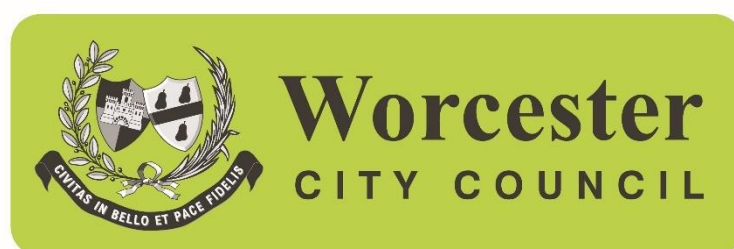


Worcester City Council

# Infrastructure Funding Statement 2020/21

For the monitoring period 1 April 2020 – 31  
March 2021

Published December 2021



### **1. Introduction**

The Infrastructure Funding Statement (IFS) sets out the income and expenditure relating to Community Infrastructure Levy (CIL) and Section 106 (S106) agreements for Worcester City Council.

Local authorities are now required to produce an IFS on an annual basis resulting from changes to legislation in 2019<sup>1</sup>.

CIL and S106 income, referred to as planning obligations or developer contributions, are used to help fund the provision of supporting infrastructure arising from new development and to maximise the benefits and opportunities from growth, whether that is from new housing, employment or other types of specific development.

Section 2 of this report sets out progress toward the collection of CIL in the city. Although no money has been collected or spent within the monitoring period, CIL has been collected in the next monitoring period (2021-2022) and will be reported on next year. The Council is in the process of identifying and prioritising CIL infrastructure projects and spend and these will be published during 2022 as an addendum to this IFS.

Section 3 sets out the S106 agreements entered into during the monitoring period, including the type and financial value of these agreements. Details are provided of the contributions received by the Council along with the money that has been allocated and spent on projects in the city during the monitoring year.

Section 4 explains the process of identifying appropriate projects to allocate S106 contributions to and how the Council will identify spending priorities.

#### **1.1 Key headlines from the IFS**

In 2020/21 the headline figures are as follows:

##### **Community Infrastructure Levy**

- There were no CIL receipts collected over the last financial year in Worcester City Council nor any spend.

##### **Section 106 Agreements**

- Worcester City Council entered into 11 new S106 agreements in 2020/21; 6 of which involved contributions including: affordable housing, open space, education, highways and transport, and flood evacuation.

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<sup>1</sup> Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019

- Worcester City Council received £108,444 of S106 monies from developers in the monitoring period all of which were open space contributions.
- £105,904 was spent on improvements to and maintenance of public open space, and improvements to the public realm.

### **1.2 Community Infrastructure Levy (CIL) and Section 106 (S106) Agreements**

CIL is a tariff-based charge on development of new floorspace and is charged per square metre; the Levy is charged on some, but not all, types of development. The charges for Worcester City are set out in the [Worcester City CIL Charging Schedule](#) (the Charging Schedule) adopted 16 May 2017 and implemented from 4 September 2017.

The decision to introduce CIL was taken by the three south Worcestershire Councils, Malvern Hills District Council, Worcester City Council and Wychavon District Council. It is intended to contribute, in part, towards funding the infrastructure requirements identified in the joint South Worcestershire Development Plan (SWDP) 2016.

Each of the three authorities has adopted its own Charging Schedule and collects CIL by council area, although monies collected will be pooled centrally for the whole of south Worcestershire to be spent on identified priorities. CIL was first implemented in June 2017 in Wychavon and Malvern Hills District Councils and in September 2017 in Worcester City Council. The monies once collected can potentially be used to fund a wide range of infrastructure that is needed to meet the future growth needs of south Worcestershire.

S106 agreements are used to mitigate the impacts of development and are directly linked to a planning application; they are a legal agreement that is entered into to ensure that the planning policy requirements of the SWDP are fully met. S106 obligations include:

- Site-specific financial contributions – these are secured and must be used for the defined purposes; e.g. the provision of education facilities, traffic and transport/highways related works, the provision and maintenance of open space, improvements to the public realm, and the delivery of affordable housing (where accepted in lieu of on-site provision);
- Provision of on-site affordable housing; and
- Non-financial obligations, including requirements such as construction management plans and travel plans, occupancy restrictions for affordable housing, for example to meet a particular need for housing key workers, and protecting city centre retail floorspace from being lost to out of town development.

