



# **INFRASTRUCTURE FUNDING STATEMENT 2021/22**

Published December 2022

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## 1. Introduction

1.1. The Eastbourne Borough Council (EBC) Infrastructure Funding Statement (IFS) has been prepared in accordance with Regulation 121A of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The regulations require that each year contribution receiving authorities<sup>1</sup> publish a document which includes the following:

- A report about CIL, in relation to the previous financial year.
- A report about planning obligations in relation to the previous financial year.
- 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 CIL.

1.2. This IFS reports on Eastbourne Borough Council's CIL and Section 106 (S.106) income and expenditure for the financial year 1 April 2021 to 31 March 2022 ('the reported year'). The CIL Regulations require that a contribution receiving authority (CRA) report on CIL and S.106 data by responding to specific questions. Responses to these questions are set out in the CIL and S.106 sections within this report.

1.3. In 2021/2022 (reported year), the headline figures for the total amount of funds held are:

<b>Community Infrastructure Levy</b>	<b>Amount (£)</b>
County and Other Infrastructure Fund	739,607.78
Neighbourhood Fund:	137,962.70
<b>Total:</b>	<b>877,570.48</b>

<b>Section 106 Agreements</b>	<b>Amount (£)</b>
Collected in total during 2021/22:	443,064.00

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<sup>1</sup> A Contribution Receiving Authority is defined in the CIL Regulations 2010 (as amended) as "...any charging authority which issues a liability notice during the reported year; any local planning authority to which a sum is required to be paid under a planning obligation, entered into during the reported year..." (Reg. 121A).

## 2. Eastbourne Borough Council Community Infrastructure Levy (CIL)

2.1. 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.

2.2. The EBC CIL Charging Schedule came into effect on 1<sup>st</sup> April 2015 and applies to liable developments granted planning permission on or after this date, within the Eastbourne Local Planning Authority (LPA) area.

2.3. CIL is payable when works to implement a planning permission commence<sup>2</sup>. Therefore, in many cases, CIL payments may not start to be received until up to three years from permission of development. This can often result in a time-lag of CIL income.

2.4. A further factor to consider with regard to the timing of receiving CIL payment is that 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 Eastbourne, for this reported financial period, CIL is payable within the timelines set out in the table below.

<b>Demand Amount</b>	<b>Payment Schedule</b>
All Values	100% within 60 days

2.5. The CIL Demand Notice sets out the whole sum payable and the instalments required, where applicable. Therefore, CIL Demand Notices issued during a particular reporting year do not necessarily equate to the CIL sums received during a reporting year because they can take two months to be paid, or longer if payment delays are experienced.

2.6. In addition, over time developments can be altered through further planning permissions, often resulting in the need to issue revised Demand

