

Introduction and background

1.1. Welcome to our first annual Infrastructure Funding Statement

The purpose of this statement is to illustrate the income and expenditure relating to developer contributions for the financial year 2019/2020 (1st April 2019 to 31st March 2020). The information provided in this statement meets the requirements set out in Community Infrastructure Levy (2019 Amendment) Regulation 121A.

Canterbury City Council became a Community Infrastructure Levy (CIL) Charging Authority from 1st April 2020, so information relating to this type of developer contribution will feature in next year's statement.

Accordingly, this statement will feature developer contributions in the form of planning obligations (also known as Section 106 agreements) which were secured, received, allocated and spent in financial year 2019/2020.

Canterbury City Council anticipates that S106 agreements will decrease over time and that CIL will become the primary method for collecting developer contributions.

1.2. What are developer contributions?

The purpose of developer contributions is to ensure that developers are required to address or mitigate the impacts of their development on infrastructure. Types of infrastructure include open space (such as play areas and parks), schools, transport and community facilities.

Mitigations can be made as financial contributions in the form of CIL or by planning permissions requiring that developers provide infrastructure directly. A third way, on which this statement will focus, is through planning obligations, also known as Section 106 agreements.

1.3. What are planning obligations or Section 106 agreements?

Planning obligations or Section 106 agreements are made between the Council and developers. They are attached to a planning permission to make a development acceptable in planning terms, that otherwise would not have been allowed.

Although the agreements are signed by the developer, it's the land itself that becomes bound by a legal agreement and therefore viewable on the local land charge register.

Commonly, agreements will include obligations for payment of money to the Council as mitigation for impacts of a proposed development, such as providing for community infrastructure.

Canterbury City Council also require planning obligations for developments affecting Special Protection Areas. These areas cover the Thames, Medway and Swale estuaries and marshes, and Thanet Coast and Sandwich Bay.

Following a significant decline in important bird species in Kent, Canterbury City Council has worked with Natural England to create Strategic Access Management and Monitoring Strategies (SAMMS) for these protected sites. If a development is in the SAMMS area, the developer must contribute towards mitigation measures for these areas. The contribution is only paid for new dwellings (including holiday homes) and is paid on the basis of the number of bedrooms proposed in the development.

Read more about Planning Obligations and CIL

Headlines

2.1. Key total figures for developer contributions in financial year 2019/2020

There is more information on each section within the statement. Please note that the figures are rounded up to the nearest thousand.



Cycling along Herne Bay seafront near East Cliff. Visit Canterbury (C) Leanne Bracey

- pledged from planning applications granted in financial year 2019/2020.
- 180 affordable housing units secured in granted planning applications.
- £1 million received from

planning obligations (secured in any financial year).

• £2.2 million allocated to infrastructure provision/improvement (secured in any financial year).

 £1.1 million spent by Canterbury City Council as well as transferred to external bodies to spend.

Helpful definitions

3.1. Please see definitions of key terms which are used throughout this statement:

- Affordable housing refers to commuted sums/a financial contribution which is allocated by Canterbury City Council's Property and Regeneration team, to be used for the purpose of enabling of affordable housing in the district, either by the council or by a Registered Provider.
- **Business support** refers to 'one to one' or group support to help local businesses with issues (e.g. social media, website, and property issues etc).
- East Kent SAMMS refers to contributions made to Bird
 Wise East Kent, a partnership of local authorities and
 conservation organisations, who mitigate the potential
 recreational disturbance to bird populations on the Special
 Protection Area of the Thanet Coast and Sandwich Bay.
- Health funds refer to contributions that are secured and received for and spent and allocated by NHS Kent and Medway Clinical Commissioning Group (CCG).
- KCC refers to contributions secured, received and transferred to Kent County Council (KCC).
- North Kent SAMMS refers to contributions made to Bird Wise North Kent, otherwise known as the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) board. It is a partnership of local authorities, developers and environmental organisations, who mitigate the potential recreational disturbance from development on bird populations on the Thames, Medway and Swale estuaries, which are designated Special Protection Areas and Ramsar sites.

- Open Space refers to contributions that are secured and received for and spent and allocated by Canterbury City Council's Environment team, to be used for the purpose of open spaces, gardens and parks in the district.
- Sustainable Transport refers to contributions that are secured and received for and spent and allocated by Canterbury City Council's Transportation team on sustainable transport initiatives. N.B. other transportation schemes are funded by KCC Highways.