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Over the financial year 2020/21, no money has been collected from CIL contributions but £108,444 of funding has been raised from S106 contributions towards the delivery and maintenance of infrastructure across Worcester City.

## **2. Community Infrastructure Levy**

The adopted [Charging Schedule](#) sets out the rates that are charged for different types of development in the City along with any exemptions to the levy. CIL liable development within Worcester City is applicable to:

- retail warehouse and food retail (supermarket) development which is charged at a rate of £60<sup>2</sup> per square metre; and
- student accommodation which is charged at a rate of £100<sup>3</sup> per square metre.

The charge is calculated on the measurement in square metres of the Gross Internal Area of new development and is payable (unless exempt, e.g. self-build) once the development commences.

The level of the tariff is based on the viability evidence undertaken for development across south Worcestershire as a whole and is further justified by the needs identified in the South Worcestershire Infrastructure Delivery Plan (SWIDP).

### **2.1 CIL Income in Worcester City**

To-date there have been no CIL funds collected from development in the City, therefore there is no CIL income to report for the monitoring period 1 April 2020 to 31 March 2021.

Once collected, a proportion of CIL from liable development in a charging area is required to be transferred to local communities via a neighbourhood portion. In Worcester City this will be given to the parish council where the development is taking place at 15% of that collected, or if an area has an adopted neighbourhood plan at 25%. In un-parished areas the neighbourhood portion of the levy receipts will be held by the charging authority, who will then engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding.

### **2.2 CIL Income in South Worcestershire**

Malvern Hills and Wychavon District Councils have different charging schedules to the City Council and a number of CIL liable developments have commenced in the two districts since the introduction of CIL in June 2017. Between 2017 and 2021 a total of £2,206,771 CIL receipts have been collected in South Worcestershire. In the monitoring year £528,950

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<sup>2</sup> This figure excludes the annual indexation of the levy. In order to ensure the charging schedule stays responsive to market conditions, indexing of the charging schedule will be applied at the beginning of each year on 1 January by the south Worcestershire Councils based on the index figure of 1 November of the preceding year.

<sup>3</sup> As footnote 1 this figure excludes the annual indexation and is for indicative purposes.

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of CIL receipts were collected: £ 467,895 in Malvern Hills District and £61,055 in Wychavon District.

### 2.3 Future Income from CIL Liable Development

The Levy is non-negotiable and is payable to the charging authority on commencement of development or, for large developments, over an agreed phased period as set out in the instalments policy at appendix E of the Charging Schedule. There are some exemptions to the Levy, CIL regulations state that affordable housing and charitable developments (development by a registered charity for charitable purposes), as well as self-build residential properties, are exempt from CIL.

There have been four CIL liable planning approvals since the introduction of CIL in the City, two of these were approved during the monitoring period and two during 2018/19. The table below shows the four approvals that are CIL liable and highlights that the second application (ref P18J0124) is exempt from the Levy as it is being developed by, and for, a registered charity. Therefore, only three of the schemes will pay CIL.

**Table 1: CIL Liable Applications**

App Ref	Address	Description	Decision Date	Amount	Relief?	Revised Total
P17J0577	YMCA Hostel Henwick Rd Worcester WR2 5NS	Change of use of hostel to student accommodation	29/10/2018	£222,680	No	£222,680
P18J0124	University of Worcester land off Himbleton Rd Worcester WR2 6AJ	20 bed student residence (use class C2)	31/07/2018	£83,729	Yes Charity	£0.00
19/00851/ FUL	JVM Castings Site, Droitwich Road, Worcester, WR3 7JX	Erection of a retail food store (Class A1) with associated infrastructure	10/09/2020	£127,387	No	£127,387
19/0247/ FUL	Images Club 19 The Butts Worcester WR1 3PA	Demolition and erection of 83-bedroom student accommodation including ancillary and communal living space	08/12/2020	£242,208	No	£242,208

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Although, none of the developments had commenced during the monitoring period they have all commenced in 2021/2022. At the time of drafting the Council is in receipt of installments of CIL from two of the developments in accordance with the CIL Charging Schedule.

