

# Infrastructure Funding Statement

April 2021 to March 2022



Produced December 2022

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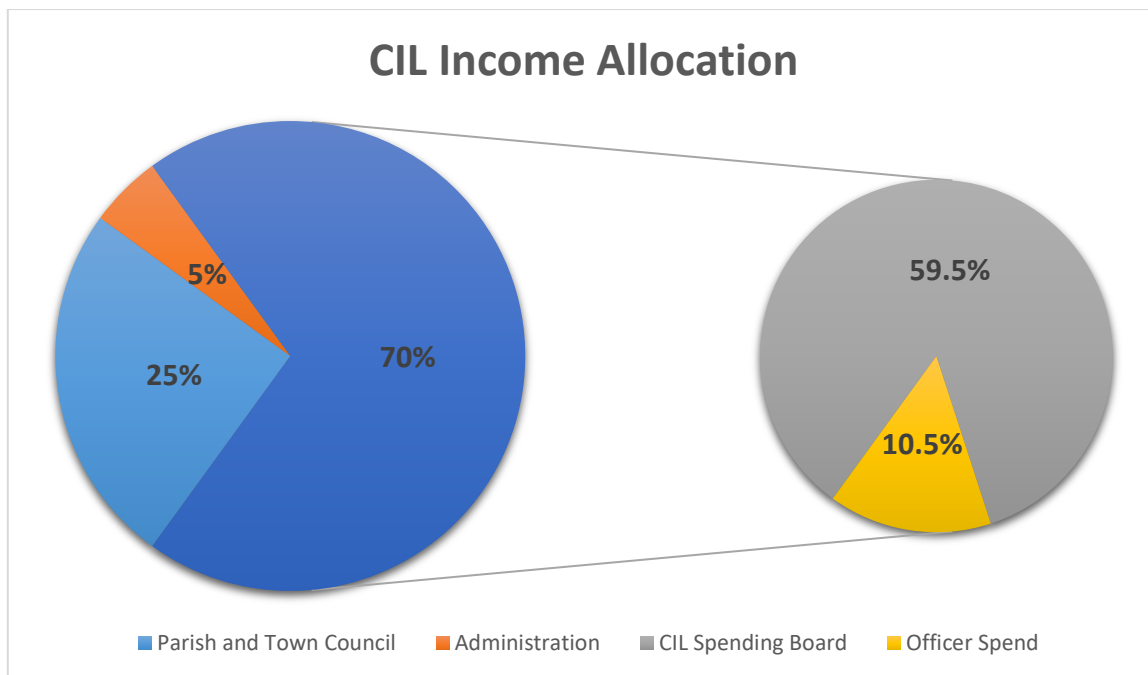
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## 1.0 Introduction

- 1.1 This Infrastructure Funding Statement (IFS) is an annual report, required by Paragraph 9 of The Community Infrastructure Levy (Amendment) (England) (No 2) Regulations 2019. The aim is to provide a structure for Local Authorities to report on monetary and non-monetary contributions sought and received from developers for the provision of infrastructure to support development in their area. This IFS looks at the monetary and non-monetary contributions sought and received in the Sevenoaks District.
- 1.2 The report covers the financial year between 1 April 2021 and 31 March 2022.
- 1.3 As with last year, this report includes the following:
  - Details of the previous financial year on the Community Infrastructure Levy;
  - Details on the of the previous financial year on section 106 planning obligations;
  - Details of the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy (excluding the neighbourhood portion).

