

Infrastructure Funding Statement 2023/24

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Introduction

Warwickshire County Council's ("WCC") Infrastructure Funding Statement (IFS) sets out the developer contributions secured and applied by WCC in relation to 2023/24 as required by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019. WCC does not collect Community Infrastructure Levy (CIL) directly but does collect Section 106 (S106) contributions for developments in Warwickshire secured as part of planning

obligations; this statement provides further detail on those contributions. The following definitions are used to reflect the various stages of developer contributions:

- Agreed – contributions that have been agreed within a signed legal document which have not yet been collected; in the majority of cases this is due to the trigger point within the agreement not being met yet
- Received – contributions received by WCC, either non-monetary or monetary
- Allocated – contributions that have been received by WCC and allocated internally to specific projects
- Spent – monetary contributions that have been spent

WCC's future funding and investment plans for infrastructure are publicised within the medium-term financial strategy, annual budget and capital strategy. These documents are approved by full Council in February of each year and more information may be found at <https://www.warwickshire.gov.uk/budget> and <https://api.warwickshire.gov.uk/documents/WCCC-708-483>.

Below is a breakdown of the categories used and types of infrastructure and projects they include:

- Community Facilities - libraries – additional stock and promotional material for local libraries
- Education – new schools, school expansions, land for schools
- Green Infrastructure – biodiversity offsetting
- Highways – highway works, traffic control and information systems, cycleways, road safety, public rights of way
- Transport and Travel – public transport services, bus stops, travel packs and road safety education, school transport
- Monitoring – payments towards the cost of monitoring of County Council obligations in S106 agreements

Whilst our approach to S106 is consistent across District and Boroughs, the amounts secured are directly proportional to the impact of new development and local infrastructure which creates variances across different areas and over time.

The amounts are broken down into District and Boroughs as follows:

- NBBC – Nuneaton and Bedworth Borough Council
- NWBC – North Warwickshire Borough Council
- RBC – Rugby Borough Council
- SDC – Stratford District Council
- WDC – Warwick District Council
- OOC – Out of County

The IFS is not required to report on Section 278 (S278) developer agreements which require the developer to carry out highways infrastructure works. Our preference is to secure highways works via S278 so that the developer takes on the associated risks such as delay to the project or cost increases. S106 contributions differ in that they are usually financial contributions to enable the County Council to carry out the required works.

1. Total amount of money to be provided under any planning obligation which was entered into during 2023/24

Table 1 shows the financial contributions to the County Council secured in new S106 agreements signed in 2023/24. The majority of income came in education and highways contributions.

The County Council assesses all planning applications in Warwickshire at the time the application is received to understand what impact the development is likely to have and therefore what contributions towards infrastructure are required to mitigate that impact. Requests are submitted to the Local Planning Authority who is responsible for determining whether the application is approved. There is often a period of negotiation with the developer where details such as when contributions are required to be paid, known as trigger points, are agreed. The S106 agreement is usually signed just before or just after the application is decided, with the details of the developer contributions included in the committee report. The Local Planning Authorities are responsible for monitoring the completion and occupation of each development and the County Council monitors when trigger points for contributions are reached and invoices the developer accordingly.

The S106 Agreement will often be linked to an Outline planning permission and further Reserved Matters applications will need to be approved before development can start. This means that there can be several years between the signing of the S106 agreement and trigger points for payment being reached. The County Council requires all obligations within S106's to be protected through indexation. Indexation is added to contributions at the time they are paid to ensure that any inflationary rises that occur are accounted for in the amount paid by the developer using national indices defined in each S106 agreement.

Developers are required to contribute to the provision of additional school places where there are no available local places. If there is an existing surplus of school places at the time a planning application is submitted it is less likely that WCC will be able to secure developer contributions as the need will not be proven. We assess available local school places for each applicable development at application stage and use a formula with costs per school place provided by the Department for Education (DfE).