Please note that if a purpose is not mentioned in a section, it means that there are no sums held for that specific purpose for that requirement of the statement.

Obligations entered into in financial year 2019/20

4.1. Figures for financial year 2019/2020:

The table below shows the total developer contributions secured through planning obligations in the reporting year. Although 'secured' through the legal agreement, these contributions only become payable when a 'trigger' for the obligation (as outlined in the agreement) is met.

Common triggers include: 'on commencement of a certain phase' or 'when development is occupied by a certain percentage'. If a development is not implemented or not completed, it may not meet the triggers and therefore the obligation is not collected.

Obligations secured per purpose		
Purpose	Amount	
Open Space	£621,770.42	
ксс	£422,002.38	
Sustainable Transport	£357,440.31	
Health	£326,720.00	
East Kent SAMMS	£137,503.00	
North Kent SAMMS	£15,352.23	
Total secured in FY19/20	£1,880,788.34	

Figure 1 - Total amount of money to be provided under any planning obligations which were entered into during financial year 2019/2020

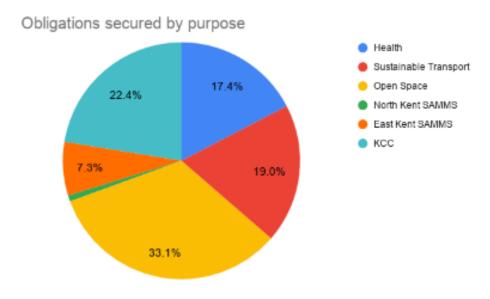


Figure 2 - data in Figure 2, presented as a pie chart

4.2. Breakdown of contributions secured for Kent County Council in financial year 2019/2020:

The data under the 'KCC' heading in Figures 1 and 2, as well as below in Figures 3 and 4, includes all money secured for KCC which (1) KCC will collect directly and (2) all money secured

which Canterbury City Council will collect and transfer to KCC once received and required.

KCC contributions		2019/20
Purpose		Amount secured
	Primary School	£237,868.96
Education	Secondary School	£147,544.00
Community development facilities		£32,337.86
Libraries		£2,688.89
Youth services		£1,562.67
Total		£422,002.38

Figure 3 - Total amount of money secured for KCC in financial year 2019/2020, shown by purpose

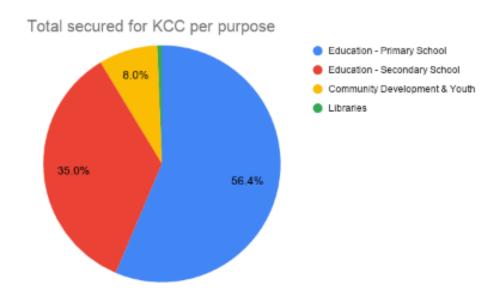


Figure 4 - data in Figure 4, presented as a pie chart

4.3. Examples of notable \$106 agreements signed in financial year 2019/20:

Please continue scrolling to see examples of contributions that have been secured around the district.



Open Space at Westgate Gardens and Toddlers Cove

£24,201.49 agreed for access and interpretation enhancement project within Westgate Gardens and Toddler's Cove Playground

Obligation entered into through planning application CA//19/00514 (28-30 St Peter's Street, Canterbury, CT1 2BL)



Open Space at Whitehall Meadows

£79,825.95 agreed for ditch works, fencing/gate improvements, site signage and interpretation signage at Whitehall Meadows; and improvements such as creation of a new pond and new areas of vegetation at Bingley Island

Obligation entered into through planning application CA//19/00514 (28-30 St Peter's Street, Canterbury, CT1 2BL)



Open Space



Sum of £32,000 for the improvement of Dane John Gardens.

Obligation entered into through planning application CA//19/00299 (Buildings 1-7, Former St Mildred's Tannery, Canterbury)

Photo credit: Visit Canterbury (C) Alex Hare



Transport improvements near Pin Hill bridge

A contribution of £146,000.00 which includes footpath improvements (including route towards and via Pin Hill bridge), enhancements to bus stop shelters within the vicinity of the development and city cycle parking.

Obligation entered into through planning application CA//17/02456 (Former St Mary Bredin School, Rhodaus Town, Canterbury)



Transport improvements for Littlebourne to Canterbury cycle route

A sum of £10,940.31 towards the Littlebourne to Canterbury cycle route,

which passes close by The Street, Patrixbourne and Bifrons Hill.

