







Lewes District Council

INFRASTRUCTURE FUNDING STATEMENT 2020 / 2021

Table of Contents

| | | | |
|--|----------|--|-----------|
| 1. INTRODUCTION..... | 1 | 3. SECTION 106 (PLANNING OBLIGATIONS) REPORT | 14 |
| 2. COMMUNITY INFRASTRUCTURE LEVY REPORT 4 | | 3.1 Headline Figures | 14 |
| 2.1 Headline Figures..... | 4 | 3.2 Section 106 infrastructure expenditure in 2020/21 . | 15 |
| 2.2 CIL infrastructure expenditure in 2020/21 | 5 | 3.3 Other expenditure of planning obligations receipts in 2020/21 | 16 |
| 2.3 Other CIL expenditure in 2020/21 | 6 | 3.4 S106 receipts retained (allocated and unallocated) | 17 |
| 2.4 CIL receipts retained (allocated and unallocated)..... | 9 | Appendix 1: Further Reading..... | 20 |
| 2.5 The (CIL) Infrastructure List..... | 12 | | |

1. INTRODUCTION

This report provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Lewes District (outside of the South Downs National Park), and the subsequent use of those contributions by Lewes District Council. The report covers the financial year 1 April 2020 to 31 March 2021.

Lewes District Council seeks developer contributions through the Community Infrastructure Levy (CIL) and Section 106 agreements (also known as “planning obligations”) on development outside of the South Downs National Park.

For many years Lewes District Council has been required to publish an annual statement of accounts on their Community Infrastructure Levy (CIL). The CIL Regulations update in September 2019 confirmed the removal of the CIL 123 List and following on from this the requirement to complete and Infrastructure Funding Statement from 2020 onwards. Unlike previous years the requirement to include S106 monitoring and spending is included.

The infrastructure funding statements are required to set out the infrastructure projects or types of infrastructure that the

authority intends to fund, either wholly or partly, by the levy or planning obligations, though this will not dictate how funds must be spent and in turn collected.

It is important to report on developer contributions, which helps local communities and developers see how contributions have been spent and understand what future funds will be spent on, ensuring a transparent and accountable system. This report has been prepared with reference to the CIL Regulations 2010 as amended and the Planning Advisory Service guidance.

The Community Infrastructure Levy (CIL) is a charge that local authorities can impose on new development to help raise funds to deliver infrastructure that is required to support development and growth in their area.

The Lewes District CIL Charging Schedule came into force on 1 December 2015 and applies to liable developments granted permission on or after this date in the area of the district for which Lewes District Council is the local planning authority. CIL is payable when works to implement a planning permission commence.

As of 15th October 2021, the Council has collected **£9,993,674.95** of CIL since it was first implemented in 2015, apportioned between the difference pots in line with the CIL Regulations 2010 (as amended), the National Planning

Practice Guidance (2014) and the Council's bespoke CIL governance (2014, 2016, 2020) as follows:

CIL collected since adoption until 15th October 2021

| Pot | Total CIL Collected since adoption | Process |
|-------------------------------------|---|---|
| CIL Admin | £499,463.99 | Applies to cost of administrative expenses for collection and enforcement in line with Regulation 61 |
| Neighbourhood Portion | £1,793,624.56 | Passed to Town and Parish Councils twice yearly (April, October) who must spend it in line with Regulation 59C |
| Strategic Pot | £4,847,472.73 | Infrastructure providers will be invited to bid to help deliver strategic infrastructure identified as fundamental to support development. The CIL Executive Board will make spending recommendations to Cabinet |
| Local Fund Pot | £1,540,117.28 | Infrastructure providers will be invited to bid to help deliver local and community infrastructure. The CIL Management Board will make spending recommendations to be reviewed by the CIL Executive Board and subject to Cabinet's approval |
| Community Pot | £1,290,284.3 | |
| Community Small Projects Pot | £31,995.21 | |

Once each year infrastructure providers are invited to submit bids into the Strategic, Local Fund and Community Pots. There are two CIL boards which then assess the bids with final recommendations being decided by Cabinet. Each board is made up of Members and officers to ensure consistent assessment of bids, aligning the district's infrastructure needs with the requirements of the CIL Regulations. The bespoke governance arrangements allow Members to participate in the process of assessing the infrastructure bids. Other stakeholders may be invited to provide comments to feed into the assessment process as necessary.

