



Infrastructure Funding Statement
2020/2021

December 2021

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1. Introduction

On 1st September 2019, the Community Infrastructure Levy Regulations (CIL) 2010 (as amended) came into force. These Regulations require that contribution receiving authorities must produce an annual Infrastructure Funding Statement (IFS), with the first to be published by 31st December 2020 for the period 1st April 2019 to 31st March 2020. Derbyshire Dales is such an authority for that part of its area that is situated outside of the Peak District National Park.

The Regulations set out that an Infrastructure Funding Statement should address the following, where relevant:

- (a) a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”);
- (b) a report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);
- (c) a report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).

As Derbyshire Dales has resolved not to proceed with the implementation of the Community Infrastructure Levy this Infrastructure Funding Statement (IFS) provides a summary of all financial and nonfinancial developer contributions derived from Section 106 Obligations during the reporting year 2020/21. This statement provides the most up to date information on the amount of developer contributions received from new developments and where relevant where such contributions have been spent.

It also includes a statement of infrastructure projects that Derbyshire Dales District Council intends to be, or may be, wholly or partly funded by S106.

2. Section 106 Planning Obligations

Section 106 Obligations are legal agreements entered into to mitigate the impacts of a proposed development. Planning Obligations are normally secured through a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and are a mechanism through which development proposals can be made acceptable in planning terms.

The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and Paragraph 56 of the NPPF limit the use of s106 Obligations in granting planning permission if they meet the 3 statutory tests;

- they are necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

S106 Obligations are typically focused on site-specific mitigation measures and run with the land, meaning they are legally binding and enforceable. They are typically used for:

- restricting the development or use of the land in any specific way:
- requiring specified operation or activities to be carried out in, on, under or over the land:
- requiring the land to be used in any specified way:
- requiring a sum or sums to be paid to the authority on a specified date or dates or periodically

Where it is determined that infrastructure and/or proposed levels of affordable housing does not meet the policy requirements as set out in the Derbyshire Dales Local Plan, the District Council may seek to negotiate from developers a financial contribution to ensure that these needs are met at the appropriate level.

S106 contributions can be used either to provide on-site infrastructure, including affordable housing, or off-site provision in the form of financial contributions. In some cases, a combination of both on-site provision and off-site financial contributions is used.

Once a s106 Agreement has been signed, it becomes a legal obligation for the developer, and will come into force if the associated planning permission is implemented and reaches an agreed trigger point. When the agreed trigger point is reached normally a developer will make a financial contribution to the District Council as set out in the s106 Obligation or have ensured that any agreed on-site provision has been met. When the planning permission is granted, the s106 Obligation is registered as a land charge which stays with the land, obligating any future owners to abide by the requirements of the s106 until the terms are met.

In February 2020 the District Council adopted a Developer Contributions Supplementary Planning Document. This seeks to ensure that developers make appropriate financial contributions towards the provision of infrastructure. For further information on developer contributions please see the [Developers Contributions Supplementary Planning Document](#)

3. Section 106 Monitoring Fees

Regulation 122 of the Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 now allow Local Authorities to charge a monitoring fee to cover the cost of the monitoring and reporting on Section 106 Obligations provided:

- (a) the sum to be paid fairly and reasonably relates in scale and kind to the development; and
- (b) the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development.”.

In August 2020 the District Council resolved to introduce a charging regime for monitoring s106 Obligations to cover its costs associated with the:

1. Administrative monitoring of S106 obligations that are recorded and managed through a centralised database.
2. Physical monitoring of developments on site for compliance with the requirements of the s106 Obligation, e.g. to assess whether trigger points have been met thereby requiring the provision of developer contributions for affordable housing or education.
3. Financial monitoring and management of the monies associated with the receipt of developer contributions towards local infrastructure and mitigation measures;

To ensure compliance with the statutory requirements set out in Regulation 122 of the Community Infrastructure Regulations the District Council's approach involves charging a monitoring fee per obligation based on the average number of hours spent on monitoring, the number of covenants in the Section 106 Obligation, and the size of the development. This way, larger, more complex agreements that necessitate more concentrated monitoring over a longer period of time are reflected in the monitoring fee.

