



Lewes District Council

**Lewes Infrastructure Funding Statement
2021/2022**

Published December 2022

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1. INTRODUCTION

- 1.1. 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 Lewes District (outside of the South Downs National Park), and the subsequent use of those contributions by Lewes District Council. The report covers the financial year 1 April 2021 to 31 March 2022.
- 1.2. Lewes District Council seeks developer contributions through the Community Infrastructure Levy (CIL) and Section 106 agreements (also known as “planning obligations”) on development outside of the South Downs National Park.
- 1.3. Since CIL came into effect, Lewes District Council had been publishing an annual statement of accounts on the Community Infrastructure Levy (CIL). The CIL Regulations update in September 2019 confirmed the removal of the CIL 123 List and the introduction of the requirement to prepare an Infrastructure Funding Statement (IFS) each year.
- 1.4. A requirement of the IFS is to set out the infrastructure projects or types of infrastructure that the authority intends to fund, either wholly or partly, using CIL or planning obligations, though this will not dictate how these funds must be spent and in turn collected.
- 1.5. It is important to report on developer contributions which help local communities, and for developers to 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.

2. LEWES DISTRICT COUNCIL COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 2.1. 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.
- 2.2. The Lewes District CIL Charging Schedule came into force on 1 December 2015 and applies to liable developments granted permission on or after this date in the area of the district for which Lewes District Council is the local planning authority. CIL is payable when works to implement a planning permission commence¹.

¹ As of 11th November 2022, the Council has collected £13,489,309.91 of CIL since it was first implemented in 2015.

2.3. 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 Lewes District, CIL is payable within the following timelines:

Demand Amount	Payment Schedule
£0.00 - £14,999.99	100% within 60 days
£15,000.00 - £49,999.99	20% at 60 days, 80% at 180 days
£50,000.00 - £199,999.99	10% at 90 days, 50% at 270 days and 40% at 360 days
Above £200,000.00	10% at 180 days, 50% at 360 days and 40% at 540 days

2.4. The CIL Demand Notice 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 in some circumstances can take up to two years to be paid. 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.

2.5. The Council apportions CIL receipts between the difference pots, in accordance with the Council’s bespoke CIL governance approach (March 2020) as follows:

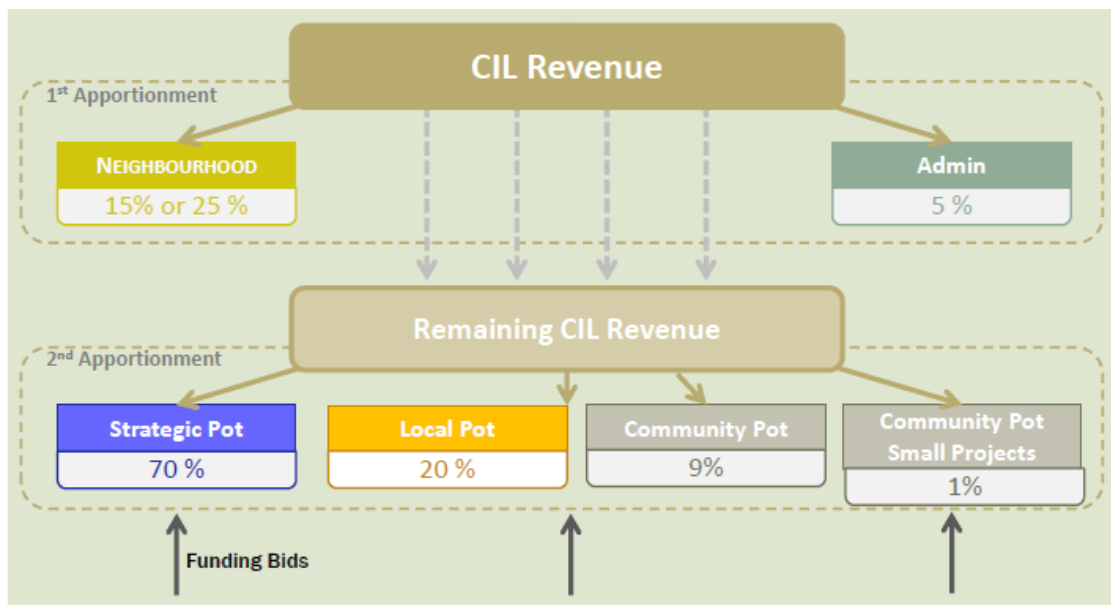


Figure 1 - Lewes CIL Governance Framework (March 2020)

