

Infrastructure Funding Statement



2024/2025

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1. INTRODUCTION

Welcome to Colchester City Council's Infrastructure Funding Statement 2024/2025. Councils are 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.

S.106 agreements are used to mitigate the impacts of development on infrastructure and ensure that Colchester City 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 City.

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 2024/2025

S106 Contributions Summary

For the financial year 2024/25 the Council received a total £1,901,635.91 in financial contributions with £994,851.67 spent across the City. 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 city and budget for larger scale, or more expensive, projects.

2024/2025	
Infrastructure Type	S106 Contributions Received
Archaeology	£823.20
Community	£414,228.43
Health	£182,182.87

Leisure/Open Space	£1,106,741.34
RAMS	£129,565.30
Sustainable Transport	£64,184.24
Library	£3,910.53
<u>Total</u>	<u>£1,901,635.91</u>

2024/2025	
Infrastructure Type	S106 Contributions spent
Business Enterprise	£40,011.7
Community	£92,233.26
Transport & Sustainability	£308,547.89
Leisure/Open Space	£455,197.38
Library	£3,910.53
RAMS	£94,950.91
<u>Total</u>	<u>£994,851.67</u>

Section 106 agreements signed.

Developments with notable s106 agreements signed in the last financial year 2024/25 include:

- 220317 - Former Gamet Bearings Factory, Hythe Station Road, Colchester. CO2 8LD – Erection of new building 3no.blocks over four and five storeys containing 65 residential apartments and 2no.commercial units (class E) with undercroft parking.

- 231600 - Land to West of The Folley, Layer-de-la-Haye, Colchester Construction of 70 dwellings including 24 affordable homes (Rural Exception Site Local Letting homes, Affordable Rent Homes and Shared Ownership Homes), garages, parking, vehicular / cycle and pedestrian accesses, public open space, landscaping, drainage infrastructure and other associated works.
- 230625 - Land to the east of Nayland Road, Great Horkesley, Colchester - Outline planning application for 100 no. dwellings, new access and A134 crossings, land for allotments, provision of a Scout and Girl Guiding Hut with associated car park, public open space and associated works. All Matter Reserved, Except Access.
- 213047 - Land West of Lakelands Stanway Western Bypass, Western Approach, Stanway - Outline planning application with all matters reserved except access is sought for development of up to 225 dwellings (Use Class C3), play areas, landscaping, public footpaths and car parking.
- 213086 - Land south of Copford Village Hall, School Road, Copford, Colchester - A proposed rural exceptions site of seven homes (resubmission of 201984) (Revised Plans)
- 230326 - Land off Hawkins Road, Colchester - Outline planning permission with all matters reserved for up to 42 residential apartments, ground floor commercial and public open space.(AMENDED DESCRIPTION)
- 212507 - Land North of "Wyvern Farm", London Road, Stanway, Colchester - Hybrid: Outline Planning Application (with all matters reserved except access) for the erection of up to 600 dwellings, land for a co-located 2FE primary school and early years nursery, public open space and associated infrastructure. Vehicular access from London Road (B1408) and Red Panda Road.

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 to secure contributions, are that the contribution is:

- 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 trigger 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 the provision of affordable 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 £831.42 per trigger for financial contribution clauses and £1066.13 for all other clauses per trigger.

£89,623.63 was received in monitoring fees during the period 2024/25.

5. BUSINESS ENTERPRISE

In 2024/25, £40,011.7 of S.106 monies were spent on Business Enterprise.

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 2024/25

Business Enterprise project delivered off-site by S106 Contributions in 2024/25		
Development Site	Amount	Project Delivery
172935/193163 Stane Park Site, Essex Yeomanry Way, Stanway	£40,011.7	Tourism Marketing Campaign

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

6. COMMUNITY

In 2024/25, £92,233.26 S.106 monies were spent on Community projects across the City.

Below we have detailed seven of the off-site community projects delivered in 2024/25.

Community projects delivered off-site by S106 Contributions in 2024/25		
Development Site	Amount	Project Delivery
190522 - Land west of Gosbecks Road & south of Cunobelin Way, Gosbecks Road, Colchester	£14,950.00	Towards replacement of The 30 th Colchester Scout Hut
144976 - 99 London Road, Copford, Colchester, CO6 1LG	£7,890.19	Towards refurbishment of Copford Village Hall
220235 - "Ewer House", 44-46 Crouch Street West, Colchester	£5,086.50	Towards improvements to St Peter's Church, North Hill, Colchester
212644 - Clears Road, Layer Marney	£3,734.68	Towards conversion of an area of the village church to provide community space for residents
210275 - "Osborne House", School Road, Messing, Colchester	£2,863.99	Towards Messing Community Orchard
121444/145131 - 505 Ipswich Road, Colchester CO4 9HE	£27,826.20	Towards St Johns & Highwoods Community Centre
F/COL/07/0241 - 90 Berechurch Hall Road, Colchester CO2 9NN	£5,000.00	Fifth Colchester Scout Group, Queen Elizabeth Way

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

7. TRANSPORT & SUSTAINABILITY

In 2024/25, £308,547.89 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 five of the off-site Transport & Sustainability projects delivered in 2024/25.