To account for the additional time required to monitor the larger more complex developments a fee, proportionate to the size of development, is payable. The charging bands are set out as follows:

	Band 1: 1-5 dwellings of up to 1ha of land	Band 2: 6-10 dwellings or up to 3ha of land	Band 3: 11-49 dwellings or up to 10ha of land	Band 4: 50+ dwellings or more than 10ha of land
Percentage uplift of baseline fee	0%	20%	40%	80%
Monitoring fee per obligation/covenant	£319.01	£382.81	£446.61	£574.21

The District Council will review its charging regime as part of the annual update of the Infrastructure Funding Statement (benchmarking undertaken, increase will represent inflation). By doing this it will ensure that the fees collected reflect the true monitoring costs.

Authorities must report on monitoring fees in their Infrastructure Funding Statements. During the reporting period the District Council received £5000 in monitoring fees.

4. Section 106 Contributions Received in 2020/2021

The details set out in this Infrastructure Funding Statement is based on the requirements set out in Schedule 2 of the CIL Regulations 2010 (as amended) and records all those obligations applicable to the developments that have been brought forward within the local planning authority area of Derbyshire Dales.

Table 1 – Total Financial Contributions held by the Derbyshire Dales District Council at 1st April 2020 (After Write-Offs)

	Balance 1 st April 2020
Affordable Housing	£6,128,692.07
Healthcare	£22,710.52
Public Open Space & Leisure	£161,151.94
TOTAL	£6,312,554.53

During the reporting year 2020/21 the District Council completed one s106 Obligation. Details of which is set out in Table 2 below:

Table 2 - S106 Obligations Signed 2020/2021 (Contributions may be Subject to Indexation)

Application(s)	Site	Date of Agreement	Dwellings	On site Affordable	Primary/Junior	Secondary	Highways	Open Space etc	Cycling & Pedestrian	Healthcare	Offsite Affordable	Monitoring	Total
19/01274/FUL	Ashbourne Airfield	18 th August 2020	367	39	£1,133,134.80	£878,102.28	£255,500.00			£176,256.00			£2,442,993.08
Totals			367	39	£1,133,134.80	£878,102.28	£255,500.00			£176,256.00			£2,442,993.08

Table 3 – Amounts received from Section 106 Obligations for the period 2020/21

MONEY RECEIVED IN 2020/21	
Public Open Space	£155,123.73
Education	£827,568.20 (Collected by Derbyshire County Council directly from the developer)
Healthcare	£30,919.33
Affordable Housing	£886,653.03
Highways	£82,808.77 (Collected by Derbyshire County Council directly from the developer)
Total	£1,983,073.06

On the basis of Table 3 above Derbyshire County Council collected £910,376.97 towards education and highways works (including travel plans) during 2020/21 from development in the local planning authority area of Derbyshire Dales District Council. During the same time period the District Council collected £1,072,696.09 the majority of which was payable in lieu of the on-site delivery of affordable housing.

Tables 4-8 below set out the detailed breakdown from which developments the monies received during 2020/21 have been derived:

Table 4 - Public Open Space 2020/21

APPLICATION	COLLECTING AUTHORITY	SITE	AMOUNT RECEIVED
16/00567/OUT	Derbyshire Dales District Council	Land off Main Road, Brailsford	£100,000.00
15/00060/OUT	Derbyshire Dales District Council	Land off Lathkill Drive	£19,337.23
15/00319/OUT, 17/00250/REM, 17/00250/DCOND, 17/00250/DCOND/1, 19/00485/S106M	Derbyshire Dales District Council	Land at Leys Farm	£35,786.50
Total			£155,123.73

