



Rother District Council

# INFRASTRUCTURE FUNDING STATEMENT

2023/24

**Rother District Council**  
Town Hall  
London Road  
Bexhill-on-Sea  
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# 1 Introduction

This report provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in the Rother District, and the subsequent use of those contributions by Rother District Council (RDC). The report covers the financial year **1 April 2023 – 31 March 2024** and for the purposes of this report this is known as the ‘funding year’. This is the fifth Infrastructure Funding Statement produced by RDC in line with Regulation 121A of the Community Infrastructure Levy (England) Regulations<sup>1</sup> (hereafter referred to as the CIL Regulations).

RDC seeks developer contributions from relevant development through the Community Infrastructure Levy (CIL) and through legal agreements under Section 106 of the Town and Country Planning Act 1990 (also known as S106 agreements or “planning obligations”).

The structure of this report utilises the template provided by the Ministry of Housing, Communities and Local Government (MHCLG) published on the 20 November 2020.

## 1.1 CIL

The power to develop a CIL was introduced in 2010 and has been charged in Rother since April 2016. CIL is a set charge, based on the gross internal area floorspace of buildings, on most new residential development (and some other development) to help fund the infrastructure needed to address the cumulative impact of development across our area. Our adopted CIL [Charging Schedule](#) sets out the CIL charging rates across Rother.

The total CIL collected by RDC is divided into ‘Strategic’ and ‘Local’ CIL. The CIL Regulations require local planning authorities to use Strategic CIL to fund *‘the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area’*. There is also a neighbourhood portion of CIL – known as ‘Local CIL’ – which can similarly be used to fund infrastructure but can also fund *‘anything else that is concerned with addressing the demands that development places on an area’*. ‘Local CIL’ is passed by the CIL charging authority (RDC) to the Parish Council for the area where the CIL liable development took place. Local CIL comprises 15% of CIL received, rising to 25% if the Parish has a ‘made’ Neighbourhood Plan in place.

## 1.2 Planning Obligations

Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation – to mitigate the impact of a specific development, to make it acceptable in planning terms. The planning obligation might, for example, require the provision of or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning

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<sup>1</sup> Regulation 121A - [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#)

obligations to secure a proportion of affordable housing from residential developments. In some instances, Section 106 planning obligations may require payments to be made to parish councils.

## 2 Community Infrastructure Levy Report

### 2.1 Introduction

The following section sets out the CIL information for 2023/24. This includes the headline figures in terms of CIL collected, spent and retained, details of infrastructure funded, the amount of CIL passed to parish and town councils, CIL debt, the CIL infrastructure list and information regarding the allocation of CIL monies by the RDC Strategic CIL Allocations Panel.

### 2.2 Headline Figures

The table below (Figure 1) illustrates the amount of CIL invoiced by RDC during the reporting year, the amount of CIL money received by RDC from developers, the amount of CIL spent, and the amount of CIL retained (not yet spent). The categories are further defined in footnotes 2-6 below.

<b>CIL invoiced</b> (set out in Demand Notices <sup>2</sup> ) in 2023/24	<b>£2,242,074.43</b>
<b>CIL receipts<sup>3</sup> received</b> in 2023/24 (collected within the funding year)	<b>£2,296,726.14</b>
CIL receipts that CIL regulations 59E and 59F applied to <sup>4</sup>	<b>£0</b>
<b>CIL expenditure<sup>5</sup></b> in 2023/24	<b>£576,639.00</b>
<b>CIL retained<sup>6</sup></b> at end of 2023/24 (4 <sup>th</sup> April 2016 to 31 <sup>st</sup> March 2024)	<b>£7,950,524.70</b>

Figure 1: Headline CIL Figures

<sup>2</sup> Includes any late payment or other surcharges, and interest, included in Demand Notices.

<sup>3</sup> Total CIL receipts during reported year which includes any land and infrastructure “payments” received as “In-Kind” CIL payments; any CIL receipts subsequently set aside for CIL administration and ‘Local CIL’ purposes; any CIL surcharges/interest received, and CIL received for any other reason other than CIL collected on behalf of another CIL charging authority.

<sup>4</sup> The total amount of CIL that was relevant to **CIL regulation 59E** (CIL previously paid to a parish or town council under CIL Regulation 59A or 59B which has subsequently been recovered from that parish Council) and **CIL regulation 59F** (a proportion of CIL that may be set aside to spend in the locality of a CIL liable development, which would otherwise have been paid to a parish or town council if such a council existed in the area where the CIL charge was incurred) .