**Table 2: CIL Receipts 2021-2022 (N.B. outside monitoring period)**

App Ref	Address	Amount	Commence ment Date	Amounts Received	Dates Received	Outstanding
P17J0577	YMCA Hostel Henwick Rd WR2 5NS	£222,680	28/06/2021	£111,340 £111,340	2 instalments on 25/08/2021 15/12/2021	£0
19/00851 /FUL	JVM Castings Site, Droitwich Road, WR3 7JX	£127,387	21/06/2021	£63,694 £63,694	2 instalments on 18/08/2021 6/12/2021	£0
19/00247 /FUL	Images Club 19 The Butts WR1 3PA	£242,208	08/11/2021	£0		£242,208

### 2.4 CIL Expenditure

Despite income being accrued from CIL in two of the three Charging Authorities (Malvern Hills and Wychavon) preceding and during the monitoring period, no CIL monies have been spent on identified infrastructure projects to-date. Overall, the amount of CIL estimated to be collected from development in accordance with the adopted SWDP was judged to be approximately £6 million over the entire plan period.

The 2019/20 IFS included a statement to the effect that any identification of infrastructure projects for CIL monies was dependent on the accumulation of CIL reserves to a minimum of £500,000. Although this sum has now been exceeded the three Councils have been unable to finalise the governance arrangements as intended in 2021. Therefore, this IFS, does not yet identify specific infrastructure projects to be supported by CIL. However, there is an undertaking that the governance arrangements will be in place early on in 2022 and the identified projects for CIL spending will be published as an addendum to this IFS.

### **3. Section 106 Agreements, Collection and Expenditure 2020/21**

The South Worcestershire Development Plan sets out policy requirements for planning obligations in the context of negotiations on planning applications. A high priority is given to securing affordable housing, highway/transport improvements, education and securing appropriate levels of open space provision.

Further details on the implementation of this approach is set out in the 2018 [South Worcestershire Developer Contributions SPD](#).

#### **3.1 Notable S106 Agreements Signed**

During the last financial year eleven S106 agreements were entered into with developers and/or landowners. Not all the S106 agreements have financial obligations associated with them; the majority relate to providing a range of financial contributions including open space, education, highways, and transport with one providing a contribution toward the Environment Agency's flood evacuation requirements. Four will see the provision of affordable housing if development proceeds.

Three of the signed agreements were deeds of variation to existing agreements. The S106 for Land at Hopton Street was initially signed and subsequently varied within the monitoring year, on 24/4/2020 and 01/03/2021 respectively, altering the off-site contribution toward open space. The trigger for when a contribution toward transport will be received by the County Council was varied on the Government Buildings, Whittington Road application. A variation was made to the S106 agreement for Land at Sheriff Street Industrial Estate with the affordable housing requirement being reduced from 40% to 30% based on viability evidence.

During the period 2020/21 the majority of the S106 agreements entered into for open space contributions were below £15,000. Notable S106 agreements signed in the last financial year (2020/2021) include:

- University Park Development, Bromyard Road. Outline permission for 120 dwellings. The S106 agreement mainly allocates monies toward infrastructure provided by the County Council however the agreement establishes that the development will provide 30 percent of the dwellings as affordable homes (up to 36 dwellings) for Worcester City Council. There is also the potential for a commuted sum to be collected toward maintenance of the public open space should the land transfer to the City Council in the future. The exact number of dwellings and potential commuted sum has not been established in the outline planning application but as the application



progresses, and the phases of the development are permitted we will be able to provide more detail in future editions of the IFS.

