

**Maidstone Borough
Council**

**Annual Infrastructure
Funding Statement**

For

**Community Infrastructure Levy and
Section 106**

Reporting Period:
From 01 April 2020 to 31 March 2021

1. INTRODUCTION

1.1 Maidstone Infrastructure Funding Statement (IFS)

This sets out the 2020/2021 income and expenditure relating to the Community Infrastructure Levy (CIL) and Section 106 (S106) agreements, as required under the *2019 CIL Regulations 121A*. This is an annual report (typically published in December), providing a summary of all financial and non-financial developer contributions for the last financial year, but does not cover implementation details. It also provides a statement of the infrastructure projects or types of infrastructure which will be, or may be, wholly or partly funded by the authority's Community Infrastructure Levy.

The purpose of the developer contributions is to provide a funding source which will help to deliver necessary infrastructure to accommodate new development across the borough. This necessary infrastructure is identified within the Maidstone Borough Local Plan (2011 - 2031), and the associated Infrastructure Delivery Plan (IDP), also the Council's Infrastructure List setting out which types of infrastructure not in order of priority, which Maidstone intends may be partly or wholly funded by CIL.

CIL: is a non-negotiable financial levy fixed rate charging schedule collected from development but there is no site/spend relationship, and it must be paid once the development commences. There are exemptions available for self-build and affordable housing, however Maidstone Borough Council (MBC) does not offer exceptional circumstances relief due to the MBC viability evidence that new development would be able to sustain a CIL charge.

The Community Infrastructure Levy Regulations 2010 (as amended) state that CIL must be spent on: the provision, improvement, replacement, operation, or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area. 15% or 25% of CIL is used for local infrastructure, 70% or 80% strategic borough wide infrastructure and 5% will be used by the Council to provide staff costs for the administration of CIL.

Strategic CIL Expenditure - the strategic CIL funds will be available for infrastructure providers to bid for in early in 2022 (see more information on page 11).

S106 Planning Agreements are negotiated legal agreements which provide for on/off site infrastructure to mitigate the impact of a specific development required and to make a development acceptable.

Where appropriate, planning authorities can seek planning obligations to secure the provision or contribution towards new or improved infrastructure. Authorities can also use planning obligations to secure affordable housing provisions from residential developments in line with local planning policies. Contributions collected from a site must be spent in accordance with the legal agreement normally paid at a staggered period over the build out of the development.

Other Funding Sources

If funding gaps remain for infrastructure projects, infrastructure providers will need to identify other funding sources to address the gap. Alternative sources of funding from other Council sources (i.e. the New Homes Bonus and capital funding programme) may be considered where appropriate.

2. CIL & S106 REPORTS 2020/21

Community Infrastructure Levy Report

2.1 Headlines

CIL Opening Balance at 01/04/2020	£ 567,924
CIL Income during 2020/21	£ 1,226,382
CIL Expenditure during 2020/21	£ 45,424
CIL Closing Balance at 31/03/2021	£ 1,181,031

2.2 CIL Summary 2020/21

Type	Potentially *Liabile	Collected	Allocated	Spent	Balance
CIL Admin	£105,377	£61,319		£25,623	£35,696
CIL Neighbourhood	£323,712	£191,197	£131,974	£19,728	£171,469
CIL Strategic	£1,678,460	£973,866		0.00	£973,866
CIL Total	*£2,107,550	£1,226,382		£45,351	£ 1,181,031

*The amount of potential CIL income based on liable development applications, before any relief granted, and commencement

Neighbourhood CIL Expenditure in 2020/21

Table A

Neighbourhood CIL	Amount Allocated	Date	*Infrastructure project or item	Spent
Staplehurst	£9,133	28 April 2020	CCTV Cameras	£9,133
Boughton Monchelsea	£336	28 April 2020	No project identified	
Collier Street	£34,185	28 April 2020	No project identified	
Headcorn	£2,613	28 April 2020	Parsonage Meadow Footpath Refurbishment	£2,613

