

Infrastructure Funding Statement



2022/2023

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1. INTRODUCTION

Welcome to Colchester City Council's Infrastructure Funding Statement 2022/2023. 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 City 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. Neither does the statement include information on open space provision delivered on-site as part of new development in the City.

S.106 agreements are used to mitigate the impacts of development and ensure that Colchester City Council's planning policy requirements are fully met. All contributions have to meet statutory tests; they can only be sought where they are directly related to the development, fairly and reasonably related in scale and kind to the development, and necessary to make the development acceptable in planning terms.

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 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 City Council is legally responsible for ensuring compliance. The data in this IFS therefore does not cover S106 obligations applying to land in the City 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 City 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 2022/2023

S106 Contributions Summary

For the financial year 2022/23 the Council received a total **£3,595,678.59** in financial contributions. **£4,793,314.53** was spent across the City. The contributions received can be received and spent over a number of years which is why these figures never match. The tables below provides more detail on the money received and spent by the Council in the reporting year.

2022/2023	
Infrastructure Type	S106 Contributions Received
Affordable Housing	£379,250.37
Archaeology	£8,511.38
Community	£1,594,672.60
Health	£388,651.37
Parish Highway Works Contribution	£37,228.10
Leisure/Open Space	£926,115.85
RAMS	£155,219.85
Sustainable Transport	£106,029.07
<u>Total</u>	<u>£3,595,678.59</u>

2022/2023	
Infrastructure Type	S106 Contributions spent
Affordable Housing	£153,000.00
Business Enterprise	£69,613.90
Community	£1,035,921.04
Transport & Sustainability	£358,742.28
Health	£15,817.52
Highways Bus Service	£2,000,000.00
Leisure/Open Space	£1,110,365.79
RAMS	£49,854.00
<u>Total</u>	<u>£4,793,314.53</u>

Section 106 agreements signed

Developments with notable s106 agreements signed in the last financial year (2022/23) include:

- 202829 - Land Known as Catchbells, land rear of 296 London Road Stanway – Full Application for 66 Dwellings with associated parking landscaping, open space, drainage and infrastructure and formation of vehicular access to London Road Stanway Colchester.
- 212810 - Land Known as St. Leonards Works, Port Lane Colchester CO1 2NX– Outline application with all matters reserved save for access., for the demolition of all existing buildings and structure and the creation of a residential development with associated open space and infrastructure.
- 211392 - Land at The Folley, Layer-de-la-Haye, Colchester –Outline Application for up to 39 market homes and 16 affordable homes with vehicular access from Greate House Farm Road and The Folley with all other matters reserved.
- 211393 - Land at The Folley, Layer-de-la-Haye, Colchester – Outline Application for a Rural Exception Site to provide up to 8 affordable homes and 7 market homes with vehicular access from Greate House Farm Road with all other matters reserved.
- 220747 - Lookers Renault "72-78", Military Road, Colchester, Essex – Full Application Demolition of existing car showroom buildings and construction of two no. residential apartment buildings, block one comprising 45no. 1- and 2-bedroom apartments, and block two comprising 10no. 1- and 2-bedroom dwellings, together with associated access, basement, above ground parking and landscaping, and communal roof terrace.
- 190647 - Land adjoining "The Gables", Kelvedon Road, Tiptree, Colchester - Full Planning Application Demolition of existing buildings on the site and redevelopment to provide 130 residential dwellings with access, link road to allow for potential future connections, associated parking, private amenity space and public open space.
- 212646 - Land to the east of, Newbarn Road, Great Tey – Outline Application for 30 dwellings and 1ha of public open space and access from Newbarn Road. Some matters reserved.

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. It should be noted that it can often be years between the signing of an agreement and the contribution being due.

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

£27,617.71 was received in monitoring fees during the period 2022/23.

5. BUSINESS ENTERPRISE

In 2022/23, £69,613.90 of S.106 monies were spent on Business Enterprise across the City.

