



Warwick District Council

Developer Contribution Monitoring Report

Quarter 3, 2020/2021 (October - December 2020)

Contents

Executive Summary.....	3
Covid-19 impact	4
Infrastructure Funding Statement	4
Section 106.....	5
New S106 agreements signed.....	5
S106 triggers met	7
S106 sums falling due	9
S106 sums received.....	10
Summary of development status as at end December 2020	11
Community Infrastructure Levy.....	14
CIL receipts.....	15
CIL contributions to Town and Parish Councils.....	16

Executive Summary

This report sets out a summary of Developer Contribution Monitoring that has been undertaken during Quarter 3 of the financial year 2020/2021 (1st October to 31st December 2020). It embraces contributions that fall under both Section 106 Agreements and the Community Infrastructure Levy (CIL).

Covid-19 restrictions meant that larger sites were monitored remotely as at 31st December 2020, using building control data and by contacting developers directly.

During Q3 2020/21, 4 new S106 agreements have been signed, including for major developments at South Crest Farm, Kenilworth, and the former Kings High School for Girls, Warwick.

S106 trigger points were met on a number of developments during the quarter. These included financial contributions of around £760,000 due to Warwick District Council, and £1.9 million due to Warwickshire County Council.

Around £550,000 in S106 income was collected by Warwick District Council during the quarter, and £2.4 million was collected by Warwickshire County Council.

Six CIL demand notices were issued in the quarter, totalling in excess of £950,000. CIL income was just short of £1.2 million, with a further £3.8 million outstanding from issued demand notices.

Covid-19 impact

The quarter covered in this report, October to December 2020, included the second UK lockdown, which lasted from 5th November to 2nd December. The impact of this lockdown on housebuilding in Warwick District was different to the first lockdown, as this time construction sites were not required to close. However, the ongoing impact of social distancing regulations is likely to have restricted the speed at which construction can happen, for example by limiting the number of workers permitted within a space at any given time.

As S106 income is tied to 'trigger' points at which payments become due, speed of construction has a direct impact on S106 income. The longer-term impact on S106 sums is dependent on a range of factors which make it difficult to predict with accuracy.

CIL payments that were already timetabled will have been less affected by the lockdown, although the Council was granted discretion to delay payments in certain circumstances. It is likely, though, that some CIL liable sites will have delayed commencement as a result of Covid-19 restrictions.

Infrastructure Funding Statement

New regulations have come into force requiring local authorities in receipt of developer contributions to publish an Infrastructure Funding Statement (IFS). Starting with the 2019/20 financial year, the IFS provides an annual summary of income, allocation and spend of sums received by way of CIL, S106 and S278 agreements.

It is intended to continue publishing these quarterly reports alongside the annual IFS.

Warwick District Council and Warwickshire County Council have both now published their first IFS, covering the 2019/20 financial year. The links are below:

[Warwick District Council's IFS](#)

[Warwickshire County Council's IFS](#)

Section 106

Infrastructure contributions can be made under Section 106 agreements where they are necessary to make the development acceptable, are directly related to the development, and are fairly and reasonably related in scale and kind to the development.

New S106 agreements signed

The following table shows agreements signed during Q3 2020/21 where those agreements have become active. Any agreements signed which have expired or not become active (for example if planning permission was not granted) are not included here.

Case reference	Location / obligation	Date signed	Amount agreed
W/19/1200	South Crest Farm, Crew Lane, Kenilworth	17/12/2020	
	Affordable Housing		
	Community Centre		£141,428.43
	Community Centre running costs		£11,957.81
	Community Centre staffing costs		£23,335.69
	Education		TBC
	Employment - Local employment and training strategy		
	Env – Biodiversity scheme		
	Health – GP Surgery		£39,036.00
	Health – Hospital		£56,905.16
	Highways		£496,367.00
	Highways – Rights of Way		£1,649.80
	Highways – Sustainability Pack		£990.00
	Highways – Other Traffic Schemes		£4,950.00
	Libraries		£2,167.00
	Monitoring Fee – District Council		£19,820.00
	Monitoring Fee – County Council		£1,100.00
	Open Space		
	Police		£31,613.00
	Public Transport		£100,000.00
	Signage		£1,414.29
	Sports Facilities – Indoor		£110,600.00
	Sports Facilities – Outdoor		£43,975.00
	SUDS		
	Secondary Education Land Contribution		£35,457.14
	Secondary School Forward Funding Interest Contribution		£51,813.63
W/19/1940	Former Kings High School, Warwick	12/10/2020	
	Affordable Housing		
	Education		£524,844.00
	Employment – Local employment and training strategy		
	Health – Hospital		£116,775.95
	Highways – Traffic Regulation Order		£6,000.00
	Highways – Rights of Way		£2,084.72

