



Walsall Council

Planning and Building Control

Infrastructure Funding Statement

2023-2024

About this Statement

Regulation 121a of the Community Infrastructure Levy regulations 2010 (as amended) requires Councils that receive developer contributions to produce an infrastructure funding statement (IFS) each year. To ensure greater transparency of the receipt and use of developer contributions, local authorities are required to produce an infrastructure funding statement by 31 December each year (or more frequently if a local authority chooses to do so).

The main purpose of the IFS is to reflect on the previous financial year in relation to the developer contributions agreed, received, allocated and spent.

The Infrastructure Funding Statement (IFS) as an annual report summarises all financial and non-financial developer contributions which have been secured through section 106 planning agreements, the Community Infrastructure levy (CIL) where charged and Section 278 agreements from new developments.

This IFS provides an overview of developer contributions through Section 106 planning agreements during 2023/24 and will refer to the following definitions: -

- **Secured** – contributions which have been secured or agreed in a signed and sealed legal agreement. The contributions will not yet have been 'received' by Walsall Council and if the planning permission is not implemented then there would be no requirement for the contributions.
- **Received** – financial or non - financial contributions which have been received by Walsall Council.
- **Spent/delivered** – financial or non-financial contributions which have been spent or delivered.
- **Allocated** – contributions which have been received by Walsall Council and allocated to specific projects.
- **Financial Year**- unless otherwise stated, the financial year for this Infrastructure Funding Statement (IFS) is 01/04/2023 to 31/03/2024.

The IFS will be updated annually and published on the Council's website. This will ensure that the most up to date information on the number of contributions received by the Council, from new developments, together with information about where monies have been spent is made available to the public and other interested parties.

Depending on the circumstances, Walsall Council will consider if it may be possible to incorporate any forecasting of developer contributions and future infrastructure priorities, within the Infrastructure Funding Statement (IFS) in future years.

Developer Contributions

Section 106 Planning agreements

Planning obligations are entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a proposed development and make it acceptable in planning terms. Walsall Council enters into these agreements with developers to help ensure that obligations provide funds for the infrastructure needed to support growth and development.

Planning obligations should only be used where it is not possible to address the impacts of development through a planning condition or by use of other statutory measures. They are legally binding and enforceable if planning permission is granted, and they are tied to the land. Planning Obligations may only constitute a reason for granting planning permission if they are:

- 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.

Section 106 planning agreements seek to secure contributions from developers to offset the impact that their scheme may have on a local community. These contributions can ensure essential infrastructure is provided by developers at the time that their development is brought forward rather than place a reliance on the local authority to fund the improvements or to leave the communities without the necessary infrastructure to cater for the need generated by the development.

Walsall Borough Council's requirements for Section 106 planning obligations are set out in saved policy GP3 *planning obligations* of the Walsall Unitary Development Plan.

Community Infrastructure levy

The Community Infrastructure Levy is an optional charge which can be levied by local authorities on new development in their area. It is a useful tool for local authorities to use to help them deliver the infrastructure needed to support development in their area. It cannot be applied to affordable housing. Unlike S106 agreements CIL can be sought from smaller developments and be spent on more general infrastructure in the wider area.

The levy only applies in areas where the Council has consulted on and has an approved charging schedule setting out the agreed levy rate(s) and has published the schedule on its website. Walsall Council consulted on a draft charging schedule in 2016, but suspended preparation work on CIL in 2017 in view of the local plan review. The Council does not currently have a CIL in place but shall keep the position under review. If a CIL charge were to be made, Walsall Council would be required to report CIL contribution in future Infrastructure funding statements.

Section 106 Contributions secured (formally agreed) in 2023/24.

A total of **£659,947.37** financial contributions were secured through section 106 planning agreements entered during 2023/24. The amounts are shown in Table 1 which sets out the planning reference number, the site address, the contribution type, the amount, and the ward.

It is expected that these contributions will come forward in future years when triggered e.g. by the commencement of development. The contributions will be index linked and the actual total amounts of the contributions paid to the council will be different and are likely to be increased in line with any increased indexation at the time they are paid.

Table 1: Section 106 agreements entered, and contributions secured in 2023 -24.