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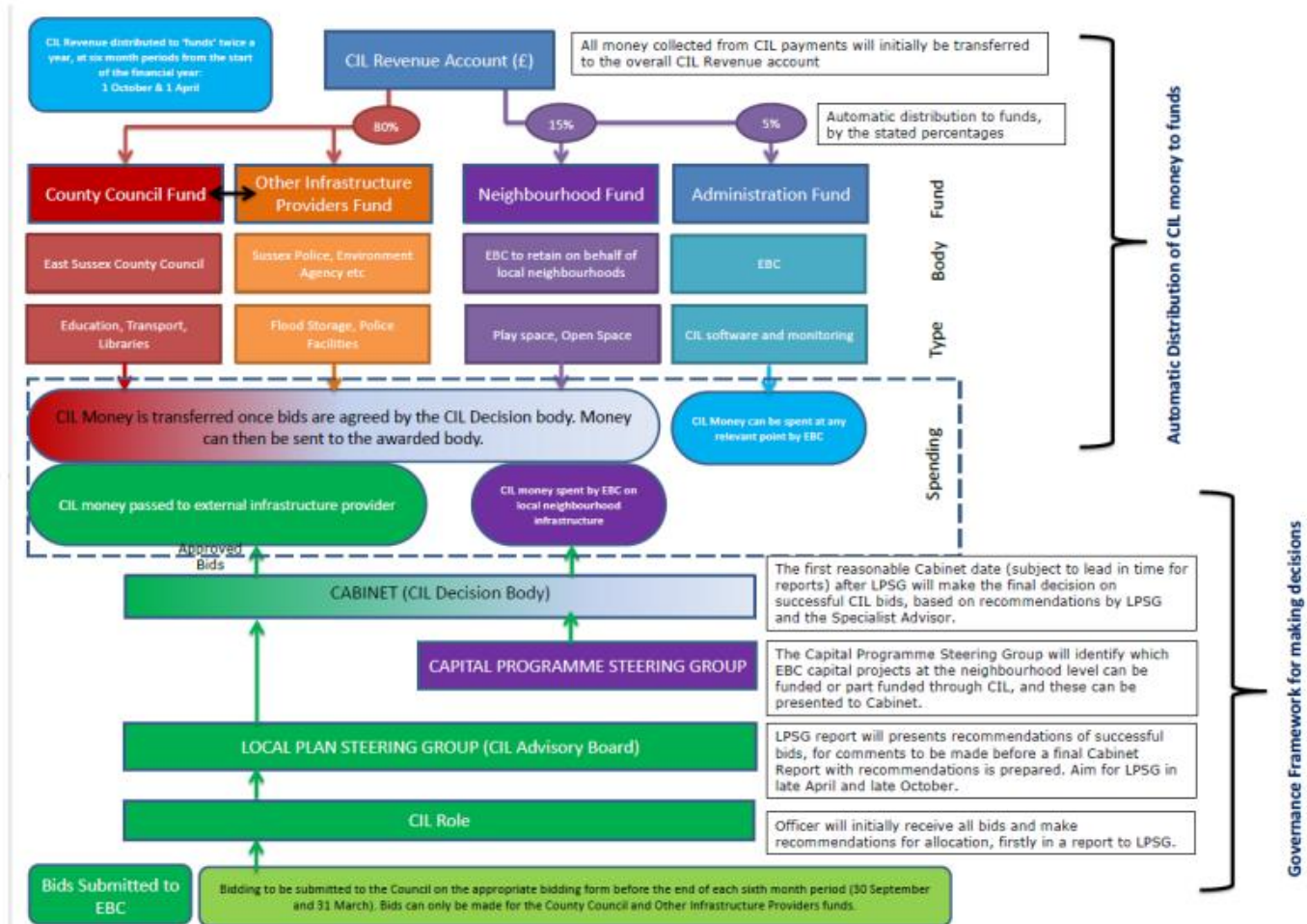
<sup>2</sup>The EBC IFS provides data on CIL and S.106 income for 'the reported year'. However, it is useful to note that as of November 2022, EBC holds CIL receipts totalling £913,244.17, since CIL came into effect on 1<sup>st</sup> April 2015.

Notices. Any such re-issued Demand 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 is included within the figure for CIL invoiced during the year.

### **3. Spending CIL Receipts – The Eastbourne CIL Governance Framework**

- 3.1. The CIL Regulations require that charging authorities spend CIL receipts on the provision, improvement, replacement, operation and maintenance of infrastructure that is required to support development.
- 3.2. 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.
- 3.3. The CIL regulations require that charging authorities pass a portion of CIL receipts to neighbourhoods either through town or parish councils, or neighbourhood forums. EBC does not currently have any designated neighbourhood forums, therefore the neighbourhood portion is currently retained by the Council.
- 3.4. CIL charging authorities may also allocate up to 5% of CIL receipts per year for the administration of CIL such as software, staffing and legal support.
- 3.5. Informed by the requirements for spending CIL receipts, EBC prepared a CIL Governance Framework in 2015 (provided below). The framework requires that the council apportion CIL into three 'Funds' as follows:
  - i. County Council and Other Infrastructure Providers Fund (80%)
  - ii. Neighbourhood Fund (15%)
  - iii. Administration of CIL Fund (5%)

# Eastbourne CIL Governance Framework



- 3.6. The process for inviting bids for spending CIL on either the County Council and Other Infrastructure Providers Fund or the Neighbourhood Fund has not yet commenced. This is because the level of CIL income to justify opening the funds for spending has not been reached as yet. Therefore, at present, CIL has not been 'allocated' to any specific projects for spending, neither has it been spent on a specific infrastructure scheme or project. This is because in most cases infrastructure is costly, and also takes time to advance to a stage (for example progressing through design, feasibility, quotation stages) where the infrastructure can be delivered. Therefore, it is not unusual for CIL funds to remain unspent for some time.
- 3.7. It should be noted through this report that the EBC Neighbourhood Fund is starting to increase to a meaningful amount, therefore further work will be undertaken in 2022/2023 to develop a process for allocating and spending Eastbourne's neighbourhood portion<sup>3</sup>.