<sup>5</sup> Actual CIL expenditure during the reported year, regardless of when received, including ‘Local CIL’ allocations both where spent by the charging authority under CIL regulation 59E and 59F, and where passed to parish/town councils under regulation 59A or 59B), whether subsequently spent or not. Also includes CIL passed to external organisations under regulation 59(4) whether subsequently spent or not; CIL spent on administration of CIL; CIL “expenditure” in regard to any land and infrastructure payment received as “In-Kind” CIL payments from the point any development on the land is commenced or completed, and CIL refunded due to overpayments.

<sup>6</sup> Total CIL retained – whenever received and including CIL retained to which regulation 59E and 59F applied (note: ‘Total CIL retained’ is not a regulatory reporting requirement in itself, but suggested it is included for greater clarity - the combined (regulatory) reporting requirements in items 2.4(f) to 2.4(i) in this report also cover the total amount retained.

### 2.3 CIL infrastructure expenditure<sup>7</sup> in 2023/24

This table details items of infrastructure on which CIL (including land payments) has been spent in 2023/24, and the amount of CIL spent on each item:

<b>Infrastructure Project/Type</b>	<b>CIL allocated</b>
Village Halls Energy Project	£79,835.88
Ticehurst Village Centre Project	£85,000.00
<b>Total</b>	<b>£164,835.88</b>

Figure 2: CIL infrastructure expenditure

### 2.4 Other CIL expenditure in 2023/24

a) Total amount of CIL spent in 2023/24 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part):

**£0**

b) Total amount of CIL spent on administrative expenses in 2023/24 and that amount expressed as a percentage of the total CIL received in 2023/24:

**£86,597.04 (3.77%)**

c) The amount of CIL passed to any parish or town council under CIL regulations 59A and 59B in 2023/24:

<b>Parish/Town Council</b>	<b>CIL amount paid</b>
Battle Town Council	<b>£69,533.34</b>
Bexhill Town Council	<b>£56,353.14</b>
Burwash Parish Council	<b>£4,346.18</b>
Camber Parish Council	<b>£13,084.30</b>
Catsfield Parish Council	<b>£10,630.64</b>
Crowhurst Parish Council	<b>£2,096.18</b>
Fairlight Parish Council	<b>£2,664.75</b>

<sup>7</sup> 'Infrastructure expenditure' mainly relates to CIL spent by the reporting authority but this section can include details of infrastructure provision undertaken by an external organisation who has been passed CIL funds by the reporting authority under regulation 59(4). The reporting authority should clearly specify in this section any infrastructure provision relevant to regulation 59(4).

<b>Parish/Town Council</b>	<b>CIL amount paid</b>
Guestling Parish Council	<b>£22,081.08</b>
Mountfield Parish Council	<b>£4,468.26</b>
Northiam Parish Council	<b>£32,590.93</b>
Pett Parish Council	<b>£9,656.68</b>
Ticehurst Parish Council	<b>£94,803.69</b>
Westfield Parish Council	<b>£2,896.91</b>
<b>Total</b>	<b>£325,206.08</b>

Figure 3: CIL passed to Town and Parish Councils 2023/24

- d) The amount of CIL passed to external organisations (other than parish/town councils) under CIL regulation 59(4)<sup>8</sup>:

**£0**

- e) Summary details of the expenditure of CIL on infrastructure, to which CIL regulations 59E or 59F applied during 2023/24:

**None**

## 2.5 CIL receipts retained (allocated<sup>9</sup> and unallocated)

- a) The total amount of CIL receipts, received prior to 2023/24, which had been allocated (to an infrastructure project or item), but not spent, by the end of 2023/24:

**£5,698,008.97**

- b) The total amount of CIL receipts, received prior to 2023/24, which had not been allocated (to an infrastructure project or item) by the end of 2023/24:

**£1,590,440.20**

- c) The total amount of CIL receipts, whenever collected including 2023/24, which were allocated (whether allocated prior to or during 2023/24) but not spent during 2023/24:

**£5,698,008.97**

<sup>8</sup> CIL Regulation 59(4) allows for CIL to be passed to external organisations for spending on infrastructure

<sup>9</sup> 'Allocated' means CIL sums retained by the reporting authority which have, or will be, passed to an internal team to fund a specific infrastructure project or infrastructure type.