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

Below we have detailed the Business Enterprise project delivered in 2022/23

Business Enterprise projects delivered off-site by S106 Contributions in 2022/23		
Development Site	Amount	Project Delivery
172935 - Stane Park Site, Essex Yeomanry Way, Stanway	£69,613.90	Town Centre promotional campaign

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

6. COMMUNITY

In 2022/23, £1,035,921.04 S.106 monies were spent on Community projects across the City.

Below we have detailed nine of the community projects funded during 2022/23.

Community projects delivered off-site by S106 Contributions in 2022/23		
Development Site	Amount	Project Delivery
200269 - 7 East Stockwell Street, Colchester 201228 - First & Second floor 1-3, 1 Pelhams Lane, Colchester 202562 - 44-45 St. Botolphs Street, Colchester	£1,371.79 £1,098.95 £2,529.36	Provision of stair lift at Colchester Chinese Association.
090725 - Land to the East of, Port Lane, Colchester	£5,945.23	Disabled access at Colchester Mosque
120848 - Stanway Railway Depot, Halstead Road, Stanway, Colchester	£5,368.20	Collingwood Road Scout Hut
144976 - 99 London Road, Copford, Colchester	£8,924.63	Copford Village Hall Improvements
152826 - Land to the east of Warren Lane & West of Dyers Road, Warren Lane, Stanway, Colchester, Essex 172049 - Land west of Chitts Hill, Stanway 172272 - Land to rear of "Field House", Dyers Road, Stanway, Colchester 181859 - Land North of Wyvern Farm", London Road, Stanway, Colchester	£49,907.90 £171,912.31 £60,546.21 £169,578.63	New Stanway Community Centre
160906 - Land adj. Church of All Saints, London Road, Great Horkesley, Colchester	£174,487.59	All Saints Church, Great Horkesley
170997 - Hill Farm, Carters Hill, Boxted, Colchester, CO4 5RD	£15,815.21	Improvements to Community Hub, Boxted

180873 - Land North of Dyers Road, Stanway, Colchester	£185,050.50	Refurbishment of Stanway Evangelical Church
202028 - 53 North Hill, Colchester	£2,304.18	Refurbishment of St Peters Church & church hall, Colchester

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

7. TRANSPORT & SUSTAINABILITY

In 2022/23, £255,422.28 of S.106 monies were spent on Transport & Sustainability.

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

Below we have detailed four of the off-site Transport & Sustainability projects delivered in 2022/23.

Transport & Sustainability projects delivered off-site by S106 Contributions in 2022/23		
Development Site	Amount	Project Delivery
120380 – The Maltings, King Edward Quay, Colchester	£20,874.00	Study to enable costings for work to upgrade Lightship Way
171646 - Aim Hire Site, Hawkins Road, Colchester	£47,100.00	Towards LCWIP4, Essex County Council delivering the project
181281 - Former Bus Depot, Magdalen Street, Colchester	£45,000.00	
98/1047 – Land at Former Moler Works, Colchester	£150,000.00	
192090 - Western Knowledge Gateway Site; Land Adj Capon & Annan Road, Colchester	£32,340.00	Improvements to Wivenhoe Trail
120380 – The Maltings, King Edward Quay, Colchester	£3,000.00	Annual Membership of Travel Plan Club

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

8. HEALTHCARE

In 2022/23, £15,817.52 of S.106 monies were spent on Healthcare

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

Below we have detailed the Healthcare project delivered in 2022/23 (*spend may be over more than one financial year*)

Healthcare projects delivered off-site by S106 Contributions in 2022/23		
Development Site	Amount	Project Delivery
191997 - Land Adj West Bergholt CC & "Stable Cottage", Colchester Road, West Bergholt	£15,817.52	Transferred to NHS for additional clinical space at West Bergholt Surgery

9. HIGHWAYS & BUS SERVICES

In 2022/23, £2,000,000.00 of S.106 monies were spent on Highways Busway

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

Below we have detailed the Highways Busway transferred to ECC in 2022/23

Highways Bus Service project delivered off-site by S106 Contributions in 2022/23		
Development Site	Amount	Project Delivery
151401- Phase 2 Former Severalls Hospital site	£2,000,000.00	Transferred to Essex County Council for provision of segregated 2-way single carriageway to the west of and parallel to NAR2

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

10. OPEN SPACE, SPORT & RECREATION

In 2022/23, £474,475.58 of S.106 monies were spent on open space/sport and recreation provision or improvement across the City.

