

# Infrastructure Funding Statement Report

## Erewash Borough Council

### December 2020

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## 1. Introduction

### 1.1. What is an Infrastructure Funding Statement (IFS)?

An Infrastructure Funding Statement is a publication that must outline all live S106 agreements, a breakdown of the contributions and an annual overview of developer contribution transactions. The publication will enhance both policy makers and communities understanding of developer contributions being invested in local infrastructure and will showcase the efforts of key planning and development stakeholders contributing positively to enhancements within local areas. The Community Infrastructure Levy (CIL) Regulations require all local planning authorities to report at least annually on developer contributions.

### 1.2 Section 106 Agreements (S106)

Planning obligations under S106 of the Town and Country Planning Act (1990), often referred to as S106 agreements, are legally binding documents which ensure proposed developments are acceptable in a planning context. This includes not only the physical infrastructure such as roads and utilities that enable development to proceed, but also the community facilities and environmental improvements which will ensure occupiers of those developments have adequate access to services such as education and leisure activities, helping to play an important role in enhancing their quality of life.

S106 agreements relate to the impact of a development on a site-specific basis and can be used to:

- Secure monies to pay the Local Planning Authority on specified dates for identified purposes.
- Restrict land use / development in any specified way.
- Specify operations and activities.

Financial obligations can include contributions towards affordable housing, open space, public realm improvements and provision of forms of sustainable transport. All obligations can be subject to planning conditions and can determine the timing of specific obligations. For example, the local planning authority can set triggers for when obligations are expected, such as a payment for education facilities being required upon completion of the 100<sup>th</sup> dwelling on a development site. S106 agreements are enforceable and failure to comply can result in the local planning authority taking action to recover obligations.

### 1.3 Community Infrastructure Levy (CIL)

CIL is a charge which local authorities can enforce on new developments to help deliver infrastructure needs in their areas. The levy utilises an agreed charging schedule which defines what contributions are expected of a development. Erewash Borough Council presently does not have a CIL in place, nor does it have any immediate plans to progress one.

### 1.4 Context of Erewash Borough Council

In 2015, the Borough Council adopted a Developer Contributions Supplementary Planning Document (SPD). The SPD identifies the infrastructure needs of the Borough and assesses the viability of new housing developments, setting out what is expected from eligible schemes to meet those needs. It provides further detail of what development is expected to contribute towards. The SPD is a material consideration when assessing planning applications. The document conforms to the Erewash Core Strategy, adopted in 2014, and is underpinned by various policies including **Policy 19: Developer Contributions** and

supporting policies such as **Policy 8 – Housing Size, Mix and Choice** in relation to affordable housing and **Policy 15 – Transport Infrastructure Priorities** in relation to sustainable transport.

The SPD identifies Erewash’s critical infrastructure requirements which include producing an Ilkeston Travel Plan, enhancing cycling and walking networks, improvements to bus services, increasing school places in Ilkeston, town centre improvements and creating and improving areas of open space. The expected S106 contributions arising from a development vary on a site-by-site basis and depend on components such as viability (including market conditions), location and size of development.

### 1.5 What will the IFS include?

This is the Borough Council’s first IFS and covers the 2019-2020 monitoring year. Monitoring years run from the 1<sup>st</sup> April – 31<sup>st</sup> March. Due to records being available, this IFS shows the status of contributions up to 9<sup>th</sup> December 2020. The following dataset will show transactions for all S106 agreements which are presently live. The IFS has been created using the following three CSV files:

- **CSV 1 Developer Agreements:** All live S106 agreements for Erewash Borough Council. It includes agreements which relate to granted planning permissions at various stages of development, including granted, started and some completed developments, where S106 contributions are still pending. Key information includes the relevant planning permission reference and the date the S106 agreement was legally signed and sealed.
- **CSV 2 Developer Contributions:** The individual obligations within each S106 Agreement and outlines the amount / measure and its purpose.
- **CSV 3 Developer Agreement Transactions:** All transactions of S106 contributions for live S106 agreements. This dataset will include transactions prior to the 2019/2020 monitoring year as some agreement transactions are still live as the S106 Agreement is not yet complete. For instance, money has not been fully spent or not all of the money for the overall agreement has been received. Transactions include securing, receiving, allocating, transferring, spending and returning S106 contributions.

