

## **Bolsover District Council**

# **Annual Infrastructure Funding Statement 2021/22 Summary Report**

**June 2022**

## 1 Introduction

- 1.1 This Annual Infrastructure Funding Statement 2021/22 Summary Report sets out information for the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 relating to the funding of infrastructure by developments through the Community Infrastructure Levy and Planning Obligations / S106 Agreements that are required under the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.
- 1.2 It is noted that the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 require local authorities to publish detailed information in a particular format. However, a 'spreadsheet' format is considered to make the information somewhat abstract to be properly informative for the majority of people.
- 1.3 Therefore, in accordance with the Council's Statement of Community Involvement and its aim for the Council's planning service and publications to be accessible by avoiding the use of excessive technical jargon, references to legislation and the use of initials, this summary report has also been prepared to provide a more 'plain English' way of understanding the key information contained within the Annual Infrastructure Funding Statement.
- 1.4 The Council will publish this summary report together with the spreadsheet on its website.

## 2 Background

- 2.1 The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 introduced new duties on local planning authorities which include a duty to prepare Annual Infrastructure Funding Statements.
- 2.2 In accordance with the regulations, Annual Infrastructure Funding Statements must comprise the following three parts:
- Part 1. 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 Community Infrastructure Levy (other than Community Infrastructure Levy to which regulation 59E or 59F applies) (“the infrastructure list”);
  - Part 2. A report about Community Infrastructure Levy, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“Community Infrastructure Levy report”);
  - Part 3. A report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).
- 2.3 This new duty started formally in the financial year 2019/20 and requires the Council to publish an Annual Infrastructure Funding Statement by 31<sup>st</sup> December every year thereafter.

### 3 Key information

- 3.1 The key information within the Annual Infrastructure Funding Statement 2021/22 is provided below.

#### Part 1 – The Infrastructure List

- 3.2 Bolsover District Council has not pursued a CIL and therefore provides a 'nil return' for this part of the Annual Infrastructure Funding Statement.

#### Part 2 – The Community Infrastructure Levy Report

- 3.3 Bolsover District Council has not pursued a CIL and therefore provides a 'nil return' for this part of the Annual Infrastructure Funding Statement.

#### Part 3 – The Section 106 Report

- 3.4 Bolsover District Council has a large number of live Section 106 Agreements which inform this part of the Annual Infrastructure Funding Statement and this is set out in detail as required by the Regulations in the Appendix to this summary report. However, the key information from the Statement is provided below.

Newly Secured Money	
Total amount of Section 106 monies signed up in new legal agreements during 2021/22	£642,247.25

Money Received and Held by the Council	
Total amount of Section 106 monies received from developers during 2020/21	£149,284.69
Total amount of Section 106 monies held from previous years	£1,524,391.62

Money Spent by the Council	
Amount of Section 106 monies spent by the authority on infrastructure (or transferred to another organisation to spend) during 2020/21	£208,287.56
Amount of Section 106 monies spent by the authority on maintenance	£9,593
Total amount of Section 106 monies spent by the authority	£217,880.56

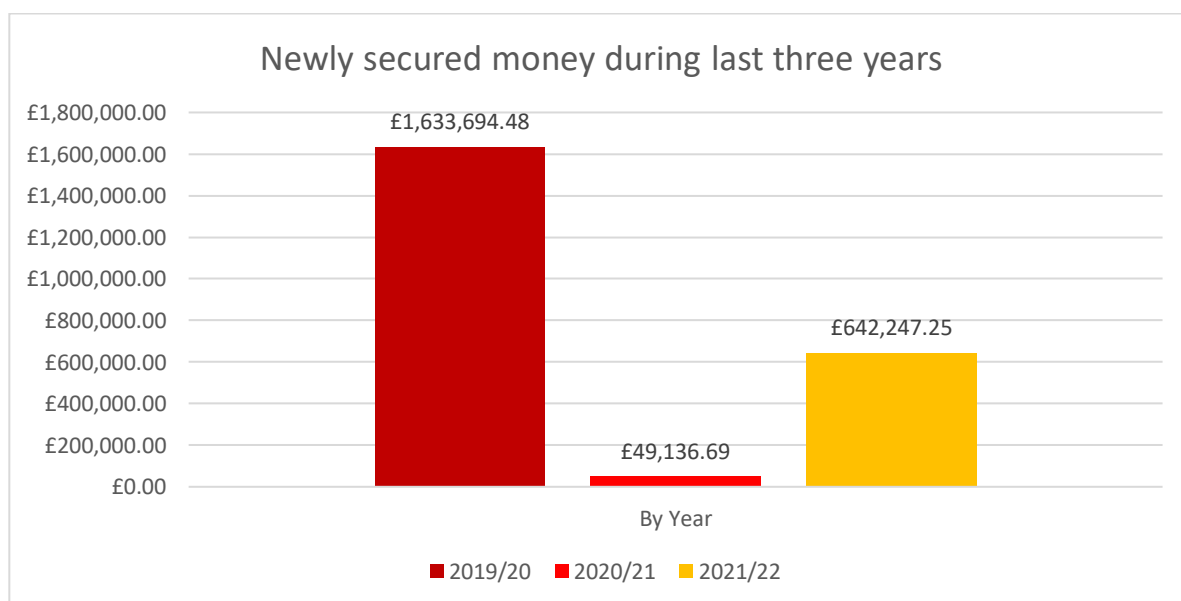
- 3.5 These headline figures outline the scale of the sums being secured by the Council through Section 106 Agreements. Once received the money is ultimately spent by