## 2.0 CIL

- 2.1 Sevenoaks District Council has been a CIL (Community Infrastructure Levy) charging authority since 4 August 2014. From this date until March 2022, the Council has collected just over £12 million of CIL contributions.
- 2.2 CIL is a set charge in our CIL Charging schedule. This was adopted in February 2014 and has not been renewed. The CIL charges within the schedule are based on new floorspace of residential (C3 use Class) development, on supermarkets and superstores and also retail warehousing, within the Sevenoaks District. The charge is set to help fund the infrastructure needed to address the cumulative impact of development across our area. Our CIL Charging schedule, in line with the CIL regulations is set at a rate aimed to strike an appropriate balance between:
- The desirability of funding from CIL (in whole or part) the actual and expected total cost of infrastructure required to support development of its area, taking into account other actual and expected sources of funding and;
  - The potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.
- 2.3 With this in mind, there are 2 different charges for residential development across our District. Some areas charge £125 per m<sup>2</sup> and others £75 per m<sup>2</sup> to ensure that the development will still be viable.
- 2.4 Full details of our CIL charging schedule is available on our website, using the following link: [CIL Charging schedule](#)
- 2.5 Sevenoaks District Council has used its CIL monies to fund the “*the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area*”. The Spending of CIL monies is awarded through the Council’s CIL Spending Board. The CIL Spending Board was set up to consider bids for Community Infrastructure (CIL) funding. The Board comprises of 15 elected Members of the District Council, who are chosen according to political proportionality rules.
- 2.6 The Council’s CIL income is spent on the following:

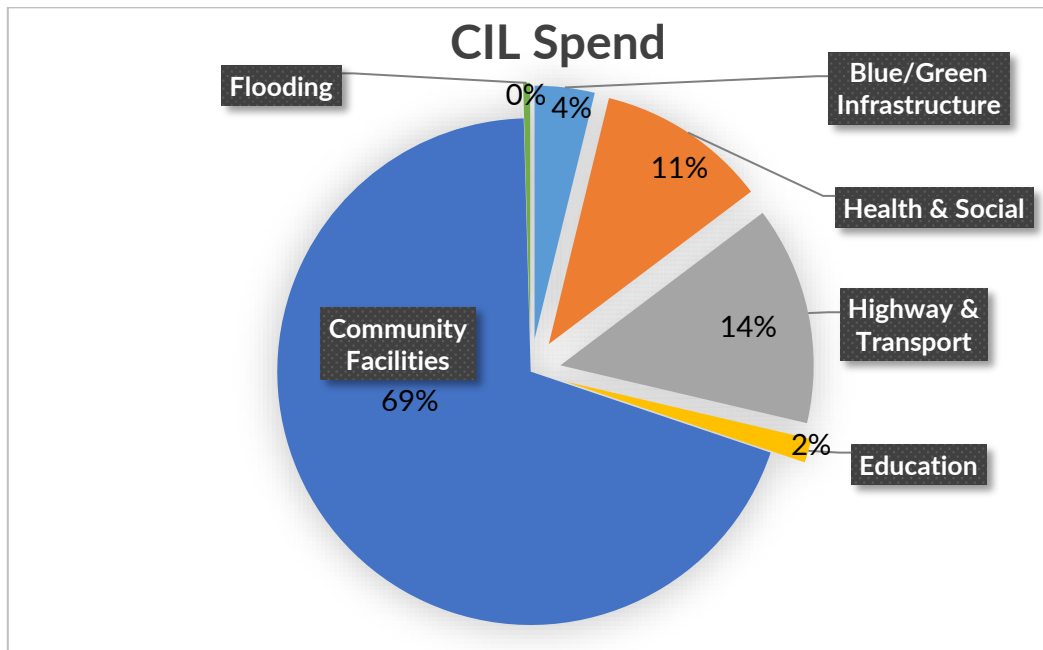


- 25% is allocated to Town and Parish Council's to spend on infrastructure. Part of this money can also be spent on, *"anything else that is concerned with addressing the demands that development places on an area"* (CIL Regulations 2010 as amended).
- Under the current CIL Legislation, a CIL Charging Authority must pass 15% of local receipts to the Parish or Town Council for the area where the CIL liable development takes place, rising to 25% if the Parish or Town has a neighbourhood plan in place.
- In November 2015, The Council's Cabinet resolved that all Town and Parish Councils should receive the equivalent of 25% of the £125 per sq m residential CIL rate when chargeable development takes place in their area. This amount will be paid whether the CIL charge for the area is £75 per sq m or £125 per sq m.
- Up to 5% of the CIL Income can be spent, by the CIL Charging Authority (Sevenoaks District Council) on the administration of CIL.
- This leaves 70% for Sevenoaks District Council to spend on CIL projects.
- 15% of this is allocated to officers to spend outside of the CIL Spending process (to be agreed by the Portfolio Holder for Development & Conservation by a Portfolio Holder Decision following consultation with the Leader, Chairman and Vice Chairman of CIL Spending Board). This equates to 10.5% of the CIL income. It should be noted however that this will not change the priorities for spending CIL.
- 85% of this is allocated to infrastructure projects through the CIL Spending Board. This equates to 59.5% of the CIL income.

2.7 More details as to the Governance of the Spending of CIL and the CIL Spending Board can be found in the Council's Constitution. Please use the following link:

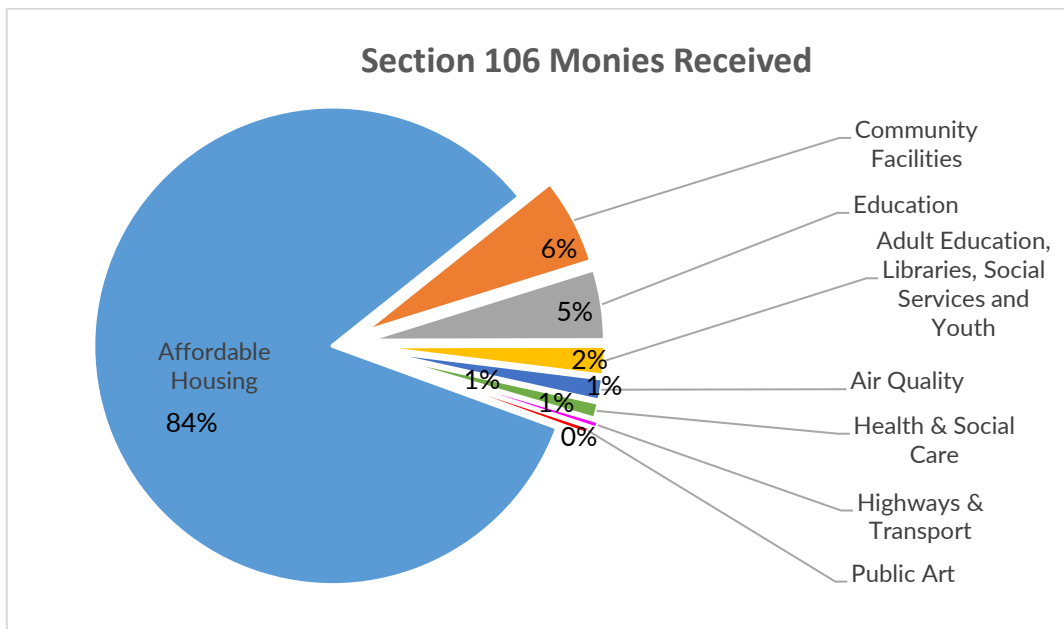
[Council's Constitution](#)

2.8 Looking historically at the CIL Spend since 2014, Sevenoaks District Council has awarded CIL to the following different categories of infrastructure projects though the CIL Spending Board:



### 3.0 Planning Obligations

- 3.1 Section 106 of the Town and Country Planning Act 1990 enables a Local Planning Authority to enter into a legal agreement (Planning Obligation) to mitigate the impact of a specific development, to make it acceptable in planning terms. Since the introduction of CIL, Sevenoaks District Council has agreed a number of such agreements, to secure some monetary and some non-monetary contributions which are site specific. In particular, Sevenoaks District Council has sought to secure a proportion of affordable housing from residential developments agreeing the amount and tenure through a legal agreement or a monetary contribution to secure or improve the capacity of affordable housing off site.
- 3.2 Looking historically at some of the contributions through Section 106s Agreements, looking at a period between 2011 and 2016 (as we have the best data over this period) we have secured the following:



## 4.0 Community Infrastructure Levy Report

- 4.1 In line with Legislation, a CIL charge is payable within 60 days of commencement of development. Sevenoaks District Council does not have an instalments policy.
- 4.2 The CIL Demand sets out the whole sum payable. It is important to note that the CIL Demand Notices issued during a particular year do not necessarily equate to the CIL sums likely to be received during that year, as it 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. To clarify, 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.