The raw data for S106 agreements is presented in the three sets of CSV files. This report provides further information on the agreements, contributions and transactions and should be considered alongside the CSV files for a full understanding of Erewash’s live S106 agreements. S106 agreements are live due to their relationship with a development’s progress and the exchanges of contributions.

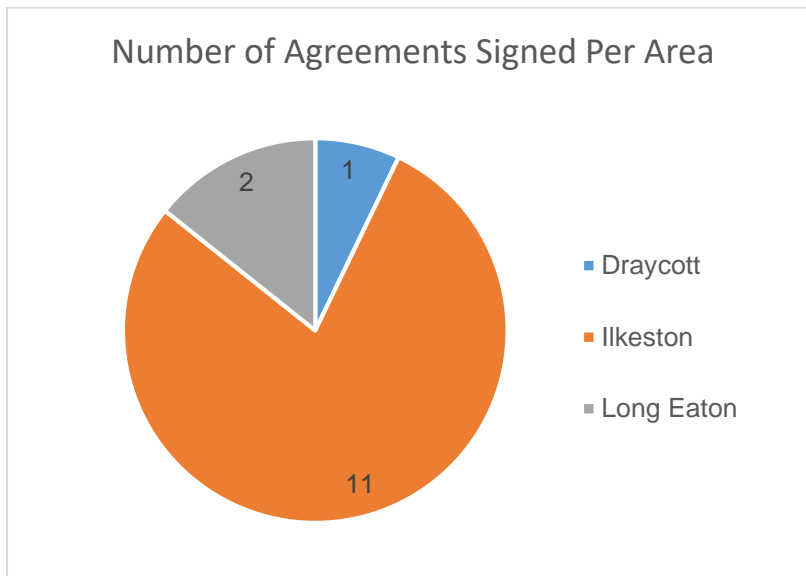
## 2. CSV 1 Data

Erewash currently has fourteen live S106 agreements. These are shown in the map at Appendix One of this report. Table One presents the breakdown of when the S106 agreements were signed. The agreements are located in different areas of the Borough as presented in Figure two.

**Table One** – Total S106 agreements broken down by year (January – December) which are live as at December 2020.

Year Agreements were Signed	Number of Live Agreements*
2013	1
2014	2
2015	5
2016	1
2017	3
2018	1
2019	1
<b>Grand Total</b>	<b>14</b>

\*This includes one Unilateral Undertaking for ERE/1118/0006 – 101 Poplar Inn, Ilkeston.



**Figure One** – Total S106 agreements broken down by area which are live as at December 2020.

Unilateral Undertaking are forms of legal planning agreements which are only entered into by the landowner and the Council are not party to such agreements. ERE/1118/0006 has been included in this table because it includes the collection of funding for an Infant School in Erewash.

There are also four other Unilateral Undertakings that are live in the Borough, outlined in Table Two. The information presented in Table Two does not feature in any other data and graphics shown in this report or the accompanying CSV files.

**Table Two** – Summary of Unilateral Undertakings in Erewash (excluding ERE/1118/0006).

Planning Reference	Site Address	Description of Unilateral Undertaking
ERE/0420/0042	Former Nylatex Works, Fields Farm Road, Long Eaton, Derbyshire	£28,000 - to be paid to the Council prior to the commencement of the development. To be used towards the removal of lesser bulrush, rigid hornwort and common reed within the ponds at Forbes Hole Nature Reserve to ensure coverage of no more than 20% and the resurfacing of the car park and paths within the nature reserve.
ERE/0919/0013	Maywood Golf Club, Rushy Lane, Sandiacre	The owner covenants with the Council that the owners will not apply for golf course related development in respect of the property.
ERE/1217/0009	Tesco Extra Car Park, Waverley Street Long Eaton	Delivery and Servicing Management Plan: A plan setting out how the servicing of the restaurant forming part of the development shall take place from the Delivery Lay-By which shall be in accordance with the draft delivery and servicing management plan annexed to this Deed, or in accordance with such other delivery and servicing management plan or terms as agreed between the Owners and the Council from time to time.
Not applicable	Bennerley Avenue, Ilkeston	£40,000 - Sports Contribution: Payable to the Enforcing Authority for the improvements of sports facilities at Abbotsford, Ilkeston.