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the Council on infrastructure or transferred to other organisations to deliver infrastructure on our behalf. To help explain what these figures actually mean and how they compare with previous years the following sections provide additional information.

### Newly Secured Money

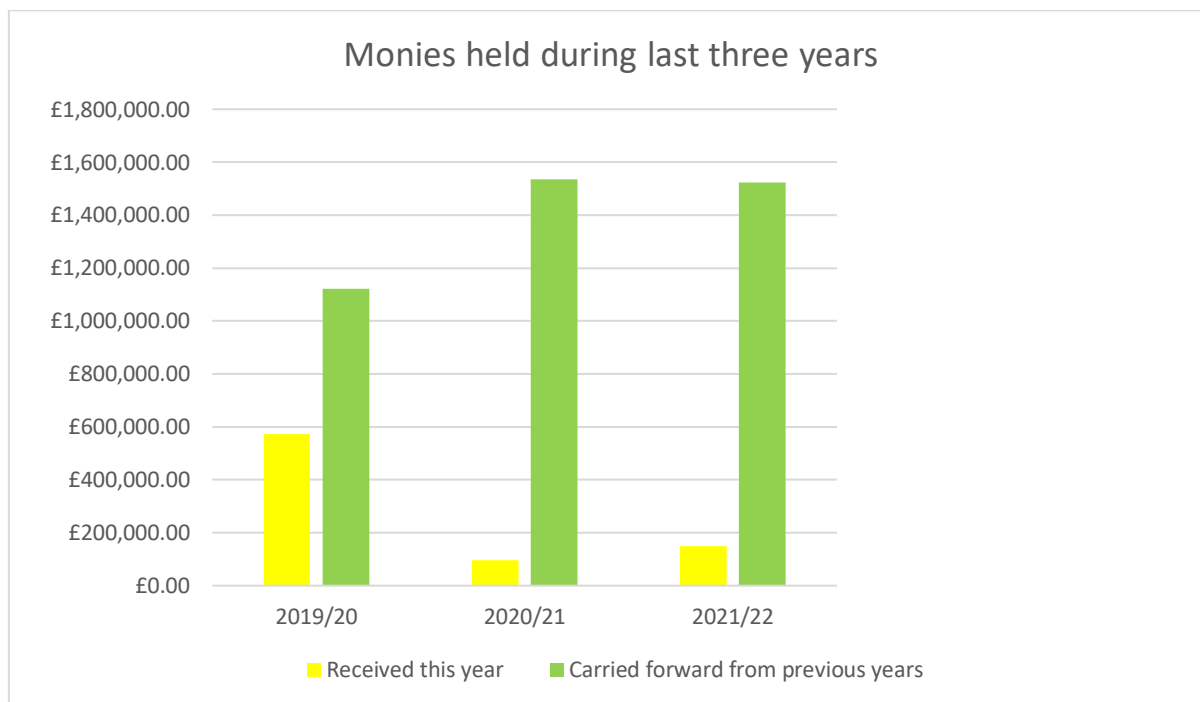
- 3.6 The **£642,247.25** figure stated above is the total sum of money signed up within Section 106 Agreements on new developments that were granted planning permission between 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022.
- 3.7 One thing to highlight in relation to this figure is that as Section 106 Agreements are often entered into when granting planning permissions in Outline, the exact sum of money promised within the Section 106 Agreement is not always stated. Instead, the obligation is set out as a financial amount per dwelling that will take effect once the uncertainty over the exact number of dwellings has been resolved with a later, more detailed planning permission. As a result, in these cases the indicative number of dwellings discussed in the Outline planning permission has been used to obtain an exact figure that can be used in the Annual Infrastructure Funding Statement.
- 3.8 One further thing to note is that the above figure can include a degree of double counting due to the Annual Infrastructure Funding Statement needing to report on all Section 106 Agreements signed up during the monitoring year. This can lead to situations where a Section 106 Agreement that was entered into in a previous year is superseded by a new Section 106 Agreement or is revised through a Deed of Variation, changing the financial contributions involved. Whilst this can lead to larger sums being secured, it is more often the case that sums promised at Outline stage can need to be reduced due to the developer pursuing the detailed permission having more detailed and up-to-date viability information than the landowner that secured the outline permission.
- 3.9 Despite these limitations, it is useful to show the relative amounts of money secured through Section 106 Agreements over recent years. The graph below show this figure over the last 3 years.



