



Rossendale Infrastructure Funding Statement

2024 - 2025



A High Quality Environment

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1. Introduction

- 1.1. The Government requires local authorities to monitor data on s.106 planning obligations and publish this information in an annual Infrastructure Funding Statement. Information should be provided on:
 - Developer agreements;
 - Developer agreement contributions; and
 - Developer agreement transactions.
- 1.2. **Newly Secured Money**
 - 1.2.1. This is money from s.106 agreements signed in 2024/25.
- 1.3. **Money Held by the Council**
 - 1.3.1. This is money received from developers in 2024/25 and not yet spent as well as money held from previous years and yet to be spent.
- 1.4. **Money Spent by the Council in 2024/25** – or transferred to another organisation by type (e.g. public open space, commuted affordable housing etc.)
- 1.5. It should be noted that this data represents estimates at a fixed point in time and can be subject to change, for example, where an outline planning application has been approved for up to a certain number of dwellings. Also not all the planning approvals documented will necessarily be implemented in full or part. In addition, indexation will sometimes be added.
- 1.6. Lancashire County Council can be co-signatories for infrastructure that is provided by them, such as for education places and highway improvements. In such cases, any payments will now be paid to LCC and held by them. This money will be recorded in the Infrastructure Funding Statement published by LCC.
- 1.7. Please be aware that s106 may place non-financial obligations on developers, which can be a land charge on the properties for future owners. Such obligations are recorded in the signed agreement, which forms part of the planning decision.

2. Section 106 Obligations

- 2.1. Under section 106 of the 1990 Town and Country Planning Act local planning authorities can seek obligations when it is considered a development will have adverse impacts that cannot be mitigated through planning conditions. These obligations may be on-site or delivered off-site. A developer may provide obligations 'in kind', providing affordable homes on-site or a children's play area. Or commuted sum payments can be made to the Council to provide off-site infrastructure or affordable housing elsewhere in the Borough.
- 2.2. A planning obligation may legally only constitute a reason for the grant of planning approval for the development so long as the obligation is:
 - 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.
- 2.3. Planning obligations are agreed and signed by all parties prior to approval being granted, although Development Control Committee may be minded to approve subject to the resolution of a s.106 agreement.
- 2.4. Often an agreement will contain triggers for when contributions will need to be paid to the Council. This may be e.g. on commencement or occupation. The obligation will have a timeframe for spending payments. If the money is not spent in accordance with the agreement, the developer can request a refund.
- 2.5. S.106s become due when a development has started and met the triggers/thresholds set out in the obligation. The s.106 is registered as a land charge which stays with the land, so future owners may be liable unless or until the terms of the obligation have been met.
- 2.6. Responsibility for Highways, Education and many Flooding/Drainage matters currently rests with Lancashire County Council. When both Councils are co-signatories on s.106s, LCC receives money directly and administers the spending, including s.278 agreements for off-site highways works. Please see [Planning obligations for developers - Lancashire County Council](#)
- 2.7. For obligations relating to Open Space and Sports Provision, the method to calculate the commuted sum for applications received after 11 December 2024 is contained the [Open Space and Sports Provision SPD](#) (adopted 2024).
- 2.8. RBC sets out how it will calculate commuted sum payments for affordable housing in the [Affordable Housing SPD](#) (2024).
- 2.9. A calculation to provide for additional education capacity is set out in LCC's Planning and Infrastructure Document (2017) which can be viewed on LCC's website at [Microsoft Word - Methodology July 2025.docx](#)

3. The Council's s.106 Process for Off-Site Financial Contributions

- 3.1. The Council is looking to update this, to provide an overall summary, taking into account the SPDs discussed in chapter 2 above.

4. Fees for Monitoring s.106 Obligations

- 4.1. The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allows local authorities to charge a fee for monitoring compliance with signed s.106s. This is to cover the cost of monitoring and reporting on s.106s. Fees can be charged to monitor and report on any type of planning obligation, not just commuted sum payments, for the lifetime of the obligation.
- 4.2. Monitoring fees must be proportionate, reasonable and reflect the actual cost of monitoring and time spent on reporting s.106 obligations. These monitoring fees should be set out in the Infrastructure Funding Statement.
- 4.3. Local authorities can set their fees as a fixed percentage of the total value of the s.106 agreement or individual obligation. Alternatively, a fixed amount per agreement obligation could be set.
- 4.4. The Table below shows the fees that are intended to be charged to monitor and record s.106 obligations in Rossendale from 1 April 2026, subject to agreement by Rossendale Borough Council at its meeting in February 2026.

