



Infrastructure Funding Statement 2022/23



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1. Introduction

- 1.1 Welcome to Boston Borough Council's Infrastructure Funding Statement (IFS) for 2022/23. The IFS is an annual report required to be published on the Council's website each year and provides a summary of the financial and non-financial developer contributions relating to Section 106 legal agreements within the Borough for a given financial year.
- 1.2 As Boston Borough Council does not have a CIL, this statement is purely to report on the S106 planning obligations. This is the Council's third IFS and complies with the requirement to cover the financial year 2022/23 (1 April 2022 to 31 March 2023).
- 1.3 Section 4 of this Statement provides a brief overview of the S106 obligations, which have been entered into during the financial year. Sections 5 to 11 provide a breakdown of the key areas where funding or infrastructure has been secured, namely for affordable housing, open space, education, highways, health, biodiversity net gain and miscellaneous/other. These sections also detail, where applicable, the different stages of the S106 process from securing the monies through to expenditure, largely based on the categories identified in the CIL Regulations 2019. It will include payments received for historic agreements, where triggers for obligations have been met.

2. Developer Contributions

- 2.1 Planning Obligations (also known as S106 Agreements) are legal agreements which can be attached to a planning permission to mitigate the impact of an otherwise unacceptable development to make it acceptable in planning terms.
- 2.2 Obligations can only be sought where they are directly related to the development, fairly and reasonably related in scale and kind to the development, and necessary to make the development acceptable in planning terms.
- 2.3 S106 contributions can either be provided on-site, for example through the provision of affordable housing, or off-site in the form of financial payments.
- 2.4 For a more detailed explanation of S106 developer contributions, please refer to Section 2 of the 2019/20 IFS on the Council's website.

3. Summary of S106 Planning Obligations for 2022/23

- 3.1 The total number of legal agreements entered into or provided to the council under s106 in 2022/23 was **11**.
 - 3.2 The total amount of money under any planning obligations which were entered into during the financial year 2022/23 was **£619,190.00**. This amount excludes
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education contributions for 2 new agreements which shall be calculated at reserved matters stage of the planning process.

- 3.3 The total amount of money under any planning obligations which were received during the financial year 2022/23 (including monies received by Lincolnshire County Council (LCC) as the local education and highways authority) is **£714,346.27**.
- 3.4 The total amount of money spent under any planning obligations during the financial year 2022/23 is **£253,558.12**.
- 3.5 The total amount of money held at the end of the financial year 2022/23 under any planning obligations to be allocated or spent (including monies held by Lincolnshire County Council (LCC) (as the Local Education/Highways Authority) is **£1,635,350.98**.
- 3.6 The non-monetary planning obligation contributions which were entered into during this financial year were for Affordable Housing, including the newly introduced First Homes. The total number of affordable housing units from these agreements which will be provided within the borough is **74**.
- 3.7 The CIL Regulations require the amount of money (received under planning obligations) and spent on repaying money borrowed to be reported. In the case of Boston Borough Council this was **nil**.

4. Section 106 Agreements Entered into in 2022/23:

- 4.1 Of the **11** legal agreements signed in 2022/23 (including Deeds of Variations to existing S106 agreements), notable development sites include:

Planning Application	Development Site	Obligations
B/20/0491	Land within the Riverside Industrial Estate	<ul style="list-style-type: none"> • Footpath Signage • Biodiversity Net Gain
B/20/0235	Land North of Tytton Lane East, Wyberton	<ul style="list-style-type: none"> • Affordable Housing • Education • Health • Travel Plan
B/21/0405	Land adjacent to Millgate Lodge, Asperton Road, Wigtoft	<ul style="list-style-type: none"> • Affordable Housing • Education • Health

For a Full List of the signed Legal Agreements in 2022/23 see Appendix A

S106 agreements and other relevant documentation from each planning application can be viewed on the Council's website at:

<https://www.mybostonuk.com/planning-application-search/> Search under the planning application reference number.

