

METROPOLITAN BOROUGH OF KNOWSLEY

S106 Infrastructure Funding Statement

2020/21

1. Introduction

- 1.1 This Infrastructure Funding Statement (IFS) is an annual public report, which provides a summary of “developer contributions” made and pending during the most recent financial year. In this case between 1st April 2020 and 31st March 2021.
- 1.2 Developer contributions (also known as “s106 agreements” or “planning obligations”) are used to secure financial and non-financial contributions (including affordable housing), or other works, to mitigate the impact of new homes and other buildings, which create extra demands on local facilities. For example, improvements to local greenspaces, or meeting the capital costs associated with delivering additional pupil places at a school close to a large development site.
- 1.3 This report (for 2020/21) provides an overview of what s106 agreements are and information about developer contributions (for the year):
- currently held
 - paid to the Council
 - spent
 - entered into, and
 - secured.

The projects delivered because of developer contributions are also listed.

2 Planning Obligations / s106 Agreements

2.1 What are they?

- 2.1.1 Planning obligations / s106 agreements are legal agreements secured under national planning law¹ and made between local planning authorities and applicants for planning permission (developers). They can also be via a “unilateral undertaking” entered into by a person with an interest in the land without the local planning authority. The government provides guidance about Planning Obligations [here](#).
- 2.1.2 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms.
- 2.1.3 Developers may be asked to provide contributions for infrastructure in several ways. Knowsley Council, as the local planning authority (LPA), seeks planning obligations from applicants for planning permission where it is not possible to address the unacceptable impacts of a development through a planning condition, such as when a financial contribution is required. To be lawful, obligations secured via a S106 agreement must be:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development, and
 - Fairly and reasonably related in scale and kind to the development.

¹ S106 of the Town and Country Planning Act 1990: <https://www.legislation.gov.uk/ukpga/1990/8/section/106>

- 2.1.4 Developer contributions secured via planning obligations can be used to deliver the mitigation on the land where planning permission was granted, for example, through the provision of affordable housing as part of a larger housing development. Alternatively, they may fund all (or part of) mitigation nearby. For example, a development may part-fund additional pupil places at a local school, which, when combined with other developer contributions will meet the overall capital costs of delivery.
- 2.1.5 The use of planning obligations is governed by the fundamental principle that planning permission may not be bought or sold. Therefore, it is not legitimate for unacceptable development to be permitted because of benefits offered by a developer, which are unrelated to the development under consideration. Similarly, planning obligations should never be used purely as a means of securing a share in the development profits for the local community.

2.2 When are Developer Contributions required in Knowsley?

- 2.2.1 Knowsley Council's requirements for S106 planning obligations are principally set out in its "Local Plan Core Strategy"², specifically Policy CS27: Planning and Paying for New Infrastructure and the adopted "*Developer Contributions Supplementary Planning Document*" (SPD)³.
- 2.2.2 Separate SPDs for "*Earlsfield Park*" in Huyton, "*Halsnead Garden Village*" and "*East of Halewood*", set-out specific requirements for those locations, to be secured via planning obligations.
- 2.2.3 A further SPD in relation to "*Adding Social Value to Development: Employment and Skills*" also requires a developer contribution to be secured via a planning obligation to allow the monitoring of social value strategies to be undertaken.

2.3 Development Viability

- 2.3.1 The Council's starting-point in discussions with developers is that all new development proposed should fully meet local planning policy, including any requirements identified for developer contributions towards infrastructure – as explained above. However, the Council must base its decision on a planning application on the individual circumstances of each application. This includes a consideration of any evidence submitted by a developer which shows that the delivery of a development would not (or is unlikely to) take place because its viability would be adversely affected by the payment of all (or some of) the developer contributions required.
- 2.3.2 The Council always robustly challenges viability evidence presented by developers and it has succeeded in achieving, through negotiation, increased developer contributions over and above those initially offered by developers. However, developers are not obliged to agree to a planning obligation and in such cases, the Council must ultimately consider whether to refuse planning permission.
- 2.3.3 Following a refusal of planning permission, a developer has a right of appeal to government. At an appeal the appropriateness and scope of the developer contribution is determined by the Planning Inspector and not Knowsley Council.

