

## **Bolsover District Council**

# **Annual Infrastructure Funding Statement 2019/20 Summary Report**

**December 2020**

## 1 Introduction

- 1.1 This Annual Infrastructure Funding Statement 2019/20 Summary Report sets out information for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020 relating to the funding of infrastructure by developments through the Community Infrastructure Levy and Planning Obligations / S106 Agreements that will be 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 members of the public.
- 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 required 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 starts formally for the financial year 2019/20 and requires the Council to publish an Annual Infrastructure Funding Statement by 31<sup>st</sup> December 2020 and every year thereafter.

### 3 Key information

3.1 The key information within the Annual Infrastructure Funding Statement 2019/20 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.

<b>Newly Secured Money</b>	
<b>Total amount of Section 106 monies signed up in new legal agreements during 2019/20</b>	<b>£1,633,694.48</b>

<b>Money Held by the Council</b>	
<b>Total amount of Section 106 monies received from developers during 2019/20</b>	<b>£572,636.54</b>
<b>Total amount of Section 106 monies held from previous years</b>	<b>£1,121,277.69</b>

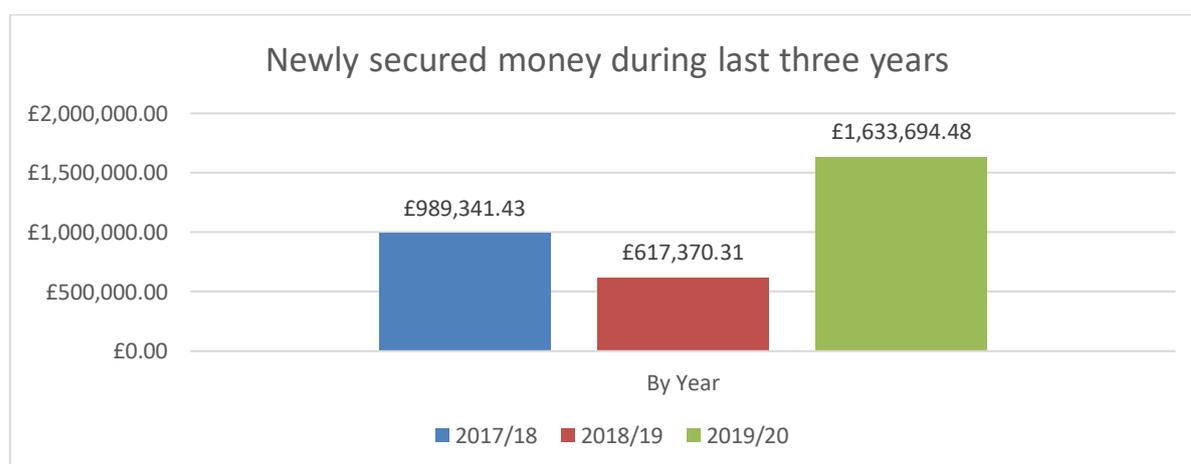
<b>Money Spent by the Council</b>	
<b>Total amount of Section 106 monies spent by the authority (or transferred to another organisation to spend) during 2019/20</b>	<b>£173,784.33</b>

3.5 Whilst these headline figures outline the scale of the sums being secured by the Council through Section 106 Agreements and then received and ultimately spent by the Council on infrastructure or transferred to other organisations to deliver infrastructure on our behalf, a degree of additional information is required to help explain what these sums actually mean and how they compare with previous years. As a result, the following sections attempt to provide this additional information and context.

