

Infrastructure Funding Statement (IFS) 2022

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1. Introduction

- 1.1. This is an Infrastructure Funding Statement (IFS) providing a summary of the financial contributions relating to the Community Infrastructure Levy (CIL) and Section 106 (S106) within East Hampshire District (outside of the South Downs National Park) for 'this year' (01/04/2021 – 31/03/2022). Whenever this document says, 'this year', it is this period it is referring to.
- 1.2. The IFS provides the policy framework as to how the Council will deliver infrastructure across the district. The IFS also details how funding from development will be utilised to secure varying infrastructure under S106 or CIL.
- 1.3. The Council's second round of Strategic CIL Funding occurred this year. Those projects that were allocated Strategic CIL Funding are listed in Section 5.

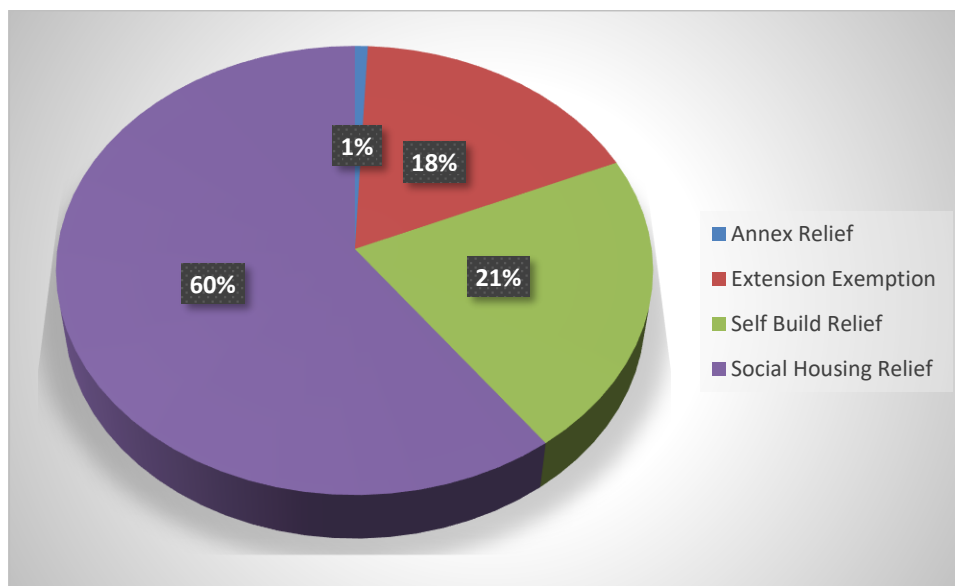
2. Section 278 Highway Agreements

- 2.1. Section 278 Agreements (S278) are legal agreements that can fund infrastructure. These are legally binding agreements made under the Highways Act 1980 between Local Highway Authorities and Developers. S278 agreements are required to ensure that the road networks are able to cope with new development. S278 agreements are the responsibility of Hampshire County Council (HCC) as the Highway Authority. HCC is able to provide further data regarding these agreements during this year.
- 2.2. HCC Information can be found at the following;
www.hants.gov.uk/landplanningandenvironment/developer-contributions

3. What is Community Infrastructure Levy (CIL)?

- 3.1. CIL is intended to fund generalised infrastructure requirements across the district to support new development. CIL income can be used to fund additional infrastructure required to support new development including roads, schools, green spaces, and community facilities
- 3.2. The levy is charged in pounds (£) per square metre on new floorspace (measured as gross internal area) of any type of development which has a CIL rate set in the Charging Schedule.
- 3.3. The amount of CIL payable by developers depends on where the development is located within the district and the type of development. The Council adopted its Community Infrastructure Levy Charging Schedule on 25 February 2016, and its charging schedule is published online at www.easthants.gov.uk/cil-charging-schedule. As stated in the CIL Charging Schedule, Whitehill and Bordon Regeneration Area is a CIL Island and therefore has a CIL rate of £0/sqm. All associated infrastructure is secured via S106.

- 3.4. The Council adopted its CIL Spending Protocol on 14 January 2021. The document sets out the process for determining the spending of CIL. The document is published at www.easthants.gov.uk/cil-spending-bid-process. Decisions on how CIL income should be spent within East Hampshire District (outside the South Downs National Park) lie with East Hampshire District Council for the Strategic CIL funding pot and with Town and Parish Councils in relation to the Neighbourhood Portion of CIL.
- 3.5. The Strategic CIL Funding pot is open to bidding once per year. It is used to fund infrastructure to support growth in the district and decisions on allocation of funding will be in line with the Council's Spending Protocol. Those projects granted Strategic CIL funding this year are listed later in this IFS in section 5.
- 3.6. CIL money received is split between the Council's administration costs, Parish and Town Council Neighbourhood Portion and Strategic CIL allocation.
- 3.7. Forecasting future CIL income is difficult and unreliable, particularly at times of market uncertainty, as it depends on developments commencing. The Council therefore has not attempted to forecast future CIL income, as it could give false hope to potential projects about available money.
- 3.8. The CIL Regulations set out scenarios where exemptions from CIL can be granted such as for self-build dwellings or Mandatory Social Housing Relief. This year, a total of £4,513,478.64 was granted in relief. The portions for different types of relief granted are illustrated in the following chart:



3.9. Who is Liable to Pay CIL?

- 3.10. Landowners are ultimately liable for the levy, but anyone involved in a development may take on the CIL liability. Where no one has assumed liability, it will automatically default to the landowners and payment becomes due as soon as the development commences. In these circumstances, the landowner will not benefit from the Council's instalment policy.

- 3.11. The Council requires the submission of an Assumption of Liability Notice at the earliest opportunity and before development commences.
- 3.12. Appendix A illustrates some of the more common development scenarios and lists whether or not the proposal will be CIL liable.