The CIL Regulations determine that CIL receipts received by the local planning authority must be applied to the provision, improvement, replacement, operation or maintenance of infrastructure that is required to support development. It should be noted that Town and Parish Councils have more flexibility as to how they spend their neighbourhood portion, they can also spend it on anything else that is concerned with addressing the demands that development places on an area.

CIL is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development.

It can however be used to increase the capacity of existing infrastructure or repair failing existing infrastructure, if it can be demonstrated that these works are necessary to support new development

Planning Obligations

Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation – to mitigate the impact of a specific development to make it acceptable in planning terms. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments.

2. COMMUNITY INFRASTRUCTURE LEVY REPORT

A CIL charge is payable either within 60 days of the commencement of a development, or within the terms of an instalment policy set by the CIL charging authority. In Lewes District Council, CIL is payable within the following timelines:

| Demand Amount | Payment Schedule |
|--------------------------|--|
| £0.00 - £14,999.99 | 100% within 60 days |
| £15,000.00 - £49,999.99 | 20% at 60 days, 80% at 180 days |
| £50,000.00 - £199,999.99 | 10% at 90 days, 50% at 270 days and 40% at 360 days |
| Above £200,000.00 | 10% at 180 days, 50% at 360 days and 40% at 540 days |

The CIL Demand Notice however, sets out the whole sum payable and the instalments required; therefore CIL Demand Notices issued during a particular year do not necessarily equate to the CIL sums likely to be received during that

year, and in some circumstances can take up to two years to be paid. In addition, developments can be altered through further planning permissions over time, often resulting in revised Demand Notices needing to be issued. Any such re-issued Notices are not double-counted in this report; if a Demand Notice is issued and then re-issued in the same reporting year, only the re-issued Notice would be included within the figure for CIL invoiced during the year.

2.1 Headline Figures

| | |
|---|---------------|
| CIL invoiced (set out in Demand Notices) in 2020/21 | £5,112,016.48 |
| CIL receipts received in 2020/21 | £1,136,068.44 |
| CIL receipts retained at the end of 2020/21 that CIL regulations 59E and 59F applied to | £1,606.28 |
| CIL expenditure in 2020/21 | £1,606,786.17 |
| CIL retained at end of 2020/21 | £1,113,571.61 |

2.2 CIL infrastructure expenditure in 2020/2021

CIL Funds are considered spent when they have been passed to the Infrastructure Provider that were successfully awarded CIL Funds. Until the CIL Funds are passed they are considered allocated. In 2020/2021 the following CIL funds were passed:

Infrastructure funded by CIL in 2020/21:

| Infrastructure Project/Type | Infrastructure Type | CIL amount spent |
|---|---------------------|------------------|
| Expansion of Seahaven Academy in Newhaven by one form of entry | Education | £1,050,000.00 |
| CTLA (Community Transport for Lewes Area) Car for Wheelchair users | Community Transport | £39,794.73 |
| Lewes Prevention Team Engagement Van | Police | £47,406.80 |

| Infrastructure Project/Type | Infrastructure Type | CIL amount spent |
|---|----------------------|------------------|
| Newick School Library Improvements | Educations | £3,000.00 |
| Ringmer Football Club | Community Facilities | £58,280.00 |
| Seaford Water Re-fill Stations | Amenities | £2,972.22 |

Ringmer Football Club



Sussex Police – ANPR Cameras



2.3 Other CIL expenditure in 2020/2021

As well as providing the opportunity for Infrastructure Providers to bid for CIL Funds via a bidding process we are required by the CIL Regulations 2010 to make two apportionments of the CIL Receipts from the totals collected before the remaining CIL Funds become allocated to one of the bespoke pots.