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### Money received and held by the Council

- 3.10 The **£149,284.69** (received) and **£1,524,391.62** (monies held) figures stated above are taken from the financial accounts of the Council for sums received and held between 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022 that relate to Section 106 Agreements on active developments.
- 3.11 Whilst money received each year depends on a wide range of factors, it is helpful to show the relative amounts over recent years and the total monies held. The graph below shows these figures over the last three years.



- 3.12 The figures above show both the variance in money received but also how the money being held by the Council is not decreasing significantly.
- 3.13 The table below provides a breakdown of how the money held by the Council at 31<sup>st</sup> March 2022 is split across different infrastructure types:

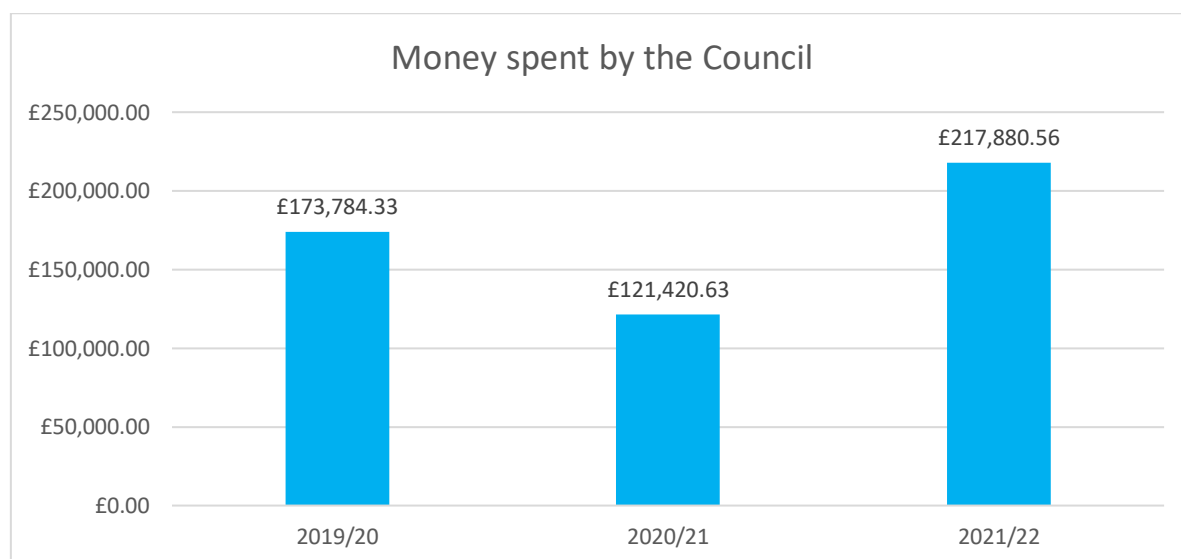
Infrastructure Type	Money Received 2021/22	Money Carried Forward 2020/21
Outdoor Sports	£37,882.67	£484,301.84
Green Space	£30,400.21	£208,358.69
Education	£0	£0
Health	£11,784.56	£193,329.59
Highways	£0	£599,463.68
Public Art	£10,757.25	£22,785.86
Biodiversity	£0	£15,035.96
Affordable Housing	£0	£1,116.00
Community Facilities	£58,460	£0
<b>TOTAL</b>	<b>£149,285.69</b>	<b>£1,524,391.62</b>