Neighbourhood CIL	Amount Allocated	Date	*Infrastructure project or item	Spent
Harrietsham	£14,682	28 April 2020	No project identified	
North Loose Residents Association	£2,583	07 July 2020	Towards Security Shed for Loose Road Allotments	£2,583
Headcorn	£1,399	28 October 2020	Tree Works for Extension to Headcorn Burial Ground	£1,399
Loose	£ 621	28 October 2020	Repairs to play equipment- KGVPF Loose	£ 621
Sutton Valence	£223	28 October 2020	Changeover of street lighting to LED-ongoing project	£223
Bearsted	£2,385	28 October 2020	TRO Ware Street Application - paid to KCC	£2,385
Boxley	£1,527	28 October 2020	No project identified	
Bredhurst	£3,862	28 October 2020	No project identified	
Lenham	£2,692	28 October 2020	No project identified	
Tovil	£18,191	28 October 2020	No project identified	
Bearsted	£2,586	28 October 2020	No project identified	
Collier Street	£34,185	28 October 2020	No project identified	
North Loose Residents Association	£771	12 February 2021	Signage on all 3 sites (Richmond Way Green, The Greenway, Mangravet Woods)	£771
TOTAL	£ 131,974			£19,728

*Completion data not available.

S106 Report

2.3 S106 Headlines

S106 Opening Balance at 01/04/2020	£ 10,498,240
S106 Income during 2020/21	£ 5,248,266
S106 Expenditure during 2020/21	£ 4,933,808
S106 Closing Balance at 31/03/2021	£ 10,812,698

2.4 S106 Summary 2020/21

S106 Agreements signed in 2020/21

In 2020/21 Maidstone Borough Council signed new S106s which secured a total of £1,560,239 in future developer contributions. The most significant agreements were:

- £ 1,096,089 towards expansion of Greenfields Community Primary School 19/506182/FULL
- £ 200,000 towards Cycleway Improvements to part of the National Cycle Route 177 from Church Road to Deringwood Drive 19/506182/FULL
- £108,030 towards expansion of Lenham Primary School 19/505281/FULL
- £ 37,800 towards improvement at Salts Farm natural area 20/503109/FULL
- £17,280 towards healthcare facilities in Boughton Monchelsea 20/503109/FULL

Non-Monetary Contributions

In relation to affordable housing, the total number of units which were agreed through S106 during the reported year was 371 including 264 Affordable Rented units and 107 Shared Ownership units.

Deed Signed	Planning Application	Housing numbers	Affordable Rent	Shared Ownership
15/07/2020	19/503912/FULL	91	64	27
15/04/2020	19/505281/FULL	20	16	4
03/02/2021	20/501315/FULL	4	4	0
14/12/2020	19/506182/FULL	126	89	37
14/12/2020	19/501600/OUT	130	91	39
Total		371	264	107

In relation to affordable housing delivered, the total number of units which were delivered through planning obligations in 2020/21 was 373. Of these, 190 were a mix of social and affordable rented units and 183 were shared ownership

S106 Income in 2020/21**Table B**

Infrastructure Type	S106 Income
Affordable Housing (off-site commuted sums)	£584, 421
Community Facility	£205,206
Public Transport (KCC)	£57,479
Education (KCC)	£2,915,479
Healthcare (NHS)	£577,702
Highways and Transportation (KCC)	£421,670
Travel plan (KCC)	£21,273
Libraries (KCC)	£34,942
Community Learning (KCC)	£18,554
Youth Services (KCC)	£5,225
Open Spaces	£107,592
Public Rights of Way (KCC)	£13,762
Town Centre (Contributions)	£284,961
TOTAL	£ 5,248,266