Obligation entered into through planning application CA//19/00451 (Land adjacent to Aspinall Close, Bekesbourne).



Open Space at Radfall Recreation Grounds

A contribution of £180,283.00 towards improvements at Radfall Recreation Ground Pavilion and sports pitch

Obligation entered into through planning application CA//17/00469 (Grasmere Gardens, Land South of the Ridgeway, Chestfield)



Health contribution for Chestfield

A contribution of £252,720.00 towards the extension of Chestfield Medical Centre.

Obligation entered into through planning application CA//17/00469 (Grasmere Gardens, Land South of the Ridgeway, Chestfield)



Transport improvement for Chestfield to Herne Bay cycle route



A contribution of £50,000 towards the provision of and/or improvement and/or extension of the Chestfield to Herne Bay cycle route.

Obligation entered into through planning application CA//17/00469 (Grasmere Gardens, Land South of the Ridgeway, Chestfield)

Photo credit: Visit Canterbury (C) Leanne Bracey

Did you know that you can find out more information about each planning application on our Planning webpages?

To find out more about these planning applications or to read the legal agreements, you can search by <u>planning application</u> number.

4.4. Non-monetary contributions entered into during financial year 2019/2020

In Community Infrastructure Levy Regulations (as amended), Regulation 121A states that for the purpose of the Infrastructure Funding Statement: 'a non-monetary contribution includes any land or item of infrastructure provided pursuant to a planning obligation'.

Non-monetary contributions secured by planning obligations are secured less frequently than monetary contributions and they are typically for land or affordable housing units.

180 affordable housing units were pledged within legal agreements for developments granted planning permission in financial year 2019/2020. The largest proportion of these units has been secured through phase 2 of the residential development at Howe Barracks, Canterbury (application number CA//18/00910), which will provide 53 affordable housing units.

Most on-site infrastructure provisions are secured through conditions imposed on the planning permission as opposed to planning obligations. In financial year 2019/2020, there were 2 instances in which infrastructure provisions were provided pursuant to a planning obligation:

- Application number CA//17/02456; Former St Mary Bredin School, Rhodaus Town, Canterbury; decision date 6th January 2020: to ensure that 29 cycle spaces shall be provided along the rear wall of the development for use by the occupiers/lessees of the development.
- Application number CA//19/00299; Buildings 1-7, Former St Mildred's Tannery, Canterbury; decision date 12th November 2019: to provide broadband at a minimum speed of 100mb to each building for current and future use of the buildings prior to their occupation.

Developer contributions received in financial year 2019/2020

5.1. Figures for financial year 2019/2020

Obligations received per purpose			
Purpose Amount			
Sustainable Transport	£332,560.13		
East Kent SAMMS	£293,785.78		
ксс	£265,381.40		
Open Space	£71,439.09		
North Kent SAMMS	£15,460.05		
Total received in FY19/20 £978,626.45			

Figure 5 - Total amount of money to be provided under any planning obligations which was received during the reported year, shown by purpose

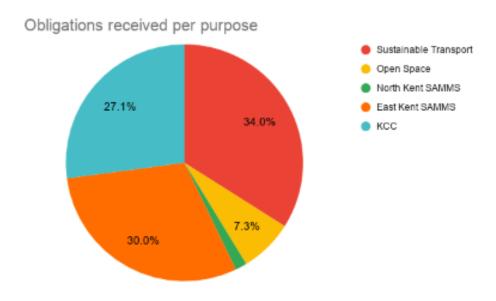


Figure 6 - data in Figure 6, presented as a pie chart

5.2. Breakdown of contributions received for Kent

County Council in financial year 2019/2020

The majority of developer contributions for Kent County Council are collected directly by Kent County Council but some are collected by Canterbury City Council and transferred to Kent County Council when required. You can see which council is due to collect the funds by reviewing the relevant legal agreement.

This section includes further information on the contributions that Canterbury City Council received on behalf of Kent County Council. Contributions received directly by Kent County Council will feature in Kent County Council's Infrastructure Funding Statement.

