,102 (current balance).
- All funds are allocated to the area of intended purpose as set out in the individual S106 agreements and are available to be allocated towards future projects in 2021/22 or beyond, which meet the specified requirements defined within the S106 agreement relating to each site.

Balance breakdown

	Balance held 31/3/21
Affordable housing	797,358
Education	172,788
Health	35,012
Highways	723,046
Open space and leisure	687,984
Other	31,961
Transport and travel	469,953
Grand Total	2,918,102

Breakdown of S106 balances in 2020/21

Balances held at 31/3/21



For clarity, the figure of £2,918,102 does not include monies spent subsequent to 31 March 2021 or additional income derived from S106 agreement during that period. These figures will be reported in the following Infrastructure Funding Statement for 2021/22 as this is now an annual requirement.

3. Planned expenditure (2020/2021)

Unlike the Community Infrastructure levy which require a planned expenditure of monies received, S106 monies must be spent in accordance with the terms of the legal agreement (as part of the planning application process). The heads of terms can include a clause to spend the S106 contribution between five and ten years of the agreement; accordingly, expenditure is pre-determined by the S106 both in terms of what it can be spent on and by when.

The Council's balance of £2,918,102 (as of 31st March 2021) which represents monies received, but yet to be drawn down, will be spent against specific projects/works identified in the S106 agreements to which the payment pertains as identified in 2.4 above. Whether this takes place in 2021/22 or later is determined by the terms of the S106 Agreement itself.

The main exceptions to this relates to some monies received in respect of Public Open Space and affordable housing provision.

Public Open Space

As stated above in 2.4, there are developments where monies received in respect of Public Open Space are not specifically tied to a particular development and can be spent across the wider authority. Where this takes place, planned expenditure will be in accordance with the report to the Executive Cabinet Member Leaders Portfolio of 3rd March 2013 setting out the strategy and a ten year Action Plan Framework. The commuted sum held for this provision is £182,903 at 31st March 2021.

Affordable Housing

The Council always endeavours to provide affordable housing on-site with respect to any proposed development. However, there are times when this cannot take place and, in those circumstances the Council will secure a sum for off-site provision elsewhere within the authority. With respect to these sums, the Council will work with Registered Providers to identify schemes in consultation with the ECM and will be reported within the subsequent 2021/22 Infrastructure Funding Statement.

3.1: The planning and delivery of our infrastructure

S106 receipts were expected to increase over the coming years in response to rising levels of development. However, the uncertainty associated with Covid-19 and the impact this has and will have on market moving forwards is clearly not known.

The Infrastructure Delivery Statement is intended to be a living document that will be reviewed and updated on an annual basis to effectively coordinate the delivery of infrastructure alongside the planned increase in new homes and jobs and the authority's projected population growth over the next 15 years and beyond.

4: Conclusions

Bolton Council is committed to working with the local community and other stakeholders to ensure that planning contributions are used in a fair and transparent way to maximise the benefits and opportunities arising from development, such as new affordable homes, community infrastructure and environmental improvements.

The Infrastructure funding report shows that, along with signing six new significant S106 agreements in 2020/21, the Council received a grand total of £879,565 of additional income secured through S106 agreements.

During that period, the Council spent £1,358,471 on the provision of infrastructure to support the local economy and community, primarily on Affordable Housing, Transport/Travel, Education and Public Open Space/Leisure.

This has resulted in a balance from 2020/21 of £2,918,102 S106 monies held by the Council as of 31 March 2021, comprising income received and rolled forward from previous years and that received during 2020/21.

The balance is carried forwards into 2021/22 and beyond is for the provision of infrastructure and affordable housing, dependent upon the delivery timeframes specified within the S106. The main areas of identified spend in 2021/22 and beyond are affordable housing provision, contributions towards highways improvements, contributions towards transport and travel, education contribution towards local schools and finally, public open space/leisure contributions.

All S106 incomes and expenditure between 1 April 2021 and 31 March 2022 will be included within the Bolton Infrastructure Funding Statement 2021/22. However, the Government have proposed that the current CIL/S106 regime be changed within their recent White Paper and to replace it with a single Infrastructure Levy for all Councils. Dependent upon the outcome of the consultation exercise, how Bolton secures its infrastructure/affordable housing contributions in the future may change dramatically, albeit that there will likely still be a requirement for a Infrastructure Funding Statement of some form moving forwards.

Lastly, what impact covid-19 has upon the development industry and therefore, potential S106 income is uncertain at this moment in time.

5. **IMPACTS AND IMPLICATIONS:** (If your report includes any impacts/implications you must ensure the relevant department has signed it off)

5.1 **Financial** (if no financial impacts/implications state “NONE”)

5.1.1 NONE – this is a reporting requirement by Department of Levelling Up and has no direct financial implications arising from the report.

5.2 **Legal** (if no legal impacts/implications state “NONE”)

5.2.1 NONE

5.3 **HR** (if no HR impacts/implications state “NONE”)

5.3.1 NONE

5.4 **Climate Change** (if no climate change impacts/implications {positive or negative} state “NONE”)

5.4.1 NONE

5.5 **Other** (if no other impacts/implications state “NONE”)

5.5.1 NONE

6. **EQUALITY IMPACT ASSESSMENT (EIA)**

6.1. Under the Equality Act 2010, the council has a general duty to have due regard to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

6.2. It is important to consider how the proposals contained within this report may impact positively or negatively on protected characteristics. It has been determined that due to this report being of housing land supply, it is not anticipated that the proposals within this report will have a differential impact on any of Bolton’s diversity groups, including staff. A full EIA is therefore not required at this stage.

7. **CONSULTATION** (Do you need to consult Members, Customers / Service Users, other Council Departments, Unions, will other consultation take place (eg. Planning etc)?)

7.1. No

8. **VISION 2030** (Please state how your proposals help achieve the 2030 Vision.)

8.1. No

9. **RECOMMENDATIONS** (This text should be exactly the same as on the front cover)

9.1. The Planning Committee is asked to note this report.

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Equality Impact Assessment – (Part 1 – Screening)

Title of report or proposal:
Infrastructure Funding Statement 2020-2021

Directorate:	Place
Section:	Planning
Date:	09/12/2021

Public sector bodies need to be able to evidence that they have given due regard to the impact and potential impact on all people with 'protected characteristics' in shaping policy, in delivering services, and in relation to their own employees.

Under the Equality Act 2010, the council has a general duty to have due regard to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

By completing the following questions the three parts of the equality duty will be consciously considered as part of the decision-making process.

Details of the outcome of the Equality Impact Assessment must also be included in the main body of the report.

- 1. Describe in summary the aims, objectives and purpose of the proposal, including desired outcomes.**

To inform Planning Committee of the annual Infrastructure Funding Statement.

- 2. Is this a new policy / function / service or review of existing one?**

No new policy, function or service, this is a report of the annual Infrastructure Funding Statement

- 3. Who are the main stakeholders in relation to the proposal?**

Place Directorate

- 4. In summary, what are the anticipated (positive or negative) impacts of the proposal?**

Reports payments derived from Section 106 associated with development proposals.

- 5. What, if any, cumulative impact could the proposal have?**

Increased financial contribution for the provision of affordable housing and infrastructure.

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