S106 Expenditure in 2020/21**Table C**

Infrastructure Type*	S106 Expenditure
Affordable Housing (off-site commuted sums) towards affordable housing units in Union Street and Brunswick Street developments	£602,057
Public Transport (KCC) towards Late Night Bus Services at Forstal Lane Coxheath	£105,434
Education Primary (KCC)	£2,441,330
Education Secondary (KCC)	£1,146,413
Healthcare (NHS)	£55,484
Travel plan (KCC)	£5,271
Libraries (KCC)	£41,802
Community Learning (KCC)	£18,763
Youth Services (KCC)	£26,691
Social Care (KCC)	£14,032
Open Spaces Including towards Oakwood Hospital cemetery, Mote Park	£431,767

Inclusive Play Area, Parkwood Recreation Ground improvements and outdoor sports facilities at Parkwood Recreation Ground, Whatman/River Park improvement works	
Town Centre (Public Art) towards Public Art iguanodon dinosaur at Maidstone East Station	£44,764
TOTAL	£4,933,808

*Completion data not available

S106 Closing Balance at 31/03/2021

Table D

Infrastructure Type	S106 Closing Balance
Affordable Housing (off-site commuted sums)	£944,200
Public Transport (KCC)	£773,665
Cycle Parking	£35,811
Education (KCC)	£2,798,872
Healthcare (NHS)	£2,584,089
Public Rights of Way (KCC)	£45,888
Town Centre (Public Art)	£1,877
Highways	£1,833,241
Libraries (KCC)	£20,403
Community Learning (KCC)	£51,169
Youth Services (KCC)	£15,470
Open Spaces	£1,423,052
TOTAL	£10,812,698

S106 developer contributions are paid over a staggered period or ‘trigger points’ during the build out of the development. This means there will be intervals in receiving the S106 monies which reflects in a fluctuation of the balance of monies collected. Likewise, the expenditure balances will also be impacted by the timing of the delivery of projects. These are regulated within a S106 clause which allows time for the key infrastructure delivery partners in receipt of S106 money to plan and

account for project delivery complexities. The clawback periods are between five and ten years.

3 The Infrastructure List

The Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A (1) requires the Infrastructure Funding Statement to include a statement of the infrastructure projects or types which will be or may be, wholly or partly funded by CIL.

The list below outlines the types of infrastructure that Maidstone Borough Council intends will be, or may be, wholly or partly funded by Community Infrastructure Levy (CIL) funds. This list does not signify a commitment by the Council to fund all the infrastructure listed. Nor does the inclusion of a type of infrastructure on the list guarantee or imply it will receive any CIL funding.

Infrastructure category	Elements relevant to Maidstone Borough
Transport	Cycling and Walking (including Public Rights of Way) Bus Rail Road Public realm
Education	Nursery / Early years Primary and Secondary, including SEN Further and Higher
Health	Acute care General hospitals Health centres / Care Hubs GP surgeries
Social and Community	Community facilities Adult social care Community learning Youth services Libraries Sports and leisure facilities Heritage and visitor attractions
Public Services	Emergency services (Police, Fire, Ambulance / First responder, River rescue) Waste management and disposal
Utilities	Water supply Wastewater treatment and sewerage Electricity supply Gas supply Digital and telecommunications
Green and Blue	Open spaces and parks HRA mitigation Waterways and water bodies Flood defences

The 2019 CIL regulation amendment removed the previous restriction on the pooling of planning obligations towards a single piece of infrastructure. Alongside CIL contributions, Maidstone Borough Council may also seek planning obligations by way of a planning agreement (S106) where it can meet the statutory and policy tests

and are in line with requirements set out in Maidstone's adopted Planning Obligations Supplementary Planning Document.

Future Spend Priorities

Affordable Housing

The provision of affordable housing as part of new development will continue to be sought through S106s in line with 'Policy SP20 – Affordable Housing' in the adopted Maidstone Borough Local Plan (2017), as well as the Affordable and Local Needs Housing Supplementary Planning Document (July 2020). In exceptional circumstances where affordable housing cannot be provided on-site, the Council will agree in-lieu, an affordable housing commuted sum contribution under a S106 which the Council will use to spend towards delivering new affordable homes within the borough.

