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# **North Tyneside Council**

## **Infrastructure Funding Statement 2019-20**

**DRAFT**

**December 2020**

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## 1 Introduction

- 1.1 Section 106 (S106) and Community Infrastructure Levy (CIL) (collectively referred to as 'planning obligations') income is used to help fund the provision of infrastructure to support development and maximise the benefits and opportunities that come with growth, such as employment opportunities and new and affordable homes. Planning obligations are used to mitigate the impacts of development and to ensure that planning policy requirements are met.
- 1.2 Local Authorities are now required, in accordance with The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019, to produce an Infrastructure Funding Statement (IFS) annually that sets out details about community infrastructure levy and planning obligation receipts and anticipated expenditure. The purpose of this report is to provide clarity and transparency to local communities and developers on infrastructure expenditure.
- 1.3 The information included in the report will be updated annually and published on the Council's website. This will ensure the most up to date information on the amount of developer contributions received from new developments in addition to information on where these monies have been spent is readily available to members of the public and other interested parties.

## 2 A summary of CIL and S106 payments and expenditure

- 2.1 This infrastructure funding statement is published alongside detailed information regarding each developer agreement, contribution and transaction during the reporting year 1 April 2019 to 31 March 2020. This information is published in .csv format available from the Council's website. Appendix 1 provides a summary of the agreements and transactions in the year in accordance with the requirements established through Schedule 2 of the CIL regulations 2019. The following sets out some of the headline figures:

### Headline Figures: Infrastructure Funding Statement 2019/20

- a. S106 Agreements signed over this period amount to a total value of £720k in contributions and 18 additional affordable dwellings.
- b. Approximately £7.1m was received in S106 receipts.
- c. Approximately £4.26m of S106 monies was spent over the period.
- d. The biggest areas of spending were in the service areas of Highways, Affordable Housing and Education.

- e. The closing balance of S106 monies at the end of the period is £11.9m – this is the monies received by the Council but not yet spent.
- f. About £24k of CIL payments were received in the year and is the total CIL fund held by the Council at 31 March 2020. No CIL funds were spent.

Figure 1: Headline Figures from 2019/20

- 2.2 Please note that data on developer contributions is imperfect because it represents estimates at a given point in time and can be subject to change. However, the data reported within this document is the most robust available at the time of publication.

### 3 Community Infrastructure Levy

- 3.1 The Community Infrastructure Levy (CIL) is a type of developer contribution that allows Council to raise funds from landowners/developers undertaking new building projects for infrastructure needs arising from growth across the Borough as a whole. . Introduced by the 2008 Planning Act and brought into effect by the CIL regulations (2010) as amended CIL is charged at a fixed rate per square metre. The North Tyneside CIL charging schedule came into effect on 14 January 2019 following a public Examination in 2018 and adoption by the North Tyneside Council in November 2019. Please refer to the Community Infrastructure Levy pages of the Council's website for latest information regarding the type of development's that are liable to pay CIL and the current index linked charging rates<sup>1</sup>.

#### Infrastructure intended to be funded through CIL

- 3.2 Prior to adoption of the North Tyneside CIL, Cabinet in 2018 identified a range of infrastructure that it is intended would be funded through CIL once sufficient funds are available to delivery projects to meet specific needs arising from growth in the Borough. These projects were identified through what was previously known as a Regulation 123 infrastructure list. The infrastructure list below is prepared in accordance with 121(A)(a) of the CIL Regulations as amended in September 2019.

North Tyneside Infrastructure List	List of Exclusions
Secondary School Age Education To support additional secondary education capacity across North Tyneside new secondary school provision and capacity improvements to existing schools. Including costs of design, construction and purchase of land for building and site curtilage including site access, hard and soft landscaping and playing fields.	None
Health facilities Support for the potential delivery of new premises for use as a general practice and as appropriate schemes to improve local resilience where patient list sizes demonstrate a requirement for investment.	None
Suitable Alternative Natural Greenspace (SANGS) – Off site provision. To create and enhance areas for recreational use providing mitigation in accordance with the	Specific on site provision at Murton Gap

<sup>1</sup> North Tyneside CIL <https://my.northtyneside.gov.uk/category/1157/community-infrastructure-levy-cil>

North Tyneside Infrastructure List	List of Exclusions
Local Plan Appropriate Assessment for potential impacts of growth upon the Northumbria Coast Special Protection Area	Strategic Allocation.
Community Facilities Multiple projects to support local resilience in community facilities and services that might support the wellbeing of a growing and aging population.	None
Walking and Cycling Connections – Critical, important and desirable off site connections associated with growth at Murton Gap and Killingworth Moor strategic allocations connecting to key locations and providing accessibility to existing communities.	For Clarification: Necessary walking and cycling infrastructure to be sought from all other development sites.

