

# Infrastructure Funding Statement



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# 1. INTRODUCTION

Welcome to Colchester Borough Council's Infrastructure Funding Statement 2021/2022. Councils are now required to produce an Infrastructure Funding Statement (IFS) on an annual basis.

The Statement sets out income and expenditure relating to contributions secured through s106 Agreements on developments throughout Colchester. It is important to note that Colchester Borough Council is only responsible for some infrastructure, such as community facilities. This IFS does not therefore detail those contributions which relate to Essex County Council functions such as schools and transportation.

S.106 agreements are used to mitigate the impacts of development and ensure that Colchester Borough Council's planning policy requirements are fully met.

Planning obligations or 'developer contributions' are used to help fund:

- The provision of, or improvements to, open space provision, community facilities and affordable housing contributions accepted in lieu of on-site provision.
- Provision of on-site affordable housing; and
- Non-financial obligations, including requirements such as travel plans.

The information included in this statement will be updated annually and published on the Council's website. The statement does not include information on open space provision delivered on-site as part of new development in the Borough.

The data on contributions is imperfect as it represents estimates at a given point in time and can be subject to change. However, it is the most robust available at the time of publication.

Infrastructure Funding Statements are required to comply with regulations published by the Government and are only concerned with financial and non-financial obligations secured through S106 agreements. Financial developer contributions are always secured through S106 agreements but there are occasions where some non-financial obligations are secured through planning conditions. These obligations are not listed within this statement. This Statement only relates to S106 obligations for which Colchester Borough Council is legally responsible for ensuring compliance. The data in this IFS therefore does not cover S106 obligations applying to land in the Borough in the following cases:

- (A) Where the S106 obligation is given to Essex County Council and where the County Council are signatory to the legal agreement (e.g., education; highway works; sustainable transport; Public Rights of Way)
- (B) Where Essex County Council is the Local Planning Authority and is responsible for determining the application (e.g. mineral and waste applications)
- (C) Section 278 Highways works agreements between the developer and Essex County Council
- (D) Where Colchester Borough Council determined a planning application, but where Essex County Council is signatory of the S106 to the effect that it is directly responsible for compliance — this mainly relates to certain highway payments.

Therefore, this Infrastructure Funding Statement should be read in conjunction with the IFS produced by Essex County Council to obtain the complete picture of all financial and non-financial developer contributions originating from developments in Colchester. The Essex County Council IFS will be made available on their website: [Welcome to Essex County Council](#)

## 2. INFRASTRUCTURE FUNDING STATEMENT 2021/2022

### S106 Contributions Summary

For the financial year 2021/22 the Council received a total £2,312,037.65 in financial contributions with £1,361,479.38 spent across the Borough. The contributions received can be spent over a number of years and this enables the Council to plan ahead for the growth and future needs of the Borough and budget for larger scale, or more expensive, projects.

<b>2021/2022</b>	
<b>Infrastructure Type</b>	<b>S106 Contributions Received</b>
Affordable Housing	£167,381.03
Archaeology	£23,096.44

Business Enterprise Contribution	£157,512.95
Community	£649,915.99
Environmental Improvements	£10,765.05
Footpath Improvements	£23,946.21
Health	£170,0176.67
Highways Bus Shelter Contribution	£20,409.15
Infrastructure Improvements	£201,391.18
Leisure/Open Space	£779,880.47
Travel Club	£1,000.00
RAMS	£106,562.51
<u>Total</u>	<u>£2,312,037.65</u>

<b>2021/2022</b>	
<b>Infrastructure Type</b>	<b>S106 Contributions spent</b>
Community	£973,586.52
Footpath Improvement	£725.00
Leisure/Open Space	£248,529.75
Public Realm & Transport	£41,500.86
RAMS	£75,739.25
Student Travel/Travel Club	£21,398
<u>Total</u>	<u>£1,361,479.38</u>

## Section 106 agreements signed

Developments with notable s106 agreements signed in the last financial year 2021/22 include:

- 190335 - Land Rear of Weston Business Centre, The Colchester Centre, Hawkins Road, Colchester – Outline Application Redevelopment of site to provide 282 student bedrooms (sui generis) in an 8-storey building with ancillary ground floor space combining cafe, meeting space, bin store, cycle store, laundry, reception/office, plant rooms and car parking.
- 182220 - Fiveways Fruit Farm, Heath Road, Stanway, Colchester – Outline Application Part detailed/part outline planning permission for up to 420 residential units, with associated access, parking, servicing, open space and amenity space, landscaping, and utilities (details for means of vehicular access to the site only).
- 191093 - Land at Berechurch Hall Road, Colchester – Full Application Residential Development of 32 no. detached and semi-detached dwellings and flats complete with garages, access and open space.
- 192837 - Garrison Area K2, Butt Road, Colchester – Full Application Conversion and alterations to retained Garrison buildings to provide 7 residential units and erection of 26 new residential units, creating a total of 33 residential units with access, parking, landscaping and associated works.
- 201140 - Land east of Plummers Road, Fordham, Colchester – Outline Application - for the erection of 17 no. dwellings.
- 201208 - "Land South Of", Cambian Fairview, Colchester – Outline Application with all matters reserved with the exception of access for 26 dwellings.
- 201631 - Colchester Northern Gateway, "Land at Cuckoo Farm West", United Way, Colchester – Full Application Redevelopment of the site to provide a Cinema (use class D2), active leisure units (D2), a hotel (C1), restaurants (A3) and/or hot food takeaways (A5), including drive through units, and/or a Public House (A4) in the alternative as well as flexible A3/A5 and/or D2 floorspace in the alternative, together with the provision of a single decked car park, a landscaped plaza with associated hard and soft landscaping, cycle parking, service laybys and drop off zones, the creation of a pedestrian and cycle link connecting United Way with Tower Lane and the installation/construction of balancing ponds, substations and associated infrastructure.
- 201686 - "Land south of West Bergholt Cricket Club", Colchester Road, West Bergholt, Colchester – Outline Application for up to 18 dwellings with access to be determined and all other matters reserved.
- 201882 - Former Lookers Renault "72-78", Military Road, Colchester – Full Application Demolition of existing car showroom buildings and construction of a sheltered housing facility, comprising 44 no. 1- and 2-bedroom apartments, and the construction of a residential apartment building, comprising 10 no. 1- and 2-bedroom dwellings, together with associated access, basement and above ground parking and landscaping (AMENDED AND ADDITIONAL PLANS SUBMITTED)

- 202025 - Land south of Berechurch Hall Road, Colchester – Full Application Development of 153 dwellings with associated parking, landscaping, open space, drainage and infrastructure and formation of new access and alterations to existing access onto Berechurch Hall Road.
- 202695 - Land to West of the Village and adjoining Birch Road, Layer De La Haye – Full Application Construction and operation of a solar photovoltaic ('PV') farm and associated infrastructure, including inverters, security cameras, fencing, access tracks and landscaping. UPDATED ENVIRONMENTAL STATEMENT
- 210763 - Mary Barron Building "Colchester General Hospital", Turner Road, Colchester – Full Application Erection of building to provide an Elective Orthopaedic Centre comprising 8283sqm internal floor area; Demolition of Mary Barron building & removal of Cardiac Catheterisation Unit, administrative block & part removal of Elmstead Day Unit (Endoscopy only), relocation of clinical services; New service loop road including drop off parking, delivery area & ambulance bays; Provision of an external link corridor to the existing Elmstead Day Unit; Landscaping & ancillary works. [Additional information and drawings received].
- 212506 - Chesterwell Day Nursery, Cordelia Drive, Colchester – Full Application Mixed use development comprising nursery at ground floor level and residential units at first floor with associated parking and landscaping as a part of Neighbourhood Centre NC2

### 3. OUR PROCESSES

#### **The Planning Application:**

S.106 Agreements are a mechanism that makes a development proposal, that would not otherwise be, acceptable in planning terms.

The tests for when a S.106 Agreement can be used, are:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Once signed, the S.106 Agreement is binding on successive owners of the land.