2.4 Completed Planning Obligations/ s106 Agreements

- 2.4.1 Once a planning obligations/ s106 agreement is signed, it is registered in the Local Land Charges Register. Planning obligations are tied to the land, and they may be enforced against anyone who originally enters into the agreement and any successor in title unless the agreement specifies otherwise.

² <https://www.knowsley.gov.uk/residents/building-and-planning/local-plan/adopted-documents>

³ <https://www.knowsley.gov.uk/residents/building-and-planning/local-plan/adopted-documents/supplementary-planning-documents>

- 2.4.2 The requirements of a planning obligation/ s106 agreement come into effect if the planning permission is implemented and any milestones (triggers) set out in the obligation/agreement are reached. A developer contribution towards education provision may, for example, be required upon the developer’s completion of the 50th and 100th new home.
- 2.4.3 The Council’s s106 Monitoring Officer proactively monitors the progress of new development to ensure that the requirements of planning obligations/ s106 agreement are met and that the related infrastructure projects (or affordable housing) can be delivered. In the small number of cases where a developer contribution becomes overdue, the s106 Monitoring Officer takes action to ensure its payment.
- 2.4.4 Some planning obligations/S106 agreements require developer contributions not spent within a certain time to be refunded to the developer. The Council aims to ensure that all developer contributions are spent on the projects they were identified for, and no refunds were necessary during the reported year.
- 2.4.5 National regulations⁴ permit councils to charge developers a “monitoring fee” through planning obligations/S106 agreements, to cover the cost of the monitoring and reporting on delivery of that section 106 obligation as described above. For the reported year (2020/21), the Council secured **£8000** from developers towards the additional resource costs arising from the monitoring of the development and the obligations imposed.

3 Section 106 Contributions summary

3.1 S106 monies on hand at the beginning of the reporting year

- 3.1.1 The table below highlights that as of the 31 March 2020, a total of **£5,441,757** of developer contributions was available to fund public open space, highways infrastructure, affordable housing, and economic development (social value, the provision of apprenticeships and training) within the Borough. Projects have been identified for all contributions, except for the affordable housing contribution.

<u>S106 Contributions Held as of 31st March 2020</u>	
Contribution Type	S106 Contributions Held (£)
Public Open Space	2,895,170
Town Centre Promotion	19,779
Highways	864,686
Economic Development	-
Affordable Housing	1,662,122
Total	5,441,757

⁴ The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019

3.2 Contributions secured between 1st April 2020 and 31st March 2021

3.2.1 During the reported year the Council secured developer contributions of up to **£5,016,322** and the provision of 390 on-site affordable homes from development sites with planning permission. The finalised total is dependent on the number of dwellings approved with the future approval of details (at the reserved matters stage) under the outline element of planning permission 18/00283/HYB. This was a hybrid planning permission, with outline planning permission for one part and full planning permission for another part of a site. The final contribution, for up to 237 dwellings, will be established once the outstanding reserved matters application(s) are determined. A breakdown of this split is shown in the table below.

3.2.2 Some of the contributions secured in this period have already been received and others will be paid or delivered in future years, should the developments progress as planned. The table below summarises these agreements and identifies:

- which development they relate to;
- what the contributions are for, and their value;
- whether they have been received or spent, and;
- any projects they have been allocated for.

3.2.3 Further information on the planning applications summarised below can be found on the Council's web site [Here](#) by searching on the application number.

