

# Newport City Council

## Section 106 Annual Report (2018-19)

### Purpose

This report summarises the Newport City Council's progress on negotiating, monitoring and implementing planning obligations, through Section 106 agreements, for the last financial year.

### Background

Planning obligations, also known as Section 106 agreements (based on that section of The 1990 Town & Country Planning Act) are private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development that would otherwise be unacceptable in planning terms.

The land, rather than the person or organisation that develops the land, is bound by a Section 106 Agreement.

Planning obligations are used for three purposes:

- prescribe the nature of development, for example, requiring a given portion of housing is affordable
- compensate for loss or damage created by a development, for example, loss of open space
- mitigate a development's impact, for example, through increased public transport provision

Contributions and obligations, as secured by a S106, are registered as charges. They will remain, as a charge, until they are formally discharged by the council.

### S106 Secured

In the 12 months between 1 April 2018 and 31 March 2019, a total of 30 planning permissions have been granted, which have been subject to Section 106 agreements. A list is attached at **Appendix A**.

The value of the financial contributions secured total £1,061,276. They relate to a range of developments, including major developments at:

- Former Whiteheads, Pillgwenlly – 529 dwellings
- Herbert Rd, St Julian's – 195 dwellings

The financial contributions secured through these legal agreements will be used to provide or enhance facilities off-site, such as sustainable transport services and infrastructure, highway improvements, public open space, community facilities and educational facilities.

When such contributions are received, consultation is undertaken with all relevant service areas and Cabinet Members to establish how the contributions can be best spent, in accordance with an established and agreed Section 106 protocols.

The planning obligation requirements secured this year have also included 'in-kind' obligations, such as provision of on-site affordable housing, public open space and schools.

## **S106 Received, Committed or Spent**

At 31 March 2019, the council held £6,528,518 within the Section 106 rolling account (comprising £1,422,529 for leisure, £3,604,158 for education, £64,599 for countryside, £982,689 for highways and £454,543 for affordable housing).

The majority of the contributions have been committed to schemes, as agreed by Cabinet Members and Heads of Service, or are pending further consultation. A summary of 'live' Section 106 planning obligations is attached at **Appendix B**.

Between April 2018 and March 2019 the council received financial contributions of £705,111. In particular, large contributions were received from the following developments:

- Llanwern Village, Cot Hill, Llanwern
- Former Orb Works, Corporation Rd, Lliswerry
- Herbert Rd, St Julians

£988,296 was spent on Section 106 schemes during 2018/19 on a number of schemes, including enhancements to public transport, walking and cycling, new school places, open space enhancements, children's play areas and improvements to community facilities. There were also a number of in-kind contributions.

Photographs of schemes which have been implemented can be found in **Appendix C**. These include:

- Glan Llyn Primary School
- Langstone Primary School
- Pentrepoeth Primary School

## **'In Kind' S106**

In addition to financial contributions, the council has worked with developers to deliver 'in kind' obligations on the development sites.

Public open space, public transport and education facilities are being delivered at the majority of major housing sites under construction. Notable examples include:

- Open spaces and play areas at Glan Llyn
- Education land for Whiteheads Primary School
- Riverside walkway at former Orb works

Separately, a total of 73 new build affordable housing units were delivered in 2018/19 via Section 106 Agreements. This equates to an investment of £6,245,150.

## Contact

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