Case reference	Location / obligation	Date signed	Amount agreed
	Highways – Sustainability Pack		£1,180.00
	Highways – Road Safety		£5,900.00
	Libraries		£1,696.00
	Monitoring Fee – District Council		£11,892.00
	Monitoring Fee – County Council		£1,900.00
	Open Space – Offsite Parks Gardens and Allotments		£568,013.00
	Police		£31,995.00
	Sports Facilities – Indoor		£91,991.00
	Sports Facilities – Outdoor		£8,328.00
	Sports Facilities – Outdoor (Grass pitches)		£35,978.00
W/19/2142	38-40 Moseley Road, Kenilworth	07/10/2020	
	Concurrent development		
W/20/0800	3 George Street, Leamington Spa	27/10/2020	
	Highways – Traffic Regulation Order		£3,000.00

S106 triggers met

Development sites with S106 agreements are monitored quarterly. As the UK entered a third national lockdown in early January 2021, site monitoring for larger sites has been conducted remotely using a mixture of Building Control data and information from developers. Most smaller sites have not been monitored.

S106 agreements include trigger points at which obligations become due. The following table shows trigger points which have been met during Q3 2020/21, for both financial and non-financial obligations.

Where a developer has elected to pay or otherwise discharge an obligation early, the trigger is shown as being met during the quarter in which they elected to pay.

Case reference	Location / obligation	Trigger met
W/14/0023	Grove Farm Phase 1	
	Affordable Housing	95% occupation open market dwellings
W/14/0661	Lower Heathcote Farm	
	Highways	100% occupation open market dwellings
W/14/0681	South of Gallows Hill / West of Europa Way	
	Affordable Housing Scheme Submission	Commencement
	Open Space Design Scheme	Commencement
	Open Space Land Transfer	Commencement
	Open Space Play Area Design Scheme	Commencement
	Open space Play Area Transfer	Commencement
	Environment – Biodiversity Scheme Submission	Commencement
	SuDS – Scheme Submission	Commencement
W/14/1076	Myton Green, Europa Way	
	Affordable Housing – Contract with Registered Provider	Within 6 months of commencement of phase (Bovis)
	Open Space Land Transfer	On issue of certificate (strategic open space)
W/14/1340	Crackley Triangle, Kenilworth	
	Affordable Housing	50% occupation open market dwellings
	Education	50% occupation
	Sports Facilities - Indoor	50% occupation
	Libraries	50% occupation
	Health - Hospital	50% occupation
	Highways	50% occupation
	Open Space – Offsite parks, gardens and allotments	50% occupation
	Sports Facilities - Outdoor	50% occupation
	Police	50% occupation
	Open Space – Layout and installation	50% occupation
W/16/0196	South of Offchurch Lane, Radford Semele	