### **The Obligations:**

Details of the obligations, and the point at which they become due, are detailed within the Agreement. This may, for example, be on commencement of development or after a certain number, or percentage, of properties are built or sold.

### **Collection of Monies Due:**

Where the obligation is financial, the amount due will be calculated and the developer invoiced at appropriate times. The sum due is index linked and given a specific budget code to allow us to monitor spend and balance.

### **Requests to Spend:**

Many S.106 Agreements contain specific covenants that detail where the monies must be spent or provision of housing, located.

For open space, sport, leisure and community facilities monies, it is important that up to date, local information is used to inform spend. This can be provided by Town & Parish Councils as well as ward Councillors. S.106 contributions may be used for the provision or upgrade of open space, play areas and community facilities in accordance with Council policy.

Once a payment has been made, the financial database is updated to show the amount now available to spend.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

## **4. MONITORING FEES**

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 allow Local Authorities to charge a monitoring fee through section 106 agreements, to cover the cost of the monitoring and reporting on delivery of the section 106 obligations it contains. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation.

The regulations allow monitoring fees to be either a fixed percentage of the total value of the section 106 agreement or individual obligation; or could be a fixed monetary amount. Monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring and authorities are required to report on monitoring fees in their Infrastructure Funding Statements.

Colchester Borough Council set monitoring fees at £400 per trigger for financial contribution clauses and £570 for all other clauses per trigger.

£54,955 was received in monitoring fees during the period 2021/22.

## 5. OPEN SPACE

In 2021/22, £248,529.75 of S.106 monies were spent on open space provision or improvement across the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed six of the off-site open space projects delivered in 2021/22

Open Space projects delivered off-site by S106 Contributions in 2021/22		
Development Site	Amount	Project Delivery
O/COL/06/1153 - Hawkins Road, Colchester	£80,694.52	Improvement works at Old Heath Recreation Ground.
121444/145131 - 505 Ipswich Road, Colchester	£44,443.18	Cricket Pavilion at Mile End Sports Ground
160551 - Rowhedge Wharf Phase 2, High Street, Rowhedge, Colchester	£26,733.48	Footpath widening at Rowhedge Recreation ground.
110058 - Former Peldon Garage Lower Road, Peldon Colchester 071528 - New Barn, Church Road, Peldon, Colchester	£11,210.98	Improvements to playground, Moss Hay, Peldon.
110573 - 61-67 Rectory Road, Wivenhoe Colchester CO7 9ES	£16,850.00	Improvement works to King George Basketball Court.
111584 - Greengates, Brick Kiln Lane, Great Horkesley Colchester, CO6 4EU	£26,765.73	Improvement works to Great Horkesley Village Hall.

*\*please note – spend may be over more than one financial year*

## 6. Footpath Improvement

In 2021/22, £725.00 of S.106 monies were spent on Footpath Improvement.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed Footpath project delivered in 2021/22

<b>Footpath Improvement project delivered by S106 Contributions in 2021/22</b>		
<b>Development Site</b>	<b>Amount</b>	<b>Project Delivery</b>
144693 - "Rowhedge Wharf", Former Rowhedge Port, Rowhedge, Colchester, Essex	£725.00	Improvements to Rowhedge Trail

*\*please note – spend may be over more than one financial year*

## 7. COMMUNITY

In 2021/22, £973,586.52 of S.106 monies were spent on Community projects across the Borough.

Below we have detailed six of the off-site community projects delivered in 2021/22.