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- 3.14 This breakdown shows that the largest sums received during 2021/22 relate to Community Facilities and Outdoor Sports, and that large sums are not yet spent and so being held for Highways, Outdoor Sports, Green Space and Health infrastructure.
- 3.15 One technical matter to note is that Annual Infrastructure Funding Statements are required to set out where funds have been allocated. The term 'allocated' is defined in the Planning Practice Guide as meaning "a decision has been made by the local authority to commit funds to a particular item of infrastructure or project" (*Paragraph: 033 Reference ID: 23b-033-20190901*). This is generally specified in the Section 106 Agreement for one of the above infrastructure types together with the general location of the infrastructure to be provided. On this basis, throughout the Annual Infrastructure Funding Statement the funds are treated as being allocated.

### Money Spent by the Council

- 3.16 The **£217,880.56** figure stated above in paragraph 3.4 is taken from the financial accounts of the Council for sums spent relating to Section 106 Agreements between 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022.
- 3.17 Whilst performance each year depends on a wide range of factors, it is helpful to show the relative performance over recent years and the graph below shows this figure over the last three years.



- 3.18 These figures show the overall sums and how they vary by year. For the current monitoring year the sums spent broken down by infrastructure type are as follows:

Infrastructure Type	Money Spent
Outdoor Sport	£90,046.40
Green Space	£26,403.57
Education	£0
Health	£0
Highways	£30,463.68
Public Art	£2,557.31
Biodiversity	£356.50

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Affordable Housing	£0
Community Facilities	£58,460
Maintenance	£9,593
<b>TOTAL</b>	<b>£217,880.56</b>

- 3.19 This breakdown shows that the largest sums spent during 2021/22 relate to Outdoor Sport, Highways and Green Space though there remains significant sums held by the Council for Highways, Outdoor Sport, Green Space that has yet to be spent along with monies for Health Infrastructure.
- 3.20 A number of case studies of projects that are completed or underway complete this report to illustrate how Section 106 Agreements are implemented to deliver infrastructure.



**Case Study 1**

<b>Project: <i>Triobike Taxi, District-wide</i></b>	
<b>Summary</b>	<p>This Project was the purchase of a Triobike taxi to enable care home residents to enjoy the countryside. The Triobike Taxi comprises a pushbike with a small engine with a wooden seating box attached to the front which can transport up to two people. The box has a retractable hood with windows and waterproof blanket for bad weather. The engine makes it able to carry two adult passengers up a hill. Features include a removal middle plate that allows those with walking difficulties to sit down easily without having to lift their feet.</p> <p>The founder of Triobike in Denmark wanted to help the elders get back on their bicycles, but he had to find a solution to their limited mobility. The answer was a cycle trishaw which he developed and with this he started offering free bike rides to the local nursing home residents. Cycling Without Age is an associated movement started in 2012. Emerging from Cycling Without Age is a global movement building intergenerational relationships with cycle trishaw rides. Bolsover District Council are listed on the website as one of the Cycling Without Age 'chapters'.</p> <p>The Triobike Taxi cost £9,000. It was funded from a number of s106 schemes as it is peripatetic and will be used across the district. The contributions were generally from areas where there is a care home whose residents were likely to benefit and where there is access to a local trail.</p> <p>The TrioBike Taxi is housed at Pleasley Vale, but can be transported using a converted trailer.</p>
<b>Application references</b>	<ol style="list-style-type: none"> <li>1. 14/00309/FULMAJ and 14/00551/FUL</li> <li>2. 19/00475/FUL</li> <li>3. 14/00603/FUL</li> <li>4. 15/00438/FUL and 17/00209/FUL</li> </ol>
<b>Site names</b>	<ol style="list-style-type: none"> <li>1. Carter Lane West, South Normanton</li> <li>2. Land east of Skinner Street, Creswell</li> <li>3. Rear of 169-207 Creswell Road, Clowne</li> <li>4. Spa Croft, Doe Hill Lane, Tibshelf</li> </ol>
<b>Developers</b>	<ol style="list-style-type: none"> <li>1. Harron Homes Ltd</li> <li>2. Avant Homes</li> <li>3. NIDD Park Developments Limited</li> <li>4. Rippon Homes Ltd and Rippon Homes Heritable Ltd</li> </ol>