Planning App No. & Site	Ward	Contribution Type	Project	Contribution Amount (£)	S106 Status
18/00283/HYB - Land North of M62 Motorway off Windy Arbor Road (Halsnead) Whiston Knowsley L35 1RB	Whiston & Cronton				
<u>FULL Permission</u>		Public Open Space	Provision of neighbourhood equipped area for play, community orchard and allotments	61,131.00	Agreed
-		Public Open Space	Provision of 9.6 hectares of open space & green infrastructure on the open space land	114,636.00	Agreed
-		Public open space - maintenance sum	On-going maintenance of the open space land	284,745.00	Agreed
-		Employment and Training	Social value contribution for training and to create local employment opportunities	8,610.00	Received
-		Outdoor Sports Contribution	Improvement of provisions at Lickers Lane playing fields	71,955.00	Agreed

Healthcare Provision	Improvements to off-site healthcare & dental facilities	11,562.00	Agreed
Nursery School Education	Provision of 65 full time nursery school/external childcare places	137,145.00	Agreed
Primary School Education	Provision of additional places at existing schools or towards a new school to be constructed in the Halsnead Garden Village	434,928.00	Agreed

Total

1,124,712.00

Outline Permission - Contribution Due subject to no. of dwellings applied for at Reserved Matters

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		<u>Maximum Contribution for up to 237 Dwellings (£)</u>	<u>Amount Secured per Dwelling (£)</u>	
Public Open Space	Provision of Neighbourhood Equipped Area for Play, community orchard and allotments	117,789.00	£497 per dwelling	Amount to be Confirmed
Public Open Space	Provision of 9.6 hectares of open space & green infrastructure on the Open Space Land	220,884.00	£932 per dwelling	Amount to be Confirmed
Public Open Space - Maintenance Sum	On-going maintenance of the Open Space Land	548,655.00	£2,315 per dwelling	Amount to be Confirmed
Employment and Training	Social Value Contribution for training and to create local employment opportunities	16,590.00	£70 per dwelling	Amount to be Confirmed
Outdoor Sports Contribution	Improvement of provisions at Lickers Lane playing fields	138,645.00	£585 per dwelling	Amount to be Confirmed
Healthcare Provision	Improvements to off-site healthcare & dental facilities	22,278.00	£94 per dwelling	Amount to be Confirmed
Nursery School Education	Provision of 65 full time nursery school/external childcare places	264,255.00	£1,115 per dwelling	Amount to be Confirmed

		Primary School Education	Provision of additional places at existing schools or towards a new school to be constructed in the Halsnead Garden Village	838,032.00	£3,536 per dwelling	Amount to be Confirmed
			Total	2,167,128.00		
		Potential for On-site Affordable Housing	Affordable Housing Provision to be determined by a viability report submitted with Reserved Matters application.			
18/00785/FUL - Land At Woodcroft West Street Prescott Knowsley L34 1LF	Prescot North	Public Open Space	Eaton Street Park Entrance Carr Lane Woods Street Furniture a KGV Prescott Play Enhancement Project KGV Sports Improvement Project	17,178.00		Received
19/00243/OUT - Vacant land at Moorgate Road/ School Lane; Randles Road/Gellings Road, Knowsley Business Park	Prescot North	Employment and Training	Social Value Contribution for training and to create local employment opportunities	4,109.00		Agreed
19/00675/FUL - Land to the rear 112 Broad Lane, Kirkby	Northwood	Public Open Space - Maintenance Sum	Commuted sum for the upgrade and/or maintain existing public open space in lieu of the provision of on-site public open space	20,751.00		Agreed
			14 On-site Affordable Dwellings	0.00		Agreed
19/00682/FUL - Land adjacent to 13 Brookside Road (Silcock Field), Prescott	Prescot South	Public Open Space	Stadt Moers Pottery Fields Play Area, Two Butt Lane Playing Fields	29,203.00		Received
			24 On-site Affordable Dwellings	0.00		Agreed
19/00684/FUL - Land at former Whitakers Garden Centre, Prescott	Prescot North	Tree Planting	Off Site tree planting within the Prescott township area	11,715.00		Received
		Employment and Training	Social Value Contribution for training and to create local employment opportunities	15,890.00		Received