<b>Community projects delivered off-site by S106 Contributions in 2021/22</b>		
<b>Development Site</b>	<b>Amount</b>	<b>Project Delivery</b>
144976 - 99 London Road, Copford, Colchester, CO6 1LG 112447 - 107 London Road, Copford Colchester, CO6 1LH	£13,839.97	Copford Village Hall
100183 - Darcy Road, Colchester, CO2 8BA 100383 - No's 9,11,13,125,135,137 & 139, Albany Gardens, Colchester 101987 - 120 Hythe Hill, Colchester, CO1 2NP 132771 - 152 Old Heath Road, Colchester, CO2 8AG.	£979.38 £2,982.27 £292.36 £285.76	Various works at Hythe Community Centre.
152826 - Land to the east of Warren Lane & West of Dyers Road, Warren Lane, Stanway, Colchester, Essex	£91,965.93 £63,519.90	Lakelands Community Centre

151479 - Lakelands Development, Parcel NE2, Church Lane, Stanway 145494 - Wyvern Farm, London Road, Stanway, Colchester	£486,013.90	
170997 - Hill Farm, Carters Hill, Boxted, Colchester, CO4 5RD	£36,298.73	Management of playing fields and Community Hub
140208 - 82 Belle Vue Road, Wivenhoe, Colchester 200812 - "The Burrow", Warren Lane, Stanway 110088 - Mulberry Cottage, Mersea Road, Langenhoe, CO5 7LF	£1,789.18 £350.00 £1400.21	Provide disabled access at Colchester Mosque.

*\*please note – spend may be over more than one financial year*

## 8. PUBLIC REALM & TRANSPORT

In 2021/22, £41,500.86 of S.106 monies were spent on Public Realm & Transport in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed the project delivered in 2021/22

Public Realm & Transport projects delivered by S106 Contributions in 2021/22		
Development Site	Amount	Project Delivered
163093 - St. Nicholas House, High Street, Colchester, CO1 1DN 170424 - Colchester and East Essex Co-Op, Long Wyre Street, CO1 1LH	£20,681.02 £20,819.84,	Public realm scheme at St Nicholas Square.

*\*please note – spend may be over more than one financial year*

## 9. Student Travel/Travel Club

In 2021/22, £21,398 of S.106 monies were spent on Student Travel/Travel Club in the Borough.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed two projects delivered in 2021/22

Student Travel/Travel Club projects delivered by S106 Contributions in 2021/22		
Development Site	Amount	Project Delivered
120380/145328 - THE MALTINGS Land Between Haven Road & King Edward Quay	£16,198.00	Student travel incentives/Finding your way App
171646/181096 -Aim Hire Site, Hawkins Road, Colchester	£800.00	Student travel plan club membership

*\*please note – spend may be over more than one financial year*

## 10. AFFORDABLE HOUSING

The Strategic Housing Market Assessment updated Dec 2015 summarised that there is a requirement in Colchester to deliver 920 homes per annum, of which 278 should be affordable homes. These numbers have been incorporated into the Council's emerging Local Plan 2013-2033.

In 2021/22, 29 affordable units were delivered via S.106 Agreements

<b>Examples of Affordable Housing delivered On Site by S106 Contributions 2021/2022</b>	
<b>Development Site</b>	<b>Project Delivered</b>
<u>Rowhedge Wharf</u>	1 affordable rented home this year was delivered by CHP in partnership with Hills.
<u>Horkesley Park</u>	3 affordable rent and 1 shared ownership properties were delivered this year by Eastlight in partnership with Mersea Homes.
<u>Land North of Dyers Road</u>	5 affordable rent and 1 shared ownership properties were delivered this year by Eastlight in partnership with Mersea Homes.
<u>Chesterwell Woods Ph1b</u>	3 affordable rent and 3 shared ownership properties were delivered this year this year by Eastlight in partnership with Mersea Homes.
<u>Stanway</u>	11 affordable rent and 1 shared ownership properties were delivered by Sage.

## 11. HEALTHCARE

In 2021/22, £170,0176.67 of S.106 monies were received for primary Healthcare projects across the Borough delivered by the NECCG.

Healthcare Contributions in 2021/22	
Development Site	Contribution Received
172049 - Land west of Chitts Hill, Stanway	£37,513.58
192136/200960 - Land at Brierley Paddocks, West Mersea	£61,176.33
191414 - Wilkin And Sons Ltd", Factory Hill, Tiptree, Colchester	£46,976.83
191997 - Land Adj West Bergholt CC & "Stable Cottage", Colchester Road, West Bergholt, Colchester	£24,509.93

## 12. RECREATIONAL DISTURBANCE AVOIDANCE MITIGATION STRATEGY (RAMS)

The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the 'Essex coast RAMS') aims to deliver the mitigation necessary to avoid significant adverse effects from 'in-combination' impacts of residential development that is anticipated across Essex; thus protecting the Habitats (European) sites on the Essex coast from adverse effect on site integrity.