KCC contributions		2019/20
Purpose		Amount received (CCC)
	Primary School	£151,375.10
Education	Secondary School	£106,561.79
Libraries		£4,428.36
Adult social services		£1,604.94
Community development facilities		£1,046.09
Youth services		£365.12
Total		£265,381.40

Figure 7 - Total amount of money received by Canterbury City Council (CCC) for KCC in financial year 2019/2020, shown by purpose

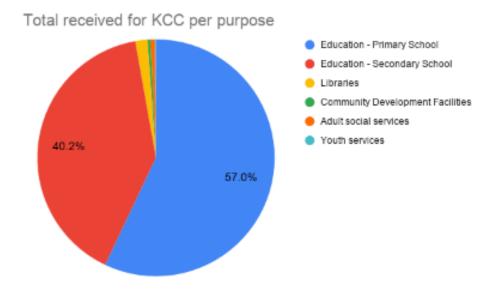


Figure 8 - data in Figure 8, presented as a pie chart

5.3. Notable S106 contributions received in financial year 2019/20

Total receipts in financial year 2019/2020 (£978,626.45) came from 69 sites, however most of the contributions (£888,153.87) came from the following 10 sites:

- 1. Canterbury Riverside, Canterbury (CA//17/02092) for £251,628.62 towards Open Space and Transport.
- 2. Land at Herne Bay Golf Course, Herne (CA//16/00378) for £194,037.53 towards East Kent SAMMS.
- Land at Hollow Lane, Canterbury (CA//14/02591) for £130,069.07 for KCC (Adult Social Services, Community Learning, Education, Libraries and Youth).
- 4. Land at Hill House, Chartham (CA//18/00915) for £87,618.07 for KCC (towards Libraries and Education).
- 5. 8-9 St Margaret's Street, Canterbury (CA//15/00450) for £75,000.00 towards Transport.
- 6. St Philip Howard School, Herne Bay (CA//15/02786) for £46,843.71 for KCC (towards Libraries and Education).
- 7. The Garth, Canterbury (CA//16/01429) for £37,055.80 towards Transport and KCC (Libraries).
- 8. Former Bus Depot, Herne Bay (CA//17/02055) for £29,268.81 towards East Kent SAMMS.

- 9. Land adjacent to 34 Puffin Road, Herne Bay (CA//14/01244) for £20,831.80 towards Transport.
- 10. Abbots Barton Hotel, Canterbury (CA//09/00778) for £15,800.00 towards Transport.

Developer contributions allocated in financial year 2019/2020

6.1. Information in this section

This section contains information on developer contributions which have been or will be allocated by Canterbury City Council and external parties. These external parties include Kent County Council, East Kent SAMMS, North Kent SAMMS and the NHS Kent and Medway Clinical Commissioning Group.

Please note that contributions for East Kent SAMMS and North Kent SAMMS have been counted as 'allocated' contributions for the purpose of this statement as they are automatically allocated to their respective Special Protection Area.

6.2. The total amount of money which was allocated but not spent during financial year 2019/20

This part includes all money received in financial year 2019/20 and previous financial years which was allocated at the end of the financial year (31st March 2020) but not yet spent. If the purpose type is not mentioned in the table below, then there is either no money currently held for this purpose type or it is due to be allocated.

Total contributions allocated per purpose		
Purpose	Amount	
Sustainable transport	£795,001.24	
East Kent SAMMS	£593,077.22	
Open space	£583,927.09	
Business support	£151,283.15	
ксс	£89,908.15	
Health	£15,000.00	
North Kent SAMMS	£5,506.74	
Total allocated in FY19/20	£2,233,703.59	

Figure 9 - total amount of money which was allocated but not spent during financial year $2019/20\,$

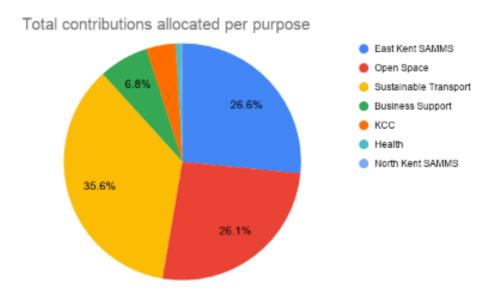


Figure 10 - data in Figure 10, presented as a pie chart

6.3. Summary of details of items of infrastructure on which the money has been allocated

Please see the two dashboards below which contain a breakdown of the allocated items of infrastructure as summarised in section 6.2 (please wait a few seconds for the dashboard to load).

One planning application can fund several items of

infrastructure so the dashboard includes a line for each of these specific allocations.