Infrastructure Type	NBBC (£ '000s)	NWBC (£ '000s)	RBC (£ '000s)	SDC (£ '000s)	WDC (£ '000s)	OOC (£ '000s)	Total (£ '000s)
Community Facilities	7.559	0.000	0.000	0.569	0.000	0.000	8.128
Education	2,010.396	538.432	6,327.188	34.549	0.000	0.000	8,910.565

Green Infrastructure	675.086	0.000	598.114	841.601	16.888	0.000	2,131.689
Health	0.000	0.000	217.162	0.000	0.000	0.000	217.162
Highways	2,345.794	99.000	2,185.100	47.973	106.781	2,533.000	7,317.648
Transport and Travel	643.947	115.029	465.153	249.420	0.000	0.000	1,473.549
Monitoring	15.000	2.400	6.550	4.550	1.200	0.000	29.700
Total	5,697.782	754.861	9,799.267	1,178.662	124.869	2,533.000	20,088.441
Number of S106 agreements signed	7	2	9	10	7	1	36

2. Summary details of non-monetary contributions secured during 2023/24

Additional to financial contributions we also secure non-monetary contributions via S106 such as land for schools, fire stations, or biodiversity offsetting. Table 2 shows the non-monetary contribution secured in 2023/24.

S106 Agreement Planning Application Number	Land usage
037425	Biodiversity offsetting
18/03435/OUT	Biodiversity offsetting
W/23/0114	Highways land
R20/0787	Secondary education land
R20/0787	Primary education land
039136	Highways land

3. Money received from any s106 during 2023/24

Table 3 sets out the S106 contributions that were received in 2023/24 via S106 agreements signed in any year. Education and Highways were the highest in terms of monetary value which will help ensure there are education places available for residents of new development and funding for highways work required by new development will be provided.

Infrastructure Type	NBBC (£ '000s)	NWBC (£ '000s)	RBC (£ '000s)	SDC (£ '000s)	WDC (£ '000s)	OOC (£ '000s)	Total (£ '000s)
Community Facilities	1.795	1.330	3.770	27.749	2.941	0.000	37.585
Education	3,260.069	91.406	1,064.569	5,375.408	3,053.949	0.000	12,845.401
Green Infrastructure	0.000	0.000	706.255	53.655	2.074	34.121	796.105

Health	0.000	0.000	58.576	58.247	0.000	0.000	116.823
Highways	3,438.613	3.717	128.818	381.558	2,302.205	2,754.534	9,009.445
Monitoring	11.750	3.613	2.600	6.575	4.971	0.000	29.509
Transport and Travel	12.240	23.919	363.033	693.306	485.175	0.000	1,577.673
Total	6,724.467	123.985	2,327.621	6,596.498	5,851.315	2,788.655	24,412.541

4. Total amount of money received before 2023/24 which has not been allocated

Receipt of funds is determined by trigger points within individual agreements. This can be well ahead of the point of allocation to a specific infrastructure project. The delivery of some infrastructure can rely, for example, on the completion of certain infrastructure by a developer or the need to accumulate S106 funding from a number of developments in order for a specific scheme to be designed and built to mitigate the impact of development, this is particularly likely for education and highways projects. The funds are collected for a specific purpose and must only be spent on that purpose.

The majority of funds yet to be allocated are for education, further information on these funds is provided below table 6. There are also significant amounts for highways projects awaiting allocation, the majority of these funds are held for Europa Way Projects (approximately £4.3m), some of which has since been allocated, the project managers are aware of the funds available and these will be allocated as it is confirmed which of the three Europa way projects they are required for. This also includes the amount for the Transforming Nuneaton project which has now been allocated.

Infrastructure Type	NBBC (£ '000s)	NWBC (£ '000s)	RBC (£ '000s)	SDC (£ '000s)	WDC (£ '000s)	OOC (£ '000s)	Total (£ '000s)
Community Facilities	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Education	14,385.487	1,269.160	19,106.829	20,366.993	6,559.912	0.000	61,688.381
Green Infrastructure	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Health	0.000	0.000	0.000	46.432	0.000	0.000	46.432
Highways	1,509.146	22.010	1,249.042	1,083.927	4,389.038	0.000	8,253.163
Monitoring	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Transport and Travel	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Total	15,894.633	1,291.170	20,355.871	21,497.352	10,948.950	0.000	69,987.976

5. Total amount of money which was allocated but not spent during 2023/24

Table 5 sets out S106 contributions which were allocated to a project in 2023/24. For capital projects this is when the funds have been moved to the appropriate capital code and are available to spend. For revenue, this is when the funds have been moved to the appropriate cost centre from which they are spent. Projects are often carried out over multiple years.

