

# Annual Infrastructure Funding Statement 2021 to 2022

July 2022



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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 2021 to 2022.

## **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 2021 to 2022

- a. Money secured in planning obligations for West Suffolk Council was **£928,727.00** 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 **£1,628,693.09**
- c. Money unallocated that was received before year 2021 to 2022 was **£1,399,700.83**
- d. Non-monetary items secured specifically for West Suffolk Council were a total of 88 affordable homes.
- e. Money which was allocated but not yet spent was **£2,432,824.64**
- f. Total of money which was spent during year 2021 to 2022 was **£772,496.14**
- 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 2021 to 2022 are:
  - i. Items of infrastructure paid for during year 2021 to 2022 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 **£6,572.00**
  - iv. Total of all retained money at end of 2021 to 2022 year was **£5,608,159.21**  
Which also includes the total of commuted sums held **£1,351,607.31**  
The commuted sums are shown separately in **table 3.**

3.1. There was £4,751,962 at the start of the year but it is important to understand that one third of this money is held for future maintenance of our public open space areas, such as play areas. £772,496.14 was spent on various projects listed in table 2 and the council has also allocated £2,432,824.64 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 (2021 to 2022) 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**

<b>Details of the items of infrastructure</b>	<b>Money</b>
A new play area in Beck Row	£59,173.50
Recreational Corridor Bury Road/Jubilee Woodland Kentford	£76,800.00
Newmarket town centre project to improve High Street	£129,726.11
Exning Allotment Association for improvements to allotments	£24,530.93
Extension to the West Row Bowls Club	£162,908.75
Football changing facilities at Hundon	£10,007.50
Ixworth Parish Council play area project	£12,508.60
Environmental improvements to Risbridge Meadows	£1,703.55
3G pitch Skyliner Way Sports Centre (contribution payable on conclusion of the wider site agreement)	£256,417.69
Play equipment at Flying Fortress Park St James play area	£64,001.84
St Olaves new community centre project	£23,722.40
Henry Close play area improvements	£16,348.00
Warden post to help protect site of special scientific interest in Red Lodge	£12,846.22
Bury Railway access project	£50,000.00
Improvements to play area at Tayfen Road	£27,107.88
Environmental improvements at Aspal Close	£60,033.00
Rougham play areas for replacement and resurfacing	£4,335.00
Abbey Gardens play area improvement	£10,440.36
Footpaths serving Chapelwent Road	£39,208.00
For s106 monitoring and reporting	£39,398.00
For maintenance of open space and play areas	£1,351,607.31
<b>Total balance at 31 March 2022</b>	<b>£2,432,824.64</b>

3.4. In 2021 to 2022 money spent on the following. (part h).

**Table 2 items on which monies were spent**

<b>Items on which money was spent</b>	<b>Spent in year</b>
SE/09/0070/FUL MENTA project Haverhill providing help for new businesses	£25,864.07
DC/13/0932/HYB new community centre at St Olaves Road, Bury St Edmunds	£148,000.00
DC/14/1881/HYB extension of Moreton Hall Community Centre	£7,550.10
DC/13/0932/HYB extension of Guildhall & Barrow Surgery, Bury St Edmunds	£110,459.97
F/2013/0061/HYB improvements to Reynard Surgery, Red Lodge	£23,657.14
DC/13/0272/FUL improvements to the Horringer cum Ickworth play area	£2,400.47
DC/13/0166/FUL Haverhill Splash Pad project	£57,746.61
DC/13/0906/FUL Tayfen Road play area, Bury St Edmunds	£62,519.12
DC/13/0232/FUL improvements to Rougham play area	£7,330.33
F/2000/0282/OUT improvements to Red Lodge play area multi use games area (MUGA)	£24,581.00
DC/15/264/FUL improvements to Exning allotments	£25,431.65
DC/18/1954/VAR rapid charger All Saints car park, Newmarket	£28,083.00
DC/16/0596/OUT warden at site of special scientific interest (SSSi) in Red Lodge	£7,395.37
DC/17/1721/FUL convert Brandon homes affordable housing	£110,000.00
S106 monitoring and reporting	£6,572.00
Commuted sums for various sites (see table 3)	£124,905.31
<b>Total of spent monies in 2021 to 2022</b>	<b>£772,496.14</b>

3.5. Many of the sums that have been spent this year have helped deliver various public open space projects within the district. £110,000.00 has helped deliver affordable housing, £25,864.07 has delivered economic growth, assisting local business start-up and expansion. £148,000.00 and £7,550.10 have helped deliver community facilities within a community centre project. There has also been £110,459.97 and £23,657.14 spent on improving health provision.