Table 1: Charges for Recording and Monitoring Planning Obligations 2026/2027

Type of Obligation	Current Monitoring Fee	Comment
Commuted Sum	1% of each payment instalment	This will be included within each invoice requesting payment
Land Contribution	£1,280 per development site	This payment is to be made at the time that the land transfer takes place
On-site Affordable Housing	£1,280 per development site	Payment is to be made on the first occupation of the affordable units
Other obligations	£1,280 per obligation	This is to ensure compliance with obligations such as providing a woodland management strategy etc.
Overage Clause ¹	At least £1,280 or 1% of any additional payments due	This is to report on any commuted sum payments arising from greater profits.

¹ Inserted where, due to viability issues, it is agreed at the time of determining the planning application, that the development cannot meet all of the Council's s.106 requirements. After the development is completed a further viability assessment will be required to identify any excess profit and commuted sum payments

5. Fees for Monitoring Biodiversity Net Gain

- 5.1. Rossendale Borough Council will monitor progress towards achieving the Biodiversity Net Gain (BNG) outcomes stated in the Biodiversity Gain Plan and/or Habitat Management and Monitoring Plan (HMMP) secured via Section 106 Agreements it signed. The Council will review the BNG reports submitted on the frequency agreed in the HMMP. In order to cover the cost of reviewing the reports, undertake site visits if necessary and work with the land managers to agree any remediation works should they be necessary to meet the secured outcomes, the Council is charging a monitoring fee.
- 5.2. The Council is using the 'Buckinghamshire Monitoring Fee Calculator' to calculate the fee. The calculator considers the size of the habitats and the technical level of difficulty in enhancing or creating these habitats (as shown in the Statutory Biodiversity Metric's difficulty multiplier for the post intervention habitats). Should there be various habitats created on a site, the calculator will consider the more technically difficult habitat to enhance or create.
- 5.3. The BNG standard monitoring fees for 2026/2027 are shown below:

Table 2: Charges for Recording and Monitoring BNG

BNG Standard Monitoring Fees	Low technical difficulty to enhance/create habitats	Moderate technical difficulty to enhance/create habitats	High technical difficulty to enhance/create habitats
Small biodiversity off-site/on-site area (0 to 10ha)	£8,285	£15,740	£24,180
Medium biodiversity off-site/on-site area (10+ to 20ha)	£13,805	£21,715	£34,545
Large biodiversity off-site/on-site area (20+ to 40ha)	£27,610	£37,225	£48,360

- 5.4 The Council's first Biodiversity Report will be published within 12 weeks of 1 January as required by section 40 of the Natural Environment and Rural Communities Act 2006 (the NERC Act), as amended by the Environment Act 2021. This Report will include data on how the Council is meeting its biodiversity duty and is expected to include details of the actions to meet BNG obligations and details of BNG resulting, or expected to result, from biodiversity gain plans approved.

6. s.106 Data

- 6.1. The Council keeps a copy of any planning obligation entered into, together with details of any modification. These are available to view on the Council's website https://www.rossendale.gov.uk/info/210144/planning_and_building_control/10637/more/5 where they are listed according to their planning reference number.
- 6.2. Some s.106s may not be available to view, please email s106@rossendalebc.gov.uk if this is the case.
- 6.3. In line with the Government guidance the Council has published the required information in the following tables:
- Table 2: the obligations entered into between 1 April 2024 and 31 March 2025;
 - Table 3: the money held by Rossendale Borough Council as of 31 March 2025 for community benefits that is unspent;
 - Table 4: the money that was spent or transferred between 1 April 2024 and 31 March 2025

7. Obligations Entered into 2024/2025 Newly Secured Obligations

- 7.1. This is a record of obligations that were agreed and signed in 2024/25.
- 7.2. Please note that not all of these obligations will necessarily come forward. For example, the development may not come forward and so the planning consent will expire and so none of the triggers will be met.
- 7.3. In order to provide a full picture of obligations entered into by developers reference is given to sums that have been agreed with LCC to provide for additional education capacity required as a result of the expected increase in number of pupils arising as a result of the new developments granted planning approval.
- 7.4. Please see the next page for further details.