Infrastructure Type	NBBC (£ '000s)	NWBC (£ '000s)	RBC (£ '000s)	SDC (£ '000s)	WDC (£ '000s)	OOC (£ '000s)	Total (£ '000s)
Community Facilities	0.000	1.329	3.769	68.103	2.941	0.000	76.142
Education	2,952.642	0.000	0.000	675.370	0.000	0.000	3,628.012
Green Infrastructure	0.000	0.000	704.048	53.655	2.074	0.000	759.777
Health	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Highways	15.949	3.717	675.750	1,529.628	2,821.854	0.000	5,046.898
Monitoring	13.950	3.613	2.600	6.575	4.971	0.000	31.709
Transport and Travel	0.000	31.831	305.591	702.467	594.135	0.000	1,634.024
Total	2,982.541	40.490	1,691.758	3,035.798	3,425.975	0.000	11,176.562

6. Total amount of money retained at the end 2023/24

Table 6 sets out the total amount of S106 currently held. These funds are often awaiting a capital code or other enabling works to be completed for them to be spent or are held for projects with a longer timescale, for example around £5m is held for biodiversity offsetting projects which can be delivered over 30 years. The majority of retained funds are for highways and education capital projects which are at various stages, such as awaiting enabling projects to be completed or currently being spent over several years. We aim to collect contributions as soon as is feasible to allow us flexibility and ensure the infrastructure is delivered in time to meet demand from development. While some funds are not yet allocated, they are collected for a specific purpose and must be spent for that purpose as per the S106 agreement. These funds are a mixture of revenue and capital funds.

Variances across the District and Borough Councils will be directly attributable to the level of development and amount of mitigation required. S106 contributions can only be collected in those instances where WCC is able to prove need linked to development.

Infrastructure Type	NBBC (£ '000s)	NWBC (£ '000s)	RBC (£ '000s)	SDC (£ '000s)	WDC (£ '000s)	OOC (£ '000s)	Total (£ '000s)
Community Facilities	71.005	1.817	91.084	258.137	67.708	0.000	489.751

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Education	14,918.654	1,344.087	19,584.316	20,684.146	6,213.862	0.000	62,745.065
Green Infrastructure	0.000	153.356	2,229.025	239.530	3,026.242	9.871	5,658.024
Health	0.000	0.000	58.576	104.679	0.000	0.000	163.255
Highways	6,069.199	148.190	2,506.363	4,444.641	17,248.203	2,920.399	33,336.995
Monitoring	16.000	3.613	8.432	17.341	21.085	0.000	66.471
Transport and Travel	183.483	33.641	245.445	670.801	403.932	0.000	1,537.302
Other	0.000	45.304	313.410	4.200	0.000	0.000	362.914
Total	21,258.341	1,730.008	25,036.651	26,423.475	26,981.032	2,930.270	104,359.777

There is a significant amount of churn in the S106 funds held with large spend and income each year. Funds are held for specific purposes and can't be spent on anything else. Assessment of the need for education provision is done at the time of the planning application, often there is a number of years until the development comes forward therefore the available provision and demand for places can look different to that at the time it was assessed, as a result we need flexibility to deliver the right project at the right time to ensure demand is met. S106 contributions from different developments can now be pooled towards a single project, some funds are held as other trigger point are reached to meet the critical mass required for an expansion project.

Education projects are proposed and assessed at Capital Access Working Group, approved at Capital Access Board, following this they are assessed and approved by Cabinet. Funds we are holding are at varying degrees of the governance process. School capital projects go through a number of Royal Institute of British Architects (RIBA) stages prior to submission of each planning application, this begins with initial feasibility and progresses through to more detailed design and deliverability.

