

Eastbourne

INFRASTRUCTURE FUNDING

STATEMENT

2019/20



December 2020





INFRASTRUCTURE FUNDING STATEMENT 2019 / 2020

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I. Introduction

This report provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Eastbourne, and the subsequent use of those contributions by Eastbourne Borough Council. The report covers the financial year 1 April 2019 to 31 March 2020.

Eastbourne Borough Council seeks developer contributions through the Community Infrastructure Levy (CIL) and Section 106 agreements (also known as “planning obligations”) on development within the Borough.

For many years, Eastbourne Borough Council has been required to publish an annual statement of accounts on their Community Infrastructure Levy (CIL). The CIL Regulations update in September 2019 confirmed the removal of the CIL Regulation 123 List and following on from this the requirement to complete and Infrastructure Funding Statement from 2020 onwards. Unlike previous years the requirement to include Section 106 monitoring and spending is included.

The infrastructure funding statements are required to set out the infrastructure projects or types of infrastructure that the authority intends to fund, either wholly or partly, by the levy or planning obligations, though this will not dictate how funds must be spent and in turn collected.

It is important to report on developer contributions helps local communities and developers see how contributions have been spent and understand what future funds will be spent on, ensuring a transparent and accountable system. This report has been prepared with reference to the CIL Regulations 2010 as amended and the Planning Advisory Service guidance.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a charge that local authorities can impose on new development to help raise funds to deliver infrastructure that is required to support development and growth in their area.

The Eastbourne Borough CIL Charging Schedule came into force on 1 April 2015 and applies to liable developments granted permission on or after this date in the area of the Borough for which Eastbourne Borough Council is the local planning authority. CIL is payable when works to implement a planning permission commence.

As at 3rd December 2020, Eastbourne Borough Council has collected **£521,911.59** of CIL, apportioned as follows between the difference pots in line with the CIL Regulations 2010 (as amended), the National Planning Practice Guidance (2014) and the Council's bespoke CIL governance (2014, 2016, 2020):

Pot	Total CIL Collected since adoption	Process
CIL Admin	£27,072.03	Applies to cost of administrative expenses for collection and enforcement in line with Regulation 61
Neighbourhood Portion	£80,812.68	Held by EBC
Strategic Pot	£433,555.83	Infrastructure providers will be invited to bid to help deliver strategic infrastructure identified as fundamental to support development. EBC is yet to hold a bidding round due to the amount of funds currently being held. This is to be reviewed in 2021.



The CIL Regulations determine that CIL receipts received by the planning authority must be applied to the provision, improvement, replacement, operation or maintenance of infrastructure that is required to support development. It should be noted that there is more flexibility in how to spend the neighbourhood portion. It can also spend it on anything else that is concerned with addressing the demands that development places on an area. Currently in Eastbourne there are no areas with Neighbourhood Plans so Eastbourne Borough Council holds this money.

CIL is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development. It can however be used to increase the capacity of existing infrastructure or repair failing existing infrastructure, if it can be demonstrated that these works are necessary to support new development

Planning Obligations

Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation – to mitigate the impact of a specific development, to make it acceptable in planning terms. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments.

2. Community Infrastructure Levy Report

A CIL charge is payable either within 60 days of the commencement of a development, or within the terms of an instalment policy set by the CIL charging authority. In Eastbourne Borough Council, CIL is payable within the following timelines:

Demand Amount	Payment Schedule
All Values	100% within 60 days

The CIL Demand Notice however, sets out the whole sum payable and the instalments required; therefore CIL Demand Notices issued during a particular year do not necessarily equate to the CIL sums likely to be received during that year, and can take 2 months to paid or longer if payment delays are experienced. In addition, developments can be altered through further planning permissions over time, often resulting in revised Demand Notices needing to be issued.

Any such re-issued Notices are not double-counted in this report; if a Demand Notice is issued and then re-issued in the same reporting year, only the re-issued Notice would be included within the figure for CIL invoiced during the year.

2.1 Headline Figures

CIL invoiced (set out in Demand Notices) in 2019/20	£136,362.55
CIL receipts received in 2019/20	£102,949.57
CIL receipts retained that CIL regulations 59E and 59F applied to that were received in 19/20	£15,250.28
CIL expenditure in 2019/20	£3,715.29
CIL retained at end of 2019/20	£320,934.57

2.2 CIL infrastructure expenditure in 2019/20

CIL Funds are considered spent when they have been passed to the Infrastructure Provider that were successfully awarded CIL Funds. Until the CIL Funds are passed they are considered allocated. In 2019/2020 the following CIL funds were passed:

Infrastructure Project/Type	Infrastructure Type	CIL amount spent
N/A	N/A	N/A

Eastbourne is yet to open the County Pot for bidding due to the amount being held. It has not reached a level deemed appropriate nor has the demand been made apparent to open this for bidding. This is to be reviewed in 2021.