### 3. CSV 2 Data

CSV2 requires the Local Planning Authority to categorise each contribution into purposes. The following section provides headline data on the contribution purposes of live agreements in Erewash.

**Table Three** – Summary of contribution purposes across all live S106 Agreements.

Contribution Type	Number of Agreements	Examples of Contribution Type
Transport and Travel	20	Creation of a travel plan and enhancements to walking and cycling networks.
Open Space and Leisure	13	Improvements to open space, provision of seating and waste bins.
Affordable Housing	12	Creation of purpose built affordable housing units including set amount / percentage of development site total housing units and comprises affordable rent units.
Education	10	Funding for school places, new classrooms and support space and improvement to facilities.
Economic Development	4	Improvements to public realm and town centres and creation of public art features.
Green Infrastructure	3	Multi user link connections and improvements within Erewash's strategic GI network.
Flood and Water Management	2	Creation of receptor sites and maintaining a surface water drainage scheme.
Highways	2	Creation of crossing points and highway improvement works based on development impact

**Table Four** – Summary of the monetary value broken down by contribution purpose across all live S106 agreements.

Contribution Purpose	Total Amount*
Affordable Housing	£212,500
Economic Development	£319,000
Education	£1,107,273
Flood and Water Management	£3,783
Green Infrastructure	£200,000
Highways	£195,902
Open Space and Leisure	£107,962
Transport and Travel	£1,132,967
<b>Grand Total</b>	<b>£3,279,386</b>

\*rounded to the nearest pound

**Table Five** – Summary of the expected location of affordable housing unit contributions broken down by area.

Area	Number of Residential Units
Ilkeston	35*
Long Eaton	0
<b>Grand Total</b>	<b>35</b>

\*includes two special needs housing units.

Table Four and Table Five account for affordable housing unit contributions via monetary contributions and specified delivery amounts. There are three other planning permissions which provide a percentage of affordable housing units based on the total number of units on the site.

- ERE/0117/0021 – At least 10% affordable housing contribution.
- ERE/0115/0118 – 8 out of the 17 approved dwellings being affordable.
- ERE/0716/0012 – At least 15 units being affordable.



**Table Six** - Summary of contributions for different purposes, excluding affordable housing and monetary value contributions.

Contribution Purpose	Number of Contributions	Contribution Detail
Flood and Water Management	1	Maintain Surface Water Drainage Scheme: The Owner must maintain elements of the Surface Water Drainage Scheme in accordance with the agreed maintenance scheme.
Green Infrastructure	1	Identification, preparation and translocation of identified ecological sites. The identified receptor sites in the Ecology Report, or any alternative sites agreed in writing with the Council, shall be prepared for translocation or replacement which shall include future management and shall be approved in writing. The translocation or replacement of ecological sites. The translocation or replacement of turf from land to the Off-Site Receptor Area shall be carried out in accordance with the approved scheme.
Open Space and Leisure	2	Both at the Quarry Hill Road Development: 1) Complete the development of the Open Space Land. The Owner agrees to layout and complete the development of Open Space Land in accordance with details approved under the Change of Use Permission. The Owner must maintain the Open Space in accordance with the management plan. 2) Provide a Local Equipped Area for Play in accordance with the approved details.
<b>Total</b>	<b>4</b>	

## 4. CSV 3 Data

The following section presents information regarding the status of contribution transactions. Some contributions are not included in CSV3 as it is only when contributions have met their specified trigger and the contribution is secured, that it meets the criteria of CSV3. Table Seven presents the definitions of the different types of transaction.