3.6. At the end of 2021 to 2022 West Suffolk Council was holding the following commuted sums (part h(iv)).

**Table 3 commuted items**

<b>Location of open space area</b>	<b>Opening balance</b>	<b>Spent in year</b>	<b>Received in year</b>	<b>Closing balance</b>
Site A Chalkstone, Haverhill	£2,766.63	£2,766.63		0
1 Hanchett End, Haverhill	£25,000.00	0		£25,000.00
Tayfen Meadows, Bury St Edmunds	£14,010.00	£7,005.00		£7,005.00
Bradbrook Close, Bury St Edmunds	£54,241.32	£27,120.66		£27,120.66
1 Hales Barn, Haverhill	£70,857.30	£23,619.10		£47,238.20
Cotton Lane, Bury St Edmunds	£10,979.37	£3,659.79		£7,319.58
Millfields, Chalkstone Way, Haverhill	£7,105.20	£2,368.40		£4,736.80
St James Park, Bury St Edmunds	£8,750.00	£1,750.00		£7,000.00
Glastonbury Court, Bury St Edmunds	£5,000.00	£1,000.00		£4,000.00
Ehringhausen Way, Haverhill	£5,296.05	£882.67		£4,413.38
Marham Park, Bury St Edmunds	£20,000.00	0		£20,000.00
2 Hanchett End, Haverhill	£24,569.80	£2,081.40		£22,488.40
Risbridge Meadow, Kedington	£13,577.59	£1,939.66		£11,637.93
Sandpits, Station Road, Lakenheath	£7,196.00	£1,799.00		£5,397.00



<b>Location of open space area</b>	<b>Opening balance</b>	<b>Spent in year</b>	<b>Received in year</b>	<b>Closing balance</b>
Walton's Way, Brandon	£8,197.00	£1,366.00		£6,831.00
Kings Warren, Red Lodge	£450,721.00	£6,145.00		£444,576.00
College Heath Road, Mildenhall	£9,000.00	£1,500.00		£7,500.00
Jeddah Way, Kentford	£7,963.00	£694.00		£7,269.00
East Close, Bury St Edmunds	£10,595.00	0		£10,595.00
Chapelwent Road, Bury St Edmunds	£39,208.00	£39,208.00		0
Manning Road, Bury St Edmunds	£558,287.97	0		£558,287.97
Anvil Jeddah Way, Kentford	£69,514.00	0		£69,514.00
Anvil Jeddah Way, Kentford	£21,280.00	0		£21,280.00
Anvil Jeddah Way, Kentford	£9,420.00	0		£9,420.00
Manor Road Haverhill			£22,977.39	£22,977.39
<b>Totals for 2021 to 2022</b>	<b>£1,453,535.23</b>	<b>£124,905.31</b>	<b>£22,977.39</b>	<b>£1,351,607.31</b>

### **S106 obligations secured in 2021 to 2022**

3.7. There were 21 s106 obligations signed by West Suffolk Council in the financial year 2021 to 2022, of which 11 were variations to previous agreements and two were unilateral undertakings. The obligations secured a total of 342 new homes, of which 88 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 2021 to 2022, with one exception being a site which secured 20 per cent due to viability.