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

Below we have detailed eight of the off-site open space projects delivered in 2022/23

Open Space projects delivered off-site by S106 Contributions in 2022/23		
Development Site	Amount	Project Delivery
131385 - 10 Williams Walk, Colchester 130195 - 18-22 Sir Isaacs Walk, Colchester	£10,000.00	Improvement works North Station Road footbridge
170997 - Hill Farm, Carters Hill, Boxted, Colchester, CO4 5RD	£178,794.25	Improvements to King George playing sports field and community hub
O/COL/02/0563 - Turner Road, Colchester	£86,612.56	Floodlights and resurfacing Gilbert School Sports Facility
102068 - 15 High Street, Colchester, CO1 1DA 110285 - 5 George Street, Colchester CO1 1TP 102595 - John Cole House, 20-22 Crouch Street, Colchester	£4,185.34 £2,933.80 £12,083.46	Towards extending and upgrading Colchester East Essex Cricket Club pavilion and facilities in Castle Park.
101018 - Crown Street, Dedham Colchester, CO7 6AS	£529.51	Dedham Therapy Farm
192249 - Land at Brook Road, Great Tey, Colchester	£6,626.61	Great Tey Recreation Ground & Playground.
202562 - 44-45 St. Botolphs Street, Colchester	£11,398.01	Improvements to Imola Pond, Castle Park
145494 - Wyvern Farm, London Road, Stanway, Colchester	£629,450.39	New Stanway Community Centre

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

11. 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 Local Plan 2017-2033.

In 2022/23, 74 affordable units were delivered via S.106 Agreements

Examples of Affordable Housing delivered On Site by S106 Contributions 2022/2023	
Development Site	Project Delivered
Gosbecks Farm	21 affordable rented homes and 3 shared ownership homes were delivered by CHP.
Severalls P5/6	5 affordable rent and 5 shared ownership were delivered by Eastlight this year.
Eight Ash Green	13 shared ownership properties were delivered by Eastlight.
Colchester Road, West Bergholt	8 affordable rent and 4 shared ownership were delivered by Eastlight.
Wyvern Farm, Stanway	5 affordable rent and 3 shared ownership were delivered by Sage.
Butt Road	5 affordable rent and 2 shared ownership properties were delivered by Peabody.

Monetary Affordable Housing Contributions

In 2022/23, £153,000 of S.106 monies were spent on affordable housing provision across the City.

The S.106 financial report is available by following this link [S.106 Financial Report](#). Below we have detailed the off-site Affordable Housing project delivered in 2022/23;

Affordable Housing project delivered off-site by S106 Contributions in 2022/23

Development Site	Amount	Project Delivery
144693 - "Rowhedge Wharf", Former Rowhedge Port, Rowhedge, Colchester, Essex	£153,000.00	Affordable Housing acquisition through the 2022-23 programme

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

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 City is within the Zone of Influence. All residential proposals within the City 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.

RAMS Contributions in 2022/23		
Development Site		Contribution Received
182014/210398 - "Land Off", Barbrook Lane, Tiptree, Colchester		£27,191.79
190335 - Land Rear of Weston Business Centre, The Colchester Centre, Hawkins Road, Colchester		£22,671.37
191830 - Land South of School Road, Langham, Colchester		£6,212.76
192837 - Garrison Area K2, Butt Road, Colchester		£4,364.97
202025 - Land south of Berechurch Hall Road, Colchester		£19,476.90
210648 - Parcels R01, R02 & R03, G1, G3, G4 And Osf1 North Colchester Urban Ext Mile End Road, Colchester		£29,534.01
212506 - Chesterwell Day Nursery, Cordelia Drive, Colchester		£545.77
Unilateral Undertakings from a range of schemes		£45,222.28
	Total	£155,219.85