Table 5 - Education 2020/21

APPLICATION	COLLECTING AUTHORITY	SITE	AMOUNT RECEIVED
16/00436/OUT & 18/00711/REM	Derbyshire County Council	Land at Luke Lane, Brailsford	£206,558.27
15/00060/OUT & 17/01248/REM	Derbyshire County Council	Land off Lathkill Drive, Ashbourne	£53,543.97
15/00319/OUT, 17/00250/REM, 17/00250/DCOND, 17/00250/DCOND/1, 19/00485/S106M	Derbyshire County Council	Land at Leys Farm, Ashbourne	£115,282.77
16/00832/OUT & 18/00589/REM	Derbyshire County Council	Land at Les Ardennes, Hulland Ward	£133,441.31
16/00340/OUT & 18/00699/REM	Derbyshire County Council	The Firs, Main Road, Wyaston	£25,322.63
16/00567/OUT, 18/00397/REM, 19/00467/REM	Derbyshire County Council	Land off Main Road, Brailsford	£142,451.51
16/00923/OUT, 17/00294/FUL & 20/00782/REM	Derbyshire County Council	Cawdor Quarry, Matlock	£150,967.74
Total			£827,568.20

Table 6 - Affordable Housing 2020/21

APPLICATION	COLLECTING AUTHORITY	SITE	AMOUNT RECEIVED
15/00060/OUT & 17/01248/REM	Derbyshire Dales District Council	Land off Lathkill Drive, Ashbourne	£445,036.13
18/00484/OUT & 19/00204/REM & 19/00204/DCOND	Derbyshire Dales District Council	Land at 37 Windmill Lane, Ashbourne	£53,130.64
16/00789/FUL & 17/00887/VCOND	Derbyshire Dales District Council	Land at Brook House, Old Hackney Lane, Matlock	£40,521.45
16/00832/OUT & 18/00589/REM	Derbyshire Dales District Council	Land at Les Ardennes, Hulland Ward	£15,884.71
15/00319/OUT, 17/00250/REM, 17/00250/DCOND, 17/00250/DCOND/1, 19/00485/S106M	Derbyshire Dales District Council	Land at Leys Farm	£332,080.10
Total			£886,653.03

Table 7 – Highways 2020/21

APPLICATION	COLLECTING AUTHORITY	SITE	AMOUNT RECEIVED
15/00319/OUT, 17/00250/REM, 17/00250/DCOND, 17/00250/DCOND/1, 19/00485/S106M	Derbyshire County Council	Land at Leys Farm, Ashbourne	£51,050.21
16/00436/OUT & 18/00711/REM	Derbyshire County Council	Land at Luke Lane, Brailsford	£2,671.57
13/00826/FUL	Derbyshire County Council	Land at Luke Lane	£1,394.19
16/00567/OUT, 18/00397/REM, 19/00467/REM	Derbyshire County Council	Land off Main Road, Brailsford	£2,692.80
18/00223/FUL and 18/00214/VCOND previously 17/00337/FUL, 13/00911/OUT, also see 16/00450/REM, 18/00214/VCOND	Derbyshire County Council	Land off Old Derby Road, Ashbourne	£25,000.00
Total			£82,808.77

Table 8 – Healthcare 2020/21

APPLICATION	COLLECTING AUTHORITY	SITE	AMOUNT RECEIVED
16/00567/OUT, 18/00397/REM, 19/00467/REM	Derbyshire Dales District Council	Land off Main Road, Brailsford	£30,919.33
Total			£30,919.33

5. Section 106 Contributions Spent in 2020/21

The Regulations require that the IFS sets out how much money was received from s106 Obligations during the reporting period. Tables 9-10 set out how the funds were spent. This includes that paid directly to Derbyshire County Council as Education and Highways Authority.

