



*Infrastructure Funding Statement (IFS)
Report
Erewash Borough Council
December 2022*

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1. Introduction

1.1. What is an Infrastructure Funding Statement (IFS)?

An Infrastructure Funding Statement is a publication that must identify all live and historic S106 agreements since January 2020 when the IFS was first introduced. The report contains a breakdown of the contributions and an annual overview of developer contribution transactions. The information presented by the publication will enhance both policy makers and communities understanding of developer contributions being invested into local infrastructure and will showcase the efforts of key planning and development stakeholders contributing positively to enhancements within local areas. The Community Infrastructure Levy (CIL) Regulations require all local planning authorities to report at least annually on developer contributions.

1.2 Section 106 Agreements (S106)

Planning obligations under S106 of the Town and Country Planning Act (1990), often referred to as S106 agreements, are legally binding documents which ensure proposed developments are acceptable in a planning context. This includes not only the physical infrastructure such as roads and utilities that enable development to proceed, but also the community facilities and environmental improvements which will ensure occupiers of those developments have adequate access to services such as education and leisure activities, helping to play an important role in enhancing their quality of life and building sustainable communities.

S106 agreements relate to the impact of a development on a site-specific basis and can be used to:

- Secure monies to pay the Local Planning Authority on specified dates for identified purposes.
- Restrict land use/development in any specified way.
- Specify operations and activities.

Financial obligations can, amongst other things, include contributions towards affordable housing, open space, public realm improvements and provision of forms of sustainable transport. All obligations can be subject to planning conditions and can determine the timing of specific obligations. For example, the local planning authority can set triggers for when obligations are expected, such as a payment for education facilities being required upon completion of the 100th dwelling on a housing development site. S106 agreements are enforceable and failure to comply can result in the local planning authority taking action to recover obligations.

1.3 Community Infrastructure Levy (CIL)

CIL is a charge which local authorities can enforce on new developments to help deliver infrastructure needs in their areas. The levy utilises an agreed charging schedule which defines what contributions are expected of a development. Erewash Borough Council presently does not have a CIL in place, nor does it have any immediate plans to progress one.

1.4 Context of the Council's Infrastructure Planning

In 2015, the Borough Council adopted a Developer Contributions Supplementary Planning Document (SPD). The SPD identifies the infrastructure needs of the Borough and assesses the viability of new housing developments, setting out what is expected from eligible schemes to meet those needs. It provides further detail of what development is expected to contribute towards. The SPD is a material consideration when assessing planning applications. The document conforms to the Erewash Core Strategy, adopted in 2014, and is underpinned by various policies including **Policy 19: Developer Contributions** and supporting policies such as **Policy 8 – Housing Size, Mix and Choice** in relation to affordable housing and **Policy 15 – Transport Infrastructure Priorities** in relation to sustainable transport.

The SPD identifies Erewash's critical infrastructure requirements which include producing an Ilkeston Travel Plan, enhancing cycling and walking networks, improvements to bus services, increasing school places in Ilkeston, town centre improvements and creating and improving areas of open space. The expected S106 contributions arising from a development vary on a site-by-site basis and depend on components such as viability (taking account of market conditions), location and size of development.

1.5 What does the IFS include?

This is the Borough Council's third published IFS and covers the 2021-2022 monitoring year. Monitoring years run between 1st April to 31st March. Due to records being available, this IFS shows the status of contributions up to **30th November 2022**. The following dataset will show transactions for all S106 agreements which are presently live and historic S106 agreements since January 2020. The IFS has been created using the following three data files:

- **CSV 1 Developer Agreements**: All live and historic S106 agreements since January 2020 for Erewash Borough Council. It includes agreements which relate to granted planning permissions at various stages of development, including granted, started and some completed developments, where S106 contributions are still pending. Key information includes the relevant planning permission reference and the date the S106 agreement was legally signed and sealed.
- **CSV 2 Developer Contributions**: The individual obligations within each S106 Agreement and outlines the amount / measure and its purpose.
- **CSV 3 Developer Agreement Transactions**: All transactions of S106 contributions for the S106 agreements. This dataset will include transactions prior to the 2019/2020 monitoring year as some agreement transactions are still live as the S106 Agreement is not yet complete. For instance, money has not been fully spent or not all of the money for the overall agreement has been received. Transactions include securing, receiving, allocating, transferring, spending and returning S106 contributions.