Please note that allocations for SAMMS are not included in this section. Specific allocations are made by the SAMMS bodies on receipt of their contributions. There is further information on the types of projects to which these SAMMS funds are allocated in the following section: 'Developer contributions spent in financial year 2019/2020'.

How to use the dashboards: click into the box to interact. You can then scroll inside the box, or you can filter the results in a certain parish/area by clicking on the 'Parish/Area' dropdown box at the top right. N.B. if a parish or area is not listed in the dropdown menu, there are no current retained and allocated funds in this area.

Dashboard showing allocated contributions for Transport and other purposes (excluding Open Space)

Dashboard showing allocated contributions for Open Space

6.4. Money which was received before the reported year which is due to be allocated by the authority

If a purpose (e.g. Health, Transport) is not mentioned in the table below, then the sums that are held by Canterbury City Council for that purpose are allocated or spent.

Total contributions received prior to FY19/20 which are due to be allocated, per purpose		
Purpose	Amount	
Affordable Housing	£1,388,796.41	
KCC (across Primary School Education, Adult Education, Adult Social Services and Community Learning)	£143,463.92	
Total due to be allocated in FY19/20	£1,532,260.33	

Figure 11 - table showing total contributions to be allocated, per purpose $\,$

Further information:

- For commuted sums in lieu of affordable housing, the council's preferred option is for affordable housing to be provided on-site. Where it can be demonstrated that on-site provision is not suitable, a financial contribution will be sought.
- For KCC contributions which Canterbury City Council
 holds, requirements as to how the contributions can be
 spent can be found within the relevant legal agreement.
 Once a decision has been made as to the item of
 infrastructure to which the funds will be directed, the
 obligation is allocated and the money can be transferred to
 KCC.

6.5. Developer contributions held at the end of financial year 2019/20

Total money retained at end of financial year 2019/20 (31st March 2020)		
Description	Amount	
Total allocated by end of the financial year (as per section 6.2 of this statement)	£2,233,703.59	
Total received before FY19/20 which is due to be allocated (as per section 6.5)	£1,532,260.33	
Total received in FY19/20 which is due to be allocated	£64,378.61	
Total retained	£3,830,342.53	

Figure 12 - table showing total developer contributions money that Canterbury City Council retained by 31st March 2020

Developer contributions spent in financial year 2019/2020

7.1. Figures for financial year 2019/2020

This section includes all developer contributions that have left

the council, as either spent by internal teams (e.g. Environment team) or as transferred to external parties (e.g. KCC) to spend.

Total contributions spent per purpose		
Purpose Amount		
Sustainable transport	£510,563.64	
KCC	£487,844.88	
Business Support	£84,954.31	
East Kent SAMMS	£17,572.50	
North Kent SAMMS	£13,612.86	
Open space	£10,310.00	
Total amount spent in FY19/20	£1,124,858.19	

Figure 13 - table showing the amount of developer contributions which were spent in financial year 2019/2020

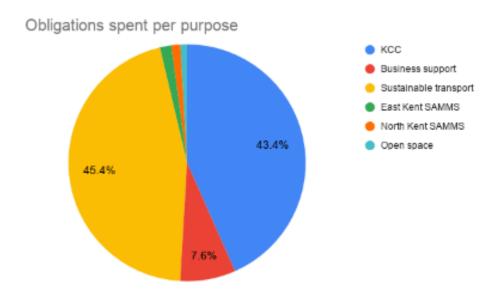


Figure 14 - data in figure 14, presented as a pie chart

7.2. Breakdown of contributions transferred to Kent County Council in financial year 2019/2020

KCC contributions		2019/20
		Amount
		transferred to
Purpose		KCC ('spent')
	Primary School	£232,809.94
Education	Secondary School	£211,559.44
Libraries		£39,890.84
Adult social services		£1,153.04
Adult Education		£919.34
Youth services		£828.19
Community development facilities		£684.09
Total		£487,844.88

Figure 15 - Total amount of money transferred to KCC to spend in financial year 2019/2020, split by purpose

