CHESTERFIELD
BOROUGH COUNCIL

Infrastructure Funding Statement

Report for Financial Year 2019/20

December 2020

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Introduction

This is the first Infrastructure Funding Statement for Chesterfield Borough.

The CIL Regulations (2010) now require all local planning authorities to publish an Infrastructure Funding Statement by 31st December each year.

This Statement covers the period 1st April 2019 – 31st March 2020.

The Infrastructure Funding Statement sets out details of receipts from both CIL and planning obligations and anticipated expenditure. The intention is to provide clarity and transparency to local communities and developers on the infrastructure and expenditure and aligning this to planned development. The Statement also offers an opportunity to re-assess CIL expenditure priorities in the light of any change in circumstances or evidence.

This report covers the period 1st April 2019 – 31st March 2020.

The Infrastructure Funding Statement is presented in three parts:

Section 1: **The Infrastructure List** A statement of the infrastructure projects or types of infrastructure which the council intends will be wholly or partly funded by CIL
Section 2: **The CIL Report** A report on CIL income for 2019/20
Section 3: **The S.106 Report:** A report on planning obligations for 2019/20

Section 1: The Infrastructure List

1.1 The purpose of CIL is to help to provide the infrastructure needed to support the development of the Borough. CIL receipts (excluding the neighbourhood element and administration fees) are held in a centralised pot and will be used to fund the delivery of strategic infrastructure across the Borough.

1.2 The Council's Infrastructure List is a statement of the infrastructure projects or types of infrastructure which the Borough Council intends will be, or may be, wholly or partly funded by CIL.

1.3 When the Chesterfield CIL charging scheme was introduced in 2016, the Infrastructure List (known as the "Regulation 123 List") set out the types of infrastructure on which CIL revenue would be spent. The infrastructure list provided clarity on what CIL might be spent on and ensured that there was no duplication between CIL and S106 agreements in funding the same infrastructure projects, a requirement of the CIL Regulations at that time. The amendments to the CIL Regulations which took effect on 1st September 2019 deleted Regulation 123 Lists and replaced them with Infrastructure Funding Statements (IFS).

1.4 Currently there is no evidence to suggest the need for an immediate review of infrastructure spending priorities. The Infrastructure Strategy & Delivery Plan (IDP) was updated in support of the new Local Plan. The IDP identifies the essential strategic and local infrastructure which will be required at different times over the duration of the plan period to deliver the Plan strategy. It sets out what infrastructure will be needed and when, who will deliver it and how it will be funded. The IDP will continue to be updated in support of the Local Plan review. The Infrastructure Strategy and Delivery plan was reviewed and updated in support of the Local Plan. The Infrastructure List remains consistent with these priorities and therefore the original CIL expenditure priorities remain valid, pending a further future review.

1.5 The Infrastructure List is set out below. The List will be reviewed each year and published in the annual Infrastructure Funding Statement.

Community Infrastructure Levy: Infrastructure List 2021
Infrastructure Type or Project
Strategic Green Infrastructure
• Public Open Space and/or play provision and/or improvements* • Sports and Playing Pitches* • Restoration of Chesterfield Canal • Access improvement to Green Wedges and Strategic Gaps • Biodiversity and habitat enhancement including tree planting*
Transport Infrastructure
• Improvements to A61 Chesterfield Inner Relief Road Junctions* • Chesterfield Staveley Regeneration Route • Hollis Lane Link Road • Implementation of Chesterfield Strategic Cycling Network* • Measures to improve walking, cycling and public transport provision within*: i. The A61 Corridor ii. The A619 Chatsworth Road iii. The A619 corridor through Brimington and Staveley iv. Access to Chesterfield Railway Station v. The proposed Strategic Cycle Network
Other Infrastructure
• Strategic Flood Defences and alleviation measures*
Education Provision
• Provision of additional pupil capacity in existing schools and contributions to a new school or schools to address shortfalls in capacity arising from new housing growth
**Excluding Site Specific measures arising as a result of specific development proposals, subject to statutory tests set out under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), which stipulates the following:* *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; and* *c) fairly and reasonably related in scale and kind to the development.*

Part 2: The CIL Report

2.0 Background

2.1 The Community Infrastructure Levy (CIL) is a mechanism to allow local planning authorities to raise funds from new development, in order to contribute to the cost of infrastructure projects that are, or will be, needed to support new development.