Case reference	Location / obligation	Trigger met
	Affordable Housing	50% occupation open market dwellings
	Open Space – Layout and installation	50% occupation
	Open space – Play Area Layout	50% occupation
	Health – GP Surgery	50% occupation
	Health - Hospital	50% occupation
	Education	50% occupation
	Highways	50% occupation
	Public Transport – School Transport	50% occupation
W/16/0279	Land off Seven Acre Close, Bishops Tachbrook	
	Open Space Design Scheme	Commencement
W/17/1724	Meadow House / Kingswood Farm, Lapworth	
	Affordable Housing	95% occupation open market dwellings
W/18/0522	Gateway South	
	Employment – Local employment and training strategy	Commencement
	Environment – Ecological Protection and Mitigation Strategy	Commencement
	Environment – Biodiversity scheme submission	Commencement
	Site Wide Infrastructure Design, Management and Maintenance strategy	Commencement
	Environment – Air Quality	Commencement
	Monitoring Fee – District Council	Commencement
	Monitoring Fee – County Council	Commencement
W/18/0606	Lower Heathcote Triangle	
	Environment - Skylark Mitigation Contribution	Within 6 months of commencement
W/20/0800	3 George Street, Leamington Spa	
	Highways – Traffic Regulation Order	Within 8 weeks of commencement

S106 sums falling due

Some of the triggers met from the previous table are financial. These are presented in the following table, grouped according to the contribution type.

Sums due to Warwick District Council include indexation where relevant. Sums due to other authorities are usually presented without any indexation, as responsibility for calculating indexation on those sums lies with those authorities.

S106 sums falling due		
Sums due to Warwick District Council		£761,254.92
Environment – Air Quality		£464,739.80
Gateway South	W/18/0522	£464,739.80
Health – GP Surgery		£19,110.37
South of Offchurch Lane, Radford Semele	W/16/0196	£19,110.37
Health - Hospital		£144,622.10
Crackley Triangle, Kenilworth	W/14/1340	£54,178.32
South of Offchurch Lane, Radford Semele	W/16/0196	£90,443.78
Monitoring Fee		£30,000.00
Gateway South	W/18/0522	£30,000.00
Open Space - Offsite Parks Gardens and Allotments		£42,210.75
Crackley Triangle, Kenilworth	W/14/1340	£42,210.75
Police		£18,567.49
Crackley Triangle, Kenilworth	W/14/1340	£18,567.49
Sports Facilities - Indoor		£39,172.13
Crackley Triangle, Kenilworth	W/14/1340	£39,172.13
Sports Facilities - Outdoor		£2,832.28
Crackley Triangle, Kenilworth	W/14/1340	£2,832.28
Sums due to Warwickshire County Council		£1,927,147.14
Education		£739,311.50
Crackley Triangle, Kenilworth	W/14/1340	£178,077.00
South of Offchurch Lane, Radford Semele	W/16/0196	£561,234.50
Environment - Skylark Mitigation Contribution		£93,771.00
Lower Heathcote Triangle	W/18/0606	£93,771.00
Environment – Biodiversity contribution		£672,574.00
Gateway South	W/18/0522	£672,574.00
Highways		£338,748.64
Lower Heathcote Farm (Bovis)	W/14/0606	£170,748.64
Crackley Triangle, Kenilworth	W/14/1340	£168,000.00
Highways – Traffic Regulation Order		£3,000.00
3 George Street, Leamington Spa	W/20/0800	£3,000.00
Libraries		£2,242.00
Crackley Triangle, Kenilworth	W/14/1340	£2,242.00
Monitoring Fee		£20,000.00
Gateway South	W/18/0522	£20,000.00
Public Transport – School Transport		£57,500.00
South of Offchurch Lane, Radford Semele	W/16/0196	£57,500.00
Total falling due		£2,688,402.06

S106 sums received

The following table shows the sums received from developers during Q3 2020/21. The trigger points for these sums will often have been reached during previous quarters. All sums are presented including indexation where relevant.

