



**West Suffolk Annual
Infrastructure Funding
Statement 2022 to 2023**

August 2023

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If you have any questions about this document, please contact the Planning Policy Team.

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1. Introduction

- 1.1. Under section 106 of the Town and Country Planning Act 1990 (s106) a local planning authority (LPA) can seek planning obligations, both physically on-site and contributions for off-site, when it is considered that a proposed development will have a negative impact, that cannot be dealt with by attaching conditions to the planning permission. New residential developments can place additional pressure on the existing social, physical, and economic infrastructure in the surrounding area. Planning obligations aim to reduce this additional pressure, by securing improvements to the infrastructure. S106 obligations may restrict the development or use of land, require specified operations, provisions, or activities to be carried out and/or require a sum of money to be paid.
- 1.2. The community infrastructure levy (CIL) 2010 legislation states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
 - a. necessary to make the development acceptable in planning terms
 - b. directly related to the development
 - c. fairly and reasonably related in scale and kind to the development.
- 1.3. Once the terms of the required s106 have been agreed, all parties with an interest in the land proposed for development, will sign the s106 legal deed. When the related planning permission is granted the s106 obligation is registered as a local land charge and obligates the landowner, staying with the land, obligating future owners until the terms are met.
- 1.4. If the local planning authority (LPA) collects a contribution for infrastructure, the monies will be held by that local authority in a specific ring-fenced account. Legally s106 sums can only be spent on the intended purpose, in accordance with the terms of the s106 obligation.
- 1.5. The legal agreements can have payback terms to pay back unspent monies to the developer. West Suffolk Council has a good track record in relation to s106 monies and has had and will continue to have a robust monitoring system in place, ensuring monies are spent in time and not paid back.
- 1.6. In a 2019 amendment to the CIL regulations, LPAs must now publish annual infrastructure funding statements on their websites. These statements cover various details about s106 obligations as required in the CIL regulations amendment at 10A.
- 1.7. This statement is West Suffolk Council's Annual Infrastructure Funding Statement for the financial year 2022 to 2023.

2. The required data under community infrastructure levy (CIL) 2019 10A part 3

2.1. The regulations require the council to publish the following data:

- a) the total amount of money to be provided under any planning obligations which were entered into during the reported year.
- b) the total amount of money under any planning obligations which was received during the reported year.
- c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority.
- d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of –
 - (i) in relation to affordable housing, the total number of units which will be provided.
- e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure.
- f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend).
- g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item.
- 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 –
 - (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item
 - (ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part)
 - (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations
 - (iv) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held.

3. West Suffolk Council's data for 2022 to 2023

- a. Money secured in planning obligations for West Suffolk Council was **£2,513,692.00** This figure includes sums not yet received because the related development may not yet have commenced or a payment trigger may yet to be reached.
- b. Money received by West Suffolk Council was **£1,150,544.62**
- c. Money unallocated that was received before year 2022 to 2023 was **£3,099,164.23**
- d. Non-monetary items secured specifically for West Suffolk Council were a total of 512 affordable homes.
- e. Money which was allocated but not yet spent was **£2,841,539.01**
- f. Total of money which was spent during year 2022 to 2023 was **£640,026.46**
- g. Details of money which was allocated but not spent are shown in **table 1.**
- h. Summary details of money which was spent during year 2022 to 2023 are:
 - i. Items of infrastructure paid for during year 2022 to 2023 are shown in **table 2.**
 - ii. The amount of money spent on repaying money borrowed was **£0.**
 - iii. The amount of money spent in respect of new monitoring fees was **£44,398.00**
 - iv. Total of all retained money at end of 2022 to 2023 year was **£6,118,677.37**
Which also includes the total of commuted sums held **£1,360,137.16**
The commuted sums are shown separately in **table 3.**

3.1. There was £5,608,159.21 at the start of the year but it is important to understand that about a third of this money is held for future maintenance of our public open space areas, such as play areas. £640,026.46 was spent on various projects listed in table 2 and the council has also allocated £2,841,539.01 to be spent on various projects as they come forward. This then leaves a much smaller sum of money from previous years, yet to be allocated. Allocating s106 monies often relies on pooling other s106 sums which may not have been received yet so that is why the council often has a number of years to spend the money.

3.2. The following table provides information on money (received under planning obligations) which was allocated by the authority but not spent during the reporting year (2022 to 2023) summary details of the items of infrastructure to which the money has been allocated, and the amount of money allocated to each item (part g).

3.3. There is often a time period between first allocating s106 monies to a

specific project and the money being spent. The s106 allocation may only be part of the intended project cost, therefore it cannot be spent until other sums are received and the project can be delivered.