- Mayfield, 282 Malvern Road. There were two different applications and S106 agreements entered into for this site during the monitoring period; it is unknown which development, if either, will be progressed.
  - The demolition of an existing dwelling and erection of a detached block of 6 flats and 3 detached bungalows with associated open space, car parking and road infrastructure. The developer of this scheme is required to contribute £15,216 for open space provisions if this scheme is built out.
  - Redevelopment of existing site consisting of 6 residential dwellings with associated access, parking and turning facilities. The developer is required to contribute £10,651 for open space contributions if this scheme is built out.
- Land at Hopton Street. Erection of 25 dwellings following demolition of existing dwelling and creation of new site access. This development will provide 25 affordable units. And the developer is required to contribute £13,000 for an open space contribution to be used on the Meco Memorial Nature Park.
- Land at Sheriff Street Industrial Estate. A variation of the original S106 agreement reducing the affordable housing requirement from 40% to 30% on a scheme of 468 dwellings and a 94 bed C2 use care home.
- Former Images Night Club, 19 The Butts. Erection of 83-bedroom student accommodation. To pay £20,000 to Environment Agency Flood evacuation requirements.

### 3.2 Overview of Signed S106 Agreements

Table 3 overleaf sets out the type of infrastructure the S106 agreements signed in the monitoring period are expected to contribute toward if they proceed. There are a total of four financial contributions toward open space although one site has had two different agreements signed which means only one of these could be collected. One agreement is dependent on the land being transferred to City Council ownership (as a commuted sum) for which the value is unknown, whilst the remaining could result in between £23,651 and £28,216 being collected.

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Four of the agreements require the provision of affordable housing; it is anticipated that should all the developments overleaf go ahead they will deliver approximately 217<sup>4</sup> affordable homes.

Three of the agreements signed in 2020/21 include contributions toward infrastructure provided by Worcestershire County Council. These are set out in the Table 4 overleaf and if development proceeds will be paid directly to the County Council who will produce their own IFS report.

**Table 3: Monies and Affordable Housing Agreed in Signed S106 Agreements 2020/21.**

Application ref	Location	Number of affordable units	Financial contributions (£)	
			Open Space	Other
19/00444/FUL	Mayfield, 282 Malvern Road		15,216	
P18K0195 (Original S106 and Deed of Variation)	Land at Hopton Street	25	13,000	
20/00249/OUT	University Park Development, Bromyard Road	30% of up to 120 dwellings	Possible commuted sum if land transfers	
20/00579/FUL	Mayfield, 282 Malvern Road		10,651	
20/00352/FUL	Formerly Tolladine Golf Course, Tolladine Road	16		
19/00694/RM (Deed of Variation)	Land at Sheriff Street Industrial Estate	30% of up to 468 dwellings		
19/00247/FUL	Former Images Night Club 19 The Butts			20,000 to Environment Agency for flood evacuation

It should be noted that until a trigger for the S106 agreement has been made there is no certainty that these monies or non-financial contributions will be collected by the Council. Should these permissions remain unimplemented and/or subsequently expire there would be no

<sup>4</sup> One application is an outline permission where only a percentage of the total number of homes permitted is set out in the S106 agreement. Until Reserved Matters are approved and the final number of dwellings known it is only possible to estimate the number of affordable homes that will be delivered as part of these schemes based on the indicative number in the outline application.

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requirement for the owner or developer to make the financial or non-financial contribution.

**Table 4: Monies Agreed in Signed S106 Agreements 2020/21 for Infrastructure Provided by Worcestershire County Council**

Applicati on ref	Location	Financial contributions (£) for Worcestershire County Council			
		Education Primary	Education Secondary	Highways	Transport and travel
19/00851/ FUL	JVM Castings Site, Droitwich Road				£10,000
19/00835/ FUL	Former Site of Royal Porcelain Recreation Ground				£14,905
20/00249/ OUT	University Park Development, Bromyard Road, Worcester	£18,062 per relevant dwelling	£24,963 per relevant dwelling		£220 per relevant dwelling
P16G0178 (Deed of variation)	Government Buildings Whittington Road				Variation to trigger no change in value

### 3.3 S106 Contributions Received 2020/21

In 2020/2021 a total of £108,444 was received in S106 contributions in Worcester City, this includes commuted sums for maintenance. Table 5 sets out the S106 income and expenditure for the last five financial years.