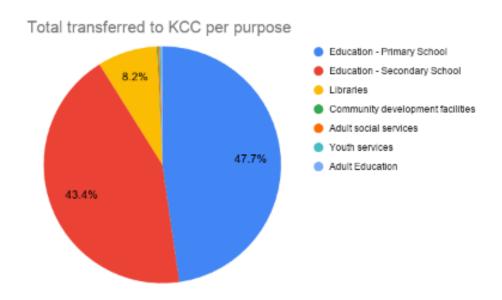
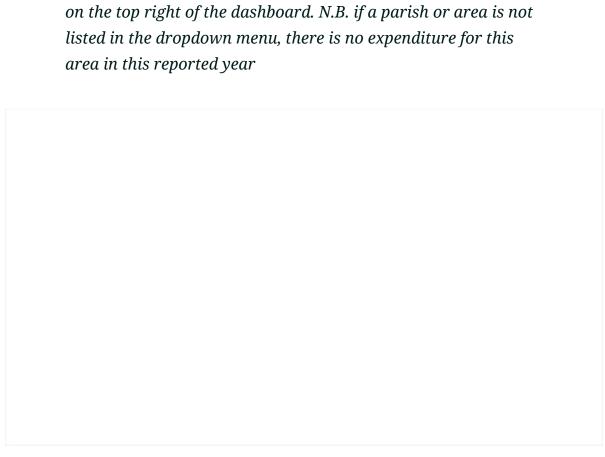


Figure 16 - data in Figure 15, shown as a pie chart

7.3. Summary of details of items of infrastructure on which contributions have been spent

Canterbury City Council is required to report on the items of infrastructure on which money received under planning obligations was spent, and the amount spent on each item. These details are listed in the dashboard below.

How to use the dashboard: please click into the dashboard and scroll. You can filter it by area/parish by clicking on the box



Dashboard showing contributions which were spent in financial year 2019/2020

*£17,572.50 was spent in total for East Kent SAMMS, spent on ecological consultancy services. These sums were not assigned to particular applications but were taken from the overall 'pot' of money held for East Kent SAMMS. These sums have therefore been deducted from 'total amount allocated' and 'total amount of money retained at the end of the financial year'.

7.4. Example of how developer contributions have been spent in financial year 2019/2020

Please click on the arrow on the right hand side.

Citchens & Ba

Sainsbury's Herne Bay Superstore, Altira Business Park

Planning consent was granted in 2015 for a food superstore, petrol filling station and a number of small commercial units.

Photo: Gastro-Deli, Herne Bay. (C) Leanne Bracey





The supermarket is on the outskirts of the town so in mitigation for the potential for the town to lost trade to the supermarket, a financial package was negotiated and set out in the S106 legal agreement

Photo: Salt and Light, Herne Bay. (C) Leanne Bracey









7.5. Further information on SAMMS contributions and how they are spent



SAMMS contributions

What are SAMMS contributions?

Strategic Access Management and Monitoring Strategies (SAMMS) are in operation to mitigate potential recreational disturbance from development on bird populations in identified European Protected Sites.

The Canterbury district collects contributions for two strategies: Thames, Medway and Swale estuaries and marshes, which are designated Special Protection Areas and Ramsar sites (these SAMMS contributions are managed by Bird Wise North Kent) and Thanet Coast and Sandwich Bay Special Protection Area (where SAMMS contributions are managed by Bird Wise East Kent).

The SAMMS, ran by Bird Wise North Kent and Bird Wise East Kent, are funded via developer contributions from house builders. In the Canterbury district, if a development affects both Special Protection Areas, the developer pays a contribution for each.

What happens to the money?

Contributions for both Bird Wise North Kent and Bird Wise East Kent are combined with other contributions that are received for their respective strategies.

These combined contributions help to deliver initiatives inyear as well as forward funding activity for the following year and contributing to the 'in-perpetuity' fund that will be used to deliver projects until the year 2115! (For 80 years after 2035, when contributions are no longer collected).

Photo: Guided Walk conducted by Bird Wise North Kent in Seasalter (credit: Hayley Taylor, Bird Wise North Kent)



How has the money been spent to date?

Examples of how Bird Wise North Kent spent contributions last financial year include guided walks and attendance at the Whitstable Harbour Day, to share information and educate the public on ways to mitigate impacts to the landscape and to the birds and other wildlife that inhabit it.

Bird Wise East Kent spent contributions on initiatives such as Pit Stops (information stands along the coast, used to talk to coastal users), launching a new website, and information leaflets which have been put into libraries, vets and pet shops around the district.