Table 2: Obligations Secured in 2024/2025

Planning Ref.	Date Signed	Address	Details	Monetary Values
2024/0404	27/03/2025	Former Mayfield Chic Site, Blackburn Road, Edenfield	Footpath improvement contribution £2,000	Monitoring fee £1,147
				Footpath improvement £2,000
			Off site tree planting £6,000	Off site tree planting £6,000
2023/0553	20/01/2025	Glen Top Works, Newchurch Road, Stacksteads	Public open space contribution £1,414 per dwelling totalling £19,796	Public open space £19,796
			Playing pitch contribution £1,000 per dwelling totalling £14,000	Playing pitch £14,000
			Greenbelt compensation contribution £5,000	Greenbelt compensation £5,000
2022/0543	05/12/2024	Fieldfare Way	Public open space / playing pitch contribution	160,602
			travel plan contribution to LCC	£6,000
			Highways contribution to LCC - sustainable transport links along Tong Lane or similar	£84,000
			Monitoring fee to RBC	£4,684

8. Money Held at 31 March 2025 to be spent in the Future for Community Benefit

8.1. This refers to money received from developers in 2024/25 as well as money held from previous years and yet to be spent by Rossendale Borough Council.

Table 3: Money Received During 2024/2025 or Before That Has Not Been Spent

Planning Ref.	Site Address	Details	Money Held	Extra Money Due?	Funds Earmarked
2003/451	Scout Moor (Wind Farm)	Habitat Restoration Fund – with Rochdale MBC	£150,147	Yes	Long term – to restore habitats in parts of Lancashire and Greater Manchester
2004/401	Douglas Rd / Tong Ln, Bacup	Maintain landscaped areas	£64,846	Yes	Maintenance of POS
2015/0517	Johnny Barn Close	Equipped Play space	£7,159	Yes	Staghills Playground
		Play pitch	£7,490	Yes	Existing play pitches at Marl Pits
2016/267	Land at Reedsholme Works	Open space	21,105	No	Fairview / Sunnyside Play areas
2016/0563	Dark Lane	Replace and maintain football pitches	£191,770	No	Parks
2020/0363	Aldi, Henrietta St	Cycle way, steps, way marker	£13,449	No	Economic Development / LCC
2016/0228	Croft End Mill	Secondary school places – on behalf of LCC	£43,819		For LCC

9. Money Spent by Rossendale Borough Council from s.106s in 2024/25 for Community Benefit

9.1. In total RBC released £332,548 of contributions in the period 01/04/2024 to 31/03/2025 that had been received from planning obligations via section 106s.

9.2. They are listed below:

Table 4: Release of s.106 contributions in the period 2024 to 2025

Financial s106 contributions were spent on:

Ref	Site Address	Details	Amount
2003/451	Scout Moor (Wind farm)	Scout Moor Habitat Restoration Fund	£330
2004/401	Douglas Rd / Tong Lane Bacup	Landscaped Area Maintenance	£10,000
2011/046	Weavers Dene (Taylor Wimpey)	Affordable Housing (off-site)	£25,800
2015/0334	Land off Oaklands Drive & Lower Cribden Avenue, Rawtenstall	Affordable Housing (off-site)	£4,712
2016/267	Land at Reedsholme Works, Rawtenstall	Improvements to Fairview Recreation Ground	£120,462
2016/0563	Dark Lane	Public Open Space – Edgeside Park	£55,229
2019/0318	Slackgate Farm	Affordable / supported housing (off-site)	£25,000
2021/0271	Fmr Slingco Site (Westchurch Homes)	Public Open Space – Knowsley Rd play area	£12,296
2020/0436	Rear of 85 Grane Road, Haslingden	Public Open Space – Victoria Park	£21,859
2016/228	Land off Croft End Mill	Transferred to LCC for additional capacity at Stubbins Primary School	£56,860

10. Next Steps

- 10.1. The Council will update this Infrastructure Funding Statement at least annually, and next year's update for the period 2025 to 2026 will be published on the Council's website before 31 December 2026.
- 10.2. A future update will also set out a clear process for s.106s and this will closely align with the Council's Corporate Priorities as well as the Infrastructure Delivery Plan, and the Local Plan, which was adopted on 15 December 2021.
- 10.3. If you have any queries regarding this document then please email forwardplanning@rossendalebc.gov.uk



Forward Planning Team
Rossendale Borough Council
The Business Centre,
Futures Park, Bacup,
OL13 0BB
www.rossendale.gov.uk