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<sup>3</sup> The CIL regulations (2010) (as amended) refer to the use of CIL receipts in an area where there are no town and parish councils under regulation 59F (which refers to instances where all or part of a chargeable development is in an area where there are no town or parish councils). Therefore, reference to CIL receipts in relation to Regulation 59F below is related to the amount of CIL retained for the neighbourhood portion.

## 4. Community Infrastructure Levy Report

4.1. This section provides responses to the data questions, as set out in Regulation 121A of the CIL Regulations (as amended). In doing so, it provides an overview of CIL receipts received and retained, allocated and spent within, and prior to, 'the reported year' (a number of questions are not applicable to the council, but are included in this report to align with the questions within the CIL Regulations).

**a) Total amount of CIL spent in 2021/22 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):**

This is not applicable to EBC because no CIL has been used to repay borrowed money.

**b) Total amount of CIL spend on administrative expenses and that amount expressed as a percentage of the total CIL received in 2021/22:**

£17,606.05 (5% of CIL received in 'the reported year')

**c) The amount of CIL passed to any parish or town council under CIL regulations 59A and 59B in 2021/22:**

This is not applicable to EBC because there are no town or parish councils in the borough.

**d) The amount of CIL passed in the year 2021/22 to external organisations (other than parish/town councils) under CIL regulation 59 (Application to Infrastructure):**

No money passed to external organisations

**e) Summary details of the expenditure of CIL on infrastructure, to which CIL regulations 59E or 59F applied during 2021/22:**

15% of CIL receipts have been retained in the Neighbourhood Fund, but no receipts in the Neighbourhood Fund have been spent.

**f) The total amount of CIL receipts received prior to 2021/22 which had been allocated (to an infrastructure project or item), but not spent by the end of 2021/22:**



No CIL receipts have been allocated from the County Council or Other Infrastructure Providers Fund or the Neighbourhood Fund.

- g) The total amount of CIL receipts received prior to 2021/22 *which had not been allocated* (to an infrastructure project or item) by the end of 2021/22:**

£543,055.51

- h) The total amount of CIL receipts, whenever collected and including 2021/22, which were allocated (whether allocated prior to or during 2021/22) but not spent during 2021/22:**

No CIL has been allocated to be spent on infrastructure.

- i) Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2021/22, have been allocated (but not spent) and the amount allocated to each item:**

This is not applicable because no CIL has been allocated.

- j) 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 2021/22:**

This is not applicable. EBC does not have town or parish councils.

- k) CIL receipts received in 2021/22 retained at the end of 2021/22 (other than those to which CIL regulation 59E and 59F applied): This is the total amount of CIL received and retained in 'the reported year' except for the Neighbourhood Fund total:**

£299,500.52

- l) CIL receipts received before 2021/22 retained at the end of 2021/22 (other than those to which CIL regulation 59E and 59F applied):**

This is the total amount of CIL received before 'the reported year' and retained, except for the Neighbourhood Fund total:

£457,713.31

- m) CIL receipts received in 2021/22 to which CIL regulation 59E or 59F applied, retained at the end of 2021/22:**

The amount received and retained for the Neighbourhood Fund in 'the reported year':

£52,620.50

**n) CIL receipts received prior to 2021/22 to which CIL regulation 59E or 59F applied, retained at the end of 2021/22:**

The amount received in the Neighbourhood Fund before 'the reported year' and retained at the end of 'the reported year':

£85,342.20

## **5. The (CIL) Infrastructure List**

5.1. The IFS Infrastructure List sets out what the Council intends to wholly or partly use CIL to fund. This list is informed by the Eastbourne Borough Council Infrastructure Delivery Plan (IDP)<sup>4</sup>, which informs the types of infrastructure required to support growth in Eastbourne over the period of the Core Strategy Local Plan (which covers the planning period from 2006 to 2027). The list is provided below and identifies key infrastructure groups, and in some cases, types of facilities and services that sit within those groups.