**Table Seven** – Key definitions for CSV3 adapted from www.GOV.UK/guidance.

Action	Definition
Secured	The trigger clauses associated with the contribution have been met, meaning the developer is now required to pay all or part of the contribution received: the developer has paid all or part of the money due to the local planning authority.
Received	The developer has paid all or part of the money due to the local planning authority
Allocated	The received money has been allocated to a team within the local planning authority, who will spend the money.
Transferred	The received money has been transferred to an organisation outside the planning authority (for example another local authority Derbyshire County Council), who will spend the money.
Spent	The received money has been spent on the purpose specified in the section 106 or 278 agreement.
Returned	The received money (or a portion of it) has been returned to the developer.

**Table Eight** – Summary of transactions broken down by transaction type.

Year	Allocated	Secured	Spent	Transferred
2016	£100,000	-	-	£45,496
2017	£3,300	£3,462	-	£25,300
2018	-	-	-	£22,798
2019	£224,182	-	£274,651	£48,000
2020	£258,567	£264,494	-	£812,299
<b>Grand Total</b>	<b>£586,049</b>	<b>£267,956</b>	<b>£274,651</b>	<b>£953,893</b>

**Table Nine** - Summary of monetary contributions\* spent, based on contribution type.

Contribution Purpose	2014	2019	2020
Open Space		£9,651	
Economic Development		£265,000*	

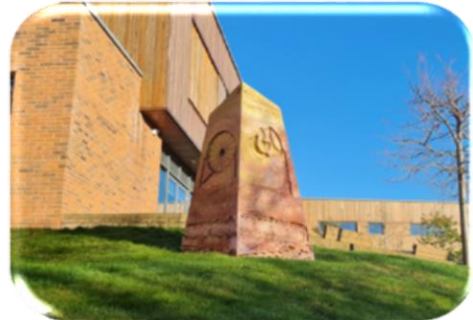
\* The money includes a £250,000 contribution received in December 2014, spending began in March 2016 and all monies spent by December 2019. See table 10 for details.

**Table Ten** – Further detail on the contributions where all monies have been spent in full.

Application Reference	Address	Contribution Type	Contribution Description	Sum of Contribution Value (£)
0512/0002	Derby College Field Road, Ilkeston	Town Centre	Town Centre Improvements Contribution: Expenditure: <ul style="list-style-type: none"> <li>• Former Co-op department store, Market Place £53,300 (30.03.2016)</li> <li>• Former Woolworths store, Bath Street £100,000 (30.12.2016)</li> <li>• Benches and Floral planters, Bath Street, Market Place and South Street St £6,768.64 (01.08.2019)</li> <li>• Former Woolworths store, The Project, Bath Street £3,965 (04.11.2019)</li> <li>• Public toilets, Market Place £62,302.04 (19.12.2019)</li> <li>• Car park machines £12,395 (10.12.2019)</li> <li>• Illustrated town centre maps, car parks £9,482.36 (12.12.2019)</li> </ul>	£250,000
0512/0002	Derby College Field Road, Ilkeston	Economic development	£15,000 of Public Art provided as part of new college facility at Pimlico.	£15,000
0913/0025 (0216/0012)	Stanton Vale School (Former), Lower Stanton Road, Ilkeston	Open space	Enhancement of Stanton Road Cemetery	£9,651



Former Woolworths Store, The Project, Bath Street, Ilkeston (ERE/0512/0002)



Public Art Contribution at Derby College, Ilkeston (ERE/0512/0002)



Benches, Bath Street, Market Place and South Street, Ilkeston (ERE/0512/0002)



Benches, Bath Street, Market Place and South Street, Ilkeston (ERE/0512/0002)



Public toilets, Market Place, Ilkeston (ERE/0512/0002)



Public toilets, Market Place, Ilkeston (ERE/0512/0002)



Illustrated Town Centre Maps, Car Parks, Ilkeston (ERE/0512/0002)



Illustrated Town Centre Maps, Car Parks, Ilkeston (ERE/0512/0002)



Stanton Road Cemetery, Ilkeston (ERE/0913/0025)



Car Park Machines, Ilkeston (ERE/0512/0002)