2.6. Once each year, infrastructure providers are invited to submit bids to the Strategic, Local Fund and Community Pots. There are two CIL boards which

then assess the bids with final recommendations being decided by Cabinet. Each board is made up of Members and officers to ensure consistent assessment of bids, aligning the district's infrastructure needs with the requirements of the CIL Regulations. The bespoke governance arrangements allow Members to participate in the process of assessing the infrastructure bids. Other stakeholders may be invited to provide comments to feed into the assessment process as necessary.

- 2.7. The CIL Regulations determine that CIL receipts received by the local 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 Town and Parish Councils have more flexibility as to how they spend their neighbourhood portion. Town and Parish Councils can spend their portion on anything else that is concerned with addressing the demands that development places on an area.
- 2.8. 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.
- 2.9. As well as providing the opportunity for Infrastructure Providers to bid for CIL Funds via a bidding process the Council is required to pass a proportion of CIL receipts to town and parish councils, where CIL liable development has taken place.
- 2.10. The CIL Regulations stipulate that in an area where a Neighbourhood Plan has been made the town or parish council will receive 25% of all CIL revenue raised within the town or parish area. Where no neighbourhood plan is in place the town or parish will receive 15% of the CIL Liability collected in its area. This Neighbourhood CIL is passed twice annually, once in April for receipts received between 1st October to 31st March and again in October for receipts received between 1st April to 30th September. There is only one area in the District without a parish council; Streat Parish Meeting. CIL receipts for this area are held by the District Council, in accordance with Regulation 59F.
- 2.11. The regulations also set out that the Council may also spend up to 5% of CIL receipts received each year on the administration of CIL processes such as IT software, staffing and legal expenses.
- 2.12. The CIL Report below sets out how much has been passed to Towns and Parishes Councils, and the amount that has been spent on Administration costs for the year 2021/2022. For further information on how the Towns and Parishes Councils have spent their Neighbourhood CIL

please refer to the Lewes District Council Website or the specific Town or Parish Council Website.

2.13. In 2021/2022 (the reported year), the total amount of CIL receipts held are as follows:

Pot	Total CIL Since Adoption to 31 March 2022	Process
CIL Admin	£611,761.06	Applies to cost of administrative expenses for collection and enforcement in line with Regulation 61
Neighbourhood Portion	£2,293,298.56	Passed to Town and Parish Councils twice yearly (April, October) who must spend it in line with Regulation 59C
Strategic Pot	£5,991,491.77	Infrastructure providers will be invited to bid to help deliver strategic infrastructure identified as fundamental to support development. The CIL Executive Board will make spending recommendations to Cabinet
Local Pot	£1,866,911.32	Infrastructure providers will be invited to bid to help deliver local and community infrastructure. The CIL Management Board will make spending recommendations to be reviewed by the CIL Executive Board and subject to Cabinet's approval
Community Pot	£1,437,077.77	As above for Local Pot
Community Pot – Small Projects	£39,075.78	As above for Local Pot

2.14. The table below provides key headline data relating to CIL income, the amount of CIL retained, and the amount of CIL spent in 2021/2022 (the reported year):

CIL invoiced (set out in Demand Notices) in 2021/21	£1,280,587.58
CIL receipts received in 2021/22	£4,127,557.49
CIL receipts retained at the end of 2021/21 that CIL regulations 59E and 59F applied to ²	£1,606.28
CIL expenditure in 2021/22	£1,728,232.67
CIL retained at end of 2021/22	£4,498,718.24

² Regulation 59F applies where all or part of a chargeable development is in an area without a town or parish council to pass CIL to. In Lewes, this applies to one area of the borough – Streat Neighbourhood Meeting. CIL receipts for this area are therefore held by the Council until the Parish Meeting determines an approach for spending the CIL receipts.