		Highways	Improvements to the cycle provision around the Site	30,000.00	Received
		Public Open Space	Improvements to Brown Fields (formerly known as King George V Playing Fields)	575,000.00	Part Received
		Healthcare Provision	Improvements to Prescott Medical centre to accommodate an additional doctor	17,400.00	Agreed
20/00099/FUL - Former Astley House site, Astley Road, Huyton	Stockbridge	Public Open Space	Lord Derby Playing Fields	210,264.00	Part Received
		Public Transport Infrastructure	Upgrade of bus stops on Knowsley Lane and/or Hillside Road	20,000.00	Part Received
			131 On-site Affordable Dwellings	0.00	Agreed
20/00124/FUL - Former Sonae site, Kirkby	Northwood	Employment and Training	Social Value Contribution for training and to create local employment opportunities	27,917.00	Received
		Highways Infrastructure	Improvements and maintenance work to Arbour Lane	115,223.00	Received
20/00193/FUL - Land off Valley Road / Whitefield Drive, Westvale Kirkby	Whitefield	Employment and Training	Social Value Contribution for training and to create local employment opportunities	23,940.00	Received
		Public Open Space	improvements to the south of the development and along the M57 corridor towards Cophorne Walk	558,483.00	Received
			221 On-site Affordable Dwellings	0.00	Agreed
20/00376/OUT Earlsfield site, Knowsley Lane, Huyton	Stockbridge	Employment and Training	Social Value Contribution for training and to create local employment opportunities	38,163.00	Received
20/00379/FUL - The Web Complex	Northwood	Employment and Training	Social Value Contribution for training and to create	5,808.00	Agreed

Admin Road Kirkby		local employment opportunities		
	Highways Infrastructure	Erection of bollards on the western side of the pedestrian crossing facilities on the Gale Road	3,438.00	Agreed
		Total	5,016,322.00	

3.3 S106 monies received in the reporting year (2020/21)

3.3.1 The Council received a total of £1,472,129 in s106 contributions and the table below highlights the money received for different categories of infrastructure.

<u>S106 Contributions Received in 2020/21</u>	
Contribution Type	S106 Contributions Received (£)
Public Open Space	1,106,906
Highways	252,323
Economic Development	112,900
Total	1,472,129

3.3.2 The table below provides a detailed breakdown of all contributions paid to the Council between 1st April 2020 and 31st March 2021. It sets out:

- the development;
- how much monies were received by the council;
- what type of infrastructure these monies were to be spent on, and;
- where applicable, the project they have been allocated to be spent on.

<u>Planning Application Reference</u>	<u>Site Address</u>	<u>Ward</u>	<u>s106 Contribution Received (£)</u>	<u>Contribution Type</u>	<u>Project</u>
15/00022/OUT	Carr Lane - Prysman Site	Prescot North	135,998.00	Highways	Carr Lane/Huyton Lane junction works
19/00674/FUL	The Custom Complex	Northwood	2,019.00	Economic Development	Job/apprenticeship opportunities
19/00520/FUL	Image Business Park	Northwood	6,568.00	Economic Development	Job/Apprenticeship Opportunities
17/00352/FUL	Land adjacent to Redgate Lodge, Carr Lane	Roby	10,529.00	Public open space	Stadt Moers infrastructure connection project. Carr Lane pathway improvement project KGV Prescot junior play safety surface & KGV Prescot pitch drainage improvement project