4. Community Infrastructure Levy (CIL) Monitoring

4.1. Monitoring (the Council)

- 4.2. For East Hampshire District (outside the SDNP), the total amount of CIL payments collected from developments this year is £3,613,013.48.
- 4.3. The total value of demand notices issued in the reported period is £3,625,918.88. This value is of demand notices issued within the reported period that have not been suspended or superseded by new demand notices outside of the reported period.
- 4.4. Of total value the amount from Liability Notices (liable floorspace after any relief that has been granted) is £3,619,124.36. The total value from surcharges imposed due to breaches of the Community Infrastructure Levy Regulations is £6,794.52 and the total value of the late payment interest accrued is £0.00.
- 4.5. The Council started collecting CIL in April 2016. Up to the start of this year (1 April 2021), the Council had already collected £4,918,116.91 in CIL payments from developments. Therefore, up to the end of this year (31 March 2022), the Council has collected in total £8,531,130.40 in CIL payments from chargeable development.
- 4.6. This total amount collected (£8,531,130.40) does not equate to money that is available to the Council to allocate to spend on infrastructure. 5% of this total contributes towards covering the Council's administration costs, and 15% or 25% is passed to Parish/Town Councils (known as "the neighbourhood portion" – see more information further on in this report).
- 4.7. Of this total amount collected (£8,531,130.40), £426,556.52 has contributed towards the Council's administration costs and £1,499,849.44 has been collected for Parish/Town Councils as the neighbourhood portion.
- 4.8. From this year's CIL money collected (£3,613,013.48), £180,650.67 has gone towards the Council's administration costs, and £670,546.88 has been collected to be available as neighbourhood portion¹.
- 4.9. To spend the Strategic CIL money collected, the Council needs to have a Spending Protocol in place. This sets out the governance and process for how infrastructure projects will be allocated funds. East Hampshire District Council adopted its CIL Spending Protocol on 14 January 2021 at Full Council.

¹ Part of this sum has been transferred to the CIL Administration Resilience Fund (to cover future CIL administration costs)

4.10. Up to the 31 March 2021, the Strategic CIL funding pot held a total of £3,842,908.51 to be spent towards infrastructure projects. For the period of this IFS (1 April 2021 – 31 March 2022) a total of £2,761,815.93 was collected for the Strategic CIL funding pot. Therefore, the total Strategic CIL collected as of 31 March 2022 is £6,604,724.44.

4.11. In July 2021, the Council allocated a total of £1,960,348.00 of Strategic CIL funds to infrastructure projects. In July 2022, a further £2,302,238.36 of Strategic CIL money was allocated to funding infrastructure projects. This totals, £4,262,586 allocated to infrastructure projects.

4.12. This results in **£2,342,138.44** remaining in the Strategic CIL funding pot as of the 31 March 2022, which will be available for future bidding in 2023, along with any additional funds collected up to the end of December 2022.

4.13. Table 1 summarises the total CIL money collected to date and for this year.

4.14. The amount of CIL spent on repaying money borrowed, including any interest, is zero.

4.15. Table 1 – Summary of total CIL Money collected to date

2016 – 2022	CIL Admin	£426,556.52
2016 – 2022	CIL Neighbourhood Portion	£1,499,849.44
2016 – 2022	-	
2016 – 2022	Strategic CIL	£6,604,724.44
2016 – 2022	Total CIL	£8,531,130.40
2021 – 2022	CIL Admin	£180,650.67
2021 – 2022	CIL Neighbourhood Portion	£670,546.88
2021 – 2022	-	
2021 – 2022	Strategic CIL (as of 31st March)	£2,761,815.93

4.16. Monitoring (Neighbourhood Portion)

4.17. Where all or part of a development is within the area of a parish or town council, the Council must pass a portion of the CIL payment from the development to the parish/town council. The portion (“The Neighbourhood Portion”) is either 15% or 25% depending on whether a Neighbourhood Plan is in place.

4.18. In East Hampshire District, Alton, Medstead and Four Marks, Bentley, Ropley and Beech have ‘made’ Neighbourhood Plans and receive the 25% proportion. All others receive 15%, which is capped at a maximum of £100 per existing council tax dwelling per year².

² For example, if a parish has 300 existing dwellings, then they could not receive any greater than £30,000 from CIL neighbourhood monies in a year.

4.19. The amount of money passed to the Parishes/Town Councils this year is £501,638.99. This does not equate to the total collected for this purpose as money is passed only when requested. This is broken down by area in Table 2. Not all Parish/Town Councils in the district appear in this list – that means they did not receive any neighbourhood portion this year, as there was either not any chargeable development in their area during that time or the money was not requested and remains held by the Council³. They may have been passed a neighbourhood portion in previous years – this is reported by the Parish/Town Council themselves.

4.20. Table 2 – Amount of money passed to Parish/Town Councils (“neighbourhood portion”) this year, and the amount retained in total

Parish/Town Council	Amount received this year	Total amount retained	Monitoring report available (this yr)
Alton Town Council	£86,491.31	£65,019.14	Yes
Bentley Parish Council	£0	£12,043.00	Yes
Binsted Parish Council	£0	£16,671.57	Yes
Bramshott & Liphook Parish Council	£226,488.63	£257,669.21	Yes
Chawton Parish Council	£0	£10,908.00	Yes
Clanfield Parish Council	£995	£14,257.00	Yes
Grayshott Parish Council	£2,225.85	£65,995.44	Yes
Farringdon Parish Council	£0	£26,948.16	Yes
Headley Parish Council	£59,205.43	£65,995.44	Yes
Horndean Parish Council	£11,772.89	£38,990.38	Yes
Kingsley Parish Council	£2,382.16	£5,690.74	Yes
Lindford Parish Council	£4,500.90	£5,173.65	Yes
Medstead Parish Council	£24,835.16	£79,843.58	Yes
Ropley Parish Council	£40,716.88	£60,262.30	Yes
Rowlands Castle Parish Council	£19,999.71	£20,365.77	Yes
Selborne Parish Council	£11,941.12	£15,921.59	Yes
Shalden Parish Council	£3,583.13	£3,583.13	Yes
Whitehill Town Council	£6,499.99	£15,500.09	Yes
Wield Parish Council	£0	£3,643.78	Yes
Total	£298,920.80	£409,913.96	

4.21. Whilst the District Council must spend its CIL funds on the provision, improvement, replacement, operation, or maintenance of infrastructure needed to support the development of the area, there is more freedom regarding the use of the Neighbourhood Portion, which can also be applied to ‘anything else that is concerned with addressing the demands that development places on an area’.

4.22. However, if the money received (excludes the District Council as the Charging Authority) is not spent within 5 years of receipt, or is not spent on initiatives that support the development of the area, the Council (as the Charging Authority) may lawfully require the money/some of the money to be repaid, back to the Council

³ This option is sometimes preferred as it enables the pot to be built up, and extends the life span of the money (note further in the report re 5 year payback if not spent).