2.3 Other CIL expenditure in 2019/20

As well as providing the opportunity for Infrastructure Providers to bid for CIL Funds via a bidding process once there is sufficient funds in the pot we are required by the CIL Regulations 2010 to make two apportionments of the CIL Receipts from the totals collected. These apportionments are made before the remaining CIL Funds become allocated to one of the bespoke pots.

The CIL Regulations stipulate that in an area where a Neighbourhood Plan has been made the neighbourhood forum will receive 25% of all CIL revenue within their area. Where no neighbourhood plan is in place the town or parish will receive 15% of the CIL Liability collected in its area. The Neighbourhood CIL is passed twice yearly, once in April for receipts received from 1st October to 31st March and again in October for receipts received from April 1st to September 30th.

As Eastbourne does not currently have a Neighbourhood Plan, 15% of the CIL Receipts are currently held. A review on the possibilities of how this is spent will be looked into in 2021.

The regulations also stipulate that up to 5% of the CIL revenue must be allocated for administration costs such as software, staffing and legal inputs. The IFS summarises below how much has been spent on Administration costs for the year 2019/20 and how much is being held as the Neighbourhood Portion.

2.3 (a) – Total amount of CIL spent in 2019/20 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part):

Infrastructure item	CIL spent repaying money borrowed
N/A	N/A

2.3 (b) – Total amount of CIL spend on administrative expenses and that amount expressed as a percentage of the total CIL received in:

Financial Year	CIL spent on Administration	Percentage of total CIL received
2019/20	£3,715.29	5%

2.3 (c) – The amount of CIL passed to any parish or town council under CIL regulations 59A and 59B in 2019/20:

Parish/Town Council	CIL amount provided
N/A	N/A

2.3 (d) – The amount of CIL passed to external organisations (other than parish/town councils) under CIL regulation 59 (Application to Infrastructure):

No Money Passed

2.3 (e) – Summary details of the expenditure of CIL on infrastructure, to which CIL regulations 59E or 59F applied during 2019/20:

No Money Passed

2.4 CIL receipts retained (allocated and unallocated)

CIL funds remain allocated where they have been assigned to an Infrastructure Project but not passed to the provider delivering the project. Funds can remain allocated for a period of time until the project is ready for delivery.

Funds that are unallocated are pooled into the Admin, Neighbourhood and County Pot respectively until such time they become allocated through passing of the Neighbourhood Fund, Admin Spends or an approved bid.

2.4 (a) – The total amount of CIL receipts, received prior to 2019/20, which had been allocated (to an infrastructure project or item), but not spent, by the end of 2019/20:

£0.00

2.4 (b) – The total amount of CIL receipts, received prior to 2019/20, which had not been allocated (to an infrastructure project or item) by the end of 2019/20:

£221,700.28

2.4 (c) – The total amount of CIL receipts, whenever collected including 2019/20, which were allocated (whether allocated prior to or during 2019/20) but not spent during 2019:

£0.00

2.4 (d) – Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2019/20, have been allocated (but not spent) and the amount allocated to each item:

CIL allocated (unspent) to projects in 2019/20

Infrastructure Project	Infrastructure Type	CIL amount allocated
N/A	N/A	N/A

2.4 (e) – Summary details of any Notices served in accordance with regulation 59E (to recover CIL previously passed to a parish or town council) and whether sums had been recovered by end of 2019/20:

Parish/Town Council	Sum requested	Whether received Y/N
N/A	N/A	N/A

2.4 (f) – CIL receipts received in 2019/20 retained at the end of 2019/20 (other than those to which CIL regulation 59E and 59F applied):

£83,984.00

2.4 (g) – CIL receipts received before 2019/20 retained at the end of 2019/20 (other than those to which CIL regulation 59E and 59F applied):

£171,390.80



2.4 (h) – CIL receipts received in 2019/20 to which CIL regulation 59E or 59F applied, retained at the end of 2019/20:

£15,250.28

2.4 (i) – CIL receipts received prior to 2019/20 to which CIL regulation 59E or 59F applied, retained at the end of 2019/20:

£35,059.20

2.5 The (CIL) Infrastructure List

Whilst this IFS will replace the adopted CIL Regulation 123 List as required by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019¹, the IFS will still be informed by the Eastbourne Borough Council Infrastructure Delivery Plan (IDP)². The purpose is to identify and assist with managing the provision of infrastructure required to support development in Eastbourne.

Infrastructure means the provision of facilities and services that are required to support the needs of the community and help to ensure that those living, working in or visiting the area experience a good quality of life. The delivery of the right levels and types of infrastructure is essential to support the objectives of increased housing provision, economic growth, and the creation of successful, sustainable communities.