## APPENDIX – ANNUAL INFRASTRUCTURE FUNDING STATEMENT 2019/20

### Newly Secured Money

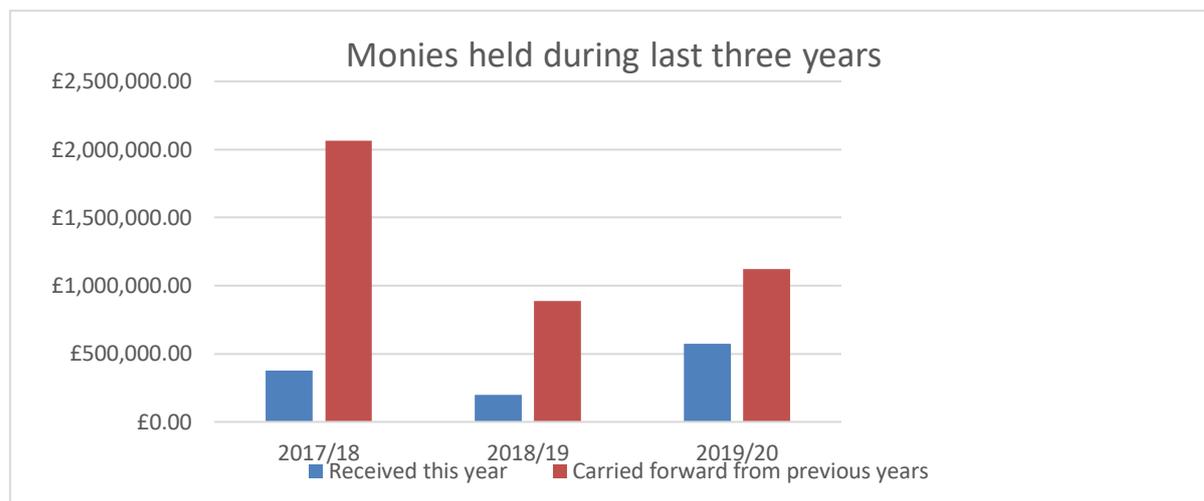
- 3.6 The £1,633,694.48 figure stated above draws upon the financial sums signed up within Section 106 Agreements on new developments granted planning permission between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020.
- 3.7 One thing to highlight in relation to this figure is that as Section 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, so 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. One example of this during the 2019/20 monitoring year was the Broad Lane site in Hodthorpe, where at outline stage the Section 106 Agreement secured £427,700 for new community facilities in the Parish but at detailed stage the planning permission was accompanied by a Deed of Variation that reduced this sum to £50,000.
- 3.9 Despite these limitations, it is helpful to show the relative performance over recent years and the graph below shows this figure over the last three years.



## APPENDIX – ANNUAL INFRASTRUCTURE FUNDING STATEMENT 2019/20

### Money held by the Council

- 3.10 The £572,636.54 and £1,121,277.69 figures stated above draw upon the financial accounts of the Council for sums received and held between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020 that relate to Section 106 Agreements on active developments.
- 3.11 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.



- 3.12 These figures show the overall sums and how they vary as monies are received and ultimately spent. However, for the current monitoring year the sums received and carried forward from previous years can be broken down by infrastructure type as follows:

<b>Infrastructure Type</b>	<b>Money Received 2019/20</b>	<b>Money Carried Forward</b>
Sports Provision	£343,826.25	£206,302.04
Green Space	£62,945.39	£215,438.80
Education	£18,195.12	£0
Health	£129,948.59	£63,381.00
Highways	£12,587.19	£569,000.00
Public Art	£5,134.00	£67,155.85
Biodiversity	£0	£0
Affordable Housing	£0	£0
Community Facilities	£0	£0
<b>TOTAL</b>	<b>£572,636.54</b>	<b>£1,121,277.69</b>

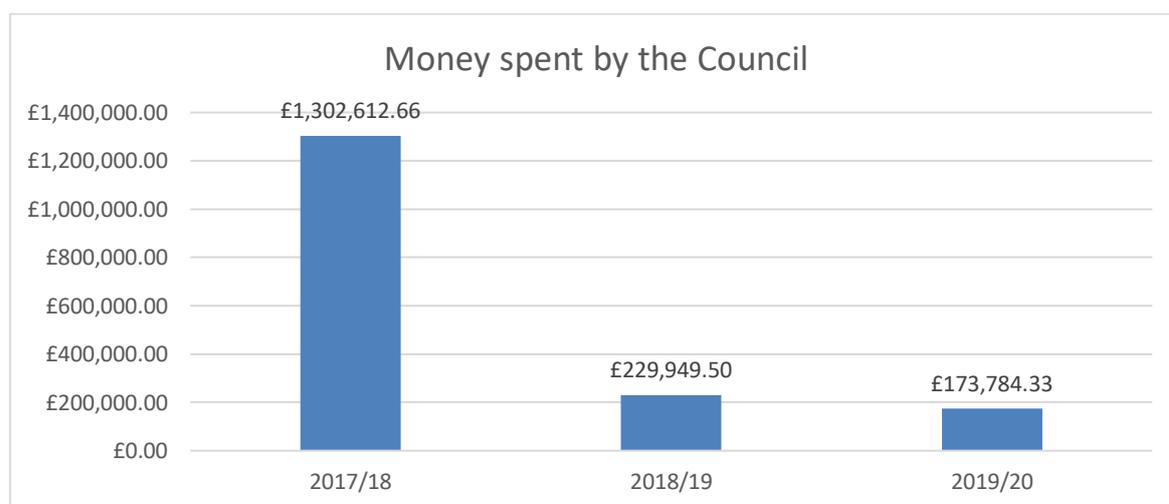
- 3.13 This breakdown shows that the largest sums received during 2019/20 relate to outdoor sports and health, and historically that large sums are being held for outdoor sports, green space and highway infrastructure types.
- 3.14 One technical matter to note is that Annual Infrastructure Funding Statements 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 and in which general location the

## APPENDIX – ANNUAL INFRASTRUCTURE FUNDING STATEMENT 2019/20

funds are to be used. On this basis, throughout the Annual Infrastructure Funding Statement the funds are treated as being allocated.

