

## Infrastructure Funding Statement



**December 2020**

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Planning Strategy and Projects

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### Introduction

Under Regulation 121A of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) (“the Regulations”), the Council is identified as a ‘contribution receiving authority’ and is required to produce an annual Infrastructure Funding Statement (IFS) outlining the collection and use of planning obligations in the Borough; the first report of which is to be published by 31 December 2020 and then every annual anniversary thereafter. Schedule 2 of the Regulations outlines the matters to be reported in the IFS.

The Council currently receives Planning Obligations through the use of Section 106 agreements; this may include the direct provision of infrastructure or financial payments towards infrastructure. The Council is also the collecting authority for the Mayor of London CIL, the receipts of which are directly passed to the Mayor of London; more details can be found on the Mayor’s website at <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy>

As of December 2020, there is no ‘local’ CIL charged within Bromley (i.e. that to which the Council raises for the provision of infrastructure in the Borough); as such, there are no receipts to report other than those raised towards the Mayor of London CIL. However, the Council is currently in the process of consulting on a local CIL charge, which, following successful examination and adoption, could be in place by summer 2021. More information can be found on the Council’s website at [https://www.bromley.gov.uk/info/1004/planning\\_policy/1179/bromleys\\_community\\_infrastructure\\_levy](https://www.bromley.gov.uk/info/1004/planning_policy/1179/bromleys_community_infrastructure_levy)

### Current Reporting

The Council currently reports S106 contributions through the Executive, Resources and Contracts Policy Development and Scrutiny Committee (ERC PDS) – details of the committee are available here: <https://cds.bromley.gov.uk/mgCommitteeDetails.aspx?ID=116>. Relevant reports can be viewed via the following specific meeting links (see agenda item ‘S106 Agreements update’):

- October 2020: <https://cds.bromley.gov.uk/ieListDocuments.aspx?CId=116&MId=6888&Ver=4>
- July 2019: <https://cds.bromley.gov.uk/ieListDocuments.aspx?CId=116&MId=6650&Ver=4>
- February 2019: <https://cds.bromley.gov.uk/ieListDocuments.aspx?CId=116&MId=6328&Ver=4>
- February 2018: <https://cds.bromley.gov.uk/ieListDocuments.aspx?CId=116&MId=6132&Ver=4>
- January 2017: <https://cds.bromley.gov.uk/ieListDocuments.aspx?CId=116&MId=5749&Ver=4>

### Future Reporting

It is proposed that future reports will include thematic chapters providing greater detail on the funds held and future expenditure. Should the Council successfully adopt a local CIL, future local CIL allocations will also be reported. It is envisaged the report will provide a greater narrative on the processes for determining the expenditure of planning obligations.

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### Matters required to be reported under Schedule 2 of the CIL Regulations 2010

#### In relation to matters of collection and expenditure CIL (paragraph 1):

The Council is currently not a CIL charging authority, and only functions as “collecting authority” for CIL on behalf of the Mayor of London. The CIL regulations direct under Regulation 121A(4): “Nothing in paragraph (1) requires a contribution receiving authority to include in its annual infrastructure funding statement any information in relation to CIL which it collects on behalf of another charging authority.”

However, for transparency, the Council can report that during 01 April 2019 to 31 March 2020 it issued 21 CIL demand notices worth a potential £3,525,646.88. During this period £3,578,343.93 was received, of which £143,133.757 (4%) was retained to cover the Council’s administrative costs of administering and collecting CIL, the remaining £3,435,210.20 was passed directly on to the Mayor of London.

Upon adoption of Local CIL, future reports will contain information outlined in Appendix A of this report.

#### In relation to matters of collection and expenditure S106 amounts (paragraph 3 and 4):

*(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;*

During the 2019/20 financial year 14 new S106 Agreements (and a further 5 variations to existing agreements) were signed. The total potential value of the new agreements was to the potential value of £9,527,685.31

Further details are contained in appendix 1 of the 09 October 2020 ERC PDS report

*(b) the total amount of money under any planning obligations which was received during the reported year;*

During the 2019/20 financial year the Council received £3,460,315.25 from S106 payments

Further details are contained in appendix 3 of the 09 October 2020 ERC PDS report

*(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;*

At the end of the previous financial year (2018/19) there was a balance of unallocated contributions totalling £10,712,419.54. During 2019/20, of the £3,127,510 that was spent by the Council [see (i) below] £2,532,073.32 came from sums held as of 31 March 2019. A further £2,015,556 was committed for future expenditure [see (g) below], to which an additional £1,716,888.76 is proposed from sums held since 31 March 2019.

As a result of the subsequent expenditure and new allocations, the remaining unallocated balance from sums in receipt as of 21 March 2019 is now £6,463,457.46

*(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;*
- (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;*

During 2019/20, 5 agreements were signed with the potential for 220 affordable housing units. There were no non-financial contributions towards education.

Further details on non-financial contributions entered into during 2019/20 are contained in appendix 1 of the 09 October 2020 ERC PDS report

- (e) *the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;*

During 2019/20 a total of £2,015,556.01 health contributions were allocated in conjunction with Clinical Commissioning Group, and is due to be spent within the next financial year

Further details are contained in appendix 3 of the 09 October 2020 ERC PDS report

- (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);*

During 2019/20 £3,127,510.05 was spent

Further details are contained in appendix 3 of the 09 October 2020 ERC PDS report

- (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;*

Scheme	Total S106 funds allocated
Bromley Health and Wellbeing Centre (Dysart Surgery Move)	£352,907.26
Orpington Health and Wellbeing Centre	£502,105.00
Oaks Park Centre (Penge)	£78,312.46
Wickham Park Surgery	£235,410.00
Biggin Hill Community Clinic	£159,763.64
The Willows Community Clinic	£163,000.00
Beckenham Beacon Clinical Space	£521,332.21
London Lane Clinic	£2,715.44
<b>TOTAL</b>	<b>£2,015,546.01</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;*

Spend Area	Expenditure during 2019/20
Total for Highway improvement works	£105,322.89
Total Local Economy & Town Centres	£2,607,981.42

Total parking schemes	£2,500.00
Total Landscaping schemes	£0.00
Total Community Facilities	£0.00
Total Housing	£115,652.50
Total for Healthcare/CCG	£0.00
Total Education	£0.00
Total for other	£296,053.24
<b>Total All</b>	<b>£3,127,510.05</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);*

None

*(ii) 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;*

None

*(iv) 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.*

Present data held by the Council does not highlight any such sums

## Appendix A

### Future matters to be reported upon adoption of a local CIL

- (a) the total value of CIL set out in all demand notices issued in the reported year;
- (b) the total amount of CIL receipts for the reported year;
- (c) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;
- (d) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;
- (e) the total amount of CIL expenditure for the reported year;
- (f) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;
- (g) in relation to CIL expenditure for the reported year, summary details of—
  - (i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item;
  - (ii) the amount of CIL 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);
  - (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;
- (h) in relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;
- (i) the amount of CIL passed to—
  - (i) any parish council under regulation 59A or 59B; and
  - (ii) any person under regulation 59(4);
- (j) summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—
  - (i) the total CIL receipts that regulations 59E and 59F applied to;
  - (ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;
- (k) summary details of any notices served in accordance with regulation 59E, including—
  - (i) the total value of CIL receipts requested from each parish council;
  - (ii) any funds not yet recovered from each parish council at the end of the reported year;

(l) the total amount of—

(i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied;

(ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied;

(iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;

(iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year.