S106 sums received		
Sums received by Warwick District Council		£557,090.01
Environment – Air Quality		£464,739.80
Gateway South	W/18/0522	£464,739.80
Monitoring Fee		£30,000.00
Gateway South	W/18/0522	£30,000.00
Open Space – Offsite Parks, gardens and allotments		£62,350.21
Spring Lane, Radford Semele	W/14/0433	£62,350.21
Sums received by Warwickshire County Council		£2,410,855.00
Education		£724,057.12
Lower Heathcote Farm (Bovis)	W/14/0661	£724,057.12
Environmental improvements		£93,771.00
Lower Heathcote Triangle	W/18/0606	£93,771.00
Environment – Biodiversity Offsetting		£860,937.46
Gateway South	W/18/0522	£672,574.00
Lower Heathcote Triangle	W/18/0606	£157,977.46
Arras Boulevard, Hampton Magna	W/19/0961	£30,386.00
Highways		£395,857.96
Lower Heathcote Farm (Bovis)	W/14/0661	£341,497.28
Warwick School, Banbury Road	W/16/2172	£54,360.68
Highways - Cycleways		£141,566.38
Lower Heathcote Triangle	W/18/0606	£141,566.38
Highways – Traffic Regulation Order		£6,397.82
29-33 High Street, Leamington Spa	W/16/1676	£3,324.29
96-98 Warwick Street, Leamington Spa	W/18/1920	£3,073.53
Highways – Sustainability Pack		£11,550.00
Lower Heathcote Triangle	W/18/0606	£11,550.00
Highways – Administration Fee		£550.00
Opus 40	W/15/0646	£550.00
Monitoring Fee		£21,000.00
Gateway South	W/18/0522	£20,000.00
Lower Heathcote Triangle	W/18/0606	£1,000.00
Public Transport		£50,658.58
Lower Heathcote Farm (Bovis)	W/14/0661	£50,658.58
Public Transport – School Transport		£104,508.68
Lower Heathcote Farm (Bovis)	W/14/0661	£39,966.52
South of Offchurch Lane, Radford Semele	W/16/0196	£64,542.16
Total received		£2,967,945.01

Sums received by Warwick District Council relating to hospital, GP surgery or police contributions are subsequently passed on to the relevant bodies, following the completion of legal agreements.

Summary of development status as at end December 2020

This quarter, the third national lockdown was in progress at the time site monitoring was due to take place, so large sites were monitored remotely using a mixture of building control data and information from developers. Smaller sites were not monitored. The table below shows the situation as at 31st December 2020.

Application Number	Location	Status
W/13/0464	Earl Rivers extra care village	Phase 1 and 2 complete Phase 3: 8 out of 69 dwellings complete (12%)
W/14/0023	Grove Farm Phase 1 (Harbury Gardens)	210 out of 220 dwellings complete (95%) Phase 1a complete Phase 1b 120 out of 130 complete (92%)
W/14/0300	The Asps	900 dwellings (outline) Reserved matters permission granted for sub-phase 1a (W/19/0229, 65 dwellings)
W/14/0433	Spring Lane, Radford Semele	4 out of 65 dwellings complete
W/14/0661	Lower Heathcote Farm	753 out of 785 dwellings complete (96%) Barratt/DWH 410 out of 435 dwellings complete (94%) Bovis/Bellway 343 out of 350 dwellings complete (98%)
W/14/0681	Land South of Gallows Hill / West of Europa Way	450 dwellings Under construction
W/14/1076	Land between Myton Road and Europa Way	99 out of 735 dwellings complete (13%) Land parcel D1 (Miller Homes) 44 out of 134 dwellings complete (33%) Land parcel D2 (Avant Homes) 55 out of 200 dwellings complete (28%) Land parcel D3/D4 (Bovis) under construction
W/14/1340	Crackley Triangle, Common Lane, Kenilworth	46 out of 93 dwellings complete (49%)
W/15/0851	Grove Farm Phase 2	343 out of 510 dwellings complete (67%) Phase 2b (Taylor Wimpey) 142 out of 194 dwellings complete (73%) Phase 2c (Persimmon) 201 out of 208 dwellings complete (97%) Phase 2d (AC Lloyd) 108 dwellings, under construction
W/15/0905	Station Approach, Leamington Spa	190 out of 212 dwellings complete (90%)