The Council currently holds £944k of monies from "off-site" developer contributions for affordable housing. MBC intends to spend this money on its own building programme for which there is an ambition to eventually increase the portfolio to 1,000 homes..

Infrastructure

Infrastructure provision should align with the delivery of new development. Future income will be allocated towards much needed infrastructure to support the growth of new development. Details of planned S106 expenditure across each main spend area are set out below.

- **Education** - Primary Schools; Headcorn Platts Heath, Harrietsham, Yalding, Lenham, Southborough, Boughton Monchelsea, Marden, North Borough. Secondary Schools; Maidstone Grammar School, Valley Park, Cornwallis, Maplestone Noakes and Free School of Science and technology
- **Community Learning** - outreach facilities in St Faiths Adult Education Centre
- **Libraries** - additional book stock at Allington, Coxheath, Staplehurst Kent History & Library Centre Mobile library Harrietsham & Lenham, Hollingbourne, Marden Bearsted
- **Transportation** - Marden Railway Station, Staplehurst Station Improvements, bus service enhancements in Staplehurst village
- **Healthcare** - new premises for Greensand Health Centre and Sutton Valence Group Practice, premises development at Len Valley Surgery, facilities and refurbishment includes extensions, new carpets, IT equipment etc at Stockett Lane & Orchard Surgery, Wallis Avenue, Orchard Langley, The Mote & Cobtree, Northumberland Road and Shepway surgeries, Glebe Medical Centre, Blackthorn Medical Centre, Allington Park Surgery, Aylesford Medical Practice and Brewer Street surgery, Marden Medical Centre, Bowermount surgery and Lockmeadow Surgery, Grove Green, Staplehurst Health Centre, Boughton Monchelsea, Yeomans Lane Surgery and Yalding surgery
- **Public Rights of Way** - in Detling & Thurnham Ward and Heath Ward
- **Outdoor sports facilities** - at Giddyhorn Lane, Parkwood, Shepway North/South
- **Open Space** - Marden playing fields, Stockett Lane, play areas in Headcorn, allotments in Barming, Clare Park multi use facilities, Tovil play area, Ulcombe recreation ground, King George V playing fields, Lime Trees play

area and Surrendon playing field, Millennium River Park, Jubilee Playing Fields, Midley Close play Area, Penenden Heath History Garden, Barming Heath, and Gatland Lane, River Len Nature Reserve, Glebe Fields, Senacre Recreation ground, Mote Park, White Beam Drive play area, William Pitt field, Cockpit play area, Hoggs Bridge Green, Brenchley Gardens

- **Community Facility** - at St Faiths Centre, Spring Field Park and Trinity Foyer Sensory Garden
- **Town Centre** - public realm Earl Street, Maidstone shop front improvement scheme, town centre marketing initiative and transition study
- **Cycle Park** - Marden Railway Station
- **Highways** - M20 Junction 5 improvements, M2 Junction 5 traffic flow scheme, traffic displacement mitigation, works to Willington Street junction to wheat sheaf junction improvements and Willington Street/Wallis Avenue junction improvements, upgrade junction at Millbank/North Street, Fountain Lane, and Tonbridge Road junction modification

Strategic CIL Expenditure

In terms of CIL, the Council will invite CIL strategic funding bids in 2022 from a range of infrastructure delivery organisations and stakeholders. The CIL funding available for infrastructure projects across the borough will contain CIL funds of £1.4m and MBC capital funds. Projects submitted will be assessed against the infrastructure types or projects contained in our Infrastructure List within this IFS and those infrastructure projects identified in the current Infrastructure Development Plan. Schemes within the IDP identified as critical for delivery in the short term are likely to be prioritised.