The raw data for S106 agreements is presented in the three sets of CSV data files. This report provides further information on the agreements, contributions and

transactions and should be considered alongside the CSV files for a full understanding of Erewash Borough Council's live S106 agreements. S106 agreements are live due to their relationship with a development's progress and the exchanges of contributions.

2. CSV 1 Data

Erewash currently has twelve planning permissions with live S106 agreements. These are shown in the map at Appendix One of this report. Table One presents the breakdown of when the S106 agreements were signed. The agreements are located in different areas of the Borough as presented in Table Two.

Table One – Number of live S106 agreements signed each year (January – December)

Year Agreements Signed	Number of Live Agreements*	Live Agreement reference number
2013	0	-
2014	1	0514/0037
2015	2	0716/0012, 1014/0006
2016	1	0115/0018
2017	3	0117/0021, 0516/0017, 0919/0062
2018	0	-
2019	1	1118/0006
2020	1	0819/0012
2021	0	-
2022	3	0920/0050, 1221/0002, 1021/0018
Grand Total	12	-

**This includes one Unilateral Undertaking for ERE/1118/0006 – 101 Poplar Inn, Ilkeston.*

Table Two – Live S106 agreements by area as at 30th November 2022.

Area	Number of Live S106 Agreements
Sandiacre	2
Ilkeston	9
Long Eaton	1

Table three below shows the S106 agreements which are in the CSV1 file and are no longer live S106 agreements, this is due to the planning applications either lapsing or the contributions being fully spent.

Table Three – Closed S106 agreements in CSV1

Year Agreement Signed	Agreement Reference number	Reason S106 no longer live
2013	0512/0002	Contributions spent by 2019
2014	0216/0012	Contributions spent by 2020
2015	0315/0034	Lapsed – new permission has no S106
2015	0402/0083	Contributions spent by 2021
2015	0515/0017	Contributions spent by 2022
2018	0417/0027	Permission lapsed
Grand Total	6	-

Unilateral Undertaking are forms of legal planning agreements which are only entered into by the landowner and the Council are not party to such agreements. ERE/1118/0006 has been included in this table because it includes the collection of funding for an Infant School in Erewash.

There are also seven other Unilateral Undertakings that are live in the Borough, outlined in Table Four. The information presented in Table Four does not feature in any other data and graphics shown in this report or the accompanying CSV files.

Table Four – Unilateral Undertakings in Erewash (excluding ERE/1118/0006).

Planning Reference	Site Address	Description of Unilateral Undertaking
ERE/0420/0042	Former Nylatex Works, Fields Farm Road, Long Eaton, Derbyshire	£28,000 - to be paid to the Council prior to the commencement of the development. To be used towards the removal of lesser bulrush, rigid hornwort and common reed within the ponds at Forbes Hole Nature Reserve to ensure coverage of no more than 20% and the resurfacing of the car park and paths within the nature reserve.
ERE/0919/0013	Maywood Golf Club, Rushy Lane, Sandiacre	The owner covenants with the Council that the owners will not apply for golf course related development in respect of the property.

Planning Reference	Site Address	Description of Unilateral Undertaking
ERE/1217/0009	Tesco Extra Car Park, Waverley Street Long Eaton	Delivery and Servicing Management Plan: A plan setting out how the servicing of the restaurant forming part of the development shall take place from the Delivery Layby which shall be in accordance with the draft delivery and servicing management plan annexed to this Deed, or in accordance with such other delivery and servicing management plan or terms as agreed between the Owners and the Council from time to time.
Not applicable	Bennerley Avenue, Ilkeston	£40,000 - Sports Contribution: Payable to the Enforcing Authority for the improvements of sports facilities at Abbotsford, Ilkeston.
ERE/0621/0075	Boys Wood Farm, Ockbrook	The previous application ERE/0919/0049 approved for the construction of an agricultural workers bungalow shall be withdrawn and will be revoked upon the grant of planning approval for its relocation on site.
ERE/0718/0004	Land At Sure Start, Beauvale Drive, Ilkeston	£6,000 towards the cost of enhancements to open space.
ERE/0321/0103	Land North West of Winster Building, Manners Avenue, Ilkeston	£32,000 towards the enhancement of biodiversity at Manner Floods Local Nature Reserve.

3. CSV 2 Data

CSV2 requires the Local Planning Authority to categorise each contribution into purposes. The following section provides headline data on the contribution purposes of the 12 live agreements in Erewash. Some of the purposes are broken down into a number of payments within the CSV files, due to this, in table five below only one purpose is counted per S106 agreement.

Table Five – Number of contribution purposes across all live S106 Agreements.