Income fluctuates each year; this year's income has been lower than most of the preceding years and may have been caused by the impact of the pandemic. Spend has also been at a lower level than the previous four years, this again was impacted by the lockdowns and restrictions during the pandemic resulting in the Council completing fewer projects on the ground.

**Table 5: Worcester City Council S106 Income and Expenditure Since 2016**

Year	Received in year	Expenditure in year
	£	£
2016/17	378,730	552,284
2017/18	1,738	597,658
2018/19	153,999	366,612
2019/20	392,777	114,244
2020/21	108,444	105,904

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The income in 2020/21 came from just three development sites. All three were financial contributions for open space.

- The largest sum was £50,811 received from a mixed-use development at Rose Avenue involving the demolition of existing shops and flats and the erection of nine dwellings, 16 apartments, three commercial units and associated parking and amenity space. The S106 specifies that the money must be used for one or more of the following purposes. For the provision of a toddler play area at the Hollymount School, Hollymount Road, Worcester and or for the provision of play equipment, landscaping and resurfacing works at the Tunnel Hill Kickabout Area. This funding will be allocated to one or more of these projects once the details have been finalised and the schemes have been considered by the Council's S106 Programme Board.
- £30,027 was received from the Former NALGO Sports Ground, Battenhall Road (P15B0288), this is to be used for one or more of the following: improvement or enhancement of children's play at Field Walk play area; or access and path improvements, to include the addition of benches, to the area known as Battenhall Park/ Duckbrook corridor. The funding will be allocated to one or more of these projects once the details have been finalised and the scheme has been considered by the Council's S106 Programme Board.
- £27,605 was received for the redevelopment of the former Ice Works, Bromyard Road, this is to be used for boundary treatment and other works to the adjoining Laugherne Brook pasture and meadow. Details of the exact work that will take place has yet to be finalised and agreed by the Council's S106 Programme Board.

The monies received in 2020/21 have yet to be spent in this financial year but as highlighted above each of these amounts has a specified project or projects outlined in a S106 agreement. At the time of drafting the Council has yet to finalise and sign off these individual projects which will be presented to the Council's S106 Programme Board for approval, once resource and capacity allows, prior to any work taking place.

Table 6 provides an overview of the monies received in 2020/2021, whether they have been allocated to a project, remain unallocated, or have been spent in the monitoring year.

**Table 6: Worcester City Council S106 Income 2020/21, Includes Allocations, Expenditure and Unallocated Balance**

<b>App. ref</b>	<b>Location</b>	<b>Financial Contribution</b>	<b>Received</b>	<b>Allocated not spent</b>	<b>Project funds allocated to</b>	<b>Spent</b>	<b>Unallocated balance remaining</b>
P15B0288	Former NAGLO Sports Ground	£30,027	20/07/20	£30,027	Defined in S106 but detail to be finalised	£0	£0
P15C0371	Former Ice Works Bromyard Road	£27,605	07/12/20	£27,605	Defined in S106 but detail to be finalised	£0	£0
P18H0280	Rose Avenue	£50,811	15/01/21	£50,811	Defined in S106 but detail to be finalised	£0	£0
<b>Totals</b>		<b>£108,444</b>		<b>£108,444</b>			

### **3.4 S106 Contributions Carried Forward from Previous Years**

In addition to money received in 2020/21, the Council had a balance of S106 monies carried forward from previous years; as at the 1<sup>st</sup> April 2021 the Council carried forward £895,414 of previously collected S106 contributions which included £78,199 set aside for long term maintenance. £91,418.54 was subsequently spent in the monitoring year on infrastructure projects and £14,485 on longer term maintenance.