The CIL Regulations stipulate that in an area where a Neighbourhood Plan has been made the town or parish council will receive 25% of all CIL revenue within their area. Where no neighbourhood plan is in place the town or parish will receive 15% of the CIL Liability collected in its area. The Neighbourhood CIL is passed twice yearly, once in April for receipts received from 1st October to 31st March and again in October for receipts received from April 1st to September 30th.

The regulations also stipulate that up to 5% of the CIL revenue must be allocated for administration costs such as software, staffing and legal inputs.

The information summarises below how much has been spent on Administration costs for the year 2020/2021 and how much has been passed to Towns and Parishes. For further information on how the Towns and Parishes have spent their Neighbourhood CIL please refer to the Lewes

District Council Website or the specific Town or Parish Website.

2.3 (a) – Total amount of CIL spent in 2020/21 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part):

| Infrastructure item | CIL spent repaying money borrowed |
|---------------------|-----------------------------------|
| Not applicable | Not Applicable |

2.3 (b) – Total amount of CIL spend on administrative expenses and that amount expressed as a percentage of the total CIL received in the following:

| Financial Year | CIL spent on Administration | Percentage of total CIL received |
|----------------|-----------------------------|----------------------------------|
| 2020/21 | £56,803.42 | 5% |

2.3 (c) – The amount of CIL passed to any parish or town council under CIL regulations 59A and 59B in 2020/21

| Parish/Town Council | CIL amount provided |
|----------------------------|---------------------|
| Telscombe Town Council | £3,443.68 |
| Peacehaven Town Council | £54,828.37 |
| Newhaven Town Council | £71,127.44 |
| Ringmer Parish Council | £230,494.99 |
| Newick Parish Council | £9,101.01 |
| Chailey Parish Council | £30,513.78 |
| Wivelsfield Parish Council | £4,698.68 |
| Ditchling Parish Council | £750.00 |
| Seaford Town Council | £14,774.85 |
| Hamsey Parish Council | £0.00 |
| Plumpton Parish Council | £1,751.54 |
| TOTAL | £421,484.34 |

2.3 (d) – The amount of CIL passed to external organisations (other than parish/town councils) under CIL regulation 59 (Application to Infrastructure):

No Money Passed

2.3 (e) – Summary details of the expenditure of CIL on infrastructure, to which CIL regulations 59E or 59F applied during 2020/21:

No Money Passed

2.4 CIL receipts retained (allocated and unallocated)

CIL funds remain allocated where they have been assigned to an Infrastructure Project but not passed to the provider delivering the project. Funds can remain allocated for a period of time until the project is ready for delivery. Allocated projects are reviewed annually to determine if they are still on track to be delivered.

Funds that are unallocated are pooled into the Admin, Neighbourhood, Strategic, Local and Community Pots until such time they become allocated through passing of the Neighbourhood Fund, Admin Spends or an approved bid.

2.4 (a) – The total amount of CIL receipts, received prior to 2020/21, which had been allocated (to an infrastructure project or item), but not spent, by the end of 2020/21:

£1,136,068.44

2.4 (b) – The total amount of CIL receipts, received prior to 2020/21, which had not been allocated (to an infrastructure project or item) by the end of 2020/21.

£0.00

2.4 (c) – The total amount of CIL receipts, whenever collected including 2020/21, which were allocated (whether allocated prior to or during 2020/21) but not spent during 2020/21:

£2,394,994.00

2.4 (d) – Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2020/21, have been allocated (but not spent) and the amount allocated to each item:

CIL allocated (unspent) to projects in 2020/21

| Infrastructure Project | Infrastructure Type | CIL amount allocated |
|--|----------------------|----------------------|
| Meridian Surgery Car Park Improvements | Highways | £41,199.00 |
| Ringmer Village Hall Improvements | Community Facilities | £95,296.00 |
| Egrets Way Cycle Route | Transport / Highways | £100,000.00 |
| CTLA Community Transport | Community Facilities | £29,640.00 |
| Havens Cars | Community Facilities | £70,000.00 |
| Sussex Police ANPR Cameras | Police | £23,600.00 |