4.23. The first neighbourhood portion payments were made in 2018, meaning that in 2023 neighbourhood portion funds will be subject to clawback as detailed in 4.21. Currently, there are 6 Parishes to which this may apply. Table 3 shows the relevant parishes and funds subject to clawback as of 31 March 2022.

4.24. Table 3 – Amount of funding subject to 5-year clawback period

Parish	Amount subject to Clawback	Clawback expiry
Headley	£2,322	June 2023
Lindford	£672.75	June 2023
Medstead	£25,206.07 £24,539.32	June 2023 October 2023
Clanfield	£4,377.62	June 2023
Binsted	£2,403.27	June 2023
Farringdon	£13,474.08	December 2023

4.25. For each year that a Parish/Town Council has received a neighbourhood portion payment, it must publish specific information⁴, which includes how much money it has received, spent and retained from the neighbourhood portion. This information should be published on their website. If no money has been received, as is the case for some Parish/Town Councils this year, they do not have to publish a report, but national planning guidance does advise in the interests of transparency publishing a report to that effect. There is likely to be retained money by those Parish/Town Councils not listed in Table 2, where they have received money in previous years and it is still retained, and available to spend.

4.26. The Council is working with Parish/Town Councils to align priorities for the allocation of the Council's CIL, and the neighbourhood portion.

5. Funding from Community Infrastructure Levy (CIL)

5.1. The Planning Practice Guidance (PPG) states that the IFS must include a report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy (excluding the neighbourhood portion).

5.2. Strategic CIL Funding

5.3. In accordance with the CIL Spending Protocol (adopted January 2021) part of the Strategic portion has been allocated by the Council to projects for investment in infrastructure for the benefit of the district.

5.4. In July 2022, a total £2,302,238.36 of Strategic CIL money was allocated to funding infrastructure projects. This totals £4,262,586 allocated to Infrastructure projects

⁴ As set out in regulation 121B of The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019, <https://www.legislation.gov.uk/uksi/2019/1103/regulation/9/made>

5.5. The strategic infrastructure projects as set out in Table 4 below total £4,262,586.

5.6. Table 4 – Strategic infrastructure projects agreed for funding

Date spending agreed	Reference	Project	Amount approved
1 July 2021	442	Four Marks Community Building and Recreational Hub	£1,250,000
1 July 2021	445	Bohunt School full size floodlit 3G artificial grass pitch	£710,348
22 June 2022	576	Alton Station Forecourt	£427,371
28 July 2022	578	Clanfield Parish Council Car Park Improvements	£86,414
28 July 2022	579	Chawton Park Surgery Extension	£50,000
28 July 2022	580	Clanfield Cricket Pavilion	£196,000
28 July 2022	581	Medstead Parish Council Community Facility	£150,000
28 July 2022	582	Horndean Parish Council Five Heads Playground	£34,000
28 July 2022	583	Treloars Swimming Pool and facilities, Alton	£190,000
28 July 2022	584	Alton Town Council Anstey Lane Pump Track	£57,450
28 July 2022	585	Horndean Tech College Tennis Courts	£209,197
28 July 2022	586	Shortheath Boardwalk	£28,198
28 July 2022	587	Alton Community Hub	£467,278
28 July 2022	588	Wilson Practice Same Day Services, Alton	£29,830.36
28 July 2022	589	Bentley Memorial Hall Refurbishment	£12,500
28 July 2022	590	Woolmer Hill 3rd Gen Pitch and Pavilion, Haslemere	£350,000
28 July 2022	591	Beech Roadside Footways	£14,000

5.7. All chargeable development will still need to pay CIL regardless of any potential projects listed in this document or forthcoming IFSs. Where infrastructure is needed to make a development acceptable in planning terms, it will continue to be secured by S106.

5.8. An update on the stages of these projects is available in Appendix B.

6. Potential Future CIL Funded Projects

- 6.1. Through dialogue with Parish and Town Councils to align strategic priorities, and meetings with key infrastructure providers, such as HCC, the Council is aware of infrastructure projects considering bidding for CIL funding in the future. In addition, as the Council regularly reviews and updates evidence base informing the Local Plan, future community and sports projects are identified.
- 6.2. This section identifies some of those projects that are known of, and likely to submit bids for funding in the future. Their inclusion in this IFS does not determine the outcome of their bid, should they make one, or indicate that the project will be allocated funding, however, it does note the strategic nature of the projects, and evidence base supporting them.
- 6.3. New primary school, Hazelton Farm, Horndean
- 6.4. At the site 'Land East of Horndean, Rowlands Castle Road, Horndean', the Council's 5 year supply position statement notes, "A further outline application (55562/005) was granted for the central and southern parcels of land for up to 800 dwellings as well as other mixed uses was granted permission in December 2021. Pre-application discussions have commenced and Reserved Matters applications are expected later in 2022, with first completions in 2024. 200 dwellings are anticipated in the next five years. A total of 320 dwellings are expected over the five-year period".
- 6.5. The site requires a new primary school (1 form entry, 210 places) to support the development. This is to be delivered using CIL.
- 6.6. In 2022, HCC, as the education authority, bid to the CIL fund for £7,490,000 to deliver the school. This amount exceeded the amount available in the CIL fund at the time.
- 6.7. The committee report recommending the allocation of funds in 2022, noted of this bid, "The others are considered premature and could be considered in the future but need further information. One such project is the proposed new primary school (Hazelton Farm in Horndean), submitted by HCC. The bid exceeds the funds available. The development is yet to make CIL contributions, but when it does, the funds received should significantly contribute towards the cost of the school. Until such time, this project will be noted in the IFS as a forthcoming priority infrastructure project."
- 6.8. The project is a forthcoming priority infrastructure project, and close discussion will continue with HCC regarding the timing of CIL bids and delivery of the project. A bid is not expected from HCC in 2023, as it is still considered premature by all parties.
- 6.9. Allen Gallery, Alton
- 6.10. The gallery is run by Hampshire Cultural Trust. Poor use of space currently means the venue is not able to meet current needs. The gallery is seeking to transform the venue into a vibrant visitor attraction and a cultural hub for East Hampshire's rural community, making the most of these outstanding collections. The gallery is well used but has the potential to accommodate more and meet greater demands, if transformed.