2.2 The Community Infrastructure Levy Regulations 2010 (as amended) (Regulation 62) require a charging authority to include in its Infrastructure Funding Statement a report on specific items of CIL income and expenditure for each financial year. The report must be published by 31 December each year on the Borough Council's website. Parish and Town Councils must produce their own CIL reports (under Regulation 62A).

2.3 CIL took effect in Chesterfield Borough on all CIL-liable development which was granted from 1st April 2016. Therefore 2019/20 is the fourth financial year in which CIL has been charged and in which CIL payments were collected.

2.4 No expenditure took place in 2019/20 and therefore there is no expenditure to report for the current reporting year.

2.5 Future CIL expenditure will take place in accordance with a CIL Expenditure Strategy approved by Cabinet in July 2018) https://www.chesterfield.gov.uk/media/759153/cil-expenditure-strategy.pdf. The CIL Expenditure Strategy sets out the process which the Council will follow in identifying the specific items of infrastructure upon which CIL revenue will be spent in order to support growth and development across the Borough.

2.6 In future reporting years where there are monies that have been spent/transferred, the IFS will set out the details. The Council has approved expenditure during 2020/21 and this will be reported in the next Infrastructure Funding Statement.

2.6 CIL contributions only begin to be payable upon commencement of those CIL-liable schemes approved since 1st April 2016. CIL revenues have accelerated as more CIL liable developments have reached commencement stage. Table 1 below shows the CIL monies received in 2019/20 financial year.

2.7 A summary of the CIL scheme's performance during 2019/20 is provided in Table 1. A more detailed breakdown is provided in Table 2.

Table 1: Chesterfield Community Infrastructure Levy Scheme 2019/20: Summary of CIL receipts:

Total CIL receipts collected (2019-20) £	Admin portion (5%) £	Neighbourhood portion (parished & non-parished areas) (15%) £ [1]	Strategic portion (80%) £	CIL Receipts from previous years retained (2016-2018) [2] £	Amount spent (2019-20) £	Strategic Amount retained and available 80%) [3] (2016-19) £
579,748	28,987	86,962	463,798	924,784	0	1,203,625

[1] (or £100 per dwelling)
[2] Regulation 121A 1(l) (ii) of the Community Infrastructure Levy Regulations 2010 (as amended) requires a charging authority to report the amount of CIL from previous years retained at the end of the reported year
[3] Regulation 62 4(d) of the Community Infrastructure Levy Regulations 2010 (as amended) requires a charging authority to report the total amount of CIL receipts retained at the end of the reported year.

Table 2: Chesterfield Community Infrastructure Ley Scheme 2019/20: Detailed breakdown

Details	%	£
Total value of CIL set out in all demand notices issued during 2019/20[4]		**610,463**
Total amount of CIL receipts for 2019/20[5]		**579,748**
Total amount of CIL receipts, collected before 2019/20 but which have not been allocated[6]		**924,784**
Total amount of CIL receipts, collected before 2019/20 and which have been allocated in the reported year[7]		**0**
Total amount of CIL expenditure for 2019/20[8]		**0**
Total amount of CIL receipts, whenever collected, which were allocated but not spent during 2019/20[9]		**0**
(g) in relation to CIL expenditure for 2019/20 the reported year, summary details of[10]—		
(i) Items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item;		**0**
(ii) Amount of CIL 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);		**0**
(iii) Amount of CIL spent on administrative expenses during 2019/20	**5**	**28,987**
(h) in relation to CIL receipts, whenever collected, which were allocated but not spent during 2019/20, summary details of items of infrastructure on which CIL (including land payments) has been		**n/a**