Table 9 – Affordable Housing

PROJECT	AMOUNT SPENT	COMMENTARY
Social Housing Grant , Bakewell Road, Darley Dale	£570,000.00	Financial support to deliver 57 new affordable homes through Nottingham Community HA, specifically to provide a higher proportion of bungalows to meet needs of families with disabled people and generally deliver a high standard of housing
Social Housing Grant - Ashbourne Empty Property Buy-Backs	£25,000.00	Financial support for Platform Housing Group to buy back a former RTB and undertake modernisation and energy efficiency upgrades
TOTAL	£595,000.00	

Table 10 – Public Open Space

PROJECT	AMOUNT SPENT	COMMENTARY
Ashbourne Pavilion	£14,200.43	A financial contribution towards the delivery of a new pavilion in Ashbourne Park to ensure the viability of the project
Ashbourne Park	£4,033.30	A financial contribution to new play area equipment on Ashbourne Recreation Ground to improve the current play area
Morledge Play Area	£20,000.00	Installation of a new toddler play area on Morledge estate in Matlock
Fanny Shaw Skate Park Consultation Costs	£1,059.63	Fees towards a feasibility study carried out with a local community group who have taken over the skate park at Fanny Shaws in Wirksworth
TOTAL	£39,293.36	

Table 11 below sets out the total amount of money received during 2020/21 which was allocated but was not spent:

Table 11 – Monies Received during 2020/21 - Allocated but Unspent Monies

PURPOSE	AMOUNT
Public Open Space	
Improvements to Brailsford Institute	£100,000.00
Play Area, Cavendish Drive, Ashbourne	£19,337.23
Improvements to Ashbourne Recreation Ground	£35,786.50
Total	£155,123.73
Education	£827,568.20
Highways	£82,808.77
Healthcare	£30,919.33
Affordable Housing (Net After Capital Expenditure)	
District Council Affordable Housing Capital Programme 2020-2024	£291,653.03
Total	£291,653.03
Total	£1,388,073.06

6. Section 106 Financial Contributions Secured for Future Years

The Council has also secured financial contributions through S106 Obligations from the following development sites. These will be paid in future years should the developments progress as planned. These contributions will be paid by the developers either once development has commenced on site or once a specified number of homes has been delivered on the site.

Table 12 - Affordable Housing

APPLICATION	SITE	AMOUNT DUE
18/00223/FUL and 18/00214/VCOND previously 17/00337/FUL, 13/00911/OUT, also see 16/00450/REM, 18/00214/VCOND	Land off Old Derby Road, Ashbourne	£598,075.00
16/00711/OUT	Land adjacent Hilltop, Derby Road, Ashbourne	£220,346.10
17/00934/OUT	Land at former Harveydale Quarry, Dale Road, Matlock	£57,000.00
17/01243/FUL	Land South of Dale Road North, Darley Dale	£254,500.00
15/00389/OUT & 18/00891/REM, 18/00891/DCOND, 15/00389/DCOND, 15/00389/DCOND/2	Land Off Derby Road (to the East of Bakers Lane), Doveridge	£201,552.50
14/00698/OUT & 19/00159/REM	Land off Wheeldon Way, Hulland	£248,137.50
16/00182/OUT & 17/00498/REM	Old Hall Farm, Barway, Marston Montgomery	£39,193.00
17/00850/FUL	Land at Whitelea Nurseries, Tansley	£2,545.00
16/00134/OUT, 20/00037/FUL	Land at Thatchers Croft, Thatchers Lane, Tansley	£25,450.00
19/00455/OUT	Land off Millers Green, Wirksworth	£15,270.00
16/00587/FUL, 16/00587/DCOND & 16/00587/DCOND/1	Mushroom Farm, Rodsley Lane, Yeaaveley	£75,586.50
Total		£1,737,655.60

Table 13 - Public Open Space

APPLICATION	SITE	AMOUNT DUE
16/00923/OUT, 17/00294/FUL	Cawdor Quarry, Matlock	£250,000.00
17/01243/FUL	Land South of Dale Road North, Darley Dale	£32,699.00
17/00850/FUL	Land at Whitelea Nurseries, Tansley	£29,640.00
16/00134/OUT, 20/00037/FUL	Land at Thatchers Croft, Thatchers Lane, Tansley	£6,500.00
19/00455/OUT	Land off Millers Green, Wirksworth	£6,000.00
Total		£324,839.00