Bird Wise East Kent have also set up a Savvy Sea Dogs Club which people can join, which promotes the Coastal Canine Code (e.g. to keep to the paths when dog walking and keeping dogs under close control).

How will money be spent in the next financial year?

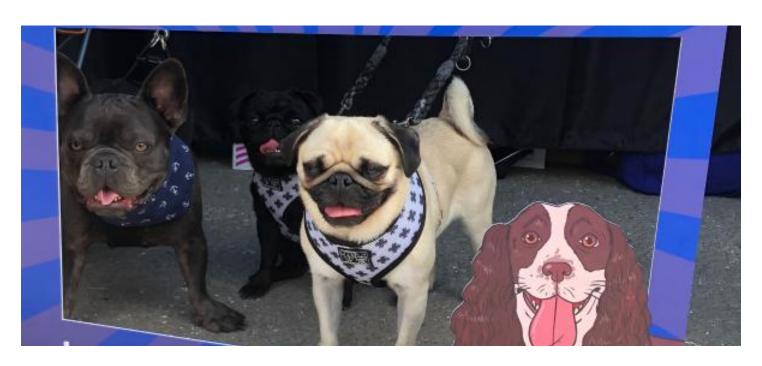
Both Bird Wise North Kent and Bird Wise East Kent will be installing signage at disturbance 'hotspots' to inform the public of the wildlife interests and encourage them to engage in responsible recreation only, to avoid any disturbance. In Seasalter and Whitstable, Bird Wise North Kent and Bird Wise

East Kent are working together to ensure the signage messaging and designs are consistent.

Bird Wise North Kent also uses contributions towards employing Rangers who engage with the public in person and via video and social media. Bird Wise East Kent intends to set up a similar wardening team, focused on community engagement.

Bird Wise North Kent have specific plans to organise a travelling exhibition which will visit several libraries, while Bird Wise East Kent similarly plan to visit libraries and community centres to hold talks (subject to Covid 19 restrictions).

Photo: Bird Wise stand at Whitstable Harbour Day 2019 (credit: Hayley Taylor, Bird Wise North Kent)



For more information on how contributions are spent or if you would like to learn tips about how you can mitigate potential disturbance to bird populations on the coast, please visit:

Bird Wise North Kent website:

https://northkent.birdwise.org.uk/

Bird Wise East Kent website:

https://eastkent.birdwise.org.uk/

Photo: #BirdWise Champions 'taking the lead' at Whitstable Harbour Day 2019 (credit: Hayley Taylor, Bird Wise North Kent)

7.6. Amount of money spent in respect of monitoring

CIL Regulation 121A requires that Local Authorities provide an estimate of the amount of money spent in respect of monitoring in relation to the delivery of planning obligations.

Monitoring refers to tracking progress of developments to understand if they have reached a 'trigger' for payment as set out in their legal agreement e.g. to pay a certain sum prior to commencement or prior to first occupation. This mostly involves communication between council officers and developers but can also involve site visits as well as accessing council tax and building control data.

Canterbury City Council started charging S106 monitoring fees from 1st October 2020 to cover the administrative costs of monitoring and reporting on S106 agreements. Read more about S106 monitoring fees on our website.

It is estimated that Canterbury City Council spent £23,500.00 in respect to monitoring in financial year 2019/2020. This is

based on the estimated percentage of Officer time spent undertaking these monitoring duties.

7.7. Future spending priorities

Canterbury City Council's <u>Infrastructure Delivery Plan (IDP)</u>
(2019) sets out the future spending priorities on infrastructure and provides information on the infrastructure schemes necessary to deliver the Canterbury District Local Plan (2017). The IDP includes information relating to timing, phasing, delivery, costs and funding of these key infrastructure requirements (see Chapter 3).

Moreover, it outlines how developer contributions such as S106 agreements and the Community Infrastructure Levy (CIL) will be used to deliver planned infrastructure provision. As mentioned in the introduction of this statement, it is anticipated that infrastructure provision will be increasingly funded by CIL, with the exception of strategic development sites and infrastructure required for site-specific mitigation which will continue to be subject to S106 planning obligations.

Alongside the IDP, the Council's <u>Infrastructure List (2020)</u> specifies the types of infrastructure that may be funded wholly or partly through CIL versus S106 planning obligations.

Both the Infrastructure List and the Infrastructure Delivery Plan will be subject to regular review.

End of Infrastructure Funding Statement FY 2019/20

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