[4] 1(a) the total value of CIL set out in all demand notices issued in the reported year;

[5] 1(b) the total amount of CIL receipts for the reported year;

[6] 1(c) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;

[7] 1(d) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;

[8] 1(e) the total amount of CIL expenditure for the reported year;
[9] 1(f) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;

[10] 1(g) in relation to CIL expenditure for the reported year, summary details of—
(i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item;
(ii) the amount of CIL 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 CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;

allocated, and amount of CIL allocated to each item[11];		
(i) the amount of CIL passed to[12]:		
(i) Staveley Town Council (ii) Brimington parish council	**15**	**44,876.85** **6,073.95**
(ii) any other person		**0**
(j) Details of receipt and expenditure of CIL repaid by local councils during 2019/20 and applied during 2019/20[13]: (i) total CIL receipts; (ii) infrastructure to which CIL receipts has been allocated/ spent		**Nil** **0** **n/a**
(k) summary details of any notices served on local councils[14], including (i) Total value of CIL receipts requested from each parish council; (ii) Any funds not yet recovered from each parish council at end of year		 **0** **0**
(l) Total amount of[15]:		
(i) CIL receipts for the reported year retained at the end of the reported year (other than those passed to local councils);		**463,798**
(ii) CIL receipts from previous years retained at the end of the reported year (other than those passed to local councils)		**739,828**
(iii) CIL receipts for the reported year recovered from local councils retained at the end of the reported year;		**0**

[11] 1(h) in relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;
[12] 1(i) the amount of CIL passed to—
(i) any parish council under regulation 59A or 59B; and
(ii) any person under regulation 59(4);
[13] 1(j) summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—
(i) the total CIL receipts that regulations 59E and 59F applied to;
(ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;
[14] 1(k) summary details of any notices served in accordance with regulation 59E, including—
(i) the total value of CIL receipts requested from each parish council;
(ii) any funds not yet recovered from each parish council at the end of the reported year;
[15] 1(l) the total amount of—
(i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied;
(ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied;
(iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;
(iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year.

Table 3: CIL –Liable Development; Monies Received 2019/20

Planning application/ CIL Reference	Location (Ward/ Parish)	Invoices raised for CIL in 2019/20	Amount of CIL paid in 2019/20	Outstanding CIL to be paid in 2020/21
CHE/14/00896/FUL (CHE/17/00779/DOC	Moor/ None	0	36,900	0
CHE/18/00817/REM	Brimington South/ Brimington	25,743	25,743	0
CHE/18/00229/FUL	Middlecroft & Poolsbrook/ Staveley	296,395	296,395	0
CHE/16/00421/FUL	Dunston	4,100	4,100	0
CHE/16/00121/FUL	Dunston / None	56,700	56,700	0
CHE/17/00437/FUL	Hasland / None	12,878	12,878	0
CHE/18/00725/REM	St Helens / None	6,993	6,993	0
CHE/17/00477/FUL	Hasland / None	3,750	3,750	0
CHE/17/00786/FUL	Brimington South/ Brimington	6,400	6,400	0
CHE/17/00661/FUL	Middlecroft & Poolsbrook/ Staveley	2,784	2,784	0
CHE/18/00434/FUL	Barrow Hill & New Whittington / None	6,340	6,340	0
CHE/18/00349/FUL	Old Whittington / None	12,482	12,482	0
CHE/18/00127/FUL	Old Whittington / None	880.56	880.56	0
CHE/18/00024/FUL	West / None	72,592	72,592	0
CHE/16/00216/FUL	Holmebrook / None	24,100	24,100	0
CHE/16/00806/FUL	Lowgates & Woodthorpe	2,360	2,360	0
CHE/19/00626/FUL	Brimington South/ Brimington	8,350	8,350	0
CHE/17/00416/FUL	West / None	28,580	0	28,580
CHE/18/00859/FUL	Middlecroft & Poolsbrook / Staveley	31,851	0	31,851
Totals		610,463	579,748	

Part 3: The Section 106 Report

3.1 Planning obligations are an important funding stream to help provide the infrastructure needed to support new growth and development. Planning obligations are also referred to as 'Section 106 Agreements' or 'developer contributions.