7. Contributions spent in 2023/24 by infrastructure type and project

Infrastructure Type	Project	Monies Spent (£ '000s)
Community Facilities	Libraries	
	NBBC	
	Nuneaton Library	3.081
	Stockingford Library	0.213
	NWBC	
	Coleshill Library	0.929

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	Polesworth Library	0.904
	RBC	
	Rugby Library	37.166
	SDC	
	Alcester Library	1.801
	Kineton Mobile Library	0.772
	Shipston Library	0.794
	Shipston Mobile Library	1.954
	Southam Library	9.451
	Southam Mobile Library	5.149
	Stratford Library	17.387
	Stratford Mobile Library	7.140
	Wellesbourne	0.721
	WDC	
	Leamington Library	4.504
	Warwick Library	10.063
	Whitnash Mobile Library	6.731
	Lillington Library	0.494
	Leamington Mobile Library	0.480
	Community Facilities Total	109.734
Education	NBBC	
	Etone College Nuneaton	1,135.250
	Oak Wood Primary-Primary expansion – 20 places, sensory spaces. Hygiene suite, toilets, staff room	143.357
	NWBC	
	Nathaniel Newton Infants bulge class	245.255
	Michael Drayton Primary - Expansion	1,150.452
	RBC	
	New School, The Gateway, Rugby	2,292.965
	Long Lawford permanent expansion	22.317
	Paddox Primary new module building	80.700

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St Andrew's Benn CE Primary School - Creation of new specialist resourced provision	20.320
St Matthew's Bloxam CE Primary School - Creation of new specialist resourced provision	15.946
Long Lawford Primary School - Studio Hall	45.829
Former Radio mast site (Houlton) Rugby - expansion of St Gabriels CofE Academy	1,098.678
Brownsover Expansion from 2FE Infant to 1FE Primary	645.613
Bilton School - Internal Works to Accommodate 30 Extra Pupils	83.000
Bawnmore Infant School-To Extend Current Pre-school Provision	24.142
SDC	
Shipston Primary School - Creation of 8- place Specialist Resource Provision	13.211
Stratford upon Avon Secondary	2,667.555
Bunting Nursery, Bishopton Primary School-Replacement of Building	82.160
Bridgetown Primary School - Hall and Grounds Enhancements of Shared Facilities	3.210
Southam St James - Classroom Extension	30.000
Lighthorne Heath Primary School - Refurbishment	33.721
Shipston High School - 1FE Expension	186.085
Bishops Itchington Primary School - Modifications and Improvements To Increase Classroom Capacity	157.108

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	Stratford School - Resurfacing of All-Weather Pitches & Enhancing Gym Facilities	178.262
	Shottery St Andrews - Temporary Classrooms	19.237
	WDC	
	New school, Warwick, Heathcote Primary	672.027
	Barford St Peters - Extension of Kitchen facilities	4.734
	New School South Leamington, Oakley Grove	1,128.270
	Whitnash Primary, Expansion of 2 additional Classrooms	70.122
	Burton Green Primary School	258.030
	Myton school - New 6th Form Teaching Block	170.113
	St John's Primary School - 1FE Expansion	61.601
	Cubbington CE Primary School - Creation of nursery and increase in wraparound provision places	12.078
	Education Total	12,751.348
Green Infrastructure (grouped based on the Local Planning Authority area where development is located. On occasions, offsetting may be provided in a different Local Planning Authority)	Biodiversity Offsetting	
	Warwickshire Biodiversity Offsetting	53.318
	RBC	
	Back Lane Long Lawford	0.113
	Brandon Wood	0.365
	Ryton Pools	12.825
	Abbey Farm 1 & Purlieu Lane	6.213
	Little Compton & Hospital Farm	23.000
	Abbey Farm	22.750

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	Hospital Farm	4.000
	SDC	
	Hell Hole & Oversley	1.274
	Rowley Fields	228.453
	Rowley Fields & Wolford Wood	201.261
	Rowley Fields & Sherbourne Farm & Alcester Meadow & Snitterfield Orchard	47.868
	WDC	
	Ryton Pools	7.570
	Highfields Farm (WCC) & Wyken	13.000
	Hell Hole & Oversley	0.021
	Highfields Farm & The Nook & Brandon Reach & Halford Meadows & Ditchford Farm	76.421
	Ryton Pools 2	6.522
	Yarningale Common & Purlieu Lane	0.679
	Hell Hole & Oversley	4.011
	Cherry Orchard	4.148
	Westwood Heath	2.074
	Yarningale Common & Bridgetown POS	1.786
	OOC	
	Canley Social Club, Marler Road, Coventry	24.249
	Green Infrastructure Total	741.921
Highways	Public Rights of Way	
	NBBC	
	Barling Way, Nuneaton	0.750
	SDC	
	Long Marston Estate, Long Marston	0.676
	Godsons Lane, Napton	0.409
	Meon Vale, Long Marston	26.419