£534,206 of the money that was carried forward at 1 April 2020 has been allocated to a range of projects in the City including:

- £159,452 towards various improvements around Perrywood Walk.
- £129,487 towards improvements at Foxwell Street Allotments and Cromwell Crescent.
- £135,222 toward open space enhancements in the vicinity of Diglis Basin as part of the Council’s Diglis project;
- £62,278 toward the replacement of the 3G pitch at Brickfields Park;
- £34,246 toward improvements to Fort Royal Park including the historical interpretation of the park, landscaping and and/or improved connections between park and the Commandery;

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- £7,567 towards open space at Oak View Way.
- £5,226 toward improvements to entrances and paths for public access onto Pitchcroft Racecourse as part of the Riverside Project.

At the end of the monitoring period £191,587 of the money carried forward at the start of the financial year remained unallocated.

£ 63,714 will be carried forward for longer term maintenance on range of facilities including statues and sculptures, grounds maintenance and the upkeep of open space facilities at various locations in the City and maintenance of the wetlands at Offerton Lane Nature Reserve.

Tables 7 and 8 set out overleaf capture all this information relating to monies that were carried forward from previous years and any transactions associated with them.

**Table 7: Worcester City Council S106 Monies Carried Forward 1 April 2020 Summary of Transactions 2020/21**

<b>Application Ref</b>	<b>Development</b>	<b>Balance at 1 April 2020</b>	<b>Spent in 2020/21</b>	<b>Spent on</b>	<b>Monies Allocated</b>	<b>Project Allocated to</b>	<b>Remains Unallocated 31 March 2021</b>
P03L0182	Diglis Basin	£124,434	£0		£124,434	Diglis Project	£0
P05D0432	Royal Worcester	£10,788	£0		£10,788	Diglis Project	£0
P07K0562	Earls Court Farm	£32,262	£32,262	Cinderella Pavilion fit out	£0		£0
P12Q0232	Ronkswood Hospital site	£54,988	£0		£54,988	Replacement pitches at Brickfield Park	£0
P13N0461	Brickfields	£7,290	£0		£7,290	Replacement 3G pitch at Brickfields Park	£0
P11D0111	8-10 Foregate Street	£19,205	£19,205	Arches project	£0		£0
P13D0385	St Peter's Street	£16,716	£15,988	Sidbury improvements to public realm and tree planting	£728	Sidbury Public Realm	£0
P06D0292	Christian Meeting Room, Diglis Lane	£19,906	£0		£0		£19,906

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<b>Application Ref</b>	<b>Development</b>	<b>Balance at 1 April 2020</b>	<b>Spent in 2020/21</b>	<b>Spent on</b>	<b>Monies Allocated</b>	<b>Project Allocated to</b>	<b>Remains Unallocated 31 March 2021</b>
P15G0315	Lichfield Avenue	£22,000	£11,888	Newtown Green improvements – fencing.	£0		£10,122
P15D0423	Butlers Gym, Farrier Street	£5,226	£0		£5,226	Pitchcroft as part of Riverside project	£0
P15D0146	Rose Bank, London Street	£34,247	£0		£34,247	Fort Royal Park	£0
P16G0178	Government Buildings, Whittington Road	£5,410	£2,404.46	Foxwell Street Allotments	£0		£3,006
P18Q0226	Land South of Leopard Hill	£114,341	£0		£0		£114,341
P17G0258	Crown Packaging Site, Perrywood Walk	£159,452	£0		£159,452	Various improvements in Perrywood Walk	£0
P18C0175	Oak View Way	£7,568	£0		£7,568	Open space near Oak View Way	£0
P18G0322	Govt. Buildings, Whittington Road – Phase 2	£139,159	£9,671	Foxwell Street Allotments / Cromwell	£129,487	Foxwell Street Allotments / Cromwell	£0



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Application Ref	Development	Balance at 1 April 2020	Spent in 2020/21	Spent on	Monies Allocated	Project Allocated to	Remains Unallocated 31 March 2021
				Crescent improvements		Crescent improvements	
P19D0025	Diglis Marina, Diglis Basin	£25,974	£0		£0		£25,974
19/00458/FUL	Unit 2 Pope Iron Road	£18,248	£0		£0		£18,248
<b>Totals<sup>5</sup></b>		<b>£817,214</b>	<b>£91,419</b>		<b>£534,208</b>		<b>£191,587</b>

