

**EASTBOURNE**

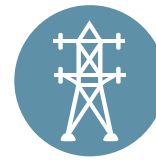
Borough Council



# **EASTBOURNE**

## **INFRASTRUCTURE FUNDING STATEMENT**

### **2022/2023**



**DECEMBER 2023**



# INFRASTRUCTURE FUNDING STATEMENT 2022/23

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## I. Introduction

This Infrastructure Funding Statement (IFS) has been prepared in accordance with Regulation 121A of the CIL Regulations 2010 (as amended). The regulations require that each year *contribution receiving authorities* publish a document which includes the following:

- A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be wholly or partly funded by CIL
- A report about CIL, in relation to the previous financial year
- A report about planning obligations in relation to the previous financial year.

This IFS covers the financial year 1 April 2022 to 31 March 2023 and reports on CIL and Section 106 income and expenditure for Eastbourne council from that year.

### **Eastbourne Community Infrastructure Levy (CIL)**

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 effect on 1<sup>st</sup> April 2015 and applies to liable developments granted permission on or after this date within the Local Planning Authority Area of the Borough. CIL is payable when works to implement a planning permission commence<sup>1</sup>.

CIL receipts collected in Eastbourne are apportioned into three 'pots' as follows:

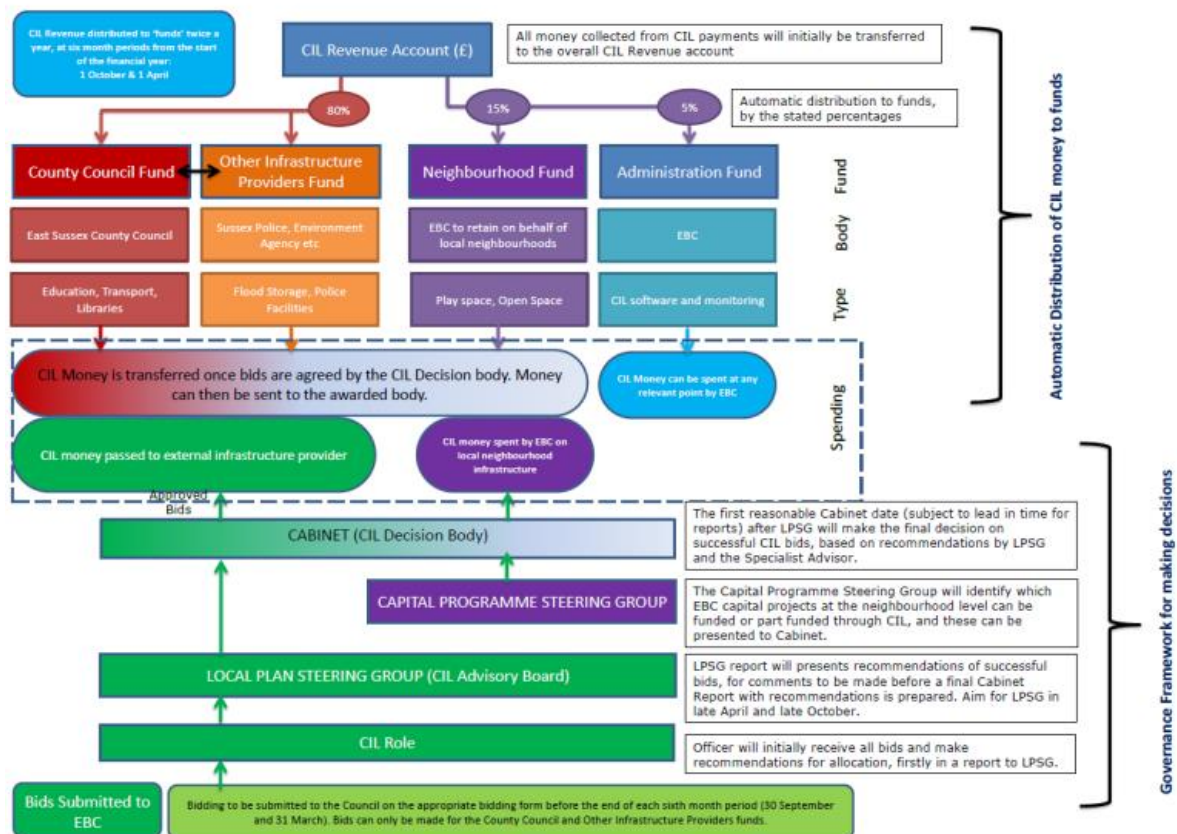
- County Council and Other Infrastructure Providers Fund
- Neighbourhood Fund
- Administration of CIL Fund

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<sup>1</sup>Although this IFS reports on CIL and S.106 income for the last financial year, it should be noted that Eastbourne Borough has collected a total of £1,050,032.94 since CIL came into effect on 1<sup>st</sup> April 2015.