The whole of Colchester Borough is within the Zone of Influence. All residential proposals within the borough should make a contribution towards the measures in the RAMS to avoid and mitigate adverse effects from increased recreational disturbance to ensure that Habitat Sites are not adversely affected, and the proposal complies with the Habitat Regulations.

Bird Aware Essex Coast is a tool being used to lessen potential impacts from increased local housing development. The initiative is run by the Essex Coast Recreational disturbance Avoidance and Mitigation Partnership (Essex Coast RAMS). This is made up of twelve local councils, Essex County Council and Natural England, and funded by contributions from all new residential dwellings within the Zones of Influence via S106 agreements.

The planned mitigation measures are set out in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (Essex Coast RAMS). The mitigation measures include a team of rangers to help coastal visitors and communities understand the importance of the different bird species and the impact of disturbance. Additional work will take place to encourage responsible dog walking and visits to less sensitive parts of the coast. Mitigation measures will also include new habitat creation.

<b>RAMS Contributions in 2021/22</b>		
<b>Development Site</b>		<b>Contribution Received</b>
171529/192841/202522 - "Land Off", Halstead Road, Eight Ash Green		£19,071.47
192090 - Western Knowledge Gateway Site; Land Adj Capon & Annan Road, Colchester		£30,868.52
192136/200960 - Land at Brierley Paddocks, West Mersea		£12,352.30
191414 - Wilkin And Sons Ltd", Factory Hill, Tiptree, Colchester		£1,180.74
191997 - Land Adj West Bergholt CC & "Stable Cottage", Colchester Road, West Bergholt, Colchester		£5,235.49
191093 - Land at Berechurch Hall Road, Colchester		£4,091.77
Unilateral Undertakings from a range of schemes		£33,762.22
<u>Total</u>		<u>£106,562.51</u>

### 13. Summary of Information to comply with Schedule 2 of The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

The matters to be included in the section 106 report for each reported year are —

- a) the total amount of money to be provided under any planning obligations which were entered into during the reported year; **£7,884,324.44**
- b) the total amount of money under any planning obligations which was received during the reported year; **£2,312,037.65**
- c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority; **£9,690,983.64**
- d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—
  - (i) in relation to affordable housing, the total number of units which will be provided; **161**
  - (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided; N/A – Essex County Council are the Education Authority, and they have responsibility for Education related planning obligations. Refer to Essex County Council IFS for details.
- e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure; **£1,120,847.61**
- f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend); **£1,361,479.38**
- g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item.

Infrastructure Item	Amount Allocated
Business Enterprise	£34,073.93
CCTV	£15,077.07
Community	£816,106.46
Cycle Training	£2,457.21

Environmental Improvements	£24.80
Footbridge Contribution	£9,725
Footpath Improvements	£12,913.11
Highways	£10,000
Leisure	£241,986.55
Public Realm & Transport	£185.67
RAMS	-£25,487.70
Student Travel/Travel Club	£3,785.51
<b>Total</b>	<b>£1,120,847.61</b>

h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of;

(i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;

<b>2021/2022</b>	
<b>Infrastructure Type</b>	<b>S106 Contributions spent</b>
Community	£973,586.52
Footpath Improvement	£725.00
Leisure/Open Space	£248,529.75
Public Realm & Transport	£41,500.86
RAMS	£75,739.25
Student Travel/Travel Club	£21,398
<b>Total</b>	<b>£1,361,479.38</b>

- (ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); **N/A**
  - (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations; **£54,955** was received in monitoring fees during the period 2021/22 and used to fund the costs directly associated with the monitoring of s.106 clauses.
- i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held. **Total amount of commuted sum retained £2,136,193.41, Total amount allocated for longer term maintenance £1,521,506.22**