- 6.11. The Trust has identified a preferred option for redeveloping the Allen Gallery to deliver a transformation of the venue for £1.6million.
- 6.12. In February 2022, the Trust submitted a Development Phase application to the National Lottery Heritage Fund to undertake an 18 month programme to fully develop the plans and bring the community on board to help shape the future of the gallery. This application was successful, and the development phase began Summer 2022. A further application is scheduled to the National Lottery Heritage Fund for the delivery phase which will see the capital works take place, a new community programme launched and a complete reinterpretation of the collection. A fundraising campaign will also run alongside the development phase to raise the remaining £285,000 needed as match funding towards the Lottery application, with match funding needing to be confirmed by December 2023.
- 6.13. Any gap funding will be considered for CIL funding. No cultural infrastructure has been funded to date by CIL.
- 6.14. Headley Sports Pavilion and football pitches
- 6.15. Identified in the Playing Pitch Strategy 2018 as a project, and with planning permission having been previously granted, this is a project that the Parish Council is actively progressing and looking to make CIL bids for.
- 6.16. Clanfield Practice
- 6.17. Dialogue with the Integrated Care Board and individual health facilities has drawn attention to the desire to implement a planning permission granted in 2019 at Clanfield Practice. Converting roof space to provide additional consulting rooms is much needed to assist the practice in meeting health needs, with some additional demand arising from recent developments in the local area. Deliverability is a key issue for this project, relating to how health facilities are funded. Should a CIL bid be made, deliverability will need to be demonstrated.
- 6.18. Dentists providing NHS services
- 6.19. The Council's [Community Facilities Study 2022](#) has identified a considerable deficit of dentists in the district providing NHS services. This is particularly pertinent in the southern parishes, where there is only one dentist, and that is entirely private provision. There is no NHS provision in the southern parishes. Should a CIL bid be made that enables more NHS provision and meets the specified criteria (for example, funds cannot be allocated for staff costs) this evidence base will be particularly noted in term of the prioritisation of the bid. At present, however, it is not known of any specific likely bid.

7. Section 106 (S106) Planning Obligations

7.1. What is a Planning Obligation?

7.2. Planning obligations are legal agreements entered into under Section 106 of the Town and Country Planning Act between local authorities and persons interested in land. They can be attached to a planning permission which restricts the use of land, requiring operations to be carried out or requiring the payment of a sum to mitigate the impacts of development to make it acceptable in planning terms. A unilateral undertaking can also be used to secure the same aims as a formal bilateral S106 agreement where the interested party gives an undertaking(s) to the local authority which does not have to be a party to the agreement.

7.3. Planning obligations continue to operate alongside CIL. A planning obligation may be sought in addition to CIL where site specific measures are required to mitigate the impacts of a development. This can be through the provision of infrastructure that is on, or off, site. For example, affordable housing, which is outside the remit of CIL, or specific highway or flood alleviation infrastructure.

7.4. Any S106 legal agreements will need to meet the three tests set out in the CIL Regulations 2019 (as amended):

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development.

7.5. S106 Monitoring

7.6. The Council has launched a digital database where S106 contributions can be reviewed. This can be viewed on the [Public Facing Module](#) and the S106 database is largely complete though some historic items are still under review.

7.7. The total amount of contributions received from Planning Obligations for the reported year was £5,389,423.19.

7.8. The total amount of contributions repaid via shared equity loans were £271,142.46. These funds are put back into the Affordable Housing contributions for further expenditure on associated projects.

7.9. The Council's Housing team has looked at innovative ways to use section 106 funds to provide a range of affordable housing tenures. To reduce reliance on Bed and Breakfast placements, the Council has funded a pioneering project in Bordon which involved converting a council owned village hall into temporary accommodation for those facing homelessness within the district.

7.10. To help those looking to get on the housing ladder, the Council has partnered with Merlion Housing Association, who specialises in providing shared equity housing. With the Council's subsidy, homes can be offered with a discount of up to 50 per cent of the market value with no rent to pay. To date, 39 homes have been delivered through this partnership, with a further four in the pipeline to be completed in 2023.

7.11. During the year the following non-monetary contributions have been agreed under planning obligations:

- The total number of affordable homes to be provided as on-site provision agreed under planning obligations is 310.
- The total number of affordable homes to be provided by off-site funding allocations made within the reported period is 0.

7.12. Table 5: The following items had money allocated towards them during the reported year with unspent allocations.

Infrastructure	Allocated	Date Allocated	Unspent
Alton Sports Centre All Weather Pitch	£17,428.96	24 February 2022 to 31 March 2022	£17,428.96
Alton Jubilee Fields Pavilion 2018	£101,983.54	24 February 2022	£101,983.54
AH Pinewood VH Homeless Conversion 2019 and 2022	£792,000.00	24 December 2021	£714,710.31
Transfer of Employment and Training Funds to ED 2020 financial year onwards	£313,266.06	17 February 2022 to 31 March 2022	£313,266.06
AH Site Finder Appointment May 2020 to 2023	£17,867.40	21 June 2021 to 31 March 2022	£6,617.40
Alton Station Forecourt 2020	£5,122.00	06 May 2021	£36.67
W-B Louisburg Overage 2021	£1,801,197.33	31 March 2022	£1,801,197.33
W-B Headley Field 6 Sports Pitches 2021	£23,788.00	30 June 2021	£18,147.75
East Meon Play Area Grass Safety Matting 2021	£154.96	24 May 2021	£154.96
W-B Wealden Heath Phase SAMM SLA 1 Feb 22 and 31 Mar 25	£9,811.16	31 March 2022	£9,811.16
Repaid Merlion individual shared equity loans 2021 plus	£302,391.18	31 March 2022	£302,391.18
HCC Generic Transport Contribution transfer 2021 plus	£63,380.24	31 March 2022	£63,380.24

Infrastructure	Allocated	Date Allocated	Unspent
Rowlands Castle Recreation Ground Pitch Improvements	£13,000.00	31 March 2022	£5,630.00

7.13. Table 6: In relation to money which was spent by the Council during the reported year; the items of infrastructure that planning obligations money has been spent on and the amount spent are as follows:

Infrastructure	Spent	Date Spent	Spend Description
Four Marks Village Walks Signage	£2,000.00	27 October 2021	Installation of Signage
SRMP/S Bird Aware Transfer to Fareham BC	£6,721.61	27 November 2017 to 18 April 2022	Transfer to Bankers for the Partnership
HCC Education Four Marks Primary 2018	£238,500.82	03 September 2018 to 10 February 2022	Tranche 3
W-B SANGS Contribution Transfers (Whitehill Town Council) and Monitoring	£1,063,224.03	15 August 2018 to 17 August 2021	3rd Instalment 4th Instalment
Sheet Safer Route to the Primary School 2018	£9,072.00	07 June 2021	
Alton Recreation Land Acquisition 2019	£163,508.22	21 July 2021	
Medstead EI Village Green Wildlife Corridor 2019	£115.58	07 October 2019 to 12 July 2021	Tranche 4 - 5
Medstead Village Green Restoration 2019	£6,610.00	27 August 2019 to 30 May 2022	Tranche 6 - 13
W-B Allowable Solutions Expenditure 2018 Onwards (COSY COB) (Q)	£9,413.85	30 April 2019 to 24 September 2021	
AH Pinewood VH Homeless Conversion 2019 and 2022	£77,289.69	27 June 2019 to 25 November 2022	Tranche 1 - 19
W-B Knox's Pond Enhancements 2018	£8,690.16	14 February 2022	Tranche 1

Infrastructure	Spent	Date Spent	Spend Description
W-B (Q) Drinking Water Fountain at Skatepark & Mill Chase	£9,228.00	24 November 2021 to 12 January 2022	Tranche 1 - 2
Transfer of Employment and Training Funds to ED 2020 financial year onwards	£135,818.16	06 September 2019 to 31 March 2022	Tranche 1 – 2a
Horndean Tech College Artificial Pitch Oct 2019	£114,660.00	26 February 2020 to 13 October 2021	Tranche 2 - 4
Beech Traffic Calming Study 2019	£2,303.90	09 March 2022 to 16 March 2022	Tranche 1 - 2
Clanfield EI Wildflowers and Bees 2019	£1,548.83	26 August 2021 to 02 March 2022	Tranche 1 - 2
W-B Mill Chase Rec Ground and for potential improvements to the Pavilion	£10,750.00	23 December 2020 to 21 November 2022	Tranche 1 - 7
AH Adaption 6 Lavant Field Chawton	£2,179.15	21 September 2020 to 17 May 2021	Tranche 1 - 5
AH Site Finder Appointment May 2020 to 2023	£14,424.85	24 June 2020 to 31 March 2023	Monthly payments 2022 - 2023
Liss Mill Road Community Garden May 2020	£16,432.96	26 August 2021	Tranche 1
W-B Broxhead Cricket Outfield Improvements June 2020	£3,180.00	28 October 2020 to 09 November 2021	Phase 1 – 2 works
Heatherland Heritage June 2020	£760.00	02 December 2020 to 28 September 2021	Tranche 2
Rowlands Castle Allotments Fencing Nov 2020	£638.22	07 June 2021	
East Meon Cricket Club Scoreboard Sept 2020	£3,492.00	19 April 2021	
Newton Valence Village Hall Car Park 2020	£6,202.00	07 June 2021	
East Meon Tennis Net Posts October 2020	£420.83	24 May 2021	

Infrastructure	Spent	Date Spent	Spend Description
Community Project Worker Transfer 2020/2021	£69,873.35	22 June 2021	
Medstead Bridleway 701 Improvements 2021	£9,826.80	18 August 2021 to 28 September 2021	Tranche 1 - 2
W-B Wealden Heath Strategic Access Management and Monitoring (SAMM) – HeRe SLA	£112,309.00	24 May 2021 to 14 December 2021	Tranche 1 - 4
Froyle Village Hall Dishwasher 2020	£500.00	20 August 2020 to 17 May 2021	
Medstead Four Marks Wildflower Meadows 2021	£1,390.00	25 August 2021	Tranche 1
Alton Station Forecourt 2020	£5,085.33	17 March 2021 to 08 June 2021	Tranche 1 - 2
W-B Louisburg Overage 2021	£2,803,218.89	11 October 2021 to 06 January 2022	First Overage Payment to HCC Second Overage Payment to HCC
W-B Headley Field 6 Sports Pitches 2021	£9,452.25	30 June 2021 to 04 November 2022	Tranche 1 - 2
HCC Gales Brewery crossing contribution 2021	£20,000.00	02 June 2021	
Steep Common Improvements 2020	£6,565.00	09 March 2022	Tranche 1
Beech Village Recreation Ground 2021	£3,670.00	01 June 2021	Tranche 1
Community Project Worker Transfer 2021 to 2022	£91,136.35	04 February 2022 to 05 February 2022	Tranche 1
W-B Bird and Visitor Surveys 2021	£11,429.88	14 September 2021	
W-B WH SAMM Longmoor Inclosure Footfall Counter	£1,785.00	06 July 2021	Footfall Counter
W-B Wealden Heath Phase SAMM SLA 1 Feb 22 and 31 Mar 25	£17,875.32	24 February 2022 to 30 September 2022	Tranche 1 - 3
Alton Leisure Centre	£838,279.07	31 March 2022 to 31 March 2023	Towards Alton Sports Centre Cost

Infrastructure	Spent	Date Spent	Spend Description
Rowlands Castle Recreation Ground Pitch Improvements	£7,370.00	20 January 2022 to 13 May 2022	Tranche 1 - 3
W-B Whitehill and Bordon Leisure Centre	£2,300,935.25	31 March 2022	Tranche 1 - 2
TRO transfers 2021 plus	£5,073.73	31 March 2022	Tranche 1

- 7.14. No planning obligations money was spent on repaying money borrowed including any interest.
- 7.15. The Council has had a freeze on the majority of its S106 spending while it undertook an audit of all remaining funds.
- 7.16. East Hampshire District Council is intending to re-open its S106 generic funding window in 2023, starting with those within the Whitehill-Bordon region first. Details regarding this will be made available on the Council's website in the new year.
- 7.17. It should be noted these funds are finite and this process will only continue until the funds are all allocated

8. Infrastructure to be secured via S106 Agreements

- 8.1. As detailed in Section 7, the Council will continue to secure certain types of infrastructure using S106 Agreements. This Section provides further guidance on these obligations and the circumstances under which they would be secured/payable.

Affordable Housing on Residential Development Sites

Satisfying the policy requirements

- 8.2. For qualifying sites, under Policies CP13 and CP14 of the Joint Core Strategy, on-site affordable housing provision will be secured by a Planning Obligation. In certain cases, the local planning authority may negotiate the provision of affordable housing below the policy requirements, for example where the developer can demonstrate that the development would be made unviable as a result of the policy requirements, or the developer is unable to secure a registered provider willing to procure the affordable dwellings. Further guidance is provided below on the evidence that would be required to support a departure from JCS Policy CP13 under either of these scenarios.
- 8.3. In addition, in instances where the affordable housing requirement would result in a requirement that isn't a round number (e.g. 2.8 dwellings), the Council will expect two units to be provided on site and the remaining 0.8 of a unit to be secured through a commuted sum to contribute to the provision of affordable housing on an alternative site.