## **4 S106 Planning Obligations**

- 4.1 Under Section 106 (s106) of the Town and Country Planning Act 1990 a Local Planning Authority (LPA) can seek obligations, both physically on-site and contributions for off-site, when it is considered that a development will have negative impacts that cannot be dealt with through conditions in the planning permission.
- 4.2 North Tyneside Council has provided a Planning Obligations Supplementary Planning Document (SPD) which describes the Council's approach to requesting contributions towards infrastructure contributions from developers, providing transparency and clarity. The SPD does not set policy but provides a framework for implementation of policies S7.1 and DM7.2 of the Local Plan.
- 4.3 The Planning Obligations Supplementary Planning Document (SPD) was adopted by North Tyneside Council on 12th March 2018.
- 4.4 In July 2019, North Tyneside published a separate SPD to supplement and provide further guidance on the implementation of Local Plan policy DM5.6 Management of International Sites. The Coastal Mitigation SPD sets out a recommended developer contribution that would contribute to the avoidance or mitigation of adverse impacts on internationally protected species and habitats that arise from development within North Tyneside. The SPD provides a simple and effective way of ensuring developer compliance with requirements relating to the protection of habitats and species.

## 5 Appendix 1: CIL regulations 2019, Schedule 2

	CIL Report	Amount
1	The matters to be included in the CIL report are:	
a.	The total value of CIL set out in all demand notices issued in the reported year;	£42,588
b.	The total amount of CIL receipts for the reported year;	£24,168.00
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;	£0.00
d.	The total amount of CIL receipts, collected by the authority, or another person on its behalf, before the reported year and which have been allocated in the reported year;	£0.00
e.	The total amount of CIL expenditure in the reported year;	£0.00
f.	The total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;	£0.00
g.	In relation to CIL expenditure for the reported year, summary details of:	
	The items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item;	n/a
	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);	n/a
	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;	£0.00
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;	n/a
i.	The amount of CIL passed to:	
	Any parish council under regulation 59A or 59B; and	£0.00
	Any person under regulation 59(4)	£0.00
j.	Summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reporting year:	
	The total CIL receipts that regulations 59E and 59F applied to;	£0.00

	CIL Report	Amount
	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 sent on each item;	n/a
k.	Summary detailed of any notices served in accordance with regulation 59E, including:	
	The total value of CIL receipts requested from each parish council;	n/a
	Any funds not yet recovered from each parish council at the end of the reported year;	n/a
l.	The total amount of:	
	CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied;	£24,168.00
	CIL receipts from previous years retained at the end of the report year other than those to which regulation 59E or 59F applied;	£0.00
	CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;	n/a
	CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the report year.	n/a
2	For the purposes of paragraph 1:	
a.	CIL collected by an authority includes land payments made in respect of CIL charged by that authority;	
b.	CIL collected by way of a land payment has not been spent if at the end of the reported year:	
	Development (within the meaning of TCPA 1990) consistent with a relevant purpose has not been commenced on the acquired land; or	n/a
	The acquired land (in whole or in part) has been used or disposed of for a purpose other than a relevant purpose; and the amount deemed to be CIL by virtue of regulation 73(9) has not been spent	n/a
c.	CIL collected by an authority includes infrastructure payments made in respect of CIL charged by that authority;	n/a
d.	CIL collected by way of an infrastructure payment has not been spent if at the end of the reported year the infrastructure to be provided has not been provided;	n/a

	<b>CIL Report</b>	<b>Amount</b>
e.	The value of acquired land is the value stated in the agreement made with the charging authority in respect of that land in accordance with regulation 73(6)(d);	n/a
f.	The value of a part of acquired land must be determined by applying the formula in regulation 73(10) as if references to N in that provision were references to the area of the part of the acquired land whose value is being determined;	n/a
g.	The value of an infrastructure payment is the CIL cash amount stated in the agreement made with the charging authority in respect of the infrastructure in accordance with regulation 73A(7)(e).	n/a

	<b>S106 Obligations Report</b>	<b>Amount</b>
3	The matters to be included in the section 106 report for each reported year are:	
a.	The total amount of money to be provided under any planning obligations which were entered into during the reported year;	£720,970.13
b.	The total amount of money under any planning obligations which was received during the reported year;	£7,106,126
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;	£0.00
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;	18
	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;	n/a

S106 Obligations Report			Amount
e.	The total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;		£7,057,789
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);		£4,268,976
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;	affordable-housing	£4,835,412
		community-facilities	£529,698
		economic-development	£0
		education	£835,369
		flood-and-water-management	£0
		green-infrastructure	£76,023
		health	£128,755
		highways	£401,968
		open-space-and-leisure	£168,872
		transport-and-travel	£81,692
		other	£0
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;	affordable-housing	£1,458,000
		community-facilities	£562,537
		economic-development	£5,731
		education	£1,748,996
		flood-and-water-management	£0
		green-infrastructure	£0
		health	£19,291
		highways	£314,104
		open-space-and-leisure	£159,717
		transport-and-travel	£600
		other	£0

S106 Obligations Report		Amount
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);	education	£1,574,782.00
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;		0
i. The total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year,		£11,915,885
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;		£0.00
5	For the purposes of paragraph 3:	
a.	Where the amount of money to be provided under any planning obligations is not known, an authority must provide an estimate:	n/a
b.	A non-monetary contribution includes any land or item of infrastructure provided pursuant to a planning obligation;	n/a
c.	Where the amount of money spent in respect of monitoring in relation to delivery of planning obligations is not known, an authority must provide an estimate.	n/a