Evesham Road, Salford Priors	0.072
School Road, Salford Priors	1.666
WDC	
Myton Road/Europa Way, Leamington/Warwick SUE	0.840
Cycleway	
NBBC	
Weddington Road, Nuneaton	42.465
Nuneaton To Coventry Cycle Route	0.775
RBC	
A426 Gateway Rugby to Rugby Town Centre Cycle Scheme	2.637
SDC	
Stratford Greenway to Stratford Cycleway resurfacing	23.729
Gaydon Lighthorne Heath/Jaguar Land Rover to Warwick	20.972
WDC	
Radford Road, Leamington Spa	1.326
Whitley South, Baginton	7.984
Red Lane/ Hob Lane Routes to Kenilworth, Burton Green to Kenilworth	18.324
Highways	
RBC	
A426 /A4071 Avon Mill Roundabout Rugby Improvement Scheme	1,060.071
SDC	
A3400 Banbury Road, Clopton Bridge	67.868
Europa Way - A452 M40 Spur West of Banbury Road - WCC1	34.084

	WDC	
	A46 Stoneleigh Junction Improvement	650.000
	Europa Way - A452 Europa Way South Of Olympus Av To Heathcote Lane Roundabout - WCC2	18.117
	A46 Stoneleigh Junction Improvement	468.860
	Traffic and Road Safety	
	WDC	
	Warwick Town Centre	106.666
	Highways Total	2,559.961
Transport and Travel	Bus Stops	
	SDC	
	Southam Road Raford Semele bus stops with infrastructure and traffic management	7.170
	Provision of gateway facilities at Shipston-on-Stour and 2 bus shelters within the vicinity	3.921
	Provision Of Bus Stops & Upgrade Existing Infrastructure Salford Road, Bidford	5.306
	Bidford on Avon/Waterloo Road/Provision of a Bus Stop and shelter	27.703
	Upgrading the existing bus stop infrastructure on Knights Lane (5 bus stops) in Tiddington	2.331
	Bishopton Lane, Stratford Bus Stops	14.804
	JLR/British Motor Museum Bus Stops on B4100	20.461

Southbound Bus Stop on A426 Leicester Rd,	4.626
Nuneaton/Plough Hill/Puffin crossing and improvements to Bus shelters	1.546
Public Transport Services	
NBBC	126.519
NWBC	5.048
RBC	524.140
SDC	643.592
WDC	327.695
Road Safety Education	176.505
School Transport	
WDC	
Fieldgate Lane/ Golf Lane, Whitnash	32.522
Lower Heathcote Farm East of Europa Way, Leamington/Warwick	116.328
South of Offchurch Lane, Radford Semele	31.090
SDC	
Land at Lighthorne Heath, Gaydon Lighthorne Heath	51.595
Traffic Regulation Orders	
NBBC	
81-105 Plough Hill Road	21.174
NWBC	
Grendon Road Polesworth	4.346
Tunnel Road, Ansley, Near Nuneaton	3.000
RBC	
Newton Lane	5.481

Wharf Farm, Crick Road	12.626
Former Cattle Market, Craven Road, Rugby	6.000
SDC	
Mansell Street Stratford	3.612
Stratford Road Hampton Lucy	6.163
The Willows, Long Marston Road Welford on Avon	7.612
Campden Road Shipston	8.600
Compton Works, Fenny Compton	3.000
Land off Burrows, Newbold-on-Stour	3.000
Land off Burrows, Newbold-on-Stour	0.355
Arden Heath Farm, Loxley Road Stratford	3.249
Land West of Welford Road, Long Marston	4.148
Cank Farm, Well Lane, Tanworth in Arden	2.889
Shipston Road Alderminster	5.000
Weston House, Milcote Road	6.157
Ettington Road Wellesbourne	3.178
Land at Lighthorne Heath (Gaydon Lighthorne Heath GLH)	6.191
Oak Road Tiddington	6.000
Walnut House, The Green	10.856
Old Gated Road, Gaydon Lighthorne Heath	6.411
Old Gated Road, Gaydon Lighthorne Heath	4.048
Oak Road Tiddington	10.829
North-west side of Bishopton Lane	6.324
Campden Road Shipston	6.172
Maison 1, Arden Street	3.129