| Infrastructure Project | Infrastructure Type | CIL amount allocated |
|---|-------------------------------------|----------------------|
| ESFRS Barcombe and Seaford Fire Station | Fire and Rescue | £289,000.00 |
| Ringmer Bowls Club | Leisure Facilities | £35,000.00 |
| Ringmer Cricket Club | Leisure Facilities | £2,261.00 |
| Wivelsfield Village Hall Phase 2 and 3 | Community Facilities | £189,778.00 |
| Ditchling- Keymer Road Car Park | Transport/Highways | £100,000.00 |
| Peacehaven Centenary Park Access | Transport/Highways | £30,000.00 |
| Peacehaven The Dell Improvement Works | Community Facilities and Greenspace | £6,000.00 |
| Hamsey Beechwood Park All Weather Track | Community Facilities | £17,000.00 |

| Infrastructure Project | Infrastructure Type | CIL amount allocated |
|---|----------------------|----------------------|
| Telscombe Town Council All Weather Bus Stop | Transport | £8,500.00 |
| Seaford Tennis Court | Community Facilities | £20,000.00 |

2.4 (e) – Summary details of any Notices served in accordance with regulation 59E (to recover CIL previously passed to a parish or town council) and whether sums had been recovered by end of 2020/21:

| Parish/Town Council | Sum requested | Whether received Y/N |
|------------------------------|---------------|----------------------|
| No funds were requested back | n/a | n/a |

2.4 (f) – CIL receipts received in 2020/21 retained at the end of 2020/21 (other than those to which CIL regulation 59E and 59F applied):

£1,113,571.61

2.4 (g) – CIL receipts received before 2020/21 retained at the end of 2020/21 (other than those to which CIL regulation 59E and 59F applied):

£0.00

2.4 (h) – CIL receipts received in 2020/21 to which CIL regulation 59E or 59F applied, retained at the end of 2020/21:

£0.00

2.4 (i) – CIL receipts received prior to 2020/21 to which CIL regulation 59E or 59F applied, retained at the end of 2020/21:

£1,606.28

2.5 The (CIL) Infrastructure List

Whilst this IFS will replace the adopted CIL Regulation 123 List as required by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019¹, the IFS will still be informed by the Lewes District Council 2020 Infrastructure Delivery Plan (IDP). The IDP is part of the evidence base supporting the Lewes District Council Local Plan.

Infrastructure means the provision of facilities and services that are required to support the needs of the community and help to ensure that those living, working in or visiting the area experience a good quality of life. The delivery of the right levels and types of infrastructure is essential to support the objectives of increased housing provision, economic growth, and the creation of successful, sustainable communities.

The definition of key infrastructure groups, and the types of facilities and services within each group, can be summarised as follows:

- Transport: Trunk Road Capacity, Local Road Capacity, Rail Services, Bus services, Community Transport, Walking & Cycling, Parking
- Education: Early years and childcare, Primary Schools, Secondary Schools, Further Education, Higher Education, Adult Learning
- Health: Primary Care, Secondary Care, Community, Indoor Sports/Leisure Facilities, Community Meeting Space, Libraries
- Cemeteries
- Supported Housing
- Emergency Services: Fire & Rescue, Police, Ambulance
- Flood Defences
- Coastal Defences
- Utilities: Electricity, Gas, Water, Sewerage, Telecommunications
- Waste/Recycling

¹ <https://www.gov.uk/guidance/community-infrastructure-levy#monitoring-and-reporting-on-cil-and-planning-obligations>

- Green Infrastructure
- Outdoor sports facilities
- Outdoor children's play areas
- Indoor Sports areas/Swimming Pools
- Parks and gardens
- Amenity green space, Allotments and community gardens
- Green corridors
- Natural and semi-natural urban green spaces
- Accessible countryside
- Affordable housing is not discussed in detail in the IDP as it is addressed by Core Policy 1 in the Local Plan Part 1: Joint Core Strategy. Nevertheless, the provision of affordable housing is regarded as an essential element of social and community infrastructure across the whole plan area.