5.2. Most of the new infrastructure required to deliver the development set out in the IDP will be delivered within the EBC boundary. However, some facilities or services may cross boundaries, be delivered by several providers or support development in more than one area. Through the development of EBC's CIL spending process, the 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, the South Downs National Park Authority and Wealden District Council.

5.3. Eastbourne Borough Council's Infrastructure list:

- 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

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<sup>4</sup> <https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/255388.pdf>

- Emergency Services: Fire & Rescue, Police, Ambulance, Coast guard
- Flood Defences
- Coastal Defences
- Utilities: Electricity, Gas, Water, Sewerage, Telecommunications
- Waste/Recycling
- Green Infrastructure
- Outdoor sports facilities
- Outdoor children's play areas
- Parks and gardens
- Amenity green space, Allotments and community gardens
- Green corridors
- Natural and semi-natural urban green spaces
- Accessible countryside
- Affordable housing

## **6. Section 106 (Planning Obligations) Report**

6.1. Section 106 (S.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 in order to make it acceptable in planning terms. The planning obligation might, for example, require the provision of 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.

6.2. The S.106 data report below is set out in a similar format to the CIL report above. It is important to note that East Sussex County Council (ESCC) publishes its own IFS covering contributions it receives directly, and any monies passed from EBC to ESCC. This IFS includes any contributions that EBC have received on behalf of East Sussex County Council but have not yet passed to ESCC. This report does not include Highways S278 Agreements as these are also East Sussex County Council agreements.

6.3. Developer contributions received through S.106 agreements are considered allocated to a project in line with the contribution requirement outlined within the S.106 agreement. All S106 agreements include specific planning obligations which require a developer to deliver specific

infrastructure or a contribution, for example towards monitoring fees. All S.106 agreements are considered to be allocated for the reported year.

**a) Total amount of money to be provided under any planning obligations which were entered into during ‘the reported year’:**

£91,450.00

**b) The total amount of money under any planning obligations which was received during ‘the reported year’:**

£443,064.00

**c) The total amount of money received through planning obligations prior to ‘the reported year’ *which had not been allocated* (to an infrastructure project or item):**

Not applicable – see text above regarding the allocation of S.106 obligations to specific infrastructure items.

**d) Summary details of any non-monetary contributions to be provided under planning obligations which were entered into during ‘the reported year’:**

- 12 affordable units were delivered in the year 21/22
- 12 from planning reference 200402
- 26 affordable housing units were promised in the year 21/22
- 19 units from planning reference 200323
- 7 units from planning reference 200855
- No educational facilities or school places

**e) 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 2021/22 but which had not been spent (retained):**

£1,404,295.90

**f) Total amount of money (received under any planning obligations which was spent by the authority (including transferring it to another person to spend):**

No money was spent via transferring to a third party in ‘the reported year’.

- g) Summary details of the infrastructure projects or items to which receipts from planning obligations, whenever collected including 2021/22, have been allocated (but not spent) and the amount allocated to each item:**

<b>Infrastructure Item/Project</b>	<b>S.106 Allocation (£)</b>
Eastbourne Park & Other Flood Storage	498,749.24
Social Housing	553,852.28
Parks & Open Space	68,965.09
Langney Lake	58,414.52
Off Site Sports Facilities	27,302.84
Coach Park Trees	12,632.85
Maintenance- Benches & Bollards Midway Quay	17,102.65
Local Employment Monitoring	167,276.43

- h) Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2021/22 on infrastructure:**

No money was spent on infrastructure in 'the reported year'.

- i) Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2021/22 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):**

This is not applicable because EBC has not spent S106 of repaying money borrowed to fund items of infrastructure.

- j) Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2021/22 in respect of monitoring (including reporting under CIL regulation 121A) in relation to the delivery of planning obligations:**

In 'the reported year' no money was received in respect of monitoring the delivery of planning obligations.

- k) Total money, received through planning obligations (whenever agreed), retained at the end of 2021/22 as "commuted sums" for longer term maintenance:**

No money retained for longer term maintenance.

## **8. Conclusion**

7.1. EBC is committed to working with the local community and other stakeholders to ensure that planning contributions are used in a fair and transparent way, to maximise the benefits and opportunities arising from development, including affordable housing, community infrastructure, jobs and environmental improvements.