Transport & Sustainability projects delivered off-site by S106 Contributions in 2024/25		
Development Site	Amount	Project Delivery
98/1047 – Land at Former Moler Works	£50,000.00	Project to alleviate flooding on Haven Road to promote active travel
180045 - Cowdray Centre, Mason Road, Colchester	£66,324.69	Towards works to provide a north/south pedestrian link between site and the existing underpass.
192828 - "Essex County Hospital", Lexden Road, Colchester	£32,671.41	Transferred to Essex County Council as per terms in agreement
171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£61,882.95	Walking with Words project
190335 - Land Rear of Weston Business Centre, The Colchester Centre, Hawkins Road, Colchester	£68,671.05	Walking with Words/LCWIP4 cycling route connection.

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

8. LEISURE & OPEN SPACE

In 2024/25, £455,197.38 of S.106 monies were spent on open space 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 six of the off-site open space projects delivered in 2024/25

Open Space projects delivered off-site by S106 Contributions in 2024/25		
Development Site	Amount	Project Delivery
152826 - Land to the east of Warren Lane & West of Dyers Road, Warren Lane, Stanway, Colchester, Essex	£77,065.86	Towards new play area at Swift Avenue, Stanway
COL/97/0220/0221 - Former Myland Hospital and adjacent land Mill Road, Colchester	£66,067.01	Supply and install children's playground at Gavin Way, and a kick about area
121907 - 39 Boadicea Way, Colchester, CO2 9BE	£3,363.94	Shrub End Sports Ground, Purchase of wheeled goal posts
120246 - 13 Boadicea Way, Colchester CO2 9BQ	£1,918.74	
120966 - The Rowans, Layer Road, Colchester CO2 9LA	£1,928.54	
142167 - 15 Duncan Road, Colchester	£2,179.93	
200533 - "Tankerton", Nayland Road, Great Horkesley, Colchester	£6,092.16	Tile House Farm playground improvements
202381 - "10 The Crescent", The Causeway, Great Horkesley	£2,452.78	
F/COL/01/0011 – Colchester Garrison, Berechurch Hall Road, Colchester	£220,650.00	Supply and installation of MUGA and Playground
210275 - "Osborne House", School Road, Messing, Colchester	£6,545.37	Towards play area at messing Cum Inworth

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

9. AFFORDABLE HOUSING

There continues to be a pressing need for affordable housing in Colchester. In accordance with the Council's adopted Local Plan 2017-2033, 30% of new housing units will be provided as affordable housing on all qualifying sites.

In 2024/25, 69 affordable units were delivered via S.106 Agreements

Examples of Affordable Housing delivered On Site through S106 Contributions 2024/2025	
Development Site	Project Delivered
Gosbecks Farm	2 affordable rented homes this year was delivered by Eastlight.
Barbrook Lane, Tiptree	28 affordable rented homes and 2 shared ownership this year was delivered by CHP
Brierley Paddocks	5 affordable rented homes and 14 Shared ownership homes were delivered by CHP.
296 London Road	12 affordable rent and 1 shared ownership this year was delivered by Flagship.
Old Firth Place	4 affordable rent and 1 shared ownership this year was delivered by Hastoe.

10. 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 2024/25		
Development Site		Contribution Received
191522 - Land at "East Bay Mill", 19 East Bay, Colchester		£3,390.66
192828 - "Essex County Hospital", Lexden Road, Colchester		£19,693.80
201686 - "Land south of West Bergholt Cricket Club", Colchester Road, West Bergholt, Colchester		£2,828.00
212646 - Land to the east of, Newbarn Road, Great Tey		£4,650.70
213507 - Land behind "Fire Station", Colchester Road, Wivenhoe, Colchester		£13,821.62
231600 - Land to West of The Folley, Layer-de-la-Haye, Colchester		£11,470.20

231640 - Land off Hall Road, Copford, Colchester		£7,929.63
Unilateral Undertakings from a range of schemes		£65,780.69
Total		£129,565.30

11. 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; **£5,841,867.89**
- b) the total amount of money under any planning obligations which was received during the reported year; **£1,901,635.91**
- 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; **£8,986,486.02**

Infrastructure Item	Amount
Affordable Housing	£453,668.04
Archaeology	£76,522.04
Art	£213,674.49
Education Pre-school	£119,385.18
CCTV	£9,005.75
Community	£2,676,498.70
Environmental Improvements	£168,642.39
Health	£910,954.91
Leisure	£3,815,239.09
Transport & Sustainability	£532,460.79
Waste & Recycling	£10,434.64
Total	£8,986,486.02

- 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; **322**
 - (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; **£3,091,033.42**.
- 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); **£994,851.67**.
- 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
Affordable Housing	£572,196.90
Archaeology	£23,901.85
Business Enterprise	£25,961.28
Community	£1,225,401.85
Leisure	£918,596.35
Health	£108,813.79
Transport & Sustainability	£215,612.4
RAMS	£549.00
Total	£3,091,033.42

- 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;

2024/2025	
Infrastructure Type	S106 Contributions spent
Business Enterprise	£40,011.7
Community	£92,233.26
Transport & Sustainability	£308,547.89
Leisure/Open Space	£455,197.38
Library	£3,910.53
RAMS	£94,950.91
<u>Total</u>	<u>£994,851.67</u>

(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; **£89,623.63** was received in monitoring fees during the period 2024/25 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 £2,253,258.33. Total amount allocated for longer term maintenance £97,653.73**