Table 14 - Education

APPLICATION	SITE	TOTAL
14/00074/OUT & 14/00074/DCOND. 18/00767/VCOND, 19/01274/FUL	Land at Ashbourne Airfield, Ashbourne	£2,011,237.08
18/00223/FUL and 18/00214/VCOND previously 17/00337/FUL, 13/00911/OUT, also see 16/00450/REM, 18/00214/VCOND	Land off Old Derby Road, Ashbourne	£640,978.72
16/00711/OUT	Land adjacent Hilltop, Derby Road, Ashbourne	£220,105.82
16/00923/OUT, 17/00294/FUL	Cawdor Quarry, Matlock	£672,541.59
16/00567/OUT, 18/00397/REM, 19/00467/REM	Land off Main Road, Brailsford	£131,724.74
17/00015/FUL	Land at Dairy House, Luke Lane, Brailsford	£70,156.41
17/01243/FUL	Land South of Dale Road North, Darley Dale	£193,783.17
14/00698/OUT & 19/00159/REM	Land off Wheeldon Way, Hlland	£109,430.49
16/00397/FUL	Land at Tansley House Gardens, Tansley	£75,236.78
16/00134/OUT, 20/00037/FUL	Land at Thatchers Croft, Thatchers Lane, Tansley	£22,798.02
19/00455/OUT	Land off Millers Green, Wirksworth	£78,139.81
Total		£4,226,132.63

Table 15 - Healthcare

APPLICATION	SITE	AMOUNT DUE
16/00711/OUT	Land adjacent Hilltop, Derby Road, Ashbourne	£14,151.00
14/00074/OUT & 14/00074/DCOND. 18/00767/VCOND, 19/01274/FUL	Land at Ashbourne Airfield, Ashbourne	£176,256.00
16/00923/OUT, 17/00294/FUL	Cawdor Quarry, Matlock	£185,331.00
17/00850/FUL	Land at Whitelea Nurseries, Tansley	£10,347.00
16/00397/FUL	Land at Tansley House Gardens, Tansley	£18,716.00
Total		£404,801.00

Table 16 - Highways

APPLICATION	SITE	AMOUNT DUE
14/00074/OUT & 14/00074/DCOND. 18/00767/VCOND, 19/01274/FUL	Land at Ashbourne Airfield, Ashbourne	£255,500.00
18/00223/FUL and 18/00214/VCOND previously 17/00337/FUL, 13/00911/OUT, also see 16/00450/REM, 18/00214/VCOND	Land off Old Derby Road, Ashbourne	£13,730.89
16/00711/OUT	Land adjacent Hilltop, Derby Road, Ashbourne	£2,500.00
16/00923/OUT, 17/00294/FUL	Cawdor Quarry, Matlock	£393,000.00
15/00814/OUT, 19/01140/VCOND, 19/01188/REM	Land adjacent Bakewell Road, Matlock	£50,000.00
14/00541/OUT & 14/00541/DCOND & 14/00541/DCOND/2	Halldale Quarry, Matlock	£95,000.00

APPLICATION	SITE	AMOUNT DUE
08/00261/FUL	Tansley Wood Mills, Lumsdale Road, Tansley	£520,000.00
Total		£1,329,730.89

7. Future Infrastructure Spending Priorities for the District Council

Infrastructure is defined in the Planning Acts as relating to a wide range of features including road, transportation, education, medical facilities, sports facilities and open space. The delivery of many of these are however, not in the main District Council operational matters.

However in order to ensure that there is adequate infrastructure in place to meet the needs of the Community the District Council regularly engages with the relevant agencies. This includes regular discussion with for example, the Derby and Derbyshire Clinical Commissioning Group to identify future healthcare requirements as well as Derbyshire County Council as both Education and Highways Authority.