	5-7 Wood Street, Stratford-Upon-Avon	3.000
	Waterloo Road and Wellington Road, Bidford-on-Avon	3.000
	WDC	
	Land north of Southam Road Radford Semele	5.961
	South of Offchurch Lane	12.920
	Coventry Road, Cubbington, Leamington Spa	3.000
	16 Warwick Road	3.000
	Dormer Place	3.053
	96-98 Warwick Street, Leamington Spa	3.074
	OOC	
	Coventry Road, Lutterworth	28.135
	Transport and Travel Total	2,357.595
Monitoring	30.357	
Overall Spend Total	18,550.916	

Money borrowed

In 2023/24 no S106 contributions were spent repaying money borrowed.

S106 monitoring fees

WCC collects monitoring fees for each S106 agreement with contributions due to WCC. The fee is based on size of the development and the estimated officer time to monitor the agreed contributions. This income is specifically linked to an individual S106 agreement with the level of fee reflecting the size and complexity of that agreement.

8. S106 monitoring fees received in 2023/24

S106 Contribution	Amount Received (£ '000s)
Monitoring fees	29.509

9. CIL received in 2023/24

For the 2023/24 financial year, CIL had only been adopted by Stratford and Warwick District Councils. If the District Council deems it appropriate to do so, they would invite Infrastructure providers to bid for CIL funding. The bidding process is managed by the Local Planning Authorities and their Members are responsible for deciding how CIL funding is allocated. If the County Council were successful in securing CIL funding, monies would be passed to the County Council to spend and monitor. Any funds made available to WCC will be subject to an individual funding agreement between the County Council and the appropriate Local Planning Authority to ensure that monies are spent as agreed by the Elected Members.

It should be noted that Rugby Borough Council has adopted CIL with effect from 1st April 2024 and so they will also be involved in reporting on CIL income collection and spend in future years.

CIL Contribution	Amount Received (£ '000s)
WDC	0.000
SDC	0.000

10. CIL spent in 2023/24

CIL Contribution	Amount Spent (£ '000s)
WDC	0
SDC	0

WCC future spending priorities

The S106 contributions will go to support the delivery of key infrastructure as identified in each of the Local Planning Authorities' Infrastructure Delivery Plans, which form part of their Local Plans.

Examples of developer contribution funded projects with timeline

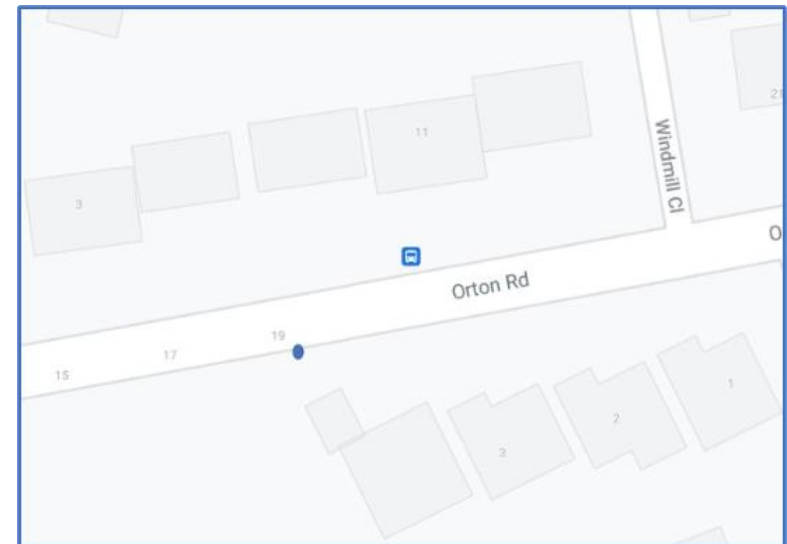
North Warwickshire - PAP/2017/0551 - Land South of Warton Recreation Ground Orton Road/Barn End Road Warton - Outline application for up to 100 dwellings; all matters reserved except for access – **Bus Stop Improvements**