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<b>Permissions granted / Section 106's signed</b>	<ol style="list-style-type: none"> <li>1. 12<sup>th</sup> March 2015</li> <li>2. 6<sup>th</sup> March 2020. 5<sup>th</sup> March 2020 (S106)</li> <li>3. 8<sup>th</sup> December 2015. 16<sup>th</sup> December 2015 (S106)</li> <li>4. 12<sup>th</sup> June 2014 and 2<sup>nd</sup> September 2016. 19<sup>th</sup> December 2017 (S106)</li> </ol>
<b>Amount secured in Section 106</b>	<ol style="list-style-type: none"> <li>1. £68,670</li> <li>2. £86,565</li> <li>3. £28,424</li> <li>4. £72,236</li> </ol>
<b>Development started</b>	<ol style="list-style-type: none"> <li>1. During 2015/16</li> <li>2. During 2020/21</li> <li>3. During 2016/17</li> <li>4. During 2017/18</li> </ol>
<b>Money received</b>	<ol style="list-style-type: none"> <li>1. During 2017/18</li> <li>2. During 2020/21</li> <li>3. 3 March 2021</li> <li>4. During 2018/19</li> </ol>
<b>Work ordered</b>	16 <sup>th</sup> April 2021
<b>Infrastructure delivered</b>	9 <sup>th</sup> August 2021

### Photographs





**Case Study 2**

<b>Project – Highway and Health Improvements, Shirebrook</b>	
Summary	<p>Working with Homes England and Derbyshire County Council, the Council's Planning Department is developing proposals to deliver a link road to Leen Valley Drive from the Brookvale development in Shirebrook as per the South Shirebrook masterplan.</p> <p>This Local Plan Implementation Project will utilise the held Section 106 monies allocated for highway improvements from the South Shirebrook outline permission. This project may not utilise all of the held money and so the remainder will be made available for appropriate local health improvements and then to incentivise the establishment of a bus route through the site in accordance with the signed Section 106.</p>
Application references	99/00065/OUT & 14/00594/OUT
Site name	Former Shirebrook Colliery
Developer	EMDA (now Homes England)
Permission granted / Section 106 signed	7 <sup>th</sup> April 2000 & 10 <sup>th</sup> July 2015 respectively
Amount still held from Section 106	£569,000
Development started	Works to deliver southern perimeter distributor road carried out over 10 years ago but residential development at Brookvale housing development started during 2015/16.
Money received	March 2016
Works ordered	TBC
Infrastructure planned for delivery	December 2023
<b>South Shirebrook Masterplan</b> 	

## 4 Conclusions

- 4.1 Overall, the Annual Infrastructure Funding Statement highlights the significant sums involved in Section 106 Agreements and how they lead to local infrastructure provision and ultimately show one of the benefits of new development.
- 4.2 This monitoring snapshot also currently shows that money is accumulating and that this is particularly allocated to outdoor sports infrastructure provision in specific locations. This received money is supplemented by money promised through Section 106 Agreements entered into on new developments that are yet to commence and so these promises could change.
- 4.3 This accumulation of money demonstrates a strong need to have effective delivery and monitoring systems in place to ensure the planned local infrastructure is delivered and that the full benefits of new development are achieved.
- 4.4 Behind this covering report, the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 require local authorities to publish detailed information in a certain format and the formal Annual Infrastructure Funding Statement is set out in the Appendix to this report.
- 4.5 Finally, it is worth noting that Derbyshire County Council are also obliged under the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 to produce their own the Annual Infrastructure Funding Statement by December 2020. This will set out how monies transferred to them by the District Council and that are thus treated as spent in the Council's Annual Infrastructure Funding Statement, or that go to them directly from the developer, have been spent.