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; **£7,726,158.57**
- b) the total amount of money under any planning obligations which was received during the reported year; **£3,595,678.59**.
- c) the total amount of money under any planning obligations which was received before the reported year which has not yet been allocated by the authority; **£8,133,162.63**

Infrastructure Type	§106 Contributions
Affordable Housing	£619,125.61
Archaeology	£32,050.10
Art	£255,809.98
Business Enterprise	£62,512.95
Education Pre School	£119,385.18
CCTV	£8,997.67
Community	£933,519.91
Transport & Sustainability	£1,235,707.48
Health	£510,062.64
Leisure	£4,294,508.29
RAMS	£51,048.18
Waste & Recycling	£10,434.64

- 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; **144**

(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; **£1,063,142.30**. See g) below for how this is broken down. Essentially projects falling in this category have been identified but not yet delivered/funding has not yet been released.
- 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); **£4,793,314.53**.
- 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	£34,460.03
CCTV	£20,350.05
Community	£294,925.65
Transport & Sustainability	£131,105.73
Leisure	£598,118.36
Total	£1,063,142.30

Some examples of Projects where the money has been allocated to a specific project but is not yet shown as spent

Infrastructure Item	Development	Amount Allocated	Project
Community	110088 - Mulberry Cottage, Mersea Road, Langenhoe, Colchester, CO5 7LF	£1,205.40	Replacement heating at Abberton & Langenhoe Village Hall.
Community	120380/145328 – The Maltings, King Edward Quay, Colchester	£88,352.72	Animating King Edward Quay

Community	144976 - 99 London Road, Copford, Colchester, CO6 1LG	£8,748.98	Copford Village Hall
Community	191997 - Land Adj West Bergholt CC & "Stable Cottage", Colchester Road, West Bergholt, Colchester	£72,410.93	Works at St Mary's Church Hall
Community	192249 - Land at Brook Road, Great Tey, Colchester	£25,349.77	Swimming pool at Great Tey primary school.
Community	171529/192841/20252 2 - "Land Off", Halstead Road, Eight Ash Green	£30,192.84	Provision of a new community facility
Leisure	F/COL/08/0300 - 84 Chapel Road, West Bergholt Colchester CO6 3HL	£3,692.65	West Bergholt Playing fields & Playground
Leisure	090551 - 90 Wimpole Road, Colchester CO1 2FN	£8,030.68	Towards refurbishment of footpaths at Old Heath Rec Ground
Leisure	110373 - Land at Junction of, Drury Road & Maldon Road	£20,000.00	IRARA Community Orchard Project
Leisure	160551 - Rowhedge Wharf Phase 2, High Street, Rowhedge, Colchester, CO5 7ET	£180,700.00	Purchase land for allotments
Leisure	192249 - Land at Brook Road, Great Tey, Colchester	£75,580.97	Towards Great Tey Rec grounds & Playground.

	122005 - Bourne Barn Farm, Bourne Road, West Bergholt Colchester, CO6 3EN	£1,963.11	West Bergholt Playing Fields & Playground
Transport & Sustainability	171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£106,584.50	Walking with Words wayfinding design & delivery
Business Enterprise	172935/193163 - Stane Park Site, Essex Yeomanry Way, Stanway	£25,386.10	Promoting Colchester
CCTV	F/COL/07/0233 - Colchester Institute, Sheepen Road, Colchester CO3 3LL	£7,013.71	CCTV Sheepen Road

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;

2022/2023	
Infrastructure Type	S106 Contributions spent
Affordable Housing	£153,000.00
Business Enterprise	£69,613.90
Community	£1,035,921.04
Transport & Sustainability	£358,742.28
Health	£15,817.52
Highways Bus Service	£2,000,000.00
Leisure/Open Space	£1,110,365.79

RAMS	£49,854.00
<u>Total</u>	£4,793,314.53

(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; **£27,617.71** was received in monitoring fees during the period 2022/23 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 £2,105,088.20. Total amount allocated for longer term maintenance £97,973.12**



Colchester
City Council