### 4.3 Headline figures:

<b>CIL invoiced</b> (set out in Demand Notices) in 2021/22	<u>£ 2,410,074.91</u>
<b>CIL receipts received</b> in 2021/22	<u>£ 2,172,233.51</u>
CIL receipts that CIL regulations 59E and 59F applied to	<u>£0</u>
<b>CIL expenditure</b> in 2021/22	<u>£966,229.98</u>



## 5.0 CIL Infrastructure Expenditure 2021/22

5.1 Since 2018, the Sevenoaks District Council CIL Spending Board awarded CIL money to a number of projects. The following projects received their money in the 2021/22 financial year:

- Westerham Parking Project - £49,975
- This scheme provided an additional 75 parking spaces across four areas with constrained parking capacity.

Before



After



- Otford Road Traffic Scheme - £49,507.50
- The traffic calming scheme aims to improve road safety for residents and visitors by slowing traffic speeds, includes new and improved pedestrian crossing points.

Before



After



- Weald Memorial Hall Maintenance and Renovations – £15,000
- The hall maintenance and renovations involved replacing original windows with energy efficient double-glazed windows, replacement of front entrance double doors with improved security, enhanced insulation to improve energy efficiency, interior updating and redecorating.

**Before**



**After**



- Knockholt Village Centre Refurbishment - £200,000
- The refurbishment works involved the re-roofing of entire premises and redevelopment of the Eastern end of the centre building, provision of disabled toilet and kitchen refurbishment.



## 6.0 Other infrastructure funded by CIL in 2021/22

6.1 As you are aware, Sevenoaks District made the decision to equalise CIL payments to Parish and Town Councils across the District. The amount below is therefore the equalisation amount given by Sevenoaks District Council to the Town and Parish Councils in addition to that required through Regulation 59A or 59B of the Legislation. This also includes CIL awarded to Parish and Town Councils through the CIL Spending Board.

<b>Infrastructure Project/Type</b>	<b>CIL amount spent</b>
Parish & Town Council CIL – Equalisation	£324,871.32
Parish and Town Council CIL – through the CIL Spending Board	£99,482.50
<b>Parish/Town Council</b>	<b>CIL amount provided</b>
Parish & Town Council CIL passed under regulation 59A or 59B	£326,876.16
<b>Total passed to Parish/Town Council</b>	<b>£751,229.98</b>

## 7.0 Other CIL expenditure in 2021/22

7.1 Sevenoaks District Council did not borrow any money during or before this period. Therefore, there is no infrastructure provided through borrowing and no repayments to declare.

7.2 Sevenoaks District Council spent the following on administrative expenses in 2021/22 and the amount expressed as a percentage of the total CIL received in 2021/22:

<b>CIL spent on Administration</b>	<b>Percentage of total CIL received</b>
£108,640.77	5%

## 8.0 Other CIL expenditure relevant to CIL regulation 59E and 59F

8.1 These Regulations refer to where we have had to serve Notice and demand a recovery of CIL. Sevenoaks District Council has not had to do this so the money recovered: £0

8.2 Therefore the infrastructure to which CIL receipts to which 59E and 59F applied have been allocated or spent: £0

8.3 See table below for more details:

	<b>Summary Details of CIL expenditure relevant to CIL regulation 59E and 59F</b>	<b>CIL Amount</b>
j)	summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—	
(i)	the total CIL receipts that regulations 59E and 59F applied to;	None
(ii)	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 spent on each item;	None
k)	summary details of any notices served in accordance with regulation 59E, including;	
(i)	the total value of CIL receipts requested from each parish council;	None
(ii)	any funds not yet recovered from each parish council at the end of the reported year;	None
l)	summary details of any notices served in accordance with regulation 59E, including—	