19/00297/FUL	Former Watch Factory Site	Prescot North	14,026.00	Economic development	Job/apprenticeship opportunities
98/00639/APP	Land off Shevingtons Lane, Saxon Way	Shevington	36,258.00	Public open space	Long term maintenance (commuted sum)
20/00193/FUL	Land off Valley Road / Whitefield Drive	Whitefield	558,483.00	Public open space	Improvements to the south of the development and along the M57 corridor towards Cophthorne Walk
			23,940.00	Economic development	Job/apprenticeship opportunities
12/00543/FUL	Land adjacent to 64 Torrington Drive	Halewood South	1,177.00	Public open space	Halewood Doorstop Green pathway & entrance improvements & playground enhancements
16/00772/FUL	Site at former Bowring Community Sports College	Page Moss	92,250.00	Public open space	Pathways and vehicular routes improvement project, playground enhancement project with Bowring Park & playing pitch and facilities project within Jubilee Park,
18/00785/FUL	Land at Woodcroft, West Street, Prescot	Prescot North	17,184.00	Public open space	Eaton Street Park entrance and infrastructure, Carr Lane Woods, street furniture and infrastructure improvement, KGV Prescot play enhancement project KGV sports improvement project
20/00376/OUT	Earlsfield (land off Knowsley Lane), Huyton	Stockbridge	38,163.00	Economic development	Job/apprenticeship opportunities
20/00124/FUL	Former Sonae site, Kirkby	Northwood	116,325.00	Highways	Ongoing improvements/maintenance works to Arbour Lane
			28,184.00	Economic development	Job/apprenticeship opportunities
14/00519/FUL	Montgomery Resource Centre, Huyton	St Michael's	9,550.00	Public open space	Bowring Park landscaping
18/00062/HYB	Earlsfield Park, Knowsley Lane	Stockbridge	381,475.00	Public open space	Lord Derby Playing Pitches and Oak Plantation
		Total	1,472,129.00		

3.4 Total S106 monies allocated to infrastructure but not spent between 1st April 2020 and 31st March 2021

3.4.1 The table below details that **£3,817,740** of S106 monies were allocated for funding infrastructure, but not spent, between 1st April 2020 and 31st March 2021.

Allocated s106 Funds Held for Infrastructure as of March 2021 (£)	
Contribution Type	S106 Contributions Held (£)
Public Open Space	3,411,358
Highways - Public Transport Infrastructure	61,000
Highways	285,773
Tree Planting	59,609
Total	3,817,740

3.5 S106 monies spent between 1st April 2020 and 31st March 2021

3.5.1 The tables below identify that £1,296,812 of S106 monies were spent between 1st April 2020 and 31st March 2021 and sets out how much was spent on each type of infrastructure and the projects the monies were spent on. No monies were spent repaying borrowed money.

<u>S106 Contributions Spent in 2020/21</u>	
Contribution Type	S106 Contributions Spent (£)
Public Open Space	498,347
Highways	758,584
Economic Development	39,881
Total	1,296,812

<u>S106 Project Spend 2020/21</u>				
<u>Planning App No.</u>	<u>Site</u>	<u>Ward</u>	<u>Spend (£)</u>	<u>Project</u>
13/00052/FUL	Land at Portway, Hunts Cross	Halewood South	23,429.00	Halewood Doorstep Green
14/00783/FUL	Buckles Nursey Ltd	Cherryfield	22,122.00	Field Lane Park infrastructure
16/00772/FUL	Site at former Bowring Community Sports College	Page Moss	23,718.00	Bowring Park restoration

18/00062/HYB	Earlsfield Park, Knowsley Lane, Huyton	Stockbridge	300,657.00	Lord Derby Playing Pitches and Oak Plantation
17/00201/FUL	Roughwood Drive, Kirkby	Northwood	123,840.00	Eddie McArdle Playing Fields
98/00639/APP	Land off Shevingtons Lane, Saxon Way	Shevington	4,584.00	North Kirkby Green Spaces - green routes & sporting improvement
18/00300/FUL	Edenhurst Avenue, Roby	Roby	754,657.00	Rimmer Avenue/ Court Hey Road junction and upgrading of sections of foot paths on Bowring Park Avenue
17/00301/HYB	Land between Cronton Road and M62 Motorway	St Gabriel's	3,926.00	Traffic Cameras at junction of Wilson/Cronton Road
19/00674/FUL	The Custom Complex, Yardley Road, Knowsley Industrial Park, Kirkby	Northwood	2,019.00	Social Value - provision of jobs & apprenticeships for Knowsley residents
19/00520/FUL	Image Business Park, Acornfield Road, Knowsley Industrial Park, Kirkby	Northwood	6,568.00	Social Value - provision of jobs & apprenticeships for Knowsley residents
19/00297/FUL	Former Watch Factory site, off Bookbinders Lane, Prescot.	Prescot North	4,207.00	Social Value - provision of jobs & apprenticeships for Knowsley residents
20/00193/FUL	Land off Valley Road / Whitefield Drive, Kirkby.	Whitefield	7,182.00	Social Value - provision of jobs & apprenticeships for Knowsley residents
20/00376/OUT	Earlsfield (Land off Knowsley Lane), Huyton.	Stockbridge	11,448.00	Social Value - provision of jobs & apprenticeships for Knowsley residents
20/00124/FUL	Former Sonae Site, Moss Lane/Marl Road, Kirkby	Northwood	8,455.00	Social Value - provision of jobs & apprenticeships for Knowsley residents
		Total Spend	1,296,812.00	