### Money Spent by the Council

- 3.15 The £173,784.33 figure stated above draws upon the financial accounts of the Council for sums spent relating to Section 106 Agreements between 1<sup>st</sup> April 2019 and 31<sup>st</sup> March 2020.
- 3.16 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.



- 3.17 These figures show the overall sums and how they vary by year, although it is worth highlighting that 2017/18 represented a slightly unusual year as a large sum of money was transferred to Derbyshire County Council that related to the historic South Shirebrook development. However, for the current monitoring year the sums spent can be broken down by infrastructure type as follows:

Infrastructure Type	Money Spent
Sports Provision	£45,962.45
Green Space	£97,667.21
Education	£0
Health	£0
Highways	£0
Public Art	£29,038.67
Biodiversity	£0
Affordable Housing	£1,116.00
Community Facilities	£0
<b>TOTAL</b>	<b>£173,784.33</b>

- 3.18 This breakdown shows that the largest sums spent during 2019/20 relate to green space and outdoor sports provision.
- 3.19 To help illuminate this emerging picture, a number of case studies are provided overleaf to illustrate how Section 106 Agreements are implemented and lead to infrastructure delivery.

**Case Study 1**

<b>Project – New play area at Derwent Drive, Tibshelf</b>	
Summary	Working with Tibshelf Parish Council, the Council's Leisure Department spent Section 106 monies from the Spa Croft development on the installation of a new play area at the Derwent Drive Recreation Ground in Tibshelf.
Application reference	13/00170/OUTMAJ & 15/00438/FUL
Site name	Field west of Spa Croft, Doe Hill Lane, Tibshelf
Developer	Rippon Homes
Permission granted / Section 106 signed	12 <sup>th</sup> June 2014 and 2 <sup>nd</sup> September 2016 respectively
Amount secured in Section 106	£43,605 (indexed)
Development started	During 2017/18
Money received	March 2019
Works ordered	October 2019
Infrastructure delivered	November 2019

**Photos**



**Case Study 2**

**Project – The Dancing Flowers of Doe Lea**

Summary	<p>Working with the arts organisation Beam and the artist / architects Tonkin Liu, the Council’s Community Arts Development Officer spent Section 106 monies from the Brambles development on the ‘the dancing flowers of Doe Lea’ sculpture project. This multi-year project saw the fabrication, installation, unveiling and lighting of the sculpture be delivered by March 2019, with further installation works during 2019/20, and is due to be completed by March 2021.</p> <p>The sculpture was the recipient of 2 regional RIBA architecture awards, namely the main Best Project Award and the Small Project of the Year Award for the East Midlands region. Once works are completed the sculpture will be passed into community ownership via Ault-Hucknall Parish Council.</p>
Application reference	05/00735/FULMAJ
Site name	Land Off North Street, East Street, West Street And Off Mansfield Road Doe Lea (the Brambles)
Developer	Gleeson Homes
Permission granted / S106 signed	13 <sup>th</sup> December 2006
Amount secured in S106	£130,000 (indexed)
Development started	During 2009/10
Money received	May 2014
Works ordered	December 2018
Art work delivered	March 2019 onwards

**Photos**



### Case Study 3

## Project – Fred Kitchen memorial bench, Bolsover

<p>Summary</p>	<p>Working with the Bolsover Civic Society, Old Bolsover Town Council and the local stone artist Andrew Tebbs, the Council's Community Arts Development Officer spent Section 106 monies from the Morrisons development on the former Sherwood Lodge site to help the development of the Fred Kitchen memorial bench project.</p> <p>This project was conceptualised with the community and is intended to stimulate reading and illustrate that creative writing is not confined to any class, trade or profession. The chosen design will utilise Magnesian Limestone or local sandstones and is intended to add interest and seating into the town centre. The Section 106 monies have been used as a contribution toward the total costing of the project (around £10,000) and have enabled the design work to be delivered (see below). The rest of the project will be funded by other contributions and fundraising within the community, although progress has been delayed due to the Covid-19 pandemic. The project is now expected to be completed during 2021.</p>
Application reference	17/00615/FUL
Site name	Former Sherwood Lodge site, Bolsover
Developer	Optimisation Developments Limited
Permission granted / Section 106 signed	26 <sup>th</sup> September 2018
Amount secured in Section 106	£5,000
Development started	During 2019/20
Money received	August 2019
Works ordered	November 2019
Art work delivered	February 2020

**Concept diagram**

**Concept for Fred Kitchen memorial bench V5**  
to be sited outside Bolsover Library

12 Book spines to form Fred Kitchen book ends carved into the stone.

Front cover to be a relief copy of Fred Kitchen's most famous book.