Contribution Type	Number of Contributions	Examples of Contribution Type
Open Space and Leisure	10	Improvements to open space, provision of seating and waste bins.
Affordable Housing	7	Creation of purpose-built affordable housing units.
Education	8	Funding for school places, new classrooms and support space and improvement to facilities.
Transport and Travel	6	Creation of a travel plan and enhancements to walking, bus and cycling networks.
Economic Development	1	Improvements to public realm and town centres and creation of public art features.
Green Infrastructure	1	Multi-user link connections and improvements within Erewash's strategic GI network.
Flood and Water Management	1	Creation of receptor sites and maintaining a surface water drainage scheme.
Highways	2	Creation of crossing points and highway improvement works based on development impact.
Community facilities	1	Books for Sandiacre Library
Other	1	Restoration works of Derby and Sandiacre Canal

Table Six – The monetary value by contribution purpose across all 12 live S106 agreements.

Contribution Purpose	Total Amount*
Community Facilities	£3,740
Economic Development	£26,000
Education	£1,623,630
Flood and Water Management	£3,783
Green Infrastructure	£200,000
Highways	£130,000
Open Space and Leisure	£436,217
Other	£97,498
Transport and Travel	£1,112,017
Grand Total	£3,617,485

**rounded to the nearest pound*

Table Seven – The number of expected affordable housing unit contributions.

Reference	Location	Address	Affordable Housing Quantity
0516/0017	Ilkeston	Land at Field Road, Ilkeston (Morrisons site)	6
0919/0062	Ilkeston	Land at the allotments, Devon Street, Ilkeston	3
1118/0006	Ilkeston	101 Poplar Inn, Ilkeston	6
0115/0018	Ilkeston	Hallam Mills, Little Hallam Lane, Ilkeston	30% (5)
0117/0021	Ilkeston	Former Concord Public House, Green Lane, Ilkeston	10% (1)
0716/0012	Ilkeston	Quarry Hill Road, Ilkeston	15% (52)
Grand Total	-	-	73

**includes two special needs housing units.*

Included in Table Seven are affordable housing unit contributions via specified delivery amounts as well as amounts assumed by a percentage of the total number of dwellings delivered on the site. Three planning permissions provide a percentage of affordable housing units based on the total number of units on the site.

Table Eight - Agreements for different purposes, excluding affordable housing and monetary value contributions.

Contribution Purpose	Number of Agreements	Contribution Detail
Flood and Water Management	1	At the Quarry Hill Road Development: Maintain Surface Water Drainage Scheme: The Owner must maintain elements of the Surface Water Drainage Scheme in accordance with the agreed maintenance scheme.
Green Infrastructure	1	At the Quarry Hill Road Development: Identification, preparation and translocation of identified ecological sites. The identified receptor sites in the Ecology Report, or any alternative sites agreed in writing with the Council, shall be prepared for translocation or replacement which shall include future management and shall be approved in writing. The translocation or replacement of ecological sites. The translocation or replacement of turf from land to the Off-Site Receptor Area shall be carried out in accordance with the approved scheme.
Open Space and Leisure	1	At the Quarry Hill Road Development: 1) Complete the development of the Open Space Land. The Owner agrees to layout and complete the development of Open Space Land in accordance with details approved under the Change of Use Permission. The Owner must maintain the Open Space in accordance with the management plan. 2) Provide a Local Equipped Area for Play in accordance with the approved details.
Highways	1	Three new accesses into the New Stanton Park Site, new "No HGV" signs in three locations relating to the New Stanton Park Site, improvement to the Sandiacre traffic lights and transfer of land.

4. CSV 3 Data

The following section presents information regarding the status of contribution transactions. Some contributions are not included in CSV3 as it is only when contributions have met their specified trigger and the contribution is secured, that it finally meets the criteria of CSV3. Table Nine presents the definitions of the different types of transaction.

Table Nine – Key definitions for CSV3 adopted from www.GOV.UK/guidance.

Action	Definition
Secured	The trigger clauses associated with the contribution have been met, meaning the developer is now required to pay all or part of the contribution received: the developer has paid all or part of the money due to the local planning authority.
Received	The developer has paid all or part of the money due to the local planning authority
Allocated	The received money has been allocated to a team within the local planning authority, who will spend the money.
Transferred	The received money has been transferred to an organisation outside the planning authority (for example another local authority Derbyshire County Council), who will spend the money.
Spent	The received money has been spent on the purpose specified in the section 106 or 278 agreement.
Returned	The received money (or a portion of it) has been returned to the developer.