3.6 S106 monies available to the Council

3.6.1 After considering the monies received and monies spent between 1st April 2020 and 31st March 2021, the table below identifies that there was a net total of **£5,617,074** in s106 contributions available to spend on the 31 March 2021:

- £1,662,122 is currently un-allocated. This sum is for the provision of off-site affordable housing and will be used once suitable projects are identified, in accordance with the Council's Housing Strategy.
- £278,043 of commuted sums are held for the maintenance of Public Open Space.

Total S106 (net) Amount Available to Spend as of 31st March 2021 (£)	
Net Total as of March 2020	5,441,757
s106 income received 2020/21	1,472,129
Total	6,913,886
Minus monies spent 2020/21	1,296,812
Total	5,617,074

3.7 S106 Contributions – East of Halewood SUE Site

3.7.1 The Council has also secured s106 contributions for infrastructure from three development sites in Halewood, which have now commenced. A brief outline of these agreements is shown in the table below. They will be reported on in full within next year's funding statement. This table also includes a hybrid planning permission (see 3.2.1 for definition).

<u>Address</u>	<u>Contribution Type</u>	<u>Contribution Amount (£)</u>
19/00104/FUL - Miller Homes East of Halewood SUE Site	POS Provision - On-Site Employment and Training Contribution	125,874.00
	Highways	11,340.00
	Public Transport Infrastructure	541,080.00
	Healthcare	81,000.00
	Nursery School Education	12,960.00
	POS -Outdoor Sports Contribution	134,946.00
	Primary School Education	141,264.00
	Total	1,620,000.00
	19/00521/HYB Plot 1 - Redrow Homes East of Halewood SUE Site	
Full Permission	Primary School Education	1,213,632.00
	Employment and Training Contribution	24,080.00
	Highways	1,148,960.00

Highways	12,000.00
POS Provision -Off-Site	267,288.00
Public Transport Infrastructure	172,000.00
Healthcare	27,520.00
Nursery School Education	286,522.00
POS -Outdoor Sports Contribution	299,968.00

Total	3,451,970.00
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**Outline
Permission
Contribution
Due subject to
no. of
dwellings
applied for at
Reserved
Matters**

**Maximum Contribution
for up to 386 dwellings
(£)**

**Amount Secured per
Dwelling (£)**

Primary School Education	1,361,808.00	£3,528.00
Employment and Training Contribution	27,020.00	£70.00
Highways	1,289,240.00	£3,340.00
POS Provision -Off-Site	299,922.00	£777.00
Public Transport Infrastructure	193,000.00	£500.00
Healthcare	30,880.00	£80.00
Nursery School Education	321,538.00	£833.00
POS -Outdoor Sports Contribution	336,592.00	£872.00

Total	3,860,000.00
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20/00063/FUL
Plot 2 - Bellway
Homes - East of
Halewood SUE
site

POS -Outdoor Sports Contribution	360,136.00
Primary School Education	1,457,064.00
Highways	1,379,420.00
POS Provision -Off-Site	320,901.00
Public Transport Infrastructure	206,500.00
Healthcare	33,040.00
Employment and Training Contribution	28,910.00

Total	3,785,971.00
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