**Table 8: Worcester City Council S106 Commuted Sums Allocated for Maintenance**

Area of Maintenance	Balance at 1 April 2020	Spent in 2020/21	Balance 31 March 2021
Artwork: statues/sculptures	£6,759	£0	£6,759
Open Space: grounds maintenance, recreation facilities, pitches and wetlands maintenance	£71,440	£14,485	£56,955
<b>Totals</b>	<b>£78,199</b>	<b>£14,485</b>	<b>£ 63,714</b>

<sup>5</sup> May not sum exactly due to rounding

### 3.5 S106 Contributions Transferred

The City Council has not transferred any funding to other bodies in the monitoring period although a contribution of £32,261.74 was made to Heart of Worcestershire College as a capital contribution towards the fit-out costs of the Cinderella Pavilion at Bransford Road as they lead the project.

Where other bodies provide the infrastructure for example Worcestershire County Council, they are involved in the S106 negotiations and generally receive contributions directly rather than being collected by the City and transferred. The County Council will be producing their own IFS.

### 3.6 S106 Contributions Returned to Developers

Most Section 106 agreements include a clause to require money received by the City Council and not spent within a specified time limit (usually ten years) to be returned to the developer with interest.

There was no money refunded to developers in the monitoring period.

### 3.7 S106 Contributions Monitoring Fees

The City Council has collected S106 monitoring fees in the 2020/21 monitoring period. The charge was introduced by the City Council in the 2019/20 monitoring period. During the period 2020/21 the Council has collected £2,600 from 4 agreements.

### 3.8 Non-financial S106 contributions: Affordable Housing

The SWDP requires all new residential development (including conversions) of 10 or more units and on sites of over 0.5 hectares to contribute toward the provision of affordable housing. The final number, size, type, and tenure of affordable dwellings provided on any scheme is subject to negotiation dependent on recognised local housing need, specific site and location factors and development viability.

The following thresholds are set for delivering affordable housing in the City (see the South Worcestershire Councils' [Position Statement](#) June 2019):

- On sites of 15 or more dwellings, on greenfield land, 40% of the units should be affordable and provided on site.
- On sites of 15 or more dwellings, on brownfield land 30% of the units should be affordable and provided on site.
- On sites of 10-14 dwellings, 30% of units should be affordable and provided on site.
- On sites of 9 dwellings or less and where the site area is less than 0.5ha, no affordable housing contributions will be sought.

Affordable housing should be provided on-site in the first instance, although where a robust justification exists off-site contributions (or an in-lieu payment) will be allowed.

As highlighted in Section 3.2 and at table 3, three new S106 planning agreements have been entered into in the monitoring period that will potentially deliver approximately 77 affordable homes<sup>6</sup> in the City if the developments go ahead and a deed of variation reduced the requirement to 30% affordable on a scheme of 468 dwellings which could if developed deliver 140 affordable homes.

Within the monitoring period 2020-21 three sites where S106 agreements had been entered into in preceding years delivered 47 affordable homes.

**Table 9: Affordable Housing Completions 2020/21 on Sites with S106 Agreements**

<b>Application Ref</b>	<b>Location</b>	<b>Date Agreement Signed</b>	<b>Number of Units Completed</b>
P18C0175	Land off Oak View Way	01/02/2019	2
P17G0258	Crown Packaging Site, Perrywood Walk	13/10/2017	21
P18Q0226	Land North of Newtown Road	14/12/2018	24

No financial contributions relating to affordable homes were collected within the monitoring period.

### **3.9 S106 spending**

As has been demonstrated in earlier sections the expenditure of S106 funds in 2020/21 totalled £105,904. This has been spent on a range of projects.

- £70,718 has been spent on open space and leisure projects including:
  - £32,261 improvements to the Cinderella Sports Ground and pavilion;
  - £12,075 spent on improvements to Foxwell Street Allotments and Cromwell Crescent Park;
  - £11,887 spent on Ronkswood play area railings and goal posts for the open space; and

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<sup>6</sup> One application is an outline permissions where only a percentage of the total number of homes permitted is set out in the S106 agreement. Until Reserved Matters are approved and the final number of dwelling known it is only possible to estimate the number of affordable homes that will be delivered as part of these schemes based on the indicative number in the outline application.