- d) Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2023/24, have been allocated (but not spent) and the amount allocated to each item:

<b>Infrastructure Project/Type</b>	<b>CIL allocated</b>
London Road, Bexhill, Improvement Project	£300,000.00
De La Warr Pavilion Redevelopment Project	£850,000.00
Village Halls Energy Project	£201,465.60
Step Free Access for All at Battle Train Station	£1,000,000.00
Battle Sports Pavilion Redevelopment Project	£400,000.00
Sedlescombe Traffic Calming Measures	£73,533.00
Camber Sands Visitor Centre	£943,301.00
Sidley Recreation Ground Community Hub	£247,000.00
Robertsbridge Doctors Surgery	£1,200,000.00
Ticehurst Sports Pavilions	£61,974.00
Bexhill Promenade Shelters	£1,269.78
Bexhill Toilets	£218,000.00
<b>Total</b>	<b>£5,698,008.97</b>

Figure 4: CIL infrastructure projects allocated and not yet spent

- e) Summary details of any Notices served in accordance with regulation 59E of the CIL Regulations (to recover CIL previously passed to a parish or town council) and whether sums had been recovered by end of 2023/24:

**None**

- f) CIL receipts received in 2023/24 retained at the end of 2023/24 (other than those to which CIL regulation 59E and 59F applied):

**£1,884,923.02**

- g) CIL receipts received before 2023/24 retained at the end of 2023/24 (other than those to which CIL regulation 59E and 59F applied):

**£6,065,651.68**

- h) CIL receipts received in 2023/24 to which CIL regulation 59E or 59F applied, retained at the end of 2023/24:

**£0**



- i) CIL receipts received prior to 2023/24 to which CIL regulation 59E or 59F applied, retained at the end of 2023/24:

**£0**

## 2.6 CIL Debt

CIL Debt is comprised of overdue CIL payments and includes surcharges and late payment interest, which under the CIL Regulations can be imposed on unpaid amounts.

- a) Total CIL debt including late payment interest and surcharges as of 1 December 2024:

**£155,834.92**

## 2.7 Infrastructure Delivery Plan (IDP) and Infrastructure List

An Infrastructure Delivery Plan (IDP) is a document which identifies key pieces of infrastructure needed to achieve the objectives and policies of a Local Plan. It assists with management of the planning, programming and funding of work required to ensure that infrastructure is provided to support growth within the area.

An Infrastructure List is a statement of the infrastructure projects or types of infrastructure which are intended to be funded either wholly or partly by CIL. This list will be informed by the IDP, along with regular engagement with Infrastructure Providers and Town & Parish Councils.

*“a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”)”*

The Council’s Infrastructure Delivery Plan (IDP), was updated in April 2024 in support of the ‘Regulation 18’ consultation on the new Rother Local Plan. This latest version of the IDP is in draft format, and engagement with Infrastructure Providers is ongoing to update this document.

In addition to the IDP, RDC is in the process of preparing an updated Infrastructure List. The purpose of the Infrastructure List will be to detail any infrastructure items which could wholly or partly be funded by CIL. The items included on the Infrastructure List will be informed by the draft IDP and engagement with Infrastructure Providers.

## 2.8 Strategic CIL Allocations Panel

The RDC Strategic CIL Allocations Panel ('The Panel') is responsible for allocating the strategic portion of the CIL. The Governance Arrangements and Funding Decision Protocol for the Panel was approved by Council on 31 January 2022.

The strategic portion of the CIL which the Panel are responsible for allocating to priority infrastructure provision is divided into funding pots, each with a specific purpose. The full details of the strategic CIL funding pots are:

- **Rother Infrastructure Fund (RIF):** 55% of strategic CIL will fund infrastructure projects where RDC considers an infrastructure improvement or new provision is required to meet the adopted Local Plan objectives and/or support housing development. The RIF is for infrastructure providers to apply for funding. Those invited to apply from the RIF will be required to demonstrate how the infrastructure provision meets the Local Plan and Corporate Plan objectives and how it supports and responds to the demands placed on the district through housing development. The funds within the RIF are generated from housing development across the district (Bexhill and the rural areas) and therefore provision which benefits the whole of the district will score highly in assessment.
- **Infrastructure Matched Fund (IMF):** 25% of strategic CIL can be allocated to town/parish councils to deliver infrastructure provision to support development in their area. The provision should be at least 50% match funded from either local CIL and/or other funding sources. Town/Parish proposals which deliver a wider impact could receive a greater portion of funding (up to 100%) depending on whether and to what extent the provision can demonstrate a wider infrastructure benefit. The IMF is split into two sub-funds – one for Bexhill town and one for the rural town/parish councils, each fund representing the CIL funds generated in those areas. All applications will need to demonstrate how the infrastructure provision supports and addresses the demands placed on the area due to housing development.
- **Climate Emergency Bonus Fund (CEBF):** 20% of strategic CIL can be allocated to infrastructure provision which supports the RDC commitment to be a carbon neutral district by 2030 as set out in the Environment Strategy (2020). The CEBF is primarily to 'top-up' a funding proposal from the RIF or IMF to ensure the provision actively addresses the climate emergency. In exceptional circumstances provision could receive full funding from the CEBF if it can be demonstrated that the provision is responding to and supporting the impacts of housing development and addressing the climate emergency. All applicants seeking funding from the CEBF will need to clearly document the specific items which will be funded from the CEBF. A funding proposal will increase its success of securing funding if, in addition to carbon reduction, it can demonstrate that it contributes towards the five objectives of the RDC Climate Strategy (2023).