Table 1 money allocated but not spent

Details of the items of infrastructure	Money
A new play area in Beck Row	£59,173.50
Recreational Corridor Bury Road/Jubilee Woodland in Kentford	£76,800.00
Newmarket town centre project to improve High Street	£126,011.11
Exning Allotment Association improvements to allotments	£6,473.11
Extension to the West Row Bowls Club	£104,464.75
Football changing facilities at Hundon	£10,007.50
Environmental improvements to Risbridge Meadows	£6,696.52
3G pitch Skyliner Way Sports Centre	£448,548.01
Play equipment at Flying Fortress Park St James play area	£111,957.56
St Olaves Road new community centre project	£149,911.78
Henry Close play area improvements	£16,348.00
Warden post for Red Lodge special scientific interest site	£5,291.93
Improvements to play area at Tayfen Road	£27,107.88
Environmental improvements at Aspal Close	£79,420.32
Footpaths serving Manor Road	£12,450.53
Footpaths serving Chapelwent Road	£24,208.00
Improvements to Abbey Gardens	£75,250.73
Improvement to New Cheveley Road play area	£115,417.93
Improvements to Castle Fields play area	£25,862.69
For maintenance of open space and play areas	£1,360,137.16
Total balance at 31 March 2023	£2,841,539.01

3.4. In 2022 to 2023 money spent on the following. (part h).

Table 2 items on which monies were spent

	Items on which money was spent	Spent in year
1	DC/13/0932/HYB new community centre at St Olaves Road, Bury St Edmunds	£6,403.68
2	DC/14/1881/HYB feasibility study for Bury cemetery	£6,975.00
3	DC/14/1881/HYB Mount Farm Surgery treatment rooms	£123,879.12
4	DC/13/0088/FUL Ixworth Parish Council play area	£12,508.60
5	DC/ 13/0232/FUL Rougham Parish Council play area	£4,335.00
6	DC/14/0632/OUT West Row Bowls Club extension	£58,444.00
7	DC/15/2277/FUL Gt.Whelmetham Parish Council play area	£31,293.39
8	DC/13/0906/FUL Haverhill railway walk extension	£35,647.98
9	SE/13/0585/FUL Whepstead community building project	£13,743.90
10	F/2013/0234/FUL Town Council Memorial Gardens	£46,938.00
11	DC/15/0689/OUT Abbey Gardens Play Area	£20,728.85
12	F/2000/0282/OUT improvements to Red Lodge with provision of an outdoor gym	£43,499.25
13	F/2012/0704/FUL project to enhance Newmarket town centre	£3,715.00
14	DC/15/264/FUL improvements to Exning allotments	£18,057.82
15	DC/16/0596/OUT warden at site of special scientific interest (SSSI) in Red Lodge	£7,554.29
16	DC/13/0906/FUL Bury Railway Station project	£50,000.00
17	S106 monitoring and reporting	£44,398.00
18	Commuted sums for various sites (see table 3)	£111,904.58
	Total of spent monies in 2022 to 2023	£640,026.46

3.5. Many of the sums that have been spent this year have again helped deliver various public open space projects across the district. £18,057.82 has helped improve allotment provision and £50,000.00 has encouraged economic growth, improving Bury Railway Station. There has also been £123,879.12 spent on improving health provision. Community facilities have also benefitted from £78,591.58, including an extension to a bowls club.

3.6. At the end of 2022 to 2023 West Suffolk Council was holding the

following commuted sums (part h(iv)).

Table 3 commuted items

Location of open space area	Opening balance	Spent in year	Received in year	Closing balance
1 Hanchett End, Haverhill	£25,000.00	0		£25,000.00
Tayfen Meadows, Bury St Edmunds	£7,005.00	£7,005.00		0
Bradbrook Close, Bury St Edmunds	£27,120.66	£27,120.66		0
1 Hales Barn, Haverhill	£47,238.20	£23,619.10		£23,619.10
Cotton Lane, Bury St Edmunds	£7,319.58	£3,659.79		£3,659.79
Millfields, Chalkstone Way, Haverhill	£4,736.80	£2,368.40		£2,368.40
St James Park, Bury St Edmunds	£7,000.00	£1,750.00		£5,250.00
Glastonbury Court, Bury St Edmunds	£4,000.00	£1,000.00		£3,000.00
Ehringhausen Way, Haverhill	£4,413.38	£882.67		£3,530.71
Marham Park, Bury St Edmunds	£20,000.00	0		£20,000.00
2 Hanchett End, Haverhill	£22,488.40	£2,081.40		£20,407.00
Risbridge Meadow, Kedington	£11,637.93	£1,939.66		£9,698.27
Sandpits, Station Road, Lakenheath	£5,397.00	£1,799.00		£3,598.00
Walton's Way, Brandon	£6,831.00	£1,366.00		£5,465.00