**Table Eleven** - Details of completed Affordable Housing built via developer contributions

Application Reference	Address	Number of Units
0512/0002	"Derby College" Field Road, Ilkeston	10 social rent Units and 2 Shared Ownership Units
0115/0018	Hallam Mills, Little Hallam Lane, Ilkeston	8 Affordable Housing Units
0516/0017	Land at Field Road, Ilkeston (Morrisons site)	4 Affordable Housing Units
0515/0017	Land at former SE Derbyshire College, Cavendish Road, Ilkeston	5 Immediate Housing Units
0913/0025 (0216/0012)	Stanton Vale School (Former), Lower Stanton Road, Ilkeston	3 Affordable Housing Units
0913/0025 (0216/0012)	Stanton Vale School (Former), Lower Stanton Road, Ilkeston	2 Lifetime Homes Standard Units and 1 immediate Housing Unit



**Table Twelve** – Summary of the contributions which have been transferred to Derbyshire County Council.

Contribution Type	App No.	Address	Date Contribution Received	Contribution Detail	Contribution Spent On:	Sum of Contribution Value (£)
Education	0515/0017	Land at former SE Derbyshire College, Cavendish Road, Ilkeston	11/07/2017	Additional pupil places at Field House Infant School and Hallam Fields Junior School	Not Yet Spent	£25,300
Education	0716/0012	Quarry Hill Road, Elkas Rise, Ilkeston	28/08/2020	The County Council will use the Primary Education Contribution for the provision of additional infant places at Field House Infant School which are generated by the Development. The county Council will use the Junior Education Contribution for the provision of additional junior places at Hallam Fields Junior School.	Not Yet Spent	£398,965.35
Education	0913/0025 (0216/0012)	Stanton Vale School (Former), Lower Stanton Road, Ilkeston	12/01/2016	4 primary school places at Field House Infant School and Hallam Fields Junior School	£22,748 spent on Field House Infants. 28/07/2017 Multi Use Games Area. £22,748 allocated to Hallam Fields Junior project but unspent as yet.	£45,496
Education	1014/0006	The Commercial Inn, Awsworth Road, Ilkeston	22/02/2018	£11399.01 for an additional infant pupil place at Charlotte Nursery and Infant School and £11399.01 for an additional junior pupil place at Granby Junior School.	Classroom extension. Funded in advance by basic need. Funds used to repay basic need pot.	£22,798.02



Contribution Type	App No.	Address	Date Contribution Received	Contribution Detail	Contribution Spent On:	Sum of Contribution Value (£)
Bus Provision 1	0716/0012	Quarry Hill Road, Elkas Rise, Ilkeston	08/03/2019	Contribution towards the provision of or improvement of bus services along Quarry Hill Road. £700,000 (total value). To be paid in 6 instalments of £116,667 (approximately)	Not Yet Spent	£116,667
Bus Provision 2	0716/0012	Quarry Hill Road, Elkas Rise, Ilkeston	28/08/2020	Contribution towards the provision of or improvement of bus services along Quarry Hill Road. £700,000 (total value). To be paid in 6 instalments of £116,667 (approximately)	Not Yet Spent	£116,667
Bus stop facilities	0716/0012	Quarry Hill Road, Elkas Rise, Ilkeston	08/03/2019	Provision of or improvement to bus stops and associated facilities along the route of bus services serving Quarry Hill Road.	Not Yet Spent	£48,000
Crossing Contribution	0716/0012	Quarry Hill Road, Elkas Rise, Ilkeston	01/01/2020	Pay the crossing contribution. To be used for the creation of a crossing point on Quarry Hill Road to provide pedestrian links to Hallam Fields School.	Not Yet Spent	£80,000
Onsite Multi-User Link	0716/0012	Quarry Hill Road, Elkas Rise, Ilkeston	01/01/2020	The County will use the contribution for the provision of multi user links from the boundary of the land onto Little Hallam Hill, Quarry Hill Road and Nutbrook Trail.	Not Yet Spent	£100,000
<b>Grand Total</b>						<b>£953,893.37</b>



## Appendix One – Map showing the fourteen live S106 Agreements in Erewash, as at December 2020.