3. CIL EXPENDITURE IN 2021/22 (Strategic, Local, Community Pots)

3.1. CIL Funds are considered spent when they have been passed to the Infrastructure Providers that were successfully awarded CIL Funds. During 2021/2022 there was not a spending round which allocated CIL funds, however during 2021 previously allocated funds were spent which are detailed below. In 2021/2022 the following CIL funds were spent on infrastructure projects from the Strategic, Local and Community Pots:

3.1.1. Lewes CIL Spend 2021/22 (Strategic Pot)

Infrastructure Project/Type (Strategic Pot)	Infrastructure Type	CIL amount spent
Newhaven Ring Road Improvements	Infrastructure	£300,000.00
Egrets Way Cycle Route	Transport/Highways	£200,000.00

3.1.2. Lewes CIL Spend 2021/22 (Local Pot)

Infrastructure Project (Local Pot)	Infrastructure Type	CIL amount allocated
Newhaven Ball Court	Recreational Facilities	£28,000.00
Newhaven Tennis Courts	Recreational Facilities	£28,000.00
Newick Village Hall Improvements	Community Facilities	£25,000.00
Wivelsfield Village Hall Phase 1	Community Facilities	£173,000.00
Wivelsfield Village Hall Phase 2 and 3	Community Facilities	£189,778.00
Newhaven Bandstand Electricity Provision	Community Facilities	£13,280.00
Peacehaven Wildflower Water Fountain	Community Facilities	£6,000.00
Hamsey Beechwood Park All Weather Track	Community Facilities	£16,650.00
Seaford Tennis Courts	Recreational Facilities	£60,000.00

3.1.3. Lewes CIL Spend 2021/22 (Community Pot)

Infrastructure Project (Local Pot)	Infrastructure Type	CIL amount allocated
Ringmer Cricket Club	Recreational Facilities	£2,261.00
Havens Cars	Transport/Highways	£70,000.00

Infrastructure Project (Local Pot)	Infrastructure Type	CIL amount allocated
CTLA	Transport/ Highways	£29,640.00
Mid Sussex Council	Community Facilities	£200,000.00
Ringmer Bowls Club	Recreational Facilities	£35,000.00
Ringmer Village Hall Improvements	Community Facilities	£95,296.00
Egrets Way Cycle Route	Transport / Highways	£50,000.00
Total Spend		£1,521,905.00

4. CIL EXPENDITURE IN 2021/22 (Passed to Town and Parish Councils and Spent on Administrative Expenses)

4.1. This section provides responses to the data questions, as set out in Regulation 121A of the CIL Regulations (as amended). In doing so, it provides an overview of CIL receipts received and retained, allocated and spent within, and prior to, 'the reported year' (a number of questions are not applicable to the council, but are included in this report to align with the questions within the CIL Regulations)

a) Total amount of CIL spent in 2021/22 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):

Not applicable

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

£206,327.67 (5% of total CIL received)

c) The total amount of CIL passed to any parish or town council under CIL Regulations 59A and 59B in 2021/22.

The table below sets out the amount of CIL passed to any parish or town council in 2021/22:

Parish/Town Council	CIL amount provided
Telscombe Town Council	£2,801.82
Peacehaven Town Council	£134,218.27
Newhaven Town Council	£27,283.25
Ringmer Parish Council	£185,858.75
Newick Parish Council	£2,407.54
Chailey Parish Council	£56,716.04

Parish/Town Council	CIL amount provided
Wivelsfield Parish Council	£12,040.71
Ditchling Parish Council	£2,866.16
Seaford Town Council	£87,429.93
Hamsey Parish Council	£0.00
Plumpton Parish Council	£5,916.62

- d) The amount of CIL passed to external organisations (other than parish/town councils) under CIL regulation 59 (Application to Infrastructure):**
No money passed.
- e) Summary details of the expenditure of CIL on infrastructure, to which CIL regulations 59E or 59F applied during 2021/22:**
No money passed.

5. CIL RECEIPTS RETAINED (ALLOCATED AND UNALLOCATED)

- 5.1. 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. Allocated projects are reviewed annually to determine if they are still on track to be delivered.
- 5.2. Funds that are unallocated remain in the Strategic, Local and Community Pots until such time they become allocated through the governance process as described above.