The planning application was submitted on 13th October 2024, part of WCC’s response was to request £9,000 towards bus stop infrastructure improvements. The S106 agreement was signed on 2nd August 2018 ahead of the planning application being approved on 3rd August 2018. It was agreed that the bus stop improvement contribution would be paid prior to the occupation of any dwellings. £9,202.67 was received on 20th July 2020.

As part of the design phase a site visit was carried out in January 2022. In acknowledgement that there was an existing eastbound bus stop on Orton Road near the junction with Barn End Road, which was in good condition, it was agreed that the extent of the S106 developer funded bus stop works comprise formalisation of a westbound bus stop to be sited on Orton Road.

The agreed bus stop formation works involved installation of a raised bus boarding area on the footway and careful positioning of a bus stop pole (with bus flag and timetable case attached) so not to impede the branches and leaves of a nearby tree. The works were completed in October 2023.



Nuneaton and Bedworth Borough – 032336 - Site 18C002 - Land at Lower Farm, Weddington Road, Nuneaton - Residential development of up to 400 dwellings including primary school & associated areas of open space, landscaping, balancing ponds, footpaths, cycleways & associated infrastructure (all existing buildings to be demolished) (outline to include access with appearance, landscaping, layout and scale reserved) - Erection of two storey 2 form entry primary school for key stage 1 and 2 including 26 place nursery

The Weddington area of Nuneaton has seen significant growth over the past eight years or so with over 1,100 new homes developed off Weddington Road.

One of the development sites was at Lower Farm with a planning application submitted by Taylor Wimpey in September 2013. Outline permission was granted in May 2014 and the County Council was party to a S106 agreement which saw the provision of land for the delivery of a new Primary School as well as financial contributions to support the school build.

As is usual practice, the S106 required that the freehold of the land transfer to WCC at the cost of £1. In addition, the land had to be serviced to the boundary and meet certain usability requirements, i.e. be flat, easily accessible etc. The location of the school site was agreed with the County Council after a visit took place on site with representatives from Taylor Wimpey, Infrastructure Team and the then Asset Strategy Team.

Central Government had announced their intention to deliver 500 new Academies within the life of that Parliament. Academy Trusts were invited by Central Government to express an interest in sponsoring schools within recognised areas with capacity issues. This process was known as a Wave.

The DfE approved delivery of a new primary school in Nuneaton and approached the County Council for advice about potential sites. The Reach 2 Academy Trust were appointed as Academy Sponsor.





The Infrastructure Team worked closely with the DfE to promote the land at Lower Farm, agree final land ownership and the level of contribution that the County Council would be able to provide to support the delivery of the new school.

Agreement was reached with the DfE that WCC would retain the freehold of the land and that the school building would also belong to WCC once built. In addition, WCC agreed to pay the S106 linked to the planning application to the DfE once received. This was capped at £1.3m. Most importantly, if for any reason the S106 was not received, the County Council did not have to find the equivalent funding from elsewhere. The £1.3m has now been paid to the DfE. All negotiations were managed by the Infrastructure Team with support from Legal as appropriate.

The land secured for the new school as requested by WCC was for a one Form Entry (FE) primary school. However, the DfE were looking to deliver a two-form entry primary school. By building at 2 storeys the site area was adequate to deliver a 2FE school although WCC, the Borough Council and Taylor Wimpey did have to agree a formal Deed of Variation to amend the description of the new school in the S106.

The DfE designed and built the school and accessed the land to enable to build under licence from WCC. The planning application was dealt with by the Borough Council and the school opened initially at one form of entry in temporary accommodation in September 2019. Once the new school was built the intake from September 2020 was at 2FE.

The school has been graded as GOOD by Ofsted and is operating at capacity.