In December 2023 the Panel recommended that a review of the governance arrangements be undertaken to ensure that strategic CIL funding is being effectively allocated to priority infrastructure across the district, and to investigate any improvements that could be made to the allocation process. This review was undertaken, and recommendations for changes to the

governance arrangements were considered by the Panel in March 2024. The proposed changes concerned the expression of interest process, the combination of sub-funds, simplification of the fund used by the Town & Parish Councils, and an expansion of the provision which could be funded from the Climate Emergency Bonus Fund. The proposals were considered by Overview & Scrutiny and Cabinet and were approved by Council on 29 July 2024.

The revised governance arrangements involve Rother District Council (RDC) holding two funding rounds each year beginning in October and May. The first stage of the process is for RDC to contact Town and Parish Councils, along with other infrastructure providers, to identify and seek to understand the infrastructure requirements across the district and how these relate to supporting the impacts of development. Town and Parish Councils are able to submit expressions of interest (EOIs) for funding, which will be reviewed by officers and presented to the Panel for consideration. The Panel will invite those which they feel could benefit from strategic CIL funding to put forward full applications. Other infrastructure providers will be requested to review and comment on any items they are responsible for which appear on the IDP and to inform RDC of any new items which could be considered for inclusion. Items which come forward during this process will be assessed by officers and where strategic CIL funding could be applicable, they will be included in the Infrastructure List, which will be presented to the Panel to determine which items to invite to apply.

The new governance arrangements are at an early stage. Going forward RDC will be seeking improved engagement with infrastructure providers to ensure that the IDP and CIL funds play a key role in supporting new growth required by the local plan and Government ambitions as set out in the new National Planning Policy Framework (NPPF) December 2024.

### 3 Section 106 (Planning Obligations) Report

#### 3.1 Introduction

The following section sets out the Section 106 information for 2023/24. This includes details of the headline figures in terms of money secured through S106 agreements, S106 money spent, and S106 money retained, together with information on S106 infrastructure expenditure and other expenditure of planning obligations including on Affordable Housing. This section concludes by detailing the S106 receipts retained at the end of the reporting period.

#### 3.2 Headline Figures

##### Monetary Contributions

<b>Total money to be provided</b> through planning obligations agreed in 2023/24	<b>£423,300.00</b>
<b>Total money received</b> through planning obligations (whenever agreed) in 2023/24	<b>£485,321.77</b>
<b>Total money</b> , received through planning obligations (whenever agreed), <b>spent</b> <sup>10</sup> in 2023/24	<b>£157,888.22</b>
<b>Total money</b> , received through planning obligations (whenever agreed), <b>retained</b> <sup>11</sup> at the end of 2023/24 (excluding “commuted sums” for longer term maintenance)	<b>£3,535,179.84</b>
<b>Total money</b> , received through planning obligations (whenever agreed), <b>retained</b> at the end of 2023/24 as “commuted sums” for longer term maintenance only	<b>£0</b>

Figure 5: S106 monetary contributions

##### Non-Monetary Contributions

<b>Total number of affordable housing units to be provided</b> through planning obligations <sup>12</sup> agreed in 2023/24	<b>16</b>
RR/2019/2485/P - Sunningdale, The Street, Sedlescombe	3
RR/2021/2798/P - London Road - Land West Of, Hurst Green	10
RR/2022/1850/P - Land At Grove Farm, George Hill, Salehurst/Robertsbridge	3
<b>Total number of affordable housing units which were provided</b> <sup>13</sup> through planning obligations <sup>14</sup> (whenever agreed) in 2023/24	<b>25</b>
RR/2015/1760/P - Worsham Farm - Land North of Wrestwood Road, Bexhill	25
<b>Total number of school places for pupils to be provided</b> through planning obligations agreed in 2023/24	<b>Zero</b>

<sup>10</sup> “spent” includes sums transferred to an external organisation to spend but does not include sums held internally, whether allocated or otherwise to a specific infrastructure project or type.

<sup>11</sup> ‘Retained’ refers to S106 sums remaining unspent, includes sums both ‘allocated’ and ‘unallocated’.