- Number of s106 secured in financial year 2021 to 2022 – 2021

- Related new homes – 342
- Related affordable homes – 88

3.8. The full list of s106 obligations secured in 2021 to 2022 is as follows.

**Table 4 list of S106 obligations secured**

<b>Planning reference</b>	<b>Deed type and site address</b>	<b>Date of deed</b>
DC/21/0335/FUL	Unilateral Undertaking Land west of Fordham Road, (McDonalds), Newmarket	22 April 2021
DC/20/2156/FUL	Unilateral Undertaking Land adjacent to Rose and Crown, Bury Road, Stanton	26 April 2021
DC/20/1969/FUL	S106 Agreement Land adjacent to Beck Lodge Farm, St Johns Street, Beck Row	13 May 2021
DC/19/1939/FUL	S106 Agreement Land at The Bird In Hand Hotel, The Street, Beck Row	3 June 2021
DC/20/0606/FUL	Deed of Variation Land at 28-34 Risbygate Street, Bury St Edmunds	10 June 2021
DC/21/0580/VAR	Deed of Variation Erskine Lodge, Stanningfield Road, Great Whelnetham	6 July 2021
DC/19/2128/FUL	S106 Agreement Land off Turnpike Road, Red Lodge	13 July 2021
DC/14/0585/OUT	Deed Of Variation Meddler Farm, Bury Road, Kentford	15 July 2021
DC/21/0706/VAR	Deed of Variation Land at Oakfield Surgery, Vicarage Road, Newmarket	21 October 2021
DC/21/1216/VAR	Deed of Variation Land off Briscoe Way and to the west of Drift Way, Lakenheath	21 October 2021
DC/21/1383/FUL	S106 Agreement Land at former Social Services Camps Road, Haverhill	26 October 2021
SE/09/1283/P	Deed of Variation Land at Hales Barn, North-west Haverhill	4 November 2021
DC/21/1037/VAR	Deed of Variation Land east of Beeches Road, West Row	16 November 2021

<b>Planning reference</b>	<b>Deed type and site address</b>	<b>Date of deed</b>
F/2013/0345/OUT	Deed of Variation/Supplementary Agreement Land at Rabbithill Covert, Station Road, Lakenheath	7 December 2021
DC/18/2299/FUL	Deed of Variation Land at Manor Road, Haverhill	21 December 2021
DC/19/2335/HYB	S106 Agreement Land at the Council Depot, Olding Road, Bury St Edmunds	22 December 2021
DC/21/1028/FUL	S106 Agreement Land on the northeast side of The Broadway, Grimstone Road, Pakenham	20 January 2022
DC/21/0152/HYB	S106 Agreement Land south of Burwell Road, Exning	20 January 2022
DC/19/1952/OUT	Deed of Variation Land known as Parcels A and B Marham Park, Bury St Edmunds	27 January 2022
DC/17/1252/FUL	S106 Agreement Land off Cavendish Road, Clare	24 March 2022
SE/09/1283/P	Deed Of Variation Land at Hales Barn, North-west Haverhill	24 March 2022

### **All s106 monies for 2021 to 2022**

- 3.9. The following table provides an overview of all the s106 monies held by West Suffolk Council at the start of financial year 2021 to 2022, 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**

<b>West Suffolk infrastructure type</b>	<b>2021 to 2022 opening balance</b>	<b>2021 to 2022 received</b>	<b>2021 to 2022 spent</b>	<b>Year-end balance</b>
Affordable housing	£636,730	£1,114,657	£110,000	£1,641,387
Bury employment initiatives	£25,864		£25,864	0
Community facilities	£134,791	£177,537	£155,549	£156,779
Health	£945,604	£166,346	£134,119	£977,831
Public open space	£1,129,824	£110,093	£132,112	£1,107,805

<b>West Suffolk infrastructure type</b>	<b>2021 to 2022 opening balance</b>	<b>2021 to 2022 received</b>	<b>2021 to 2022 spent</b>	<b>Year-end balance</b>
Newmarket long stay car parks	£23,153			£23,153
Red Lodge environmental	£105,177		£24,581	£80,596
Newmarket Town Centre	£129,726			£129,726
Exning allotments	£47,846		£23,316	£24,530
Warden at site of special scientific interest Red Lodge	£20,242		£7,395	£12,847
Economic development	£50,000			£50,000
Breckland Special Protection Area	£2,500			£2,500
Haverhill Cemetery	£10,000			£10,000
Electric car point		£28,083	£28,083	0
Commuted sums	£1,453,535	£22,977	£124,905	£1,351,607
New monitoring fee	£36,970	£9,000	£6,572	£39,398
<b>Totals</b>	<b>£4,751,962</b>	<b>£1,628,693</b>	<b>£772,496</b>	<b>£5,608,159</b>