Front two book spines to be angled.

Back to be spaced off one stone base with glass/acrylic or powder-coated metal. Base to include space for sign refer to run off.

End two books to be removed so that the stone pages face towards front.

Central book to remain faced above with caption carved in its spine.

Base to be concrete or similar composite with a slab surface or metal plate cast material. NB slungy if steel.

All stone to be magnesian limestone or sandstone.

**Case Study 4**

**Project – Highway and Health Improvements, Shirebrook**

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 reference	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

**South Shirebrook Masterplan**



## 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, as highlighted by the example in Hodthorpe.
- 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 2019/20 spreadsheet

**ANNUAL INFRASTRUCTURE FUNDING STATEMENT 2019/20**

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

<b>£1,633,694.48</b>	<b>Breakdown by purpose of infrastructure</b>	<b>Non-money offers (also see d))</b>
	Sports Provision	£287,627
	Green Space	£126,472
	Education	£943,668.68
	Health	£96,562
	Highways	£94,365
	Public Art	£20,000
	Biodiversity	£15,000
	Affordable Housing	£0
	Community Facilities	£50,000
	<b>£1,633,694.48</b>	
		Green Space area min 0.6 ha + play area

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

<b>£572,636.54</b>	<b>Breakdown by purpose of infrastructure</b>
	Sports Provision
	Green Space
	Education
	Health
	Highways
	Public Art
	Biodiversity
	Affordable Housing
	Community Facilities
	<b>£572,636.54</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>£1,121,277.69</b>	<b>Breakdown by purpose of infrastructure</b>
	Sports Provision
	Green Space
	Education
	Health
	Highways
	Public Art
	Biodiversity
	Affordable Housing
	Community Facilities
	<b>£1,121,277.69</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;

Potentially 114 units across five schemes

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;

None

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>£173,784.33</b>	<b>Breakdown by purpose of infrastructure</b>
	Sports Provision
	Green Space
	Education
	Health
	Highways
	Public Art
	Biodiversity
	Affordable Housing
	Community Facilities
	<b>£173,784.33</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 infrastructure on which the money has been allocated, and the amount of money allocated to each item

None

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

£16,650.00	Contribution towards outdoor gym equipment at Rotherham Road Recreation Ground and Terrace Lane Recreation Ground, Pleasley
£2,847.00	Various projects including new goal posts for The Arc (£1220) / Storage of MUGA (£1320)
£10,488.95	Contribution to fencing at Alfreton Road Allotments, South Normanton
£5,724.00	Contribution to new play area at Staffa Drive, Tibshelf
£7,242.50	Pitch works at Castle Leisure Park
£3,010.00	Picnic tables for Post Mill Centre, South Normanton
<b>£45,962.45</b>	

Green Space

£1,803.00	Ongoing maintenance, Hazelmere Park, Creswell
£3,093.00	Ongoing maintenance, Rangewood Road, South Normanton
£1,898.87	Ongoing maintenance, The Brambles, Doe Lea
£3,511.79	Contribution to fencing at Alfreton Road Allotments, South Normanton
£29,643.84	New play area at South Street, Newton
£3,324.00	Contribution to new play area at Staffa Drive, Tibshelf
£44,380.00	New play area at Derwent Drive, Tibshelf
£3,575.92	Ongoing maintenance, Skinner Street, Creswell
£3,729.79	Ongoing maintenance, Rangewood Road, South Normanton
£2,707.00	Ongoing maintenance, The Brambles, Doe Lea
<b>£97,667.21</b>	

Public Art

£23,316.67	Public art project development and installation, The Brambles, Doe Lea
£625.00	Public art project development and installation, South of 191 Carter Lane East, South Normanton
£5,097.00	Public art project development and installation, Former Sherwood Lodge site, Bolsover
<b>£29,038.67</b>	

Affordable Housing

£1,116.00	Refurbishment of the Former Miners Welfare Institute at Creswell Model Village by Action Housing to create 11 self-contained flats
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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.

**£50,812.78**

**Retained for longer term maintenance / commuted sums**

Sports Provision	£0
Green Space	£50,812.78
Education	£0
Health	£0
Highways	£0
Public Art	£0
Biodiversity	£0
Affordable Housing	£0
Community Facilities	£0
	<b>£50,812.78</b>