# **Appendix**

## **Annual** **Infrastructure** **Funding** **Statement** **2021/22** **spreadsheet**

## ANNUAL INFRASTRUCTURE FUNDING STATEMENT 2021/22

a) the total amount of money to be provided under any planning obligations which were entered into during the reported year

<b>£642,247.25</b>	<b>Breakdown by purpose of infrastructure</b>	<b>Non-money offers (also see d))</b>
	Sports Provision 110,661.00	
	Green Space 74,244.00	
	Education 426,032.25	
	Health 23,040.00	
	Highways 7,500.00	
	Public Art 0.00	
	Biodiversity 0.00	Mitigation and management
	Affordable Housing 0.00	21 Units
	Community Facilities 0.00	
	Monitoring Compliance 770.00	
	<b>642,247.25</b>	

b) the total amount of money under any planning obligations which was received during the reported year

<b>£149,284.69</b>	<b>Breakdown by purpose of infrastructure</b>
	Sports Provision £37,882.67
	Green Space £30,399.79
	Education £0.00
	Health £11,784.56
	Highways £0.00
	Public Art £10,757.67
	Biodiversity £0
	Affordable Housing £0
	Community Facilities £58,460
	<b>£149,284.69</b>

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

<b>£1,524,391.62</b>	<b>Breakdown by purpose of infrastructure</b>
	Sports Provision £484,301.84
	Green Space £208,358.69
	Education £0
	Health £193,330
	Highways £599,463.68
	Public Art £22,785.86
	Biodiversity £15,036
	Affordable Housing £1,116
	Community Facilities £0
	<b>£1,524,391.62</b>

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;

21 units

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;

4 Infant Places, 5 Junior Place and 10 Secondary Places

Biodiversity

Mitigation and management

e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;

None

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);

<b>£208,287.56</b>	<b>Breakdown by purpose of infrastructure</b>
	Sports Provision £90,046.40
	Green Space £26,403.67
	Education £0
	Health £0
	Highways £30,464
	Public Art £2,557.31
	Biodiversity £357
	Affordable Housing £0.00
	Community Facilities £58,460
	<b>£208,287.56</b>

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 items of infrastructure on which the money has been allocated, and the amount of money allocated to each item

Thornhill Drive South Normanton	Outdoor Sport	£37,883.00
	Open Space	£30,400.00
		<b>£68,283.00</b>

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;

Sports Provision

£420.00

Vegetation clearance for access ramp to Doe Lea Recreation Ground

£445.70

Contribution to cost of TrioBike Taxi\*

£1,456.00

Contribution to cost of TrioBike Taxi



£87,724.70	Drainage and pitch works at Broadmeadows Open Space and contribution to composting toilet at Alfreton Road Allotments and contribution to cost of Triobike Taxi and roof repairs to the pavilion at Common Meadows
<b>£90,046.40</b>	
<u>Green Space</u>	
£3,203.42	Maintenance charge, Hazelmere Park, Creswell and contribution to cost of TrioBike Taxi*
£2,031.00	Maintenance charge, Rangewood Road, South Normanton
£3,804.09	Maintenance of Glapwell Mountain Bike Trail, Bramley Vale and maintenance at Doe Lea
£643.00	Contribution to works to former junior school football pitches, Clowne
£431.16	Contribution towards new play equipment at Westhouses Recreation Ground, Newton
£2,217.00	Contribution to works to former junior school football pitches, Clowne and contribution towards Triobike Taxi and contribution toward Triobike Taxi
£12,107.00	Relocation of signs at Clowne Linear Park and contribution to cost of Clowne Gateway enhancements
£1,206.00	Contribution to cost of TrioBike Taxi
£761.00	Contribution to works to former junior school football pitches
<b>£26,403.67</b>	* Electric trike designed to carry elderly / infirm people (e.g. care home residents) on trips out on the local trails network as an alternative form of physical activity
<u>Public Art</u>	
<b>£2,557.31</b>	Completion of an arts based music and media resource, started in 2020-21, Clowne
<u>Affordable Housing</u>	
<b>£1,116.00</b>	Refurbishment of the Former Miners Welfare Institute at Creswell Model Village by Action Housing to create 11 self-contained flats
<u>Highways</u>	
<b>£30,463.68</b>	Paid to Derbyshire County Council for provision of a footpath link from the development at Skinner Street to Gypsy Lane Creswell
<u>Biodiversity</u>	
<b>£356.50</b>	Contribution towards wetland enhancement work at Wolland Meadow
<u>Community Facilities</u>	
<b>£58,460.00</b>	Transferred to the Parish Council to be used on Hodthorpe Community Social Club

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);

None

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;

None

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.

<b>£30,316.77</b>	<b>Retained for longer term maintenance / commuted sums</b>
	Sports Provision £0
	Green Space £30,316.77
	Education £0
	Health £0
	Highways £0
	Public Art £0
	Biodiversity £0
	Affordable Housing £0
	Community Facilities £0
	<b>£30,316.77</b>