Such meetings provide opportunities for the District Council to be made aware of any major funding opportunities that the lead agencies may have secured or be seeking to secure to improve infrastructure provision across the District Council area. These allow for financial contributions to be secured as appropriate through the planning application process.

The District Council will, as set out in this Statement, pass on to the relevant agencies the financial contributions secured on their behalf. It will however seek to utilise the financial contributions it secures for affordable housing to support its Affordable Housing Programme, including the construction of new Council Housing. It will also use, as appropriate, any financial contributions it secures to improve the range and quality of sports and recreational open space in accordance with the priorities set out in [Derbyshire Dales Built Sports Facilities, Playing Pitch and Open Space Strategy](#).

Affordable Housing

The District Council has progressed a pro-active approach to the delivery of affordable housing over the past 20 years. The result of which has been the provision of over 1500 new affordable homes across the whole of Derbyshire Dales in that time. The District Council has approved a Capital Programme for 2021/22 which allocates approximately £2.5 million from S106 Obligations towards the delivery of affordable homes.

Table 17 – Affordable Housing Capital Programme 2021-25

Project	2021/22	2022/23	2023/24	2024/25	Total
Social Housing Grant - Tideswell	£412,500.00				£412,500.00
Social Housing Grant - Bakewell Alms-house Trust	£35,000.00				£35,000.00
Social Housing Grant - Bradwell	£40,000.00				£40,000.00
Social Housing Grant - Calver	£43,000.00				£43,000.00
Social Housing Grant - Cromford / Matlock Bath	£100,000.00				£100,000.00
Social Housing Grant - Darley Dale	£157,500.00				£157,500.00
Social Housing Grant - Harrison Alms-house Charity	£26,500.00				£26,500.00
Social Housing Grant - Luke Lane / Mercaston Lane	£135,000.00				£135,000.00
Social Housing Grant - Matlock Almshouse Trust	£207,214.00				£207,214.00
Social Housing Grant - Matlock YMCA with NCHA	£500,000.00				£500,000.00
Social Housing Grant - Rural village affordable Housing Grant	£210,000.00				£210,000.00
Social Housing Grant - Wirksworth	£280,000.00				£280,000.00
Social Housing Grant - Wirksworth community land trust	£350,000.00				£350,000.00
Council Housing – Station House	£104,000.00				£104,000.00
Empty Homes – Council Houses	£300,000.00				£300,000.00
				TOTAL	£2,900,714.00

Public Open Space

In order to provide improved pavilion facilities on the Ashbourne Recreation Ground the District Council has agreed that £71,573 secured from the Leys Farm development in Ashbourne is utilised towards the £830,000 cost of a new pavilion. This will be utilised during the current financial year. All other allocated funds will be spent on the projects identified in Table 11 above, and in accordance with the priorities set out in [Derbyshire Dales Built Sports Facilities, Playing Pitch and Open Space Strategy](#).

Healthcare

All healthcare contributions are allocated within each s106 Obligations to specific medical facilities, and is drawn down when a specific project has been identified to utilise the allocated funds.

Future Balances

Taking all the information contained within this Infrastructure Funding Statement the following position is reached in relation to the financial contributions received through s106 Obligations, and subsequently retained by the District at the end of the reporting period 2020/21:

Table 18 – Future Balances

	Balance 1st April 2020	Income 2020/21	Expenditure 2020/21	Balance at 31st March 2021	Balance (Allocated)	Balance (Unallocated)
Affordable Housing	£6,128,692.07	£886,653.03	£595,000.00	£6,420,345.10	£2,900,714.00	£3,519,631.10
Public Open Space & Leisure	£161,151.94	£155,123.73	£39,293.36	£276,982.31	£155,123.73	£121,858.58
Healthcare	£22,710.52	£30,919.33	£0	£53,629.85	£53,629.85	£0
TOTAL	£6,312,554.53	£1,072,696.09	£634,293.36	£6,750,957.26	£3,109,467.58	£3,641,489.68