



Basildon Borough Council

Infrastructure Funding Statement 2020 - 2021

1. Introduction	3
2. Developer Contributions	4
3. S106 Contributions	6

1. Introduction

- 1.1 The Infrastructure Funding Statement (IFS) is an annual report, which provides a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) within the Basildon Borough for a given financial year
- 1.2 Throughout the IFS there will be references to the following definitions:
- **Agreed** – Contributions that have been agreed within a signed legal document. These contributions have not been collected / delivered and if the planning applications are not implemented, they will never be received.
 - **Received** – Contributions, either non-monetary or monetary, that have been received by Basildon Borough Council.
 - **Allocated** – Contributions that have been received and allocated to specific projects.
 - **Spent / Delivered** – Monetary or non-monetary contributions that have been spend or delivered.
 - **Financial Year** – Unless stated otherwise, this refers to the period of 01/04/2020 – 31/03/2021.

2. Developer Contributions

Section 106 Planning Obligations

- 2.1 Planning obligations are legally binding agreements entered into between a Local Authority and a developer under section 106 of the Town and Country Planning Act 1990. They are private agreements negotiated between planning authorities and persons with an interest in a piece of land. They are intended to make development acceptable that would otherwise be unacceptable. They provide the mechanism by which measures are secured to mitigate the impact of development on facilities and infrastructure that are geographically or functionally related to it.
- 2.2 Planning obligations do this through:
- I. Prescribing the nature of a development (e.g., by requiring affordable housing).
 - II. Securing a contribution from a developer to compensate or re-provide for loss or damage created by a development (e.g., through the transfer of land, requiring a commuted payment to be made, requiring new habitats to be created etc.); and,
 - III. Mitigating a development's impact on the local area (e.g., through the securing of environmental improvements and the provision of both on and off-site infrastructure and facilities to serve the development such as new roads and junction improvements which, without the proposed development taking place would not be required).
- 2.3 The outcome of the use of planning obligations, should be that the proposed development is brought into compliance with Local Plan policies and that any development specific works are undertaken satisfactorily. Used effectively, planning obligations can significantly increase the quality of development.
- 2.4 The Council's requirements for S106 planning obligations are set out in the Council's [Planning Obligation Strategy](#).
- 2.5 S106 contributions can either be provided on-site, for example through the provision of affordable housing, or off-site in the form on financial payments.
- 2.6 We are one of twelve partner local authorities who are working together, along with Natural England, to implement the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The RAMS seeks to avoid and mitigate recreational disturbance on European designated sites along the Essex Coast, from an increasing residential population arising from new housebuilding throughout the County. We have been collecting developer contributions of £125.58 per new dwelling towards the RAMS since November 2018 from all new qualifying residential development. Projects that will be funded from this include a Project Delivery Officer and Rangers, providing education and information, installing signage and interpretation boards, new

habitat creation and project monitoring. The RAMS contributions have not been included in this Funding Statement.

Section 278 Highways Agreements

- 2.7 Additional legal agreements that can fund infrastructure are Section 278 Agreements (S278). These are legally binding agreements made under the Highways Act 1990 between Local Highways Authorities and Developers. S278 agreements are required to secure alterations or improvements to the highway. The Council will look at the possibility of including information for S278 agreements within future versions of the IFS.
- 2.8 S.278 Agreements are not the responsibility of the Council as Local Planning Authority. Further guidance on S.278 Agreements can be found on the Department of Transport website and from Essex County Council as the Local Highway Authority.

Forecasting

- 2.9 National guidance suggests that Councils should consider reporting on estimated future income where possible. The Council will look at including forecasting of developer contributions in future versions of the IFS.

3. S106 Contributions

Monies received before 1 April 2020 that had not been allocated as of 1 April 2020

- 3.1 Table 1a below shows the total amount of S106 money held by the Council on 31 March 2020. Table 1b lists all the S106 money held by and to be spent by the Council, whereas Table 1c lists the S106 money currently held by the Council but due to be transferred to external bodies and organisations.

Table 1a – Total money held by the Council at 31 March 2020

Money Held at 31 March 2020	Amount Held
Basildon Borough Council	£5,132,909
To be transferred to external bodies	£437,912
Total	£5,570,821

Table 1b – Unspent monies held by the Council at 31 March 2020

Infrastructure Type	Amount Held
Affordable Housing	£4,715,815
Open Space	£404,894
Training	£12,200
Total	£5,132,909

Table 1c – Unspent monies at 31 March 2020 due to be transferred to external bodies

Infrastructure Type	Amount Held
Health	£437,912
Total	£437,912

- 3.2 Additional to the monies received by the Council the IFS should also report on monies received by Essex County Council (ECC) that have been agreed through Basildon Borough Council S106 agreements. However, this information is not currently available and further work is being undertaken to include this information in future version of the IFS.

