

# Infrastructure Funding Statement



## **CONTENTS**

- 1. INTRODUCTION**
- 2. INFRASTRUCTURE FUNDING STATEMENT 2020/2021**
- 3. OUR PROCESSES**
- 4. MONITORING FEES**
- 5. OPEN SPACE**
- 6. PUBLIC ART**
- 7. COMMUNITY**
- 8. AFFORDABLE HOUSING**
- 9. NON-MONETARY**
- 10. HEALTHCARE**
- 11. STUDENT TRAVEL/TRAVEL PLN**
- 12. FOOTPATH IMPROVEMENTS**
- 13. TRANSPORT AND SUSTAINABILITY**
- 14. CCTV**
- 15. BUSINESS ENTERPRISE**
- 16. FOOT/CYCLE BRIDGE**
- 17. RECREATIONAL DISTURBANCE AVOIDANCE MITIGATION STRATEGY (RAMS)**
- 18. SUMMARY OF INFORMATION TO COMPLY WITH SCHEDULE 2 OF THE COMMUNITY INFRASTRUCTURE  
LEVY (AMENDMENT) (ENGLAND) (NO.2) REGULATIONS 2019**

# 1. INTRODUCTION

Welcome to Colchester Borough Council's Infrastructure Funding Statement 2020/2021.

The Statement sets out income and expenditure relating to contributions secured with s106 Agreements on developments throughout Colchester. Councils are now required to produce an Infrastructure Funding Statement (IFS) on an annual basis.

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: <https://www.essex.gov.uk/>

## 2. INFRASTRUCTURE FUNDING STATEMENT 2020/2021

### S106 Contributions Summary

For the financial year 2020/21 the Council received a total of £3,730,194.04 in financial contributions with £1,489,107.19 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>2020/2021</b>	
<b>Infrastructure Type</b>	<b>S106 Contributions Received</b>
Archaeology	£3,837.79
CCTV and/or upgrading buses	£174,592.98
Community	£928,342.56

Footpath Improvements	£3,030.20
Highways Bus Service Contribution	£1,334,800.00
Travel Plan/Club	£6,175.01
Transport and Sustainability	£66,324.69
Health	£36,705.90
Infrastructure Improvements	£4,222.62
Leisure/Open Space	£1,092,254.32
RAMS	£79,907.97
<u>Total</u>	<u>£3,730,194.04</u>

<b>2020/2021</b>	
<b>Infrastructure Type</b>	<b>S106 Contributions spent</b>
Business Enterprise	£5,000.00
CCTV	£79,650.00
Community	£281,322.80
Foot/Cycle Bridge	£9,725.00
Footpath Improvement	£7,740.00
Travel Plan/Student Travel	£15,489.92
Transport & Sustainability	£10,394
Leisure/Open Space	£1,013,701.65
Public Art	£3,319.44
RAMS	£62,763.58
<u>Total</u>	<u>£1,489,107.19</u>

## Section 106 agreements signed

Developments with notable s106 agreements signed in the last financial year 2020/21 include:

- 191830 - Land South of School Road, Langham, Colchester – Full Application for erection of 46 dwellings, public open space and associated infrastructure.
- 192828 - "Essex County Hospital", Lexden Road, Colchester – Full Application for redevelopment of the former Essex County Hospital to provide 120 homes. Residential conversion of Main Hospital Building, Nurses Home, Kitchen Store, G.U. Medicine Building and North East Block to provide 70 apartments and houses, and demolition of additional outbuildings and replacement with 50 new apartments and houses. Associated enabling works including public open space, landscaping, parking, and access. New electricity substation and relocation of existing gas governor. \*\*\* (also includes Listed Building application) - 192829 \*\*\*
- 190043 - Colchester (Phase 2)", Land West of Brook Street – Full Application amended proposal for creation of 119 no. one and two-bedroom apartments in five blocks plus associated roads, landscaping and open space.
- 190302 - Land to the east of Nayland Road, Great Horkesley, Colchester – Outline Application for 80 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.
- 192090 - Western Knowledge Gateway Site; Land Adj Capon & Annan Road, Colchester – Full Application for the construction of five buildings to provide 1204 new student bedrooms arranged as cluster flats and 58 studios, with social and administrative facilities, associated hard and soft landscaping, cycle parking, bin stores and vehicle access and turning.
- 192136 - Land at Brierley Paddocks, West Mersea – Outline Application for Demolition of 1 dwelling (No. 43 Seaview Avenue) and erection of up to 101 dwellings and up to 0.5ha of D1/B1 commercial use with associated parking, public open space, landscaping, sustainable urban drainage system (SUDs), vehicular access from East Road and pedestrian/cycle access from Seaview Avenue.
- 190424 - Land at "East Bay Mill", 19 East Bay, Colchester - Full Application for Construction of 20 residential units together with parking, landscaping & associated works, including refurbishment of the existing Grade II Listed Granary Barn.
- 190522 - Land west of Gosbecks Road & south of Cunobelin Way, Gosbecks Road, Colchester - Full planning permission for the development of the site to provide 144 new residential units (including affordable homes) with associated on-site electricity and drainage infrastructure, open space, landscaping, access roads, parking and turning areas, all with a new vehicular access point from the Gosbecks Road roundabout.
- 191414 - Wilkin And Sons Ltd", Factory Hill, Tiptree, Colchester - Full Application for erection of 49 dwellings and associated parking and landscaping (Modifications and reduction in built footprint of last phase for 40 units of approved planning application 130245).
- 200351 - Land at Dawes Lane, West Mersea, Colchester – Outline Application for 100 dwellings and land for community uses, public open space and landscaping: and access from Dawes Lane.
- 181458 - 32 Colchester Road, West Bergholt, Colchester - Outline application for the erection of 13 dwellings with vehicular access, landscaping, footpath links and other related infrastructure.
- 190699 - AGM House, 83A London Road, Copford, Colchester - Full Application for erection of Business Park, comprising 3,009 sqm of B1(a) Offices in Three Two-Storey Blocks with associated Parking.

- 191997 - Land Adj West Bergholt CC & "Stable Cottage", Colchester Road, West Bergholt, Colchester - Full planning permission for site clearance and redevelopment to provide 41 new homes with a new access from Colchester Road and associated landscaping, open space, drainage, foul pumping station and parking; provision of 1.189 hectares of land reserved for sports and recreational use.
- 191522 - Land Adjacent To 67, Braiswick, Colchester – Outline Application for the erection of up to a total of 27 dwellings (including affordable homes) and associated development, with site access to be considered and all other matters reserved for future consideration

### **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. 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 and community facilities monies, Town & Parish Councils may be able to utilise S.106 contributions for the provision or upgrade of open space, play areas and community facilities in accordance with Council policy.

When a request is received from the Town or Parish Council, it is checked to ensure it meets the appropriate criteria before being agreed.

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.

£66,211.58 was received in monitoring fees during the period 2020/21.

## **5. OPEN SPACE**

In 2020/21, £1,013,701.65 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 2020/21

Open Space projects delivered off-site by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivery
121444/145131 - 505 Ipswich Road, Colchester 071184/100041 - 11 Spring Road, Tiptree Colchester 080665 - Maldon Road, Tiptree Colchester	£26,600.05 £3,176.32 £15,473.63	Various improvements to Thurstable Sports Centre, Tiptree
121444/145131 - 505 Ipswich Road, Colchester	£45,000.00	New Cricket Pavilion at Mile End Sports Ground
121444/145131 - 505 Ipswich Road, Colchester	£30,000.00	New archery pavilion at the Northern Gateway Sports Park
121444/145131 - 505 Ipswich Road, Colchester	£298,000.00	To enable a cycle route to be established along Severalls Lane through Salary Brook across Northern Gateway Sports Park
112447 - 107 London Road, Copford Colchester	£11,986.28	Contribution to Copford Parish Council for improvement works, notice board, seating, basketball post and ariel runway
110937 - Tubswick, Mill Road, Colchester	£9,164.80	Improvement works to the footpath at Highwoods Country Park.

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

## 6. Public Art

In 2020/21, £3,319.44 of S.106 monies were spent on Public Art across the Borough.

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

Below we have detailed the off-site open space project delivered in 2020/21

Public Art projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivery
O/COL/04/1513 090752 - St Botolphs Car Park, St Botolphs Circus, Colchester	£3,319.44	Wayfinding Artwork

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

## 7. COMMUNITY

In 2020/21, £281,322.80 of S.106 monies were spent on Community projects across the Borough.