Rugby Borough – R11/0699 - Rugby Radio Station, A5 Watling Street, Clifton Upon Dunsmore, Rugby - Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail (A1), up to 3,500sq.m financial services (A2) and restaurants (A3 - A5), up to 3,500sq.m for a

hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8), and ancillary facilities; a mixed use district centre and 3 subsidiary local centres including retention and re-use of the existing buildings known as 'C' Station (Grade II listed), 'A' Station and some existing agricultural buildings; a secondary school and 3 primary schools; public art – **St Gabriel's Primary School**

The Strategic Urban Extension on the former Radio Station Site in Rugby is expected to deliver up to 6,200 dwellings, together with retail, employment, leisure, and social infrastructure. The planning application was submitted to Rugby Borough Council in April 2011 with permission granted in May 2014.

The site is unusual in that the entire site falls within one landownership.

The S106 is lengthy and has been subject to numerous Deeds of Variation but for much of the social infrastructure, there is a mechanism within the agreement for the landowner to deliver the infrastructure rather than providing as financial contribution.

Urban and Civic, the Master Developer and Landowner submitted a School Building Notice to the County Council in May 2016. This signalled that Urban and Civic intended to design and build the school rather than provide the County Council with land and financial contributions. At the same time, Urban and Civic submitted a planning application for the school to Rugby Borough Council.





The County Council were aware of Urban and Civic's intention to build and had been involved in discussions around requirements, minimum spec, location etc, prior to the planning application being submitted.

WCC accepted the School Building Notice in July 2016, and the planning application was approved in August 2016. The design of the school meant that it would be built initially at one form of entry with additional blocks being provided to deliver at two and three forms of entry.

The school opened in September 2018 at 1FE but very quickly work started to build a new block to enable the school to operate at 2FE. The school has been rated as GOOD by Ofsted and is full in all year groups.

Stratford District - 15/00976/OUT - Land At Gaydon/Lighthorne Heath - Outline application (with all matters reserved except for principal means of access to the highway) for construction of a residential development (up to 2000 houses, including extra care housing), village centre (including primary school, community hub, health centre, retail and other services (Use Classes A1, A2, A3, A4, A5, B1, D1 and D2)), managed ecological reserve, public open space, recreation areas (including sports pavilion), play areas, acoustic bunding and associated infrastructure including roads, primary substation, sewers and attenuation ponds and demolition of identified buildings and structures - **Delivery of Chesterton/Fosse Way improvements (signalisation) done through S278 and delivery of improvements to B4100 through pre start conditions.**





than the County Council.

The planning application was submitted on 25th March 2015, the application was approved subject to S106 on 24th May 2016. The S106 agreement was signed on 14th December 2017. It was agreed via planning condition that the following works would be delivered by Section 278 as per condition 24 of the planning permission which states that no dwellings shall be occupied until details of a road safety scheme at the B4455 Fosse Way / Chesterton Road / Harbury Lane crossroad junction have been submitted for approval by the Local Planning Authority. This condition was varied due to time constraints on the delivery of the works outside of the developer's control, the S278 agreement was signed in January 2022.

It is the preference of the County Council to secure highways developer contributions via S278 where possible as, unlike S106 contributions, this places the responsibility on the developer to carry out the works to deliver the required infrastructure, to the County Council's standards, which places the risks associated with the project, such as timescale and cost, on the developer rather

Warwick District - W/18/0606 - Land at the Triangle, Lower Heathcote Farm, Harbury Lane, Warwick -
Outline application for up to 150 dwellings (including 40% affordable), and public open space. Access provided from consented Lower Heathcote Farm development, all other matters are reserved for future determination - **Harbury Lane to Oakley Wood Road Cycleway/active travel Improvements Phase 1**

The planning application was received by Warwick District Council on 26th March 2018, it was granted on 5th February 2019. The S106 agreement was signed on 2nd May 2019, £138,997, part of the agreed highways contribution was due at occupation of 75% of the market dwellings. This was received on 21st February 2023 which, along with active travel funding, has been allocated to active travel improvements from Harbury Lane to Oakley Wood Road.



Works on phase 1 of the scheme began in August 2024 and are due to be complete by the end of 2024. The works will include the widening, resurfacing, and lighting of the existing footpath running adjacent to Harbury Lane, between Earl Rivers Avenue and the B4087 Tachbrook Road/Oakley Wood Road Junction.