3.2 A planning obligation is a legal obligation under Section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a new development. S106 agreements are most commonly agreed between the local authority and a developer and are attached to a planning permission.

3.2 Planning obligations help to mitigate the impact of a development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the 3 statutory tests as set out in the Community Infrastructure Levy (CIL) Regulations 2010 (as amended)[16] and in paragraph 56 of the NPPF. The legislation requires that every planning obligation must be:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

3.3 In addition to the Borough Council entering into planning obligations, Derbyshire County Council is also responsible for delivering and operating specific areas of large scale infrastructure required to support development, including as highways, schools, libraries and waste. The County Council's requirements for S106 contributions are set out in its Developer Contributions Protocol. The County Council is also required to publish its own Infrastructure Funding Statement. The Borough Council works closely with the County Council's Planning Services to identify the impact of proposed development and ensure the infrastructure requirements needed to support development are identified through the Local Plan process.

2.5 The S.106 Report for 2019/20 is set out below. The details are based on the requirements of the CIL Regulations 2010 (as amended).

[16] **Regulation 122 Community Infrastructure Levy Regulations 2010 (as amended)**

Table 4: Summary of S.106 agreements 2019/20:

Newly Secured Money	
Total amount of S.106 money signed up in new legal agreements during 2019/20	**245,074**

Money held by the Council	
Total amount of S.106 monies received from developers during 2019/20	**545,358.25**
Total amount of S.106 monies held from previous years	**661,743.85**

Money Spent by the Council	
Total amount of S.106 monies spent by the Council (or transferred to another body to spend) during 2019/20	**191,128.47**

Table 5: Detailed breakdown of S.106 agreements 2019/20:

a)	The amount of money to be provided under any planning obligation which was entered into during 2019/20

Purpose	**£**
Affordable Housing:	81,000
Green Space:	3,000
Sports Provision:	0
Public Art:	15,000
Education:	0
Highways:	0
Travel Plans:	0
Health:	73,000
Miscellaneous	0
TOTAL	245,074

b)	The total amount of money received under any planning obligation during 2019/20

Purpose	**£**
Affordable Housing:	0
Green Space:	19,443.71
Sports Provision:	0
Public Art:	207,632.25
Education:	159,586.14
Highways:	95,000
Travel Plans:	0
Health:	0
Miscellaneous	63,696.15
TOTAL	545,358.25

c)	The total amount of money under any planning obligation which was received before 2019/20, which has not been allocated by the authority

Purpose	**£**
Affordable Housing:	0
Green Space:	0
Sports Provision:	0
Public Art:	0
Education:	0
Highways:	0
Travel Plans:	0
Health:	0
Miscellaneous	0
TOTAL	Nil

d)	Summary details of any non monetary contributions to be provided under planning obligations which were entered into during 2019/20, including

		Comment
(i) in relation to affordable housing, the (ii) total number of units which will be provided	20	
(ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided	0	No S.106 were entered into in reporting year in relation to education facilities since this is now covered by CIL contributions.

e)	The total amount of money (received under any planning obligations) which was allocated but not spent during 2019/20 for funding infrastructure

Purpose	**£**
Affordable Housing:	0
Green Space:	15,607.24
Sports Provision:	0
Public Art:	207,632.25
Education:	159,586.14
Highways:	95,000
Travel Plans:	0
Health:	0
Miscellaneous	63,446.15
TOTAL	541,271.78

f)	The total amount of money (received under any planning obligations) which was spent by the authority during 2019/20 (including transferring it to another person to spend);