	<b>Summary Details of CIL expenditure relevant to CIL regulation 59E and 59F</b>	<b>CIL Amount</b>
(i)	CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied;	None
(ii)	CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied;	None
(iii)	CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;	None
(iv)	CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year.	None

## **9.0 CIL Receipts retained (allocated and unallocated)**

- 9.1 Sevenoaks District Council allocate CIL funds through their CIL Spending Board. Some projects are awarded CIL straight away but with most, the CIL Spending Board will require a legal agreement to be entered into or the Board may put a condition on the awarding of CIL. So not all the money will be spent in the same year as it is awarded.
- 9.2 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: £2,027,780.00
- 9.3 The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year: £0
- 9.4 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: £95,251.42
- 9.5 The total amount of CIL receipts, whenever collected including 2021/22, which were allocated (whether allocated prior to or during 2021/22) but not spent during 2022: £2,027,780.00

- 9.6 Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including the financial year for 2021/22, have been allocated (but not spent) for the reported year and the amount allocated to each item: £0

## 10.0 The (CIL) Infrastructure List

- 10.1 In accordance with Regulation 121A (a) requires the infrastructure funding statement to include:

*“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 (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”)”*

- 10.2 In considering the Sevenoaks District Council’s priorities for CIL Spending, we looked at what we had spent CIL on in the past, we looked at the priorities already adopted by the CIL Spending Board and also considered what projects had been identified as priorities in the Council’s Infrastructure Delivery Plan. You can see all this evidence provided in a report to the Council’s Cabinet using the following link: [Infrastructure Funding Statement Cabinet Report- December 2022](#)
- 10.3 Further to the above, we have also considered Sevenoaks District Council’s crucial corporate priorities that CIL funding can contribute towards.
- 10.4 Looking at all the evidence, Sevenoaks District Council agreed a set of criteria that infrastructure projects should be prioritised for funding if they meet them. These have been agreed to remain the same as last year and are laid out below:
- The projects fall with the infrastructure types/projects identified in the IFS report.
  - The projects have been identified in our Infrastructure Delivery Plan. (This ensures that the infrastructure prioritised supports the Local Plan).
  - The projects support and are clearly related to proposed or allocated development in the District. They therefore provide a strong link between development and the proposed project.
  - That there is a strong social, environmental or economic justification for the scheme.
  - That projects have not received CIL previously.
  - The scheme has support from infrastructure providers

- That there is a need or it will be expected to be delivered within the next 5 years.
- That it is identified as having a critical or high need where the project has to be delivered prior to any development to support it.
- Where it is likely that the infrastructure project can be delivered within the plan period as there are little or no issues with funding or landownership.
- Where there is a clear plan as to how the project would be funded.

## Infrastructure Funding Statement Priorities

10.6 With these criteria in mind, it has been agreed that the following projects are considered as a priority for funding for the next year:

### 10.7 Highways and Transport

- Swanley Transport Improvement Measures
- Junction 3 M25 Swanley – improvements required to address increased capacity and accessibility for pedestrians
- Improvements to bus services in and around Swanley
- Junction improvements to Bat & Ball
- Edenbridge Junction improvements
- Edenbridge – sustainable transport improvements

Note - This supports the preferred development strategy laid out in the Local Plan, which seeks to focus growth in existing settlements, including at higher densities.

### 10.8 Utilities

- Badgers Mount water supply upgrades
- Swanley supply water upgrades

### 10.9 Health and Social care

CIL funding is provided to deliver the additional capacity required for health services in the following areas should be identified as a priority:

- Northern Sevenoaks Health;
- Swanley;
- Hextable;
- Farningham;
- New Ash Green;
- Hartley;

- Fawkham;
- South Darent;
- Expansion of GP Practices in Sevenoaks Urban Area; and
- To increase the capacity of Otford Health Services (related to Fort Halstead).