- (a) The total amount of CIL receipts, received prior to 2021/22, which had been allocated (to an infrastructure project or item) but not spent by the end of 2021/22:**
£790,588.10
- (b) The total amount of CIL receipts, received prior to 2021/22, which had not been allocated (to an infrastructure project or item) by the end of 2021/22.**
£371,160.75
- (c) Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2021/22, have been allocated (but not spent) and the amount allocated to each item:**

Project	Amount
A259 Highways Works	£300,000.00
Meridian Surgery Carpark, Peacehaven	£41,199.00

Project	Amount
ANPR Cameras Sussex Police	£23,000.00
ESFRS Seaford Fire Station	£133,000.00
ESFRS Barcombe Fire Station	£156,000.00
Ditchling Car Park	£100,000.00
Peacehaven Centenary Park Access	£30,000.00
Telscombe Town Council Bus Stop	£7,389.10
TOTAL:	£790,588.10

(d) **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 2021/22:**

No funds were requested back

(e) **CIL receipts received in 2021/22 retained at the end of 2021/22 (other than those to which CIL regulation 59E and 59F applied):**
£1,113,571.61

(f) **CIL receipts received before 2021/22 retained at the end of 2021/22 (other than those to which CIL regulation 59E and 59F applied):**
£371,160.75

(g) **CIL receipts received in 2021/22 to which CIL regulation 59E or 59F applied, retained at the end of 2021/22:**
£0.00

(h) **CIL receipts received prior to 2021/22 to which CIL regulation 59E or 59F applied, retained at the end of 2021/22:**
£1,606.28 - This is the amount of Neighbourhood CIL collected and held on behalf of Streat Parish Meet under Reg. 59F.

6. CIL INFRASTRUCTURE LIST

6.1. Whilst this IFS will replace the adopted CIL Regulation 123 List as required by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019³, the IFS will still be informed by the Lewes District Council 2020 Infrastructure Delivery Plan (IDP). The IDP is part of the evidence base supporting the Lewes District Council Local Plan.

6.2. 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,

³ <https://www.gov.uk/guidance/community-infrastructure-levy#monitoring-and-reporting-on-cil-and-planning-obligations>

working in or visiting the area experience a good quality of life. The delivery of the correct levels and types of infrastructure is essential to support the objectives of increased housing provision, economic growth, and the creation of successful, sustainable communities.

6.3. 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
- Indoor Sports areas/Swimming Pools
- Parks and gardens
- Amenity green space, Allotments and community gardens
- Green corridors
- Natural and semi-natural urban green spaces
- Accessible countryside
- Affordable housing is not discussed in detail in the IDP as it is addressed by Core Policy 1 of the Local Plan Part 1: Joint Core Strategy. Nevertheless, the provision of affordable housing is regarded as an essential element of social and community infrastructure across the whole plan area.

6.4. Most of the new infrastructure required to deliver the development set out in the Local Plan will be within the district boundary. However, some facilities or services may cross boundaries or be delivered by several providers or support development in more than one area. Lewes District 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, West Sussex County Council, the South Downs National Park Authority, Brighton & Hove City Council, Mid-Sussex District Council and Wealden District Council.

7. S106 PLANNING OBLIGATIONS REPORT

- 7.1. 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 of 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.
- 7.2. It is important to note that the County Authority, East Sussex County Council, will be creating their own IFS which covers contributions received directly by them and any monies that have been passed from Lewes District Council to East Sussex County Council. The LDC report will cover any contributions that Lewes District 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.
- 7.3. The S.106 data report below is set out in a similar format to the CIL report above. It is important to note that East Sussex County Council (ESCC) publishes its own IFS covering contributions it receives directly, and any monies passed from EBC to ESCC. This IFS includes any contributions that EBC have received on behalf of East Sussex County Council but have not yet passed to ESCC. This report does not include Highways S278 Agreements as these are also East Sussex County Council agreements.
- 7.4. Developer contributions received through S.106 agreements are considered allocated to a project in line with the contribution requirement outlined within the S.106 agreement. All S106 agreements include specific planning obligations which require a developer to deliver specific infrastructure or a contribution, for example towards monitoring fees. All S.106 agreements are considered to be allocated for the reported year.
- a) Total amount of money to be provided under any planning obligations which were entered into during ‘the reported year’:**
£20,534.00
- b) The total amount of money under any planning obligations which was received during ‘the reported year’:**
£635,757.66