Cross Boundary Infrastructure

Most of the new infrastructure required to deliver the development set out in the Local Plan will be within the district boundary. However, some facilities or services may cross boundaries or be delivered by several providers or support development in more than one area. Lewes District Council will continue to work closely and seek to strengthen its relationships with partner organisations that also have an interest in cross-boundary issues, including East Sussex County Council, West Sussex County Council, the South Downs National Park Authority, Brighton & Hove City Council, Mid-Sussex District Council and Wealden District Council.

3. SECTION 106 (PLANNING OBLIGATIONS) REPORT

Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation - to mitigate the impact of a specific development, to make it acceptable in planning terms. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments. In some instances, section 106 planning obligations may require payments to be made to parish councils.

It is important to note that the County Authority, East Sussex County Council will be creating their own IFS which cover contributions received directly to them and any monies that have been passed from Lewes District Council to East Sussex County Council. This report will cover any contributions that Lewes District Council have received on behalf of East Sussex County Council but have not yet passed. This report will also not be including Highways S278 Agreements as this is also covered by East Sussex County Council.

3.1 Headline Figures

Monetary Contributions

| | |
|--|----------------------|
| Total money to be provided through planning obligations agreed in 2020/21 | £583,598.00 |
| Total money received through planning obligations (whenever agreed) in 2020/21 | £611,236.39 |
| Total money , received through planning obligations (whenever agreed), spent in 2020/21 | £133,674.39 |
| Total money , received through planning obligations (whenever agreed), retained at the end of 2020/21 (excluding “commuted sums” for longer term maintenance). | £3,807,347.00 |
| Total money , received through planning obligations (whenever agreed), retained at the end of 2020/21 as “commuted sums” for longer term maintenance. | £138,118.02 |

Non-Monetary Contributions

| | |
|--|--|
| <p>Total number of affordable housing units to be provided through planning obligations agreed in 2020/21</p> | <p>53 AFFORDABLE UNITS</p> <p>LW/18/0566 – Nuggets, Valebridge Road, Burgess Hill – 3 units</p> <p>LW 18/1011 Land adjacent to Neaves House, Laughton Road, Ringmer 4 units</p> <p>LW/19/0258 – Newland School, Eastbourne Road, Seaford – 46 units</p> <p>LW/18/0880 – Lower Lodge Farm, Ringmer – 16 units.</p> |
| <p>Total number of affordable housing units which were provided through planning obligations (whenever agreed) in 2020/21</p> | <p>72 AFFORDABLE UNITS</p> <p>LW/15/0542 – Lower Lodge Farm, Laughton Road, 12 units</p> <p>LW/18/0849 -The Barn, Former Brickworks, South Road, South Common, Hamsey 12 units</p> <p>LW/19/0012 – Palmerston House, Fort Road, Newhaven, 13 units</p> |

| | |
|--|--|
| | <p>LW/16/0057- Land at Greenhill Way, Wivelsfield – 35 units</p> |
|--|--|

| | |
|--|--|
| <p>Total number of school places for pupils to be provided through planning obligations agreed in 2020/21</p> | <p>No planning obligations relating to this were agreed in 2020/21</p> |
| <p>Total number of school places for pupils which were provided through planning obligations (whenever agreed) in 2020/21</p> | <p>None</p> |

3.2 Section 106 infrastructure expenditure in 2020/21

This section provides summary details of the items of infrastructure on which money received through planning obligations (whenever received) has been spent in 2020/21,

and the amount of money, received through planning obligations, that was spent on each item. This includes contributions which have been received on behalf of another Council and when passed are then considered spent.

3.2 (a) – Total money, received through planning obligations (whenever agreed), spent in 2020/21 was equal to £133,674.39 including interest accrued. Examples of this spending are included below:

School Projects in Wivelsfield - £29,808.78

These funds were passed to ESCC in March 2021 for Wivelsfield Primary School and Early Years Projects in the vicinity of the site of LW/14/0350.

Cradle Hill Primary School, Seaford – £29,221.99

These funds were passed to ESCC in March 2021 for additional school places at the Cradle Hill Primary School. The project is in response to an increase in demand for Primary School places in Seaford.

Open Space improvements and Maintenance in Newhaven and Peacehaven - £74,643.62

These funds were used to improve and maintain open space in Newhaven and Peacehaven.