This approach is set out within the Eastbourne CIL Governance Framework (2015) as set out below:


## Eastbourne CIL Governance Framework



The CIL Regulations require that charging authorities spend CIL receipts on the provision, improvement, replacement, operation and maintenance of infrastructure that is required to support development.

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.

The CIL regulations also require that Charging Authorities pass a portion of CIL receipts to neighbourhoods either through town or parish councils, or



neighbourhood forums. Eastbourne does not currently have any designated Neighbourhood Forums, therefore the neighbourhood portion is currently retained by the Council. However, further work will be undertaken in 2023/2024 to develop a framework for spending Eastbourne's neighbourhood portion.

Finally, it should be noted that CIL Charging authorities may also spend allocate up to 5% of CIL receipts per year for the administration of CIL. This report provides further details below regarding the amount of CIL receipts spent on the administration of CIL.

### **Planning Obligations**

Section 106 (S.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 in order 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.

## 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, for this reported financial period, CIL is payable within the timelines set out in the table below.

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

The CIL Demand Notice sets out the whole sum payable and the instalments required, where applicable. Therefore, CIL Demand Notices issued during a particular year do not necessarily equate to the CIL sums received during that year because they can take up to 18 months to be paid, or longer if payment delays are experienced.

In addition, over time developments can be altered through further planning permissions over time, often resulting in the need to issue revised Demand Notices. Any such re-issued Demand 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 2022/23	£55,158,38
CIL receipts received in 2022/23	£55,158.38
CIL receipts retained that CIL regulations 59E and 59F applied to that were received in 2022/23	N/A
CIL expenditure in 2022/23	£2,757.92
CIL retained at end of 2022/23	£929,970.94

## 2.2 CIL infrastructure expenditure in 2022/23

CIL Funds are considered spent when they have been passed to the Infrastructure Provider, that was successfully awarded CIL Funds, to be spent. This means the money is no longer held in the Council's accounts and is at the disposal of the Infrastructure Provider to spend on the approved project. Prior to the CIL Funds being passed to the successful bidder for CIL funds they are only considered 'allocated' to an infrastructure item of scheme.

It should be noted that no CIL receipts were spent by Eastbourne on infrastructure in 2022/23. This is because, as yet, the council has not received a meaningful amount of CIL to justify opening the County Council or Other Infrastructure Providers Fund to spend on strategic infrastructure projects, in line with the Eastbourne Infrastructure Delivery Plan and Infrastructure List. Furthermore, as set out above, further work is required in 2023/24 to develop a neighbourhood portion spending process, to allow that pot to be open for spending.

## 2.3 Other CIL expenditure in 2022/23

As set out above, the regulations allow CIL Charging Authorities to retain up to 5% of the CIL revenue for administration costs such as software, staffing and legal support. This report sets out how much has been spent on administration costs for the year 2022/23 as well as other forms of CIL expenditure (some questions are not applicable to the council, but are included in this report to align with the questions within the CIL Regulations).

**2.3 (a) – Total amount of CIL spent in 2022/23 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 2022/23**

Financial Year	CIL spent on Administration	Percentage of total CIL received
2022/23	£2,757.92	5%

**2.3 (c) – The amount of CIL passed to any parish or town council under CIL regulations 59A and 59B in 2022/23:**

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

**2.3 (d) – The amount of CIL passed in the year 2022/23 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 2022/23:**

**No expenditure on Infrastructure has taken place.**



## **2.4 CIL receipts retained (allocated and unallocated)**

CIL funds are deemed to be 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.

As set out above, currently there is insufficient funds available in the County Council and Other Infrastructure Providers Fund to justify opening a bidding round for strategic infrastructure providers. This is due to the high cost of items of strategic infrastructure such as schools, roads etc. Therefore CIL receipts are currently being retained until funds reach a sufficient level to justify opening a CIL spending round.