Note - This again supports the preferred development strategy laid out in the Local Plan, which seeks to focus growth in existing settlements, including at higher densities and provides infrastructure to support allocated sites.

#### 10.10 Affordable Housing:

The first priority should always be for developers to provide affordable units on site to and work with Housing Providers to identify the right number, size and tenure. However, when a financial contribution is sought through a section 106, it will be ring fenced and the priority will be to use the money to meet the Council's affordable housing objectives. The provision of affordable housing through monetary and non-monetary ways will remain to be spent using the following criteria (as laid out in the Council's Supplementary Planning Guidance: Affordable Housing):

- Provision of new affordable housing in the District via a Registered Provider of social housing (including adding to provision on development sites, new standalone schemes and existing property purchase);
- Initiatives to make better use of the existing stock (including tackling under occupation and fuel poverty where it enables better use to be made of the stock);
- Managing future needs for affordable housing, including homelessness prevention and benefit advisory services;
- Assisting those in housing need to access low cost home ownership;
- Supporting the development of rural exception sites to meet rural housing needs (for fully or partially exempted Parishes only as set out in Section 17 Housing Act 1996, Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) 1997 Order.

Apart from the provision of rural housing, funds will be used to meet affordable housing in a flexible way where it can be used most effectively across the District.

#### 10.11 Net Zero



The leader of Sevenoaks District Council brought a report to Full Council on 19 November 2019. The report set out a clear ambition for the Council to achieve net zero greenhouse gas emissions by 2030.

Following on from this Council's clear ambition and the desire to be community leaders, that over the next year any infrastructure projects which clearly support our ambition to achieve net zero greenhouse emissions should be considered as a priority to receive CIL funding.

#### 10.12 Mental Health

In addition to supporting health and social care provisions, Sevenoaks District Council are committed to promoting good mental health and wellbeing which is a key corporate responsibility. The Council's [Mental Health Strategy 2021](#) unites work across different areas of the Council to bring mental health as a focus in the Council's role within local communities. Further to this, it is noted that the Covid-19 pandemic has been a challenge and also exacerbated existing mental health issues.

In light of this, it is proposed that projects will support good mental health and wellbeing are considered a priority for CIL funding in the next year.

#### 10.13 Broadband

In looking at the requirements in the Local Plan, and also in light of the impact of the Covid-19 situation, there is a clear need in this District for improvements to our rural broadband. It is recognised that some areas have poor connection.

There has been and will likely to continue to be a clear switch in the community to people working from home, therefore, increasing the need for an improvement in broadband services. In addition, this is expected to lead to a reduction in car journeys and encourage job growth in rural areas. Therefore, any infrastructure proposals that seek to improve existing rural broadband services or propose new broadband infrastructure in rural areas will also be considered as a priority.

#### 10.14 Flooding

The Upper Darent Flood alleviation scheme is identified as a high priority through the IDP.

#### 10.15 Education

Whilst no specific projects are identified in the IDP for the next 5 years, the need for education facilities will be on going over the plan period and subject to change as new development comes forward.

## 11.0 Planning Obligations (Section 106)

11.01 Sevenoaks District Council do still negotiate and agree Section 106s but as we are a CIL Charging Authority, the Legal Agreements tend to be more site specific and secure infrastructure for the site or agree other conditions, that without them the development would not be acceptable.