Viability

- 8.4. The Council recognises that there will on occasion be developments where abnormal site costs, and other factors may mean that the affordable housing requirements cannot be met on a particular site. Where developers advise that their scheme is unviable with provision of the required proportion of affordable housing, an open book approach to development appraisal of scheme viability will be considered. This development appraisal would need to include all other CIL and planning obligation requirements and identify what level of affordable housing could be supported by the development. It is important to note that in addition to the submission of a viability assessment, the Council will require the developer to pay the Council's costs so that the submitted viability assessment can be independently assessed by a development viability consultant.
- 8.5. A lower level of provision may be acceptable if, following the independent review of the viability assessment by an appropriately qualified expert; the Council accepts that meeting the full affordable housing requirement makes the scheme unviable.
- 8.6. Whilst the Council does not have a preferred approach for undertaking viability appraisals, it is suggested that developers may wish to use the Homes and Communities Agency Toolkit.

Difficulty procuring a Registered Provider

- 8.7. The Council recognises that for some developments, particularly on smaller sites, a situation may arise where the developer is unable to fulfil the affordable housing obligations as, despite all reasonable efforts, no Registered Provider (RP) is willing to procure the affordable dwellings. This may be due to a number of factors, such as; the site location falls outside of the RP's core investment area; the tenure proposed does not fit the RP's business model or the financial offer submitted by the RP may not cover the developer's reasonable build costs. Other reasons are also likely to arise which may be specific to that individual site.
- 8.8. In these circumstances and where provision has been made within the S106 Agreement the developer may apply to the Council to commute the on-site provision of affordable housing to a financial sum. The Council will need to be satisfied that the developer has made all reasonable efforts to dispose of the affordable housing to an RP and they will be expected to evidence details of any offers received from RP's or correspondence with RP's. This may also include financial information on the sum the developer is seeking for the affordable dwellings to ensure that cost is not the overriding factor that the affordable housing obligations cannot be satisfied.
- 8.9. If the Council agrees, then the affordable housing obligations may be commuted to a financial payment to the off-site provision of affordable housing units. This sum will be calculated in accordance with the tariff detailed in Table 7 below.
- 8.10. It is important to note that the Council's priority remains the provision of affordable housing on the application site and so this cascade to a financial sum is the last resort. Before considering requests under this provision the Council will first explore with the developer whether an amended affordable housing scheme, including changes to the

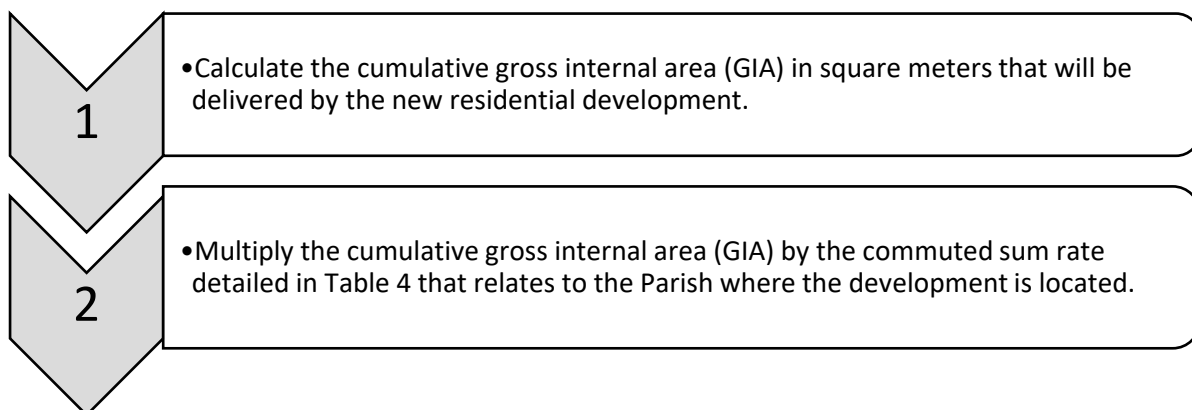
number, type, tenure and location within the site, will make onsite provision possible.

8.11. Table 7: Affordable Housing Commuted Sums

	Group 1	Group 2	Group 3	Group 4
Parish	Whitehill and Bordon	Clanfield	Alton	Beech
		Headley	Bramshott and Liphook	Bentley
		Horndean	East Tisted	Bentworth
		Rowlands Castle	Four Marks	Binstead
			Froyle	Chawton
			Grayshott	Farringdon
			Lasham	Kingsley
			Medstead	Selborne
			Ropley	Wield
			Shalden	Worldham
Commuted sum (£) per square metre (GIA)	£160	£270	£355	£450

Note: The commuted sum rates will increase with market inflation over time. They are linked to the All-in Tender Price Index published by the Building Cost Information Service of the Royal Institution of Chartered Surveyors.

8.12. In circumstances where a developer is providing commuted sums to fund off site affordable housing provision, the following method should be followed for calculating the commuted sum payable.



8.13. If a developer considers that the commuted sum required to support off site affordable housing provision would make the development unviable, the process set out in the viability section above (paragraphs 8.4 to 8.6) would need to be followed to determine a commuted sum that would make the development viable.

Education

- 8.14. Where a proposed development generates the need for a new school to be provided on site, the land and provision of a school will be secured through a S106 Agreement. Generic financial contributions towards education are made via CIL.
- 8.15. The timing and need for the provision of land or school building(s) to serve a new development will be considered on a case-by-case basis, with the specific requirements being set out within any S106 Agreement. It is likely to be linked to phases of a development, with facilities being required either upon a certain level of units being completed, or when a certain threshold of occupation at a development is reached.
- 8.16. The County Council has published a guidance document on '[Developer Contributions towards Children's Services Facilities](#)' (2022) which highlights that the Council is expected to consult Hampshire Children's Services Department on any planning proposals relating to a development of 10 or more eligible dwellings.
- 8.17. The Guidance provides guidance on the minimum usable areas required for new primary and secondary school sites.
- 8.18. Visit the County Council's Children's services webpages or contact the County Council by email developer.contributions@hants.gov.uk to confirm the latest position in terms of on-site infrastructure requirements.

