

Basildon Borough Council

**Infrastructure Funding
Statement
2021 - 2022**

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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 spent or delivered.
 - **Financial Year** – Unless stated otherwise, this refers to the period of 01/04/2021 – 31/03/2022.

2. Developer Contributions

Section 106 Planning Obligations

- 2.1 Planning obligations are legally binding agreements entered into between a Local Authority and an owner or 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 achieve 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 exact approach to securing the mitigations through S106 planning obligations, or other legal agreements, is agreed through the development management process on an individual site-by-site basis. 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 approach 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 Basildon is 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. Basildon has been collecting developer contributions towards the RAMS since November 2020 from all new qualifying residential developments. The RAMS tariff is currently set at £137.71 per new dwelling. The tariff is linked to inflation and the sum is therefore revised on a yearly basis. Projects funded via RAMS contributions include a Project Delivery Officer and Coastal 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 1980 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 S278 Agreements are the responsibility of the Local Highway Authority, which is Essex County Council. Further guidance on S278 Agreements can be found on the Department of Transport website as well as from Essex County Council.

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 as of 31 March 2022

- 3.1 Table 1a below shows the total amount of S106 money held by the Council as at 31 March 2022. 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 2022

Money Held on 31 March 2021	Amount Held
Basildon Borough Council	£6,015,755.65
To be transferred to external bodies	£202,554.11
Total	£6,218,309.76

Table 1b – Unspent monies held by the Council at 31 March 2022

Infrastructure Type	Amount Held
Affordable Housing	£5,655,353.25
Open Space	£279,252.40
Sustainable Travel	£55,000.00
Training	£12,150.00
Monitoring	£14,000.00
Total	£6,015,755.65

Table 1c – Unspent monies at 31 March 2022 due to be transferred to external bodies

Infrastructure Type	Amount Held
Health	£202,554.11
Total	£202,554.11

- 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 versions of the IFS.

Monies agreed in 2021/22 through S106 Agreements

- 3.3 Table 2 outlines the financial contributions that have been agreed through signed S106 agreements this financial year. These are the funds the Council is expecting from contributions from development towards infrastructure and affordable housing

and not what the Council will actually receive as it is possible that not all projects will be implemented.

Table 2 – Monies agreed in 2021/22 through S106 agreements

Infrastructure Type	Monies Agreed
Affordable Housing	£ 501,908.00
Education	£ 3,996,875.00
Employment-skills-plan	£ 283,500.00
Health	£ 614,821.15
Highway	£ 1,095,246.69
Monitoring	£197,400.00
On street parking control	£40,000.00
Open space/ Sport and Recreation	£1,540,649.83
Sustainable transport	£2,707,502.52
Traveller site contribution	£1,000,000.00
Travel-plan	£55,495.00
Total	£12,033,398.19

Monies received in 2021/22 (Irrespective of S106 agreement date)

- 3.4 Table 3a shows the total income received this financial year by the Council irrespective of s106 agreement date. Table 3b shows the money received that is to be spent by the Council or the County Council in respect of Sustainable Travel funds. Table 3c shows the monies that are to be transferred to and utilised by NHS England.
- 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 2021/22 through Basildon Borough Council S106 agreements

Recipient	Monies Received
Basildon Borough Council	£1,529,649.51
Basildon Borough Council – To be transferred to External Bodies	£112,169.31
Total	£1,641,818.82

Table 3b – Money received in 2021/22 to be spent by the Borough Council

Infrastructure Type	Monies Received
Affordable Housing	£1,464,649.51
Sustainable Travel	£55,000.00
Monitoring	£6,000.00
Open Space	£4,000.00
Total	£1,529,649.51

Table 3c – Money received in 2021/22 that is to be transferred to external bodies (Excluding ECC)

Infrastructure Type	Monies Received
Health	£112,169.31
Total	£112,169.31

Total money received and allocated but not spent in 2021/22

- 3.6 Table 4 shows the amount of money allocated as of 31 March 2022 but not spent, irrespective of when the monies were received.

Table 4 – Money allocated as at 31 March 2022 that has not been spent – Off Site

Total money received and allocated but not yet spent as of 31 March 2022		
Site	Use	Allocated
Dunton	Affordable Housing Contribution	£1,175,016.00
Craylands/Fryerns Estate	Support employment and training opportunities	£12,150.00
Prower Close	Wildlife Conservation in Billericay area	£700.00
Audley Way - Football Pitch	Provision of a new football pitch	£1,181.30
Craylands/Fryerns Estate - Future Maintenance	Cost of maintenance of replacement pitches	£67,468.60
Cranes Lane, Cranes Farm Road site - Commuted Sum	Capital sum for future maintenance of Open Space & Wildlife Area	£98,275.00
Eastfield Road	Noak Bridge Nature Reserve	£2,460.50
Roscommon Way	Maintenance of environment in specified areas	£27,896.50
Falstones	Open space improvements to land at Falstones	£315.00
Dunton (Phase 3)	Victoria Park Contribution	£42,776.50
Ballards Walk	Biodiversity	£3,100.00
Pine Lodge	Play space improvements at Whitmore Park - tennis court	£13,200.00
Pine Lodge	Play space improvements at Whitmore Park - access to park (subway, landscaping, fencing)	£7,600.00
Total		£1,452,139.40

- 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 2021/22

- 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 2021/22

Project	Amount
Open Space	
Dunton – Victoria Park	£12,600.00
Cranfield Park	£3,800.00
Total	£16,400.00

Table 5b – Total money transferred to external bodies in 2021/22

Recipient	Amount
NHS Drawdown	£287,457.00
Total	£287,457.00

- 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 2021/22 through S106 agreements

- 3.10 Table 6a provides a summary of the non-monetary contributions that were agreed through S106 agreements for 2021/22. 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 2021/22 S106 agreements

Site	Permission	Non-Monetary Contribution
Health		
Land at Market Square	20/00955/FULL	General Practice Surgery Facility ¹

¹ Subject to confirmation by NHS England whether it will require the Healthcare Facility at the Development.

Table 6b – non-monetary contributions provided in 2021/22 irrespective of the date of S106 agreements

Site	Permission	Non-Monetary Contribution
Affordable Housing		
Land at Nethermayne	17/00434/REM	35 Units
Land West of Hospital	19/00689/FULL	1 Unit

Money borrowed

3.11 In 2021/22, no S106 money was spent repaying money borrowed.