Below we have detailed five of the off-site community projects delivered in 2020/21.

<b>Community projects delivered off-site by S106 Contributions in 2020/21</b>		
<b>Development Site</b>	<b>Amount</b>	<b>Project Delivery</b>
120848 - Stanway Railway Depot, Halstead Road, Stanway Colchester	£2,459.01	Redevelopment and refurbishment of Collingwood Road Scout Hut.
144693, 162467 - "Rowhedge Wharf", Former Rowhedge Port, Rowhedge, Colchester, Essex	£60,000	Extension works to Rowhedge Village Hall
160551 - Rowhedge Wharf Phase 2, High Street, Rowhedge, Colchester,	£65,762.71	Refurbishment of Rowhedge Social Club
111741 - 6 Ponders Road, Fordham Colchester	£748.88	Bus Shelter survey/repairs
COL/94/0304/O/COL/02/0980 - ARC s Pit Church Lane, Stanway, Lakelands.	£142,747.18	Towards construction of New Stanway Community Centre

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

## 8. 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 2020/21, 40 affordable units were delivered via S.106 Agreements

<b>Examples of Affordable Housing delivered On Site by S106 Contributions 2020/2021</b>	
<b>Development Site</b>	<b>Project Delivered</b>
Chesterwell Phases 3&4	17 affordable rent homes and 2 shared ownership homes delivered by Colne Housing in partnership with Mersea Homes. Chesterwell forms part of the Northern Gateway Growth Area and will deliver a total of 1600 homes with a minimum of 15% affordable housing.
Land North of Dyers Road	4 affordable rent and 1 shared ownership delivered by Colne Housing in partnership with Mersea Homes.
Severalls	7 affordable rent homes delivered by Eastlight Housing in partnership with Bloor Homes. Severalls is a former hospital site adjacent to the Northern Gateway Growth Area which will deliver a total of 730 homes with a minimum of 15% affordable housing
Field House, Stanway	5 affordable rent Homes and 2 shared ownership Homes delivered by Chelmer Housing in partnership with Taylor Wimpey.
Hampton Park, Stanway	2 affordable rent Homes delivered by Chelmer Housing in partnership with Persimmon Homes.

## 9. NON-MONETARY OBLIGATIONS

A few examples of non-monetary obligations secured are detailed below;

<b>Non-Monetary S106 Obligations Secured in 2020/21</b>	
<b>Development Site</b>	
190043 - Colchester (Phase 2)", Land West of Brook Street	George Williams Way Link, ECRTTR Link
190302 - Land to the east of Nayland Road, Great Horkesley, Colchester	Scout Hut, if not provided a financial contribution has been secured to provide a Community building. Allotment Land
192090 - Western Knowledge Gateway Site; Land Adj Capon & Annan Road, Colchester	University Travel Plan
190424 - Land at "East Bay Mill", 19 East Bay, Colchester	Car Club Scheme
191414 - Wilkin And Sons Ltd", Factory Hill, Tiptree, Colchester	Allotment Land

## 10. HEALTHCARE

In 2020/21, £36,705.90 of S.106 monies were received for primary Healthcare projects across the Borough delivered by the NECCG.

<b>Healthcare Contributions in 2020/21</b>	
<b>Development Site</b>	<b>Contribution Received</b>
181859 - Land North of Wyvern Farm", London Road, Stanway, Colchester	£36,705.90

## 11. STUDENT TRAVEL/TRAVEL PLAN

In 2020/21, £15,489.92 of S.106 monies were spent on Student Travel/Travel Plan in the Borough.

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

Below we have detailed four of the projects delivered in 2020/21

<b>Student Travel/Travel Plan projects delivered by S106 Contributions in 2020/21</b>		
<b>Development Site</b>	<b>Amount</b>	<b>Project Delivered</b>
120380/145328 – The Maltings, King Edward Quay, Colchester	£13,650.00	Software development work to extend the Finding Your Way App
171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£400.00	Student Travel Plan
181309/202038 - "Land to North of", Elmstead Road/East of Swan Close, Colchester	£400.00	Travel Club Membership
181907 - Avon Way House, Avon Way, Colchester	£1,039.92	Travel Club Membership

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

## **12. FOOTPATH IMPROVEMENTS**

In 2020/21, £7,740.00 of S.106 monies were spent on Footpath Improvements in the Borough.