This includes, but is not limited to:

- Traffic signalisation of the M20 J7 roundabout, widening of the coast bound off-slip and creation of a new signal-controlled pedestrian route through the junction
- Capacity improvements at the junction of Fountain Lane and the
- A26/Tonbridge Road; and
- Linton Crossroads junction improvements

If you have any further queries or comments about this statement, please do not hesitate to contact us via email: (CIL@maidstone.gov.uk)

Annex 1

Community Infrastructure Levy

Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 1

a	The total value of CIL set out in all demand notices issued in the reported year	£2,918,097
b	The total amount of CIL receipts for the reported year	£1,226,382
c	The total amount of CIL collected prior to the reported period	£567,924
d	The total amount of CIL receipts collected and allocated for the reported year	£45,351
e	The total amount of CIL expenditure for the reported year	£45,351
f	The total amount of CIL receipts collected which were allocated but not spent during the reported year	£131,974
g	In relation to CIL expenditure for the reported year, summary details of. <ul style="list-style-type: none"> i) The items of infrastructure on which CIL (including land payments) has been spent within the reported year, and the amount of CIL spent on each item ii) The amount of CIL spend 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 collected towards administration expenses (5%) of the total CIL receipts collected (£1,226,382) in the reported period The amount of CIL spent on administrative expenses pursuant to regulation 61 and that amount expressed as a percentage of all CIL collected in that year in accordance with that regulation 	<p>£0.00</p> <p>£0.00</p> <p>£61,319</p> <p>£25,623 2.09%</p>
h	In relation to CIL receipts collected and 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	£112,246 <i>(see table 2.1)</i>
i	The amount of CIL passed to <ul style="list-style-type: none"> i. any parish council under regulation 59A or 59B; and ii. any person under regulations 59(4) 	£131,974 <i>Spent £19,728 Unspent £112,246</i>
j	<ul style="list-style-type: none"> i. the total collected for the reported year under Regulation 59E (CIL returned to the Charging Authority after 5 years if not spent) and Regulation 59F. ii. the amount of CIL allocated during the reported year under Regulation 59E and Regulation 59F; 	<p>£0.00</p> <p>£0.00</p>

k	i.	the amount of CIL requested under Regulation 59E for the reported year is as follows per neighbourhood zone:	£0.00
	ii.	the amount of CIL still outstanding for recovery under Regulation 59E at the end of the reported year for all years is as follows for each neighbourhood zone:	£0.00
l	i.	the amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, for the reported year and that had not been spent	£973,866
	ii.	the amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, from 01 October 2018 to the end of the reported year that had not been spent	£1,428,790
	iii.	the amount CIL collected and that had not been spent under Regulations 59E and 59F during the reported year	£0.00
	iv.	CIL receipts from previous years to which Regulation 59E or 59F applied retained at the end of the reported year	£0.00

Section 106

Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 3

a	The total amount of money to be provided under any planning obligations which were entered during the reported year	£1,560,239
b	The total amount of money received from planning obligations during the reported year	£5,248,266
c	The total amount of money received prior to the reported year that has not been allocated	£601,080
d	During the reported year the following non-monetary contributions have been agreed under planning obligations: <ul style="list-style-type: none"> 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 	371 units N/A
e	The total amount of money received from planning obligations allocated but not spent towards infrastructure during the reported year	£3,113,545
f	The total amount of money (received under planning obligations) spent during the reported year (including transferring it to a third party to spend)	£4,933,808
g	In relation to money (received under planning obligations 20/21) which was not spent during the reported year	£314,458

h	<p>In relation to money which was spent by Maidstone Borough Council during the reported year (including transferring it to a third party to spend) summary details of:</p> <ul style="list-style-type: none"> i. the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item 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) 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 	<p>£4,933,808</p> <p><i>(see Table 2.3 of the report)</i></p> <p>£0.00</p> <p>£19,750</p>
i	<p>The total amount of money (received under 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 long-term maintenance (commuted sums), also identify separately the total amount of commuted sums held.</p>	<p>£328,069</p>