Purpose	**£**
Affordable Housing:	0
Green Space:	50,363.59
Sports Provision:	0
Public Art:	1,090.00
Education:	124,037.50
Highways:	0
Travel Plans:	0
Health:	0
Miscellaneous	15,637.38
TOTAL	191,128.47

g)	In relation to money (received under planning obligations) which was allocated by the authority but not spent during 2019/20, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item

Purpose	**£**
Affordable Housing:	0
Green Space:	15,607.24
Sports Provision:	0
Public Art:	207,632.25
Education:	159,586.14
Highways:	95,000
Travel Plans:	0
Health:	0
Miscellaneous	63,446.15
TOTAL	£541,271.78

The table below summarises developer contributions allocated to projects in 2019/20

Application Reference	S.106 date	Address	Financial	Non- Financial
CHE/14/00873/OUT	28/06/2019	Dunston Lane		• Deed of Variation of previous agreement
CHE/17/00722/OUT	18/07/2019	79 Sheffield Road	• Biodiversity compensation: £3000	
CHE/18/00532/OUT	05/08/2019	Manor Fields	• Health: £57,060	• Percent for Art (subject to viability testing) • Affordable Housing (subject to viability testing) • Ground nesting Bird mitigation scheme, • green space and SUDs infrastructure Management Scheme.
CHE/19/00157/FUL	29/08/2019	Fire Station, Sheffield Road		• % for Art, • Public Access to Stand Road Park
CHE/17/00385/OUT	03/09/2019	Depot site, Sheffield Road	• Percent for art: £15,000 or 1% development cost; • Affordable housing: £81,000 commuted sum; • Health: £15,977	
CHE/16/00229/OUT + CHE/16/00225/L	10/01/2020	Bank Close House, Hasland Road		• Percent for Art, • Listed building restoration.
CHE/19/00242/FUL	29/02/2020	Station Road/South Street North		• Landscape and Ecology management and Maintenance scheme;

h)	In relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring to another person to spend) summary details of:

Purpose	**£**
Affordable Housing:	0
Green Space:	3,836.47
Sports Provision:	0
Public Art:	0
Education:	0
Highways:	0
Travel Plans:	0
Health:	0
Miscellaneous	250.00
TOTAL	

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);	Nil
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;	Nil

i)	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.

Purpose	**£**
Affordable Housing:	0
Green Space:	165,431.39
Sports Provision:	0
Public Art:	297,281.52
Education:	159,586.14
Highways:	95,000.00
Travel Plans:	0
Health:	0
Miscellaneous	264,225.04
TOTAL	£1,016,179.12

Details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year.	Not applicable
Details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.	Not applicable

Monitoring and Review

The information in the Infrastructure Funding Statement will feed into the review of the Chesterfield Local Plan and future CIL reviews to ensure that policy requirements for developer contributions remain realistic and do not undermine the deliverability of the Local Plan.

Further information:

Relevant links on the Council's website:	
Chesterfield Local Plan	https://www.chesterfield.gov.uk/planning-and-building-control/planning-policy-and-the-local-plan.aspx
Community Infrastructure Levy	https://www.chesterfield.gov.uk/planning-and-building-control/planning-permission-and-development-management/community-infrastructure-levy.aspx
Infrastructure Strategy & Delivery Plan	https://www.chesterfield.gov.uk/planning-and-building-control/planning-policy-and-the-local-plan/evidence-base/infrastructure-study-and-delivery-plan.aspx
Development Management	https://www.chesterfield.gov.uk/planning-and-building-control/planning-permission-and-development-management.aspx
Authority Monitoring Report	https://www.chesterfield.gov.uk/planning-and-building-control/planning-policy-and-the-local-plan/authority-monitoring-report.aspx