Application Number	Location	Status
W/16/0196	Land to the South of Offchurch Lane, Radford Semele	72 out of 150 dwellings complete (48%)
W/16/0239	Whitley South (sub-regional site)	W/17/1729 research and development buildings – not monitored (site prep underway at Q2) W/18/1717 battery Industrialisation Centre – complete
W/16/0279	Land off Seven Acre Close, Bishop's Tachbrook	50 dwellings Under construction
W/16/0801	Former North Leamington School, Cloister Way, Leamington Spa	Development complete (44 dwellings)
W/16/1139	Talisman Square, Kenilworth	Mixed development Not monitored (not started at Q2)
W/16/2156	7 Parade, Leamington Spa	Change of use office to 5 dwellings Not monitored (not started at Q2)
W/17/0252	29 Chandos Street, Leamington Spa	6 dwellings Not monitored (not started at Q2)
W/17/1470	Land at Leamington Shopping Park, Tachbrook Park Drive, Warwick	Retail development Not monitored
W/17/1700	Covent Garden Multi-storey car park, Russell Street, Leamington Spa	New Council HQ offices, multi-storey car park and 44 dwellings Not started
W/17/1701	Riverside House, Milverton Hill, Leamington Spa	Up to 170 dwellings on existing Council HQ site Outline only
W/17/1724	Land at Meadow House / Kingswood Farm, Lapworth	33 out of 38 dwellings complete (87%)
W/17/2086	Land on the corner of Red Lane and Hob Lane, Burton Green	62 out of 90 dwellings complete (69%)
W/17/2150	Land on the East side of Warwick Road, Kenilworth	9 out of 125 dwellings complete (7%)
W/17/2357	Land to the South of Westwood Heath Road, Burton Green	425 dwellings Not started
W/17/2371	Land off Rugby Road and Coventry Road, Cubbington	9 out of 120 dwellings complete (8%) A variation application (W/20/0502) with an additional 13 dwellings was approved after the period covered in this report
W/17/2387	Land south of Lloyd Close, Hampton Magna	147 dwellings Under construction
W/18/0190	Holly House, Queensway	Complementary health suite and 19 dwellings Outline only
W/18/0522	Gateway South (sub-regional site)	Mixed development Outline only
W/18/0554	Waverley Riding School, Cubbington	16 dwellings Not started
W/18/0606	Land at The Triangle, Lower Heathcote Farm	2 out of 150 dwellings complete (1%)

Application Number	Location	Status
W/18/1435	Land South of Gallows Hill / Banbury Road	180 dwellings Outline only
W/18/1619	Land North of Gallows Hill	12 out of 375 dwellings complete (3%)
W/18/1744	5 Russell Terrace, Leamington Spa	1 dwelling Not monitored (not started at Q2)
W/18/1802	231 Cromwell Lane, Burton Green	House extension Not monitored (under construction at Q2)
W/18/2270	2-8 Kenilworth Street, Leamington Spa	9 dwellings Not monitored (not started at Q2)
W/19/0203 W/19/0215	9 and 11 Dereham Court, Leamington Spa	House extension Not monitored (under construction at Q2)
W/19/0415	43 and 45 Leyes Lane, Kenilworth	House extension Not monitored (not started at Q2)
W/19/0691	Land off Arras Boulevard, Hampton Magna	130 dwellings Under construction
W/19/0933	North of Birmingham Road, Hatton	150 dwellings Not started
W/19/0963	49-51 Parade, Leamington Spa	Change of use from office to 6 dwellings Not monitored (not started at Q2)
W/19/1030	Grove Farm Phase 3	Primary School, Secondary School with 6 th Form, sports pitches and up to 150 dwellings Outline only
W/19/1200	South Crest Farm, Crewe Lane, Kenilworth	Up to 99 dwellings Outline only
W/19/1226	7 and 8 Pears Close, Kenilworth	4 dwellings Under construction
W/19/1535	62 Brandon Parade, Leamington Spa	Change of use from office to 13 dwellings Not monitored (not started at Q2)
W/19/1940	Former Kings High School for Girls, Warwick	118 dwellings No monitoring information
W/19/2107	73 Warwick Street, Leamington Spa	Retail and 26 dwellings Not monitored
W/19/2142	38-40 Moseley Road, Kenilworth	Not monitored
W/20/0005 W/20/0009	27 and 29 Brownlow Street, Leamington Spa	House extensions Not monitored (under construction at Q2)
W/20/0628	24 Russell Street, Leamington Spa	Change of use bar to HMO Not monitored (not started at Q2)
W/20/0800	3 George Street, Leamington Spa	Not monitored

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a tariff charged on development, at a locally set rate, to fund infrastructure needs arising from new development. Warwick District Council (WDC) introduced its charging schedule on 18th December 2017. The Council is obliged to apply indexation to its charging schedule periodically, and the first update to the schedule has been introduced for applications permitted between 1st January 2020 and 31st December 2020. The CIL charging schedule was indexed with effect from January 2020.