**2.4 (a) – The total amount of CIL receipts received prior to 2022/23 which had been allocated (to an infrastructure project or item), but not spent by the end of 2022/23:**

**£0.00**

**2.4 (b) – The total amount of CIL receipts received prior to 2022/23 which had not been allocated (to an infrastructure project or item) by the end of 2022/23:**

**£874,812.56**

**2.4 (c) – The total amount of CIL receipts, whenever collected and including 2022/23, which were allocated (whether allocated prior to or during 2022/23) but not spent during 2022/23:**

**£0.00**

**2.4 (d) – Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2022/23, have been allocated (but not spent) and the amount allocated to each item:**

**CIL allocated (unspent) to projects in 2022/23**

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 2022/23:**

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

**2.4 (f) – CIL receipts received in 2022/23 retained at the end of 2022/23 (other than those to which CIL regulation 59E and 59F applied):**

**£44,186.03**

**2.4 (g) – CIL receipts received before 2022/23 retained at the end of 2022/23 (other than those to which CIL regulation 59E and 59F applied):**

**£739,607.78**

**2.4 (h) – CIL receipts received in 2022/23 to which CIL regulation 59E or 59F applied, retained at the end of 2022/23:**

**£52,400.46**

**2.4 (i) – CIL receipts received prior to 2022/23 to which CIL regulation 59E or 59F applied, retained at the end of 2022/23:**

**£137,962.70**

## 2.5 The (CIL) Infrastructure List


The IFS Infrastructure List is a list of infrastructure which the Council intends to wholly or partly use CIL to fund. This list is informed by the Eastbourne Borough Council Infrastructure Delivery Plan (IDP)<sup>2</sup>, which informs the types of infrastructure required to support growth in Eastbourne over the period of the Core Strategy Local Plan (which covers the planning period from 2006 to 2027).

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, Coast guard
- 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

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<sup>2</sup> <https://www.lewes-eastbourne.gov.uk/article/1672/Infrastructure-Delivery-Plan-and-Regulation-123-List>

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- 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, 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 (S.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, S.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 publishing 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, the Eastbourne IFS, 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 not include Highways S278 Agreements as this is also covered by East Sussex County Council.

#### 3.1 Headline Figures

##### Monetary Contributions

<b>Total money to be provided</b> through planning obligations agreed in 2022/23	<b>£489,460.00</b>
<b>Total money received</b> through planning obligations (whenever agreed) in 2022/23	<b>£206,938.46</b>
<b>Total money</b> , received through planning obligations (whenever agreed), <b>spent</b> in 2022/23	<b>£254,652.00</b>

**Total money**, received through planning obligations (whenever agreed), **retained** at the end of 2022/23 (excluding “commuted sums” for longer term maintenance).

**£1,965,534.37**

**Total money**, received through planning obligations (whenever agreed), **retained** at the end of 2022/23 as “commuted sums” for longer term maintenance.

**£0.00**

### Non-Monetary Contributions

**Total number of affordable housing units to be provided** through planning obligations agreed in 2022/23

6 Affordable units

**Total number of affordable housing units which were provided** through planning obligations (whenever agreed) in 2022/23

0 affordable units

**Total number of school places for pupils to be provided** through planning obligations agreed in 2022/23

No planning obligations relating to this were agreed in 2022/23

**Total number of school places for pupils which were provided** through planning obligations (whenever agreed) in 2022/23

None

### 3.2 Section 106 infrastructure expenditure in 2022/23

This section provides summary details of the items of infrastructure on which money received through planning obligations (whenever received) has been spent in 2022/23, and the amount of money received through planning obligations that was spent on each item.

#### Other infrastructure funded by Planning Obligations in 2022/23:

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

### 3.3 Other expenditure of planning obligations receipts in 2022/23

'Other expenditure' includes any money repaying money borrowed or expenditure for monitoring. For the year 2022/23 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 2022/23 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 2022/23 in respect of monitoring (including reporting under CIL regulation 121A) in relation to the delivery of planning obligations:

**£0.00.**



### 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. All S106 agreements include specific planning obligations which require a developer to deliver specific infrastructure or contribute towards monitoring fees for example. Therefore all S106 agreements are considered to be allocated.

**3.4 (a) – The total amount of money received through planning obligations prior to 2022/23 which had not been allocated (to an infrastructure project or item) by the end of 2022/23:**

**£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 2022/23 but which had not been spent (retained)**

**£1,965,534.37**

**3.4 (c) – Summary details of the infrastructure projects or items to which receipts from planning obligations, whenever collected including 2022/23, 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	
Affordable Housing Contributions	<b>£1,965,534.37</b>
Eastbourne Park and Sports Facilities	