<sup>12</sup> Excluding Affordable Housing dwellings that will be provided as a result of ‘additionality’ via the Homes England Affordable Housing Programme, i.e. not through a planning obligation.

<sup>13</sup> Not a regulatory requirement but this is reported for clarity and transparency

<sup>14</sup> Excluding Affordable Housing dwellings that were provided as a result of ‘additionality’ via the Homes England Affordable Housing Programme, i.e. not through a planning obligation.

<b>Total number of school places for pupils which were provided<sup>15</sup> through planning obligations (whenever agreed) in 2023/24</b>	<b>Zero</b>
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Figure 6: S106 non-monetary contributions

### 3.3 Section 106 infrastructure expenditure<sup>16</sup> in 2023/24

Summary details of the items of infrastructure on which money received through planning obligations (whenever received) has been spent in 2023/24, and the amount of money, received through planning obligations, spent on each item:

<b>Item of Infrastructure</b>	<b>Planning obligation spent</b>
<b>Worsham Farm:</b> Payment to Combe Valley Countryside Park Community Interest Company towards the improvement of Combe Valley Countryside Park	£157,888.22

Figure 7: S106 infrastructure expenditure

### 3.4 Other expenditure of planning obligations receipts in 2023/24

- a) Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2023/24 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part):

**£0**

- b) Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2023/24 in respect of monitoring (including reporting under CIL regulation 121A) in relation to the delivery of planning obligations:

**£17,340.60**

### 3.5 S106 receipts retained – unallocated

- a) The total amount of money, received through planning obligations prior to 2023/24, which had not been allocated (to an infrastructure project or item) by the end of 2023/24:

**£0**

<sup>15</sup> Not a regulatory requirement but it is suggested that authorities, for clarity and transparency, report on this item.

<sup>16</sup> Reporting authorities should report sums transferred to external organisations in this section (as such sums are regarded as “spent” in the regulations) and can add details of the infrastructure provided in regard to such transfers of money, where the sums have subsequently been spent.

3.6 S106 receipts retained – allocated

- b) The total amount of money, received under any planning obligation in any year, which had been allocated (to an infrastructure project or type) for spending by the end of 2023/24 but which had not been spent<sup>17</sup>:

**£3,535,179.84**

- c) Summary details of the infrastructure projects or items to which receipts from planning obligations, whenever collected including 2023/24, have been allocated (but not spent) and the amount allocated to each item:

<b>Infrastructure Project/Type</b>	<b>Planning Obligation funds allocated</b>
<b>Ferry Road, Rye:</b> Greenway Contribution to the provision of a cycleway to link to Ferry Road, Rye	£45,000.00
<b>Gould Drive/Moor Lane, Westfield:</b> Local Sustainable Accessibility and Improvements Contribution	£21,791.95
<b>Woodlands Way, Land at Westfield &amp; Westridge, Countrycrafts, Robertsbridge:</b> Affordable Housing	£55,662.88
<b>Rock Lane:</b> Affordable Housing	£111,146.73
<b>Broom House, Flimwell:</b> Affordable Housing	£50,000.00
<b>Land Adj to Watch Oak House, Chain Lane, Battle:</b> Affordable Housing	£85,438.50
<b>Lillybank, Battle:</b> Affordable Housing	£46,701.38
<b>Unit 10 Ravenside, Bexhill-on-Sea</b>	£861,435.75
<b>Land off Pebsham Lane, Bexhill-on-Sea: £709,333.47</b> Leisure Centre/Open Space Art & public realm contribution Community Worker contribution Starter employment units within Bexhill	£411,443.07 £193,280.00 £27,540.00 £77,070.40
<b>Station Road Northiam:</b> Improvements of Northiam Recreation Ground	£167,334.80
<b>The Saltings:</b> Creation of area of saltmarsh in the Rother Estuary	£36,853.45
<b>Ambers Rise:</b> Provision of offsite Play Space	£653.00
<b>Worsham Farm :</b> Leisure facilities Off site Open Space	£234,009.96 £245,233.46

<sup>17</sup> For individual details see table at 3.5c

Arts and Public Realm	£319,509.77
<b>Barnhorn Road:</b> Leisure centre	£266,084.44
<b>Blackfriars</b> Employment and Skills Contribution	£24,415.67
<b>Land South of North Trade Road</b> Affordable Housing	£32,548.00
<b>Singehurst</b> Affordable Housing	£56,214.63
<b>Mount View</b> Employment and Skills Contribution	£5,000.00
<b>Land at 11 Ellerslie Lane</b> Affordable Housing	£160,812.00

Figure 8: S106 monies allocated and not yet spent