Table Ten – Contribution values shown in their latest transaction type / year¹

Year	Allocated	Secured	Spent	Transferred
2016	-	-	-	£45,496.00
2017	-	-	-	£25,300.00
2018	-	-	-	£22,798.02
2019	£107,514.90	-	£262,951.00	£48,000.00
2020	£45,362.00	-	£15,000.00	£1,311,264.70
2021	£178,870.00	-	£100,000.00	£253,455.08
2022	£134,264.44	£105,326.04	-	-

¹ Table Ten presents the contribution values in their latest transaction type and year. A contribution will not appear more than once in this table. For example, if a contribution was received in 2016, allocated in 2018 and spent in 2019, the value will only be shown as spent in the 2019 column as this is the most recent transaction to occur. This provides the most up-to-date information and avoids duplication within the table.

Table Eleven – Monetary contributions allocated

Year Allocated	Address	Application Reference	Contribution Purpose	Allocated Amount
2019	Gardner Aerospace, Cotmanhay Road, Ilkeston	0514/0037	Open Space and Leisure	£29,999.90
2019	Gardner Aerospace, Cotmanhay Road, Ilkeston	0514/0037	Transport and Travel	£35,615.00
2019	Quarry Hill Road, Ilkeston	0716/0012	Transport and Travel	£41,900.00
2020	Quarry Hill Road, Ilkeston	0716/0012	Transport and Travel	£41,900.00
2020	The Commercial Inn, Awsworth Road, Ilkeston	1014/0006	Transport and Travel	£3,462.00
2021	Former Concord Public House, Green Lane, Ilkeston	0117/0021	Open Space and Leisure	£4,200.00
2021	Former Concord Public House, Green Lane, Ilkeston	0117/0021	Transport and Travel	£19,600.00
2021	Hallam Mills, Little Hallam Lane, Ilkeston	0115/0018	Open Space and Leisure	£5,770.00
2021	Land at Field Road, Ilkeston (Morrisons site)	0516/0017	Transport and Travel	£57,400.00
2021	Quarry Hill Road, Ilkeston	0716/0012	Highways	£50,000.00
2021	Quarry Hill Road, Ilkeston	0716/0012	Transport and Travel	£41,900.00
2022	Quarry Hill Road, Ilkeston	0716/0012	Transport and Travel	£17,598.00
2022	Quarry Hill Road, Ilkeston	0716/0012	Transport and Travel	£116,666.66
Grand Total	-	-	-	£466,011.56

Table Twelve – Monetary contributions secured

Year Secured	Address	Application Reference	Contribution Purpose	Allocated Amount
2022	Land at the allotments, Devon Street, Ilkeston	0919/0062	Education	£45,596.04
2022	Land at the allotments, Devon Street, Ilkeston	0919/0062	Open Space and Leisure	£6,930.00
2022	Land at the allotments, Devon Street, Ilkeston	0919/0062	Transport and Travel	£52,800.00

Table Thirteen - Monetary contributions spent

Year Spent	Address and Application Reference	Contribution Description	Sum of amount
2016-2019	Derby College Field Road, Ilkeston 0512/0002	Economic Development – Town Centre Improvements Contribution: Expenditure: <ul style="list-style-type: none"> • Former Co-op department store, Market Place £53,300 (30.03.2016) • Former Woolworths store, Bath Street £100,000 (30.12.2016) • Benches and Floral planters, Bath Street, Market Place and South Street St £6,768.64 (01.08.2019) • Former Woolworths store, The Project, Bath Street £3,965 (04.11.2019) • Public toilets, Market Place £62,302.04 (19.12.2019) • Car park machines £12,395 (10.12.2019) Illustrated town centre maps, car parks £9,482.36 (12.12.2019)	£250,000.00
2019	Land at former SE Derbyshire College, Cavendish Road, Ilkeston 0515/0017	Open Space and Leisure – The enhancement of facilities at Inglefield Road play area	£3,300.00
2019	Stanton Vale School, Ilkeston 0216/0012	Open Space and Leisure – Enhancement of Stanton Road Cemetery	£9,651.00
2020	Derby College Field Road, Ilkeston 0512/0002	Economic Development – Public Art provided as part of new college facility at Pimlico.	£15,000.00
2021	Land at Victoria Mill, Draycott 0402/0083	Affordable Housing – Towards the development of affordable homes at Green Lane, Ilkeston	£100,000.00
Grand Total	-	-	£377,951.00