5. Affordable Housing

- 5.1 Policy 18 of the South East Lincolnshire Local Plan (SELLP) sets out the need and delivery for affordable housing within the borough.
- 5.2 In 2022/23 there were 11 new legal agreements signed which will deliver **74** new affordable housing units within the borough including First Homes, a new Government scheme that allows first time buyers to purchase a First Home at a discounted price:

Planning Application	Development Site	Affordable Housing Units
B/20/0235	Land North of Tytton Lane East, Wyberton	26
B/17/0317	Land off Wyberton Low Road, Wyberton	21
B/17/0317	Land off Wyberton Low Road, Wyberton	9
B/21/0475	Land north of Old Main Road, Old Leake	7
B/14/0165	Land on either side of the A16 south of Tytton Lane East, Wyberton	6
B/21/0405	Land adjacent to Millgate Lodge, Asperton Road, Wigtoft	4
B/21/0459	Land to the rear of Healey Close, Wyberton	1
TOTAL:		74

- 5.3 In 2022/23 a total of **135** affordable housing units were delivered within the borough, across 7 development sites, including Lindis Park, The Quadrant, Heron Way and Norfolk Street.



70-74 Norfolk Street Site



First Homes on Heron Way

Planning Application	Development Site	Affordable Housing Delivered
B/20/0445	Land at 70-74 Norfolk Street, Boston, PE21 9HQ	47
B/19/0514	Land off Alcorn Green, Boston	41
B/17/0317 & B/21/0039	Land off Wyberton Low Road, Wyberton	21
B/14/0165	Land either side of the A16, south of Tytton Lane East	9
B/18/0399	Land to the West of 90, 92 and 94 Fenside Road	8
B/14/0165 & B/19/0213 & B/21/0459	Land either side of the A16, south of Tytton Lane East	6
B/16/0436	Land east of Lindis Road, Boston	3
TOTAL:		135

5.4 A commuted sum of **£140,000** was received from a legal agreement for land adjacent on the south side of London Road, Kirton, Boston (Planning Application: B/22/0144). These monies are yet to be allocated but will be spent on the future provision of affordable housing within the borough of Boston.

6. Education

6.1 Appendix 8: Developer Contributions for Education Facilities of the SELLP provides details of how education contributions are calculated and sought to provide the additional capacity required as identified within the South East Lincolnshire Infrastructure Delivery Plan 2016 (IDP).

6.2 In 2022/23 education contributions were entered into from 2 new legal agreements, the total amount for which will be calculated upon approval of the reserved matters applications. These contributions will be used towards the provision of secondary and sixth form education within the borough.

6.3 In 2022/23 **£490,410.83** was received in education contributions which will be used by LCC towards the provision of primary, secondary or sixth form education within the borough, including an extension at Boston St Nicholas Primary Academy.



St Nicholas Primary Academy

6.4 As at 31 March 2023, LCC have reported that there is a total of **£1,027,047.09** being held in respect of planning obligations which remain unallocated from development sites within the borough, including:

- Land off St Thomas Drive, Boston
- Land off Station Road/Spalding Road, Sutterton
- Land north of Puritan Way, Boston
- Former Phoenix Poultry Farm, Swineshead Road, Wyberton.

6.5 In 2022/23 LCC have reported that they spent **£210,199.68** from S106 education contributions towards a classroom at Cowley Academy.

6.6 Some S106 agreements signed in previous years which include planning obligations for education yet to be triggered include:

Planning Application	Development Site	Education Contribution
B/19/0040	Land off London Road, Kirton	£430,531.00
B/19/0383	Land at Station Road, Sutterton	£890,000.00

LCC work with the Council to notify us when monies for planning obligations for education are secured, received, allocated, spent and returned.

7. Health

7.1 SELLP Policies 5, 6 and 32 recognise the need to help make provision for health care facilities to contribute to the health and wellbeing of the residents and meet local needs which can be sought from relevant new residential developments.

7.2 Four new S106 agreements were signed in 2022/23 which will deliver **£137,940.00** in health contributions in the borough.

- 7.3 In 2022/23, £38,987.90 was received towards an extension to create additional clinical and support space at Sutterton Surgery.



Sutterton Surgery

- 7.4 Some development sites which have commenced or are already under construction within the borough, including planning obligations for health which are yet to be triggered are:

Planning Application	Development Site	Health Contribution
B/19/0383	Land at Station Road, Sutterton	£110,000.00
B/17/0515	Land to the west of Stephenson Close	£37,740.00

8. Highways

- 8.1 The Boston Distributor Road delivery, is a long term highway development programme, which in the main is led and facilitated by development opportunities (Policy 34 of the SELLP) and has been split into 3 phases.
- 8.2 Phase 1, a new link road between the A16 to London Road through a development known as Q1, was opened in September 2022/23.