Monies agreed in 2020/21 through S106 Agreements

- 3.3 Table 2 outlines the financial contributions that have been agreed through signed S106 agreements this financial year.

Table 2 – Monies agreed in 2020/21 through S106 agreements

Infrastructure Type	Monies Agreed
Affordable Housing	£0
Health	£0
Open Space / Leisure	£0
Transport	£0
Total	£0

Monies received in 2020/21 (Irrespective of S106 agreement date)

- 3.4 Table 3a shows the total income received this financial year by the Council. Table 3b shows the money received that is to be spent by the Council and 3c shows the monies that is to be transferred to other bodies.
- 3.5 The below figures have been categorised for different infrastructure types; these have not necessarily been allocated to specific projects.

Table 3a – Total monies received in 2020/21 through Basildon Borough Council S106 agreements

Recipient	Monies Received
Basildon Borough Council	£0
Basildon Borough Council – To be Transferred to External Bodies	£0
Total	£0

Table 3b – Money received in 2020/21 to be spent by the Borough Council

Infrastructure Type	Monies Received
Affordable Housing	£0
Open Space	£0
Community	£0
Total	£0

Table 3c – Money received in 2020/21 that is to be transferred to external bodies (Excluding ECC)

Infrastructure Type	Monies Received
Health	£0
Total	£0

Total money received and allocated but not spent in 2020/21

- 3.6 Table 4 shows the amount of money allocated in 2020/21 but not spent, irrespective of when the monies were received.

Table 4 – Money allocated in 2020/21 that has not been spent – Off Site

Allocation	Monies Not Spent
Affordable Housing	
Dry Street	£175,000
Nevendon Road	£1,000,000
Open Space	
Noak Bridge - Footpath	£2,461
Falstones – Open Space	£315
Craylands & Fryerns – Pitch Maintenance	£67,469
Audley Way – Open Space	£1,181
Prower Close – Tree works	£729
Dunton – Victoria Park	£55,445
Pine Lodge – Whitmore Park	£20,774
Roscommon Way – Fencing works	£27,896
Ballards Walk – Site habitation	£3,044
Radwinter – Play Areas	£3,774
Cranes Lane – Wildlife	£98,275
Market Road – Tree planting	£10,400
Total	£1,466,763

- 3.7 Future IFS' will also seek to report on the total unspent allocations of ECC that relate to Basildon Borough Council.

Total money spent in 2020/21

- 3.8 Table 5a and 5b provide details on the amount of money either spent by the Council or transferred to external bodies in this financial year.

Table 5a – Total money spent by the Council 2020/21

Project	Amount
Affordable Housing	
Dry Street	£525,000
Open Space	
Craylands & Fryerns – Pitch Maintenance	£1,931

Dunton – Victoria Park	£108,950
Falstones	£2,250
Total	£638,131

Table 5b – Total money transferred in 2020/21

Recipient	Amount
Health	
Dunton Fields	£35,418
Ballards Walk	£24,700
Total	£60,118

- 3.9 Future IFS' will seek to report on the total spend of ECC that was obtained through Basildon Borough Council S106 agreements.

Non-monetary contributions agreed in 2020/21 through S106 agreements

- 3.10 Table 6a provides a summary of the non-monetary contributions that were agreed through S106 agreements for 2020/21. Table 6b provides a summary of the non-monetary contributions provided through S106 agreements (irrespective of Section 106 date).

Table 6a – Non-monetary contributions to be provided through 2020/21 S106 agreements

Site	Permission	Non-Monetary Contribution
Affordable Housing		
Land at Nethermayne	20/00077/REM	35 Units
Lympstone – Burnt Mills	20/00867/FULL	15 Units

Table 6b – Non-monetary contributions provided in 2020/21 irrespective of the date of S106 agreements

Site	Permission	Non-Monetary Contribution
Affordable Housing		
Land Corner of Gardiners Close and Gardiners Lane South	17/01450/FULL	5 Units

Money borrowed

3.11 In 2020/21, no S106 money was spent repaying money borrowed.