Location of open space area	Opening balance	Spent in year	Received in year	Closing balance
Kings Warren, Red Lodge	£444,576.00	£6,145.00		£438,431.00
College Heath Road, Mildenhall	£7,500.00	£1,500.00		£6,000.00
Jeddah Way, Kentford	£7,269.00	£694.00		£6,575.00
East Close, Bury St Edmunds	£10,595.00	£1,059.50		£9,535.50
Manning Road, Bury St Edmunds	£558,287.97	£27,914.40		£530,373.57
Anvil Jeddah Way, Kentford	£100,214.00	0		£100,214.00
Manor Road Haverhill	£22,977.39	0		£22,977.39
Chivers Road Haverhill			£58,558.73	£58,558.73
Cemetery Road Wickhambrook			£44,007.30	£44,007.30
Barrow Hill Barrow			£17,868.40	£17,868.40
Totals for 2022 to 2023	£1,351,607.31	£111,904.58	£120,434.43	£1,360,137.16

S106 obligations secured in 2022 to 2023

3.7. There were 14 s106 obligations secured by West Suffolk Council in the financial year 2022 to 2023, of which five were variations to previous agreements and three were unilateral undertakings. The obligations secured a total of 1,754 new homes, of which 512 are affordable homes, to be provided by a registered housing provider. The council secured its policy target of 30 per cent affordable housing within all the s106 obligations signed in 2022 to 2023, with one exception being a site which secured 18 per cent due to viability.

- Number of s106 secured in financial year 2022 to 2023 - 14
- Related new homes – 1,754
- Related affordable homes – 512

3.8. The full list of s106 obligations secured in 2022 to 2023 is as follows.

Table 4 list of S106 obligations secured

Planning reference	Deed type and site address	Date of deed
DC/22/0207/VAR	Deed of Variation Land at Burlingham Mill, Station Hill, Bury St Edmunds	5 July 2022
DC/17/1047/OUT	Deed of Variation Land at Former Howard Primary School, St Olaves Road, Bury St Edmunds	6 September 2022
DC/19/2456/HYB	S106 Agreement Land at North East Bury Road, Bury St Edmunds, Great Barton	7 October 2022
DC/20/0112/OUT	Unilateral Undertaking Land at Mildenhall Road, Holywell Row	21 September 2022
DC/21/1369/OUT	Unilateral Undertaking Land North of Thelnetham Road, Hopton	16 November 2022
E/95/2429/P	Deed of Variation Land at 29 to 43 (odd) Risbridge Drive, Kedington	22 December 2022
SE/09/1283/P	Deed of Variation Land at Hales Barn, (Boyton Place Phase 2), North West Haverhill	12 January 2022
DC/22/0793/FUL	S106 Agreement Land at 40 Hollow Road, Bury St Edmunds	12 January 2022
DC/21/0938/FUL	Unilateral Undertaking Karro Food Group Ltd, Haverhill Road, Little Wratting	1 February 2022
DC/21/2337/OUT	S106 Agreement Land East of Beeches Road, West Row	9 February 2022
DC/21/2094/OUT	S106 Agreement Land at Townsend Nurseries, Snow Hill, Clare	21 February 2022
DC/22/1267/FUL	S106 Agreement Land Former Gasworks, Tayfen Road, Bury St Edmunds	28 February 2022
DC/13/0408/OUT	Deed of Variation Land at Hatchfield Farm, Newmarket	9 March 2022
DC/18/1492/FUL	S106 Agreement Land off Dumpling Bridge Lane, Lakenheath	23 March 2022

All s106 monies for 2022 to 2023

3.9. The following table provides an overview of all the s106 monies held by West Suffolk Council at the start of financial year 2022 to 2023, all monies paid in, all monies spent and the closing balance, shown rounded to the nearest pound. This table shows the total figures for all infrastructure items.

Table 5 all s106 monies

West Suffolk infrastructure type	2022 to 2023 opening balance	2022 to 2023 received	2022 to 2023 spent	Spend detailed in Table 2	Year-end balance
Affordable housing	£1,641,387	£65,986			£1,707,373
Community facilities	£156,779	£22,324	£13,378	Items 1 and 2	£165,725
Health	£977,831	£134,777	£123,879	Item 3	£988,729
Public open space	£1,107,805	£802,023	£223,641	Items 4 to 11	£1,686,187
Newmarket long stay car parks	£23,153				£23,153
Red Lodge environmental	£80,596		£43,499	Item 12	£37,097
Newmarket Town Centre	£129,726		£3,715	Item 13	£126,011
Exning allotments	£24,530		£18,057	Item 14	£6,473
Warden at site of special scientific interest Red Lodge	£12,847		£7,555	Item 15	£5,292
Economic development	£50,000		£50,000	Item 16	0
Breckland Special Protection Area	£2,500				£2,500
Haverhill Cemetery	£10,000				£10,000
Commuted sums	£1,351,607	£120,434	£111,904	Item 18	£1,360,137
New monitoring fee	£39,398	£5,000	£44,398	Item 17	0
Totals	£5,608,159	£1,150,544	£640,026		£6,118,677