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

Below we have detailed the off-site projects delivered in 2020/21

Footpath Improvement projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
144693 - Rowhedge Wharf, Former Rowhedge Port, Rowhedge, Colchester, Essex	£4,140.00	Upgrade to Rowhedge Trail
171646 - Aim Hire Site, Hawkins Road, Colchester	£3,600.00	Legal Costs for Deed of Variation

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

### 13. TRANSPORT AND SUSTAINABILITY

In 2020/21, £10,394.80 of S.106 monies were spent on Transport and Sustainability projects in the Borough.

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

Transport and Sustainability delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£10,000.00	CCTV provision to encourage walking and improve safety
131935 - Area B1b, Flagstaff Road, Colchester Garrison, Colchester	£394.80	Air Quality Monitoring

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

## 14. CCTV

In 2020/21, £79,650.00 of S.106 monies were spent on CCTV Improvements in the Borough.

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

CCTV projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
121290 - Colnebank House, 30 St. Peters Street,	£14,305.14	Installation of digitised CCTV to provide full coverage of St Peters Street
181281 - Former Bus Depot Magdalen Street, Colchester	£66,000.00	Provision of CCTV cameras and associated works.

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

## 15. BUSINESS ENTERPRISE

In 2020/21, £5,000.00 of S.106 monies were spent on Business Enterprise projects in the Borough.

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

Business Enterprise projects delivered by S106 Contributions in 2020/21
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Development Site	Amount	Project Delivered
121444 - Betts UK Limited, 505 Ipswich Road, Colchester	£5,000.00	Colbea Business Centre additional support and advice from its business advisors

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

## 16. FOOT/CYLE BRIDGE

In 2020/21, £9,725.00 of S.106 monies were spent on Foot/Cycle Bridge projects in the Borough.

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

Foot/Cycle Bridge projects delivered by S106 Contributions in 2020/21		
Development Site	Amount	Project Delivered
120380/145328 – The Maltings, King Edward Quay, Colchester	£9,725.00	Wayfinding Study

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

## 17. 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.

<b>RAMS Contributions in 2020/21</b>		
<b>Development Site</b>		<b>Contribution Received</b>
180873 - Land North of Dyers Road, Stanway, Colchester		£5,849.95
181281 - Former Bus Depot, Magdalen Street, Colchester		£6,113.84
181309/202038 - Land to North of, Elmstead Road/East of Swan Close, Colchester		£517.12
190522 - Land west of Gosbecks Road & south of Cunobelin Way, Gosbecks Road, Colchester		£17,683.13
190753 - Rowhedge Wharf, Former Rowhedge Port, Rowhedge, Colchester, Essex		£2,320.52
192249 - Land at Brook Road, Great Tey, Colchester		£1,855.86
192219 - Wakes Hall, Colchester Road, Wakes Colne, Colchester		£2,706.23
Unilateral Undertakings from a range of schemes		£42,861.32

<u>Total</u>		<u>£79,907.97</u>
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## 18. 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;  
**£5,962,697.34**
- b) the total amount of money under any planning obligations which was received during the reported year; **£3,730,194.04**
- 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; **£7,700,548.22**
- 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; **160**
  - (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; **£316,058.32**
- 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); **£1,489,107.19**
- 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;

<b>Infrastructure Item</b>	<b>Amount Allocated</b>
CCTV	£15,077.07
Community	£91,113.82
Cycle Training	£2,457.21
Footpath Improvements	£5,184.45
Leisure	£144,751.24
Public Realm & Transport	£41,686.53
RAMS	£15,788.00

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>2020/2021</b>	
<b>Infrastructure Type</b>	<b>S106 Contributions spent</b>
Business Enterprise	£5,000.00
CCTV	£79,650.00
Community	£281,322.80
Foot/Cycle Bridge	£9,725.00
Footpath Improvement	£7,740.00
Travel Plan	£1,439.92
Transport & Sustainability	£10,394.80
Leisure/Open Space	£1,017,021.09
RAMS	£62,763.58

Student Travel	£14,050.00
<u>TOTAL</u>	<u>£1,489,107.19</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; **£66,211.58** was received in monitoring fees during the period 2020/21 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 £2,504,508.00. Total amount allocated for longer term maintenance £1,700,42.00**