3.3 Other expenditure of planning obligations receipts in 2020/21

Other Expenditure may be considered as repaying any money borrowed or monitoring. For the year 20/21 in Lewes no money was spent on either of these.

3.3 (a) – Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2020/21 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part):

£0.00

3.3 (b) – Total amount of money, received through planning obligations (whenever agreed and money received), spend in 2020/21 in respect of monitoring (including reporting under CIL regulation 121A) in relation to the delivery of planning obligations:

£0.00

3.4 S106 receipts retained (allocated and unallocated)

Developer contributions which are received through S106 agreements are considered allocated to a project in line with the contribution requirement outline within the s106 agreement. Therefore there are currently no funds that are considered unallocated.

3.4 (a) – The total amount of money, received through planning obligations prior to 2020/21, which had not been allocated (to an infrastructure project or item) by the end of 2020/21:

£0.00

3.4 (b) – The total amount of money, received under any planning obligation in any year, which had been allocated (to an infrastructure project or type) for spending by the end of 2020/21 but which had not been spent (this includes funds held on behalf of East Sussex County Council, Mid Sussex District Council and West Sussex County Council which are considered allocated but not spent until passed to the authority responsible for spending):

£3,945,456.02

3.4 (c) – Summary details of the infrastructure projects or items to which receipts from planning obligations, whenever collected including 2020/21, have been allocated (but not spent) and the amount allocated to each item:

Sports Pitch Contribution, Seaford.

£350,000.00 received from Development of the Newlands School site in Seaford.

Skate Park Contribution, Ringmer

£25,000.00 received from development at Caburn Field in Ringmer for the relocation of the Skate Park.

LW/19/0371 Construction of two link road in Newhaven for Port access.

£10,000.00 Habitat Compensation Contribution, means a financial contribution towards the implementation of the Ouse Estuary Nature Reserve hydrological study and towards broader mitigation measures to be carried out in consultation with Newhaven Town Council.

3.4 (d) – Other allocated receipts from Planning Obligations received in 2020/21:

| Infrastructure Project/Type | Planning Obligation receipts allocated |
|---|--|
| Remaining amount for LW/13/0147 towards Library Provisions, Primary Education, Open Play Space, Secondary Education and Accessibility in Wivelsfield and Haywards Heath/Burgess Hill. | £140,491.21 |
| Kerbside Recycling for Caburn Field Development in Ringmer (LW/18/0808), Lower Lodge Farm in Ringmer (LW/15/0542) and Land to the Rear of the Rosery in Wivelsfield (LW/16/1040). | £3,262.62 |

Appendix 1: Further Reading

Lewes Local Plan and associated documents

Lewes District Local Plan Part 1: Joint Core Strategy 2010-2030 (May 2016)

<https://www.lewes-eastbourne.gov.uk/planning-policy/lewes-core-strategy-local-plan-part-1/>

Lewes District Local Plan Part 2 (February 2020)

<https://www.lewes-eastbourne.gov.uk/planning-policy/lewes-local-plan-part-2-site-allocations-and-development-management-policies/>

Lewes District Council Infrastructure Delivery Plan (January 2020)

<https://www.lewes-eastbourne.gov.uk/planning-policy/community-infrastructure-levy-cil/infrastructure-delivery-plan-and-regulation-123-list/>

Lewes District Council CIL Governance Arrangements

Cabinet report – Community Infrastructure Levy Governance (November 2014)

<https://democracy.lewes-eastbourne.gov.uk/CeListDocuments.aspx?Committeed=417&MeetingId=2109&DF=20%2f11%2f2014&Ver=2>

Cabinet report – Community Infrastructure Levy Governance Review (November 2016)

<https://democracy.lewes-eastbourne.gov.uk/CeListDocuments.aspx?Committeed=417&MeetingId=2125&DF=16%2f11%2f2016&Ver=2>

Cabinet Report – CIL Governance Review Update (March 2020)

<https://democracy.lewes-eastbourne.gov.uk/ieDecisionDetails.aspx?ID=624>