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- £14,485 ongoing maintenance at numerous open spaces in Warndon parish using commuted funds.
- £35,192 has been spent on improvements to the public realm including:
  - £15,988 on Sidbury Public Realm;
  - And £19,204 spent on the Arches Project.

**Table 10: S106 Expenditure 2020/21**

<b>Application ref</b>	<b>Location</b>	<b>Spent 2020/21</b>	<b>Project funds spent on</b>
P07K0562	Earls Court Farm	£32,261.74	Cinderella Pavilion
P11D0111	8-10 Foregate Street	£19,204.98	Arches Project
P13D0385	St Peters Street	£15,988.40	Sidbury Public Realm
P15G0315	Holy Trinity Site, Lichfield Road	£11,887.73	Ronkswood play area railings / goalposts Ronkswood Newtown Green
P18G0322	Govt. Buildings Whittington Road	£2,404.46	Foxwell Street Allotments
P18G0322	Govt. Buildings Whittington Road – Phase 2	£9,671.23	Foxwell Street allotments / Cromwell Crescent improvements
Various	Multiple sites in Warndon	£14,485.00	Open Space: grounds maintenance, wetlands maintenance, recreation facilities and pitches
<b>Total</b>		<b>£105,903.54</b>	

## **4. Governance Arrangements and Spending Priorities**

Worcester City 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, including affordable housing, community infrastructure, jobs and environment improvements.

### **4.1 CIL Governance and Spending Priorities**

It is acknowledged that the 2019 regulations require the IFS to set out identified projects and prioritise them for CIL spending.

The three south Worcestershire authorities are in the process of agreeing governance arrangements and protocol for identifying and prioritising CIL expenditure in 2022, therefore, an update will be provided early in 2022 when this process has been agreed.

### **4.2 S106 Governance and Spending Priorities**

The Council has a S106 Programme Board comprising senior officers from Legal, Finance, Planning, Economic Development, Property Services, Project Management, and Environmental Operations Management. The Board meets quarterly to review the collection and spending of developer contributions and acts as a decision-making body to oversee the allocation of funds to projects and to monitor their progress. Where appropriate, decisions are taken to the Corporate Leadership Team (for example expenditure over £50,000) or Policy Committees, as required.

The type of use a S106 contribution must be spent on is established in the S106 agreement itself, and very often the location in which it is to be spent is also detailed. Where the location is not specified it is normal for S106 agreements to require them to be spent within the vicinity of the development. It is important that a S106 agreement is flexible enough to adapt to changing requirements particularly where it may be some time before a development commences and triggers for contributions are met. The Programme Board consider project proposals that are presented to the Board to ensure that they meet the requirements of the S106 before finally allocating the funding. Progress against each project and the balance remaining in S106 agreements is reviewed at each meeting; any remaining funds that are close to reaching their specified time limit will be prioritised.

As has been presented in tables 6 and 7 in Section 3 money has been allocated to a range of projects and these will be prioritised and progress against these will monitored during the next financial year. These include but are not limited to the Council's Diglis project, Riverside Project,

improvements to Foxwell Street Allotments / Cromwell Crescent, a new 3G Pitch at Brickfields, and improvements to Fort Royal Park.

In addition to S106 funds the Council holds, it is important that the Council knows what it would spend developer contributions on before development proposals become planning applications. This ensures the determination of applications is not delayed, contributions are matched to the Council's infrastructure priorities and there is a reduced chance of legal agreements having to be re-negotiated via a deed of variation to match the developer contributions with a deliverable infrastructure project.

Members (Councillors) are asked to suggest projects to be funded from potential developer contributions on an annual basis to help inform officer negotiations with developers if appropriate applications should be received. These suggestions are reviewed by the Programme Board and kept on a database for officers and Members to use to assist with identifying future spending priorities and where appropriate project proposals are developed.