Health

- 8.19. Where a proposed development generates the need for a new healthcare facility, such as a new GP surgery, to be provided on site, the land and provision of a healthcare facility will be secured through a S106 Agreement.
- 8.20. The timing for the provision of such healthcare facilities will be considered on a case-by-case basis, with the specific requirements being set out within any S106 Agreement. It is likely to be linked to phases of a development, with facilities being required either upon a certain level of units being completed, or when a certain threshold of occupation at a development is reached.

Green Infrastructure

- 8.21. The standards for the provision of public open space and built recreation facilities on new residential development sites are set out in Joint Core Strategy Policy CP18.
- 8.22. Green infrastructure can take many forms including:
- multifunctional green space (i.e. parks, amenity space, accessible natural green space)
 - equipped play areas
 - allotments
 - habitats infrastructure to support biodiversity.

8.23. The Council will continue to use S106 or conditions to secure the provision of local multifunctional green space, locally equipped play areas and allotments that directly serve a proposed development site, where the site is suitable.

8.24. The Council's adopted green space standards require new residential developments to provide, as a minimum, 3.24ha of public open space per 1,000 population⁵ to serve the needs generated by the new development. This requirement is broken down to set out what a development must provide in respect of multi-functional green space, provision for children or young people and allotments, as set out in Table 8 below.

8.25. Table 8: Green Space Standards

Open Space Type	Requirement per 1,000 population (ha)
Parks and gardens	1.03
Natural and semi-natural green space	1.8
Green corridor	N/A
Amenity green space	0.31
Allotments	0.1
Churchyard or cemetery	N/A
Provision for children or young people	0.52 sites per 1,000 population

8.26. There are no standards for habitat creation as each site is assessed on a case-by-case basis. It is recognised however, that the provision of other forms of green infrastructure can contribute towards conserving and enhancing biodiversity.

8.27. Where a proposal requires off-site planting, a S106 Agreement must be entered in to. This should cover the cost of any site purchase required for the new planting, the cost of the plants, any associated management and maintenance where the Council will not be adopting the land and sufficient funding for replacements for a period of five years. It is imperative that any proposal for off-site planting has the prior written approval of the landowner. The costs will be calculated on a site-by-site basis and be based on current prices at the time of the application.

Social infrastructure

8.28. The provision of new and improvement of existing social infrastructure will be funded through CIL. However, in some instances developers may be required to provide land or buildings to enable the delivery of additional social infrastructure to serve the site. In such instances the provision of land or buildings will be secured through S106.

⁵ Open Space, Sports and Recreation Needs and Opportunities Assessment 2018 to 2028 (December 2019)

Internationally Designated Sites

8.29. Residential development in parts of the district has the potential to impact upon internationally designated sites both within and located outside of the district.

Wealden Heaths Phase II Special Protection Area

8.30. Policy CP22 sets out the requirements for development impacting on the integrity of the Wealden Heaths Phase II Special Protection Area (SPA). The Council also as an adopted Supplementary Planning Document for developments within this area (Joint Wealden Heaths Phase II Special Protection Area: SPD although there is now an exclusion zone for any new residential development within the SPA's 400 metre buffer).

8.31. Any proposed housing within 5km of the Wealden Heaths Phase II SPA will need to be supported by a project-specific Habitats Regulations Assessment (HRA), to enable the local planning authority, as competent authority, to undertake its HRA screening / Appropriate Assessment, to assess whether mitigation of these impacts is required. The requirement for mitigation is likely to vary depending on the number of proposed dwellings, the distance from the SPA and the 'in combination' effects. Advice on this should be sought from Natural England at the earliest opportunity. Where on-site, or off-site, mitigation is required, this would be secured through a planning obligation.

8.32. Solent International designated sites

8.33. The Solent coastline provides feeding grounds for internationally protected populations of overwintering waders and wildfowl and is also extensively used for recreation. In response to concerns over the impact of recreational pressure on birds within protected areas in the Solent, the Solent Forum initiated the Solent Disturbance and Mitigation Project (SDMP) to determine visitor access patterns around the coast and how their activities may influence the birds.

8.34. Contributions will be sought from new development in order to implement the measures set out in the Solent Special Protection Area (SPA) Interim Planning Framework. Measures include the provision of dog wardens and rangers to educate the public about the impacts of recreational disturbance on protected species. The contribution is calculated on the number of bedrooms per individual dwelling. The current rates are set out on the Council's website and are applicable to permissions granted on or after 1 April 2022.

8.35. The contribution will affect all net new dwellings in the district located within 5.6km of the Solent International Designated sites and is payable in addition to any CIL liability and any other S106 contributions. Appendix C contains maps showing the parts of the district that fall within the 5.6km buffer.

8.36. Nutrient neutrality

8.37. New development necessitates the provision of connections to the foul water drainage network and can increase surface water run-off. This could increase the amount of nutrients entering Solent International Designated Sites, even if it is a proportionately small contribution. Natural England has advised that new developments within the

East Hampshire and Itchen drainage catchments may contribute towards nutrients entering these designated sites, resulting in increase levels of eutrophication.

- 8.38. Within these catchments, new housing schemes and other proposals which include a net gain in overnight accommodation or development which has a high volume of water use will need to be supported by a Habitats Regulations Assessment (with nutrient budget calculations) to enable the local planning authority, as competent authority, to undertake its HRA screening / Appropriate Assessment, to assess whether any mitigation of these impacts is required, to prevent any increase in nutrients into the water system in order for them to be 'nutrient neutral' if they would otherwise lead to a likely significant impact on a European site.
- 8.39. In some instances, where there is a positive nutrient budget, mitigation will be required which could entail, either on-site mitigation, or the purchasing of nutrient credits from an accredited third-party mitigation scheme. In discharging the requirements of planning obligations, the Local Planning Authority would require written confirmation from an accredited mitigation scheme that sufficient credits have been purchased to mitigate the nutrient budget from the development.
- 8.40. Given the geographical nature of East Hampshire district, it is likely that some third-party mitigation schemes could be progressed outside of the district. In such cases, the planning authority of the mitigation land together with the landowner of the mitigation site would both need to be signatories to a legal agreement, with East Hampshire District Council, in order to ensure that the accredited mitigation scheme is monitored, with the planning authority for the mitigation land undertaking any necessary enforcement action where necessary.
- 8.41. More detail guidance on the nutrient neutrality is available on the Council's website <https://www.easthants.gov.uk/planning-services/nutrient-neutrality-what-developers-need-know>

Flood Protection and Water Management

- 8.42. There may be circumstances when mitigation measures will be required in order to make a development safe from any risk from surface water flooding. Measures will normally be identified by the Environment Agency, or Lead Local Flood Authority, and will usually be secured through planning conditions. However, where the measures involve off-site improvements, the need for a S106 Legal Agreement, negotiated on a case-by-case basis, will be considered.
- 8.43. Where on site measures are required, the type and location of the works should be justified and agreed with the Council, in consultation with the Lead Local Flood Authority and/or the Environment Agency, prior to any works being implemented. In some cases, assessed though a Flood Risk Assessment, it may be appropriate to consider on-site flood mitigation measures such as the positioning of electrical sockets at a higher level or using more water resistant materials. The use of such measures will normally be secured through planning conditions rather than a legal agreement.