¹ <https://www.gov.uk/guidance/community-infrastructure-levy#monitoring-and-reporting-on-cil-and-planning-obligations>

² <https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/255388.pdf>



The definition of key infrastructure groups, and the types of facilities and services within each group, can be summarised as follows:

- Transport: Trunk Road Capacity, Local Road Capacity, Rail Services, Bus services, Community Transport, Walking & Cycling, Parking
- Education: Early years and childcare, Primary Schools, Secondary Schools, Further Education, Higher Education, Adult Learning
- Health: Primary Care, Secondary Care, Community Indoor Sports/Leisure Facilities, Community Meeting Space, Libraries
- Cemeteries
- Supported Housing
- Emergency Services: Fire & Rescue, Police, Ambulance
- Flood Defences
- Coastal Defences
- Utilities: Electricity, Gas, Water, Sewerage, Telecommunications
- Waste/Recycling
- Green Infrastructure
- Outdoor sports facilities
- Outdoor children's play areas
- Parks and gardens
- Amenity green space, Allotments and community gardens
- Green corridors
- Natural and semi-natural urban green spaces
- Accessible countryside
- Affordable housing



Cross Boundary Infrastructure

Most of the new infrastructure required to deliver the development set out in the IDP will be within the Borough boundary. However, some facilities or services may cross boundaries or be delivered by several providers or support development in more than one area. The Council will continue to work closely and seek to strengthen its relationships with partner organisations that also have an interest in cross-boundary issues, including East Sussex County Council, the South Downs National Park Authority, and Wealden District Council.

3. Section 106 (Planning Obligations) Report

Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation – to mitigate the impact of a specific development, to make it acceptable in planning terms. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments. In some instances, section 106 planning obligations may require payments to be made to parish councils.

It is important to note that the County Authority, East Sussex County Council will be creating their own IFS which cover contributions received directly to them and any monies that have been passed from Eastbourne Borough Council to East Sussex County Council. This report will cover any contributions that Eastbourne Borough Council have received on behalf of East Sussex County Council but have not yet passed. This report will also not be including Highways S278 Agreements as this is also covered by East Sussex County Council.

3.1 Headline Figures

Monetary Contributions

Total money to be provided through planning obligations agreed in 2019/20	£23,400.00
Total money received through planning obligations (whenever agreed) in 2019/20	£35,418.75

Total money , received through planning obligations (whenever agreed), spent in 2019/20	£20,000.00
Total money , received through planning obligations (whenever agreed), retained at the end of 2019/20 (excluding "commuted sums" for longer term maintenance).	£708,571.71
Total money , received through planning obligations (whenever agreed), retained at the end of 2019/20 as "commuted sums" for longer term maintenance.	£135,065.11

Non-Monetary Contributions

Total number of affordable housing units to be provided through planning obligations agreed in 2019/20	15 affordable units
Total number of affordable housing units which were provided through planning obligations (whenever agreed) in 2019/20	5 affordable units
Total number of school places for pupils to be provided through planning obligations agreed in 2019/20	No planning obligations relating to this were agreed in 2019/2020
Total number of school places for pupils which were provided through planning obligations (whenever agreed) in 2019/20	None

3.2 Section 106 infrastructure expenditure in 2019/20

This section provides summary details of the items of infrastructure on which money received through planning obligations (whenever received) has been spent in 2019/20, and the amount of money, received through planning obligations, that was spent on each item. This includes contributions which have been received on behalf of another Council and when passed are then considered spent.

Other infrastructure funded by Planning Obligations in 2019/20:

Infrastructure Project/Type	Planning Obligation receipts spent
N/A	N/A

3.3 Other expenditure of planning obligations receipts in 2019/20

Other Expenditure may be considered as repaying any money borrowed or monitoring. For the year 2019/20 in Eastbourne, no money was spent on either of these

3.3 (a) – Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2019/20 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part):

Infrastructure item	CIL spent repaying money borrowed
N/A	N/A



3.3 (b) – Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2019/20 in respect of monitoring (including reporting under CIL regulation 121A) in relation to the delivery of planning obligations:

£20,000.00

3.4 S106 receipts retained (allocated and unallocated)

Developer contributions which are received through S106 agreements are considered allocated to a project in line with the contribution requirement outline within the s106 agreement. Therefore there are currently no funds that are considered unallocated.

3.4 (a) – The total amount of money, received through planning obligations prior to 2019/20, which had not been allocated (to an infrastructure project or item) by the end of 2019/20:

£0.00

3.4 (b) – The total amount of money, received under any planning obligation in any year, which had been allocated (to an infrastructure project or type) for spending by the end of 2019/20 but which had not been spent:

£843,636.82



3.4 (c) – Summary details of the infrastructure projects or items to which receipts from planning obligations, whenever collected including 2019/20, have been allocated (but not spent) and the amount allocated to each item:

Other allocated receipts from Planning Obligations

Infrastructure Project/Type	Planning Obligation receipts allocated
Local Labour Agreements	£15,418.75