11.02 Headline Figures:

### Monetary Contributions

<b>Total money to be provided</b> through planning obligations agreed in 2021/22	£293,313.63
<b>Total money received</b> through planning obligations (whenever agreed) in 2021/22	£157,800.56
<b>Total money</b> , received through planning obligations (whenever agreed), <b>spent</b> in 2021/22	£3,968,813.52*
<b>Total money</b> , received through planning obligations (whenever agreed), <b>retained</b> at the end of 2021/22 (excluding “commuted sums” for longer term maintenance).	£1,280,866.71*
<b>Total money</b> , received through planning obligations (whenever agreed), <b>retained</b> at the end of 2021/22 as “commuted sums” for longer term maintenance.	£1,280,866.71*

### Non-Monetary Contributions

<b>Total number of affordable housing units to be provided</b> through planning obligations agreed in 2021/22	28
<b>Total number of school places for pupils to be provided</b> through planning obligations agreed in 2021/22	0

## 12.0 Section 106 Infrastructure expenditure in 2021/22

12.1 As Sevenoaks District Council is a CIL Charging Authority, Section 106s mainly secure affordable housing on specific sites. Over this financial year, in addition

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\* = A coding error on our internal systems which affects our Section 106 figures was brought to our attention in January 2023. This figure was amended accordingly in January 2023.

to affordable housing, we have secured travel plan and public art contributions.

12.2 Please see below a summary of the infrastructure and projects funded by Planning Obligations in 2021/22:

<b>Infrastructure Project/Type</b>	<b>Planning Obligation receipts spent</b>
Older persons' housing stock and needs analysis	£ 6420
PSL offer to landlords 2020/21	£58,246.42
Rural surveys 5 year programme	£14,200
Small is Beautiful – West Kent Housing downsizing incentive scheme	£25,000
Quercus Housing project- 11-15 High Street, Swanley	£3,689,121.75
<b>Affordable housing total</b>	<b>£3,792,988.17</b>
Raleys Indoor Cricket Facilities	£150,000
Public Art- Blighs Meadow	£10,500
Funds transferred to Kent County Council:	
Adult social services contribution	£153.07
Adult Education contribution	£364.90
Secondary Education contribution	£14,649.04
Library contribution	£158.34
	<u>£15,325.35</u>
<b>Non affordable housing total:</b>	<b>£175,825.35*</b>
<b><u>Total Amount:</u></b>	<b><u>£3,968,813.52*</u></b>

\* = A coding error on our internal systems which affects our Section 106 figures was brought to our attention in January 2023. This figure was amended accordingly in January 2023.

## 13.0 Other expenditure of Section 106 Receipts in 2021/22

13.1 Sevenoaks District Council has not spent in 2021/22 anything on repaying money borrowed. They therefore owe no repayments or need to pay any interest. They therefore cannot provide details of the items of infrastructure which that money was used to provide (wholly or in part).

Infrastructure item	Planning obligation spent repaying money borrowed
NA	£0

13.2 Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2021/22 in respect of monitoring (including the preparation of the section 106 report for this Infrastructure Funding Statement) in relation to the delivery of planning obligations: £3,600

## 14.0 Section 106 receipts retained (allocated and unallocated)

14.1 The total amount of money, received through planning obligations prior to 2021/22, *which had not been allocated* (to an infrastructure project or item) by the end of 2021/22: £953,796.07\*

14.2 The total amount of money, received under any planning obligation in any year, *which had been allocated* (to an infrastructure project or type) but not spent by the end of 2021/22: £69,000

14.3 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:

Infrastructure Project/Type	Planning Obligation receipts allocated
Refurbishment of Vine Court Road part b 10 (2021/22)	£69,000
<b>Total Amount</b>	<b>£69,000</b>

\* = A coding error on our internal systems which affects our Section 106 figures was brought to our attention in January 2023. This figure was amended accordingly in January 2023.

## 15.0 Section 278 Agreements Report

The matters which may be included in the section 106 report for each reported year are:

a)	summary details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year,	£0
b)	summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.	£0

## 16.0 Conclusion

- 16.1 It is hoped that this report provides a clear presentation of the monetary and non-monetary provisions that Sevenoaks District Council has sought, secured, allocated or spent over the financial year of 2021/22.
- 16.2 The Council will continue to monitor and review its infrastructure needs and priorities for the next financial year.