Table Fourteen - Completed Affordable Housing built via developer contributions

Application Reference	Address	Number of Units
0115/0018	Hallam Mills, Little Hallam Lane, Ilkeston	5 Affordable Housing Units
0516/0017	Land at Field Road, Ilkeston (Morrisons site)	4 Affordable Housing Units
0515/0017	Land at former SE Derbyshire College, Cavendish Road, Ilkeston	5 Intermediate Housing Units
0216/0012	Stanton Vale School, Lower Stanton Road, Ilkeston	2 Social Rent Units and 1 immediate Housing Unit
0117/0021	Former Concord Public House, Green Lane, Ilkeston	1 Affordable Housing Unit
0919/0062	Land at the allotments, Devon Street, Ilkeston	22 Affordable Rent, the S106 originally requested 3, in the end the entire development became affordable housing
Total units	-	40 units


Figure 1 – Land at allotments, Devon Street, Ilkeston. 22 affordable homes are now complete.

Table Fifteen – Contributions transferred to Derbyshire County Council

Contribution Type	Application Reference	Address	Date Contribution Received	Contribution Detail	Contribution Spent On:	Contribution Value (£)
Education	0115/0018	Hallam Mills, Little Hallam Lane, Ilkeston	15/02/2021	Provision and/or improvements to educational facilities at Field House Infant School and Hallam Fields Junior School	Not Yet Spent	£45,596.00
Education	0515/0017	Land at former SE Derbyshire College, Ilkeston	11/07/2017	Additional pupil places at Field House Infant School and Hallam Fields Junior School	Not Yet Spent	£25,300.00
Education	0516/0017	Land at Field Road, Ilkeston (Morrisons site)	29/01/2021	New or improved facilities at Field House Infants School and Hallam Fields Junior School	Not Yet Spent	£91,192.08
Education	0716/0012	Quarry Hill Road, Ilkeston	Part 1 28/08/2020 Part 2 22/03/2021	For additional infant places at Field House Infant School and for the	Not Yet Spent	Part 1 £398,965.35 Part 2 £398,965.35

Contribution Type	Application Reference	Address	Date Contribution Received	Contribution Detail	Contribution Spent On:	Contribution Value (£)
				provision of additional junior places at Hallam Fields Junior School.		
Education	0216/0012	Stanton Vale School, Lower Stanton Road, Ilkeston	12/01/2016	4 primary school places at Field House Infant School and Hallam Fields Junior School	£22,748 spent on Field House Infant. 28/07/2017 Multi Use Games Area. £22,748 allocated to Hallam Fields but unspent as yet.	£45,496.00
Education	1014/0006	The Commercial Inn, Awsworth Road, Ilkeston	22/02/2018	£11399.01 for an additional infant pupil place at Charlotte Nursery and Infant School and £11399.01 for an additional junior pupil place at Granby Junior School.	Classroom extension. Funded in advance by basic need. Funds used to repay basic need pot.	£22,798.02

Contribution Type	Application Reference	Address	Date Contribution Received	Contribution Detail	Contribution Spent On:	Contribution Value (£)
Bus Provision	0716/0012	Quarry Hill Road, Ilkeston	Part 1 08/03/2019 Part 2 28/08/2020 Part 3 16/02/2021	The provision of or improvement of bus services along Quarry Hill Road. £700,000. To be paid in 6 instalments of £116,667 (approximately)	Not Yet Spent	Part 1 £116,667 Part 2 £116,667 Part 3 £116,667
Bus stop facilities	0716/0012	Quarry Hill Road, Ilkeston	08/03/2019	Provision of or improvement to bus stops and associated facilities along the route of bus services serving Quarry Hill Road.	Not Yet Spent	£48,000.00
Crossing Contribution	0716/0012	Quarry Hill Road, Ilkeston	01/01/2020	For the creation of a crossing point on Quarry Hill Road to provide pedestrian links to Hallam Fields School.	Not Yet Spent	£80,000.00

Contribution Type	Application Reference	Address	Date Contribution Received	Contribution Detail	Contribution Spent On:	Contribution Value (£)
Onsite Multi-User Link	0716/0012	Quarry Hill Road, Ilkeston	01/01/2020	For the provision of multi-user links from the boundary of the land onto Little Hallam Hill, Quarry Hill Road and the Nutbrook Trail.	Not Yet Spent	£100,000.00
Grand Total	-	-	-	-	-	£1,606,313.80

Appendix One – Map showing the twelve live S106 Agreements 2021/2022.