The new link road on Q1 (known as Wallace Way)

9. Open Space

- 9.1 In 2022/23, one new legal agreement was signed which included a planning obligation for open space, which will be delivered through Open Space Management Scheme (OSMS). The owner/developer of this site will lay out, maintain and manage the site in accordance with the OSMS, which will be monitored by the Council.
- 9.2 In this financial year, the Council spent **£4,000** of **£48,000** remaining from planning obligation (B/13/0037) which is for the provision of play equipment and maintenance at Broadfield Lane play area and has allocated the remaining £44,000 to be spent on this site over the next 11 years.

10. Biodiversity Net Gain

- 10.1 Policy 28 of the SELLP includes addressing aps in the ecological network by ensuring that all development proposals shall provide an overall net gain in biodiversity.
- 10.2 In 2022/23, an agreement contained planning obligations for biodiversity net gain (BNG) in two elements, relating to the construction period and the maintenance of the development site for planning application B/20/0491. The total contributions being **£333,750.00**, of which £12,150.00 will be paid annually for 25 years.

11. Other Obligations

- 11.1 In December 2020, the Council introduced S106 Monitoring Fees on all new S106 agreements in order to meet the cost of monitoring S106 agreements. In 2022/23, the Council received **£6,250.00** in Monitoring Fees for sites within the borough. These monies will cover the cost of monitoring all planning

contributions contained within these legal agreements to ensure all obligations are fully met.

12. Conclusion

- 12.1 Boston Borough Council remains committed to working with the local community, developers and other stakeholders to ensure that planning contributions are sought and used appropriately, as detailed within the SELLP, to deliver the infrastructure needs and requirements arising from development, such as new affordable housing, health, education and highways.
- 11.2 If you have any queries or comments about this statement, please do not hesitate to contact us via email Section106@boston.gov.uk or telephone 01205 314385.

Appendix A

List of All Legal Agreements Signed in 2022/23

Planning Application No	Agreement Type *	Site Address	Date Signed	Obligations
B/20/0235	S106	Land North of Tytton Lane East, Wyberton	27/05/2022	<ul style="list-style-type: none"> • Affordable Housing • Education • Health • Monitoring Fee • Open Space • Travel Plan
B/14/0165 & B/19/0213 & B/21/0459	DoV	Land either side of the A16, south of Tytton Lane East, Boston	08/06/2022	<ul style="list-style-type: none"> • Affordable Housing
B/17/0317	DoV	Land off Wyberton Low Road, Wyberton	08/06/2022	<ul style="list-style-type: none"> • Affordable Housing
B/19/0040 & B/22/0425	DoV	Land off London Road, Kirton	20/07/2022	<ul style="list-style-type: none"> • Existing Affordable Housing • Existing Education
B/20/0491	DoV	Land within the Riverside Industrial Estate	10/08/2022	<ul style="list-style-type: none"> • Footpath Signage • Biodiversity Net Gain Construction Period • Biodiversity Net Gain Maintenance
B/21/0475	S106	Land north of Old Main Road, Old Leake	15/09/2022	<ul style="list-style-type: none"> • Affordable Housing • Health • Monitoring Fee
B/21/0536	S106	Land adjacent and to the rear of Fishtoft Scouts, Gayfield Road, Fishtoft	20/10/2022	<ul style="list-style-type: none"> • Health • Monitoring Fee
B/22/0144	UU	Land on the south side of London Road, Kirton	25/10/2022	<ul style="list-style-type: none"> • Affordable Housing
B/21/0405	S106	Land adjacent to Millgate Lodge, Asperton Road, Wigtoft	11/01/2023	<ul style="list-style-type: none"> • Affordable Housing • Education • Health • Monitoring Fee
B/17/0317 & B/21/0039 & B/22/0351	S106	Land off Wyberton low Road, Wyberton	21/03/2023	<ul style="list-style-type: none"> • Affordable Housing
B/21/0459	S106	Land to the rear of Healey Close, Wyberton	21/03/2023	<ul style="list-style-type: none"> • Affordable Housing

* Agreement Type Definitions	S106	Section 106 Agreement
	UU	Unilateral Undertaking
	DoV	Deed of Variation