CIL income can be spent on infrastructure such as transport schemes; flood defences; schools; health & social care facilities; parks & green spaces; and cultural & sports facilities. The schemes which were to be funded by CIL in Warwick District are defined in the CIL Infrastructure List which can be found in the [Infrastructure Funding Statement](#).

CIL receipts

The table below covers the period from 1st October 2020 to 31st December 2020 (Quarter 3).

CIL receipts	Number of Applications	Value
New CIL liable applications		
Liability Notices issued	9	£1,720,930.63
Exemption – self-build / annexe / extensions	3	£230,353.64
Exemption – Social Housing	4	£482,973.72
Amount payable – excluding exemptions	7	£1,007,603.27
Current financial activity		
Demand Notices issued – excluding exemptions	6	£958,748.91
CIL outstanding from Demand Notices issued (as at 31 st December 2020)	8	£3,884,973.70
CIL income		£1,197,994.67

Liability notices are issued on all liable developments, whether or not exemptions apply to some or all of the liable amount. If a ‘disqualifying event’ occurs, i.e. a self-build dwelling is sold within three years of completion, the exempt amount would become payable.

Demand notices are issued on commencement of development. Demand notices cover the whole amount payable, but this is often due in instalments over a period of months or years.

Liability and demand notices are sometimes reissued in light of new information or where a deferral has been agreed. Published figures reflect the information that is current at the time of publication.

CIL contributions to Town and Parish Councils

A proportion of the CIL money collected is distributed to Town, Parish and Community Councils in which the development falls. This proportion must be spent to support the impact of developments on local communities and they must in turn report on their levy income and spending.

WDC are required to pass **15%** of CIL receipts to relevant Parish / Town Councils which do not have a Neighbourhood Plan (NP) in place arising from developments in their areas. Payments will be capped to £100 per Council Tax dwelling per year. For example, a Parish / Town Council with 500 dwellings cannot receive more than £50,000 of CIL receipts per year.

The levy contribution will increase to **25%** for Parish / Town Councils with an adopted NP; there is no cap on the amount paid if a NP is in place. This amount will not be subject to an annual limit; for this to apply, the NP must have been made before a relevant planning permission first permits development (as amended by the 2011 and 2014 Regulations).

The District Council must make payment in respect of CIL it receives from 1st April to 30th September in any financial year to the Parish / Town council by 28th October of that financial year, and pay the CIL received from 1st October to 31st March in any financial year by the 28th April the following financial year.

CIL transferred to Town and Parish Councils							
Parish / Location	Application number	Adopted NP	Council tax dwellings	Max payable per year	Total CIL chargeable amount	Total Parish / Town portion	Transferred
Bishops Tachbrook		No	2,427	£242,700.00			£7,500.00
Lower Heathcote Triangle	W/19/0898				£1,786,980.00	£268,047.00	£7,500.00
Budbrooke		Yes	835	No cap			£58,735.00
Arras Boulevard	W/19/0691				£754,814.90	£188,703.73	£58,735.00
Cubbington		No	1,691	£169,100.00			£73,183.88
Rugby Road / Coventry Road	W/17/2371				£1,513,677.75	£227,051.66	£73,183.88
Kenilworth		Yes	10,494	No cap			£108,346.66
Land East Warwick Rd	W/19/0784				£1,350,160.00	£337,540.00	£108,346.66
Leamington Spa		No	23,564	£2,356,400.00			£11,454.00
73 Warwick Street	W/18/2387				£92,820.00	£13,923.00	£6,423.00
Land off Leam Street	W/19/1007				£33,540.00	£5,031.00	£5,031.00
							£259,219.54