8.44. Where off-site mitigation is necessary, it is expected that developers will enter into a S106 Agreement which agrees either a level of appropriate funding or the provision of appropriate flood defence works or mitigation measures.

Transport

8.45. Alterations to the local highway network which are necessary to promote a safe, efficient or sustainable relationship between development and the public highway may be secured by a S106 planning obligation and/or S278 Agreements with the Local Highway Authority. Improvements could include the provision, removal, or relocation of street furniture, dropped kerbs, crossovers, pedestrian crossings, bus stops and links to the cycle network.

8.46. Where a development is required to make specific contributions towards off-site improvements, amendments, or additions to public transport services (projects which are not identified in this IFS to be funded by CIL) contributions may be secured through S106.

Travel Plans

8.47. Contributions towards revenue items are still permitted under planning obligations and are not restricted by the CIL regulations. Where development exceeds the threshold for a Travel Plan, a Travel Plan will be secured through a S106 Agreement, which will have the objective of reducing adverse transport impacts. A fee is charged for approval of a travel plan and for on-going monitoring.

8.48. Travel Plans will set out, as far as possible, how development proposes to mitigate its adverse transport impacts and promote sustainable travel and may include measures relating to encouraging sustainable transport behaviour and infrastructure provision. Travel Plans will include provision for financial penalties to fund the promotion or provision of sustainable transport until travel plan objectives are met.

Other

8.49. Other types of infrastructure may be required to make a development acceptable in planning terms. The following list provides information on additional S106 Agreements not detailed in this chapter that could be required to make a development acceptable:

- Works or funding for the management and conservation archaeological interests where a development has an adverse impact.
- Works or funding for the restoration, conservation / enhancement of listed buildings, buildings of local importance and monuments at the development site.
- Works or funding for the diversion and or enhancement of Public Rights of Way.

Appendix A – Potential Liability

Existing Use	Proposed Use	Potential Liability	
Development site	Dwelling (self build)	CIL is not charged on self build development, provided the relevant forms are submitted to the council before development commences	Not liable
Development site	Dwelling	CIL charged on all new floorspace Charge is based on total new floorspace (no minimum)	CIL liable
Development site	Affordable housing	Affordable housing may not be CIL liable or chargeable (subject to the relief process)	May not be liable
Development site	Office	Office development is not CIL liable	Not liable
Office in use	Change of use to dwelling	CIL liable and chargeable for any additional floorspace (no minimum) For example, if existing office is 110sqm and in use, then only additional floorspace above 110sqm is chargeable	Liable and potentially chargeable
Not in use (vacant for past 3 years)	Dwelling	CIL liable and chargeable for the entire floorspace of the dwelling, as the existing building has not been in lawful use for 6 months out of the previous 3 years. Charge is based on total floorspace (no minimum)	Liable and chargeable
Office	Affordable housing	Affordable housing may not be CIL liable or Chargeable (subject to the relief process)	May not be liable

Office	Office extension	Office development is not CIL liable or chargeable This is irrespective of size	Not liable
Demolished dwelling	Replacement new dwelling	A credit is given for the demolished floorspace so CIL is only payable on the net additional floorspace	CIL liable
Dwelling	Extension less than 100 sqm	CIL is only chargeable for extensions over 100sqm (not counting the original dwelling) Therefore, any extension of less than 100sqm is not chargeable	Not liable
Dwelling	Extension more than 100sqm	CIL is charged for the entire new floorspace where an extension is greater than 100sqm (not counting the original dwelling) Chargeable as extension is greater than 100sqm	Liable and chargeable
Dwelling	Internal mezzanine	Any floorspace that is created by a mezzanine floor within an existing building is not CIL chargeable	Not Liable
Dwelling	Annexe	The additional floorspace is CIL Liable but an exemption for a self build annexe may be granted on receipt of CIL Form 8	CIL liable

The Council charges CIL for new dwellings (houses, including holiday lets, annexes, excepting older persons accommodation) and residential extensions (over 100sq,m). As well as retail development and hotel accommodation (over 100sq.m).

Appendix B - Strategic CIL Monitoring Update

To date, East Hampshire District Council (EHDC) has awarded Strategic CIL funding to 17 projects both within EHDC area and outside of its physical boundary that will benefit those within its district boundary once complete.

While most of these projects are still working through meeting conditions imposed to ensure both deliverability and a high standard of infrastructure, a number of these projects have commenced and are drawing down funds.

The following is a brief update on those projects that have made significant progress, begun, or completed works;

Treloar Trust Swimming Pool and Associated Facilities

The Treloar Trust has drawn down all Strategic CIL funds that were allocated to its project and works to the swimming pool are now considered complete. Works to the changing area are outstanding and it is to the understanding of the Council that these works are expected to be completed over the Winter break.

Bentley Memorial Hall Refurbishment

Works to increase and enhance the upper floors of the memorial hall began in Autumn 2022 and are progressing steadily. One of four Tranches have been paid out and stage 2 of the overall project is nearing completion. It is anticipated that electrical work and the lobby area will be completed come early 2023.

Four Marks Community Building

Faced with several obstacles, having been awarded funding during the COVID-19 pandemic, the Four Marks Community Building is yet to commence. However, significant progress has been made in finetuning the design and it is expected that within 2023, this project will continue to make further progress.

Horndean Five Heads Road Playground

This project is yet to make commencement however significant progress has been made with ongoing discussions between both EHDC and Horndean Parish Council surrounding this project. It is highly expected that this project will commence in early 2023 and that funds will be drawn down following this.

Appendix C - Area within 5.6km of the Solent International Designated sites