- c) **The total amount of money received through planning obligations prior to ‘the reported year’ which had not been allocated (to an infrastructure project or item):**

£0.00

- d) **Summary details of any non-monetary contributions to be provided under planning obligations which were entered into during ‘the reported year’:**

Non-Monetary Contribution	Description
Total number of affordable housing units to be provided through planning obligations agreed in 2021/22	38 AFFORDABLE UNITS LW/20/0701 – Newhaven Police Station, Newhaven, 21 units LW/20/0867 – Land Adjacent to Neaves House, Laughton Road, Ringmer, 4 units LW/21/0351 – 2 Broyle Close, Ringmer, 3 units LW/21/0530 – Land North of High Street, Barcombe, 11 units
Total number of affordable housing units which were provided through planning obligations (whenever agreed) in 2021/22	62 AFFORDABLE UNITS LW/12/0258 – Land at Valley Road, 5 units LW/18/0331 – Land North of Bishops Lane, Ringmer, 37 units LW/18/0808 – Caburn Field, Ringmer, 11 units LW/19/0258 – Newlands School, Eastbourne Road, Seaford, 9 units
Total number of school places for pupils to be provided through planning obligations agreed in 2021/22	No planning obligations relating to this were agreed in 2021/22
Total number of school places for pupils which were provided through planning obligations (whenever agreed) in 2021/22	None

- e) **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 2021/22 but which had not been spent (retained)(this includes funds held on behalf of East Sussex County Council, Mid Sussex District Council and West Sussex County**

Council which are considered allocated but not spent until passed to the authority responsible for spending):

£4,167,724.46

- f) **Total amount of money (received under any planning obligations which was spent by the authority (including transferring it to another person to spend):**

£421,080.04

- g) **Summary details of the infrastructure projects or items to which receipts from planning obligations, whenever collected including 2021/22, have been allocated (but not spent) and the amount allocated to each item:**

Project Type:	Amount allocated:
Travel/ Highways	£778,709.68
Recreation and Open Space Contributions	£1,711,500.33
Affordable Housing Contributions	£487,621.98
Education	£949,645.21
Kerbside Recycling	£0.00 (passed internally)
Environmental	£239,657.14
Total	£4,167,134.34

- h) **In relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of the items of infrastructure on which that money was spent:**

Project Name and Cost	Project Cost	Description
Newhaven Ring Road Improvements	£67,639.55	These S106 Transport Contributions from the permissions LW/14/0107 and LW/14/0707 were passed to ESCC in July 2021 for their improvements the Newhaven Ring Road.
Highways Contributions in Ditchling	£13,249.13	These S106 Contributions for Highways from LW/14/0350, LW/13/0147 and LW/13/0720 were passed to ESCC in April 2021 for the maintenance of traffic measures in Ditchling Parish.

Project Name and Cost	Project Cost	Description
Peacehaven Transport Contributions	£340,191.36	These S106 Transport Contributions from the permissions LW/09/0680, LW/13/0686, LW/09/1093, LW/14/0424 and LW/13/0644 were all passed to ESCC in July 2021 to ESCC for transport development in Peacehaven.
Total	£421,080.04	-

- i) **Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2021/22 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):**
£0.00
- j) **Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2021/22 in respect of monitoring (including reporting under CIL regulation 121A) in relation to the delivery of planning obligations:**
£0.00
- k) **Total money, received through planning obligations (whenever agreed), retained at the end of 2021/22 as “commuted sums” for longer term maintenance:**
£487,621.98

8. CONCLUSION

8.1. LDC is committed to working with the local community and other stakeholders to ensure that planning contributions and CIL are used in a fair and transparent way, to maximise the benefits and opportunities arising from development, including affordable housing, community infrastructure, jobs and environmental improvements.

Appendix 1: Photos of projects delivered during the year.



Ringmer Bowls Club



Ringmer Cricket Club



Ringmer Village Hall Jack Hart Kitchen



Egrets Way