Reference	Site address	Contribution Type	Amount (£)	Ward
19/0295	Land adjacent 48 Wolverhampton Road	Open space	31,500.00	Pleck
20/0374	Garages Rudge Close Willenhall	Open space	19,404.00	Short Heath
20/1515/FL	59a Lichfield Street Walsall	Open space	9,814.00	St. Matthews
20/1515/FL	59a Lichfield Street Walsall	SAC contribution	4,617.62	St. Matthews
21/0951	Former Kings Hill JMI Joynson Street Darlaston	Open space	36,036.00	Darlaston South
21/0951	Former Kings Hill JMI Joynson Street Darlaston	Affordable housing	188,593.75	Darlaston South
22/0254	Land off The Green Aldridge	Health	29,434.66	Aldridge Central
22/0254	Land off The Green Aldridge	Open space	23,406.27	Aldridge Central
22/0254	Land off The Green Aldridge	Affordable housing	302,902.65	Aldridge Central
22/0254	Land off The Green Aldridge	SAC contribution	14,238.42	Aldridge Central
Total			659,947.37	

A total of **£244,424.25** was received (paid) by the council through the payment of section 106 planning obligations during 2023/24. The amounts of the contributions paid are shown in table 2 below. Of this total, the majority received were towards open space (£203,121.74); affordable housing (£19,213.37); Canal contribution of (£12,500) and a SAC contribution (£9,589.14).

Table 2: Section 106 contributions received (paid) in 2023-24.

Reference	Site address	Contribution Type	Amount (£)	Ward
19/0245	Metafin site Green Lane Walsall	Open space	2,842.89	Birchills Leamore
19/0245	Metafin site Green Lane Walsall	Affordable housing	16,713.37	Birchills Leamore
19/0382	Land adjacent 24 Woodward's Road	Open space	45,923.69	Pleck
20/0374	Garages Rudge Close Willenhall	Open space	19,404.00	Short Heath
20/0490	348 Wolverhampton Road West	Open space	22,869.00	Willenhall South
20/0746	Former A B waste site Cemetery Road Wednesbury	Canal contribution	10,000.00	Bentley & Darlaston North
21/0006	Broadway North Resource centre	Open space	64,817.16	Paddock
21/1781	Land between Canalside Close and Canal Walsall	Open space	47,265.00	Blakenall
21/1781	Land between Canalside Close and Canal Walsall	Affordable housing	2,500.00	Blakenall
21/1781	Land between Canalside Close and Canal Walsall	Canal contribution	2,500.00	Blakenall
21/1781	Land between Canalside Close and Canal Walsall	SAC contribution	9,589.14	Blakenall
Total			244,424.25	

Section 106 contributions spent in 2023/24.

The IFS reports on the number of contributions under any planning obligations that was received (paid) before the reported year of 2023/24 and the amount that has been allocated and the amount that has been spent during 2023/24.

A total of **£1,181,787.74** section 106 funds were either allocated/spent in financial year 2023/24. Table 3 below shows the sum of financial contributions allocated and spent by type of infrastructure.

Table 3: Planning obligations spent in 2023/24.

Reference	Site address	Contribution Type	Amount (£)	Ward
05/1566	Neptune PH Bilston Lane Willenhall	Affordable housing	64,025.00	Willenhall South
11/0516/FL	49 Victoria Ave Drake Rd & Filed Rd	Affordable housing	246,250.00	Bloxwich East
12/1486/FL	Former St Margarets Hospital	Affordable housing	197,507.00	Pheasey Park Farm
15/1268	41 Leighswood Rd Adridge	Affordable housing	146,075.12	Aldridge Central & South
16/1669	Rushall Mews New St Rushall	Affordable housing	135,345.80	Rushall – Sheffield
17/1447	R/o 16-22 High Street Aldridge	Affordable housing	11,711.65	Aldridge Central & South
18/0072	Heathfield Lane West Darlaston	Affordable housing	95,205.51	Darlaston South
19/1514	land between Victoria Rd & Slater Street Darlaston	Affordable housing	279,248.00	Bentley & Darlaston North
21/0236	Land South of 346 Harden Rd Bloxwich	Open space	6,419.66	Blakenall
Total			1,181,787.74	

The number of affordable housing units delivered during financial year 2023/24 are shown in the following table.

Affordable housing	Number of units delivered
348 Wolverhampton Road West	28
Total	28

