

ROYAL BOROUGH OF KINGSTON UPON THAMES

**ANNUAL INFRASTRUCTURE FUNDING STATEMENT
2019/20 (1 April 2019 to 31 March 2020)**



THE ROYAL BOROUGH OF
KINGSTON
UPON THAMES

1. INTRODUCTION

1.1 Background

This is Kingston Council's first Annual Infrastructure Funding Statement. This document has been produced to meet requirements under Regulation 121A of the Community Infrastructure Levy Regulations 2010 (as amended), which requires all relevant 'contribution receiving authorities' to publish an 'Infrastructure Funding Statement' at the end of each calendar year, to:

- provide a summary and details of income and expenditure of the authority's Community Infrastructure Levy and section 106 agreements over the previous financial year; and
- provide a statement of the infrastructure projects or types of infrastructure which will be, or may be, wholly or partly funded by the authority's Community Infrastructure Levy.

The reporting period for this document is from 01 April 2019 to 31 March 2020.

1.2 Community Infrastructure Levy

The Council's Community Infrastructure Levy (CIL) was adopted in November 2015. Most developments and extensions to buildings that create net additional floorspace of 100 square metres or more, or creates a new dwelling, is potentially liable for CIL.

Our 'Charging Schedule', which sets out the CIL charging rates applicable in different areas is available from the Council's website (<https://www.kingston.gov.uk/community-infrastructure-levy>)

Local authorities must use CIL receipts to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area.

The Council is also a 'collecting authority' for the Mayoral CIL. The Council passes these receipts directly to Transport for London every quarter to support the funding of Crossrail 1 (the Elizabeth Line) and Crossrail 2.

CIL Governance Principles

The governance principles for the spending of CIL monies were agreed by the Council's Growth Committee on 23 November 2016¹.

The Committee agreed that at least 15 percent of the CIL is to be ring-fenced as the 'neighbourhood portion', to be spent in line with infrastructure priorities identified at the neighbourhood level. Another 5 percent of the CIL is to be set aside to fund the costs of operating a CIL in the borough.

The Committee agreed the strategic portion of CIL receipts will be spent on items on the Regulation 123 list (replaced by this document's 'Infrastructure list'). It was also agreed that the neighbourhood portion of CIL receipts would be managed by the 'Charging Authority', and can be spent on a wider range of infrastructure provided it complies with relevant regulations to support the development of the local area.

All funding bids for the strategic and/or neighbourhood portions of CIL are subject to a technical assessment by officers ascertaining their suitability for CIL allocation.

1.3 Section 106 agreements

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 - these are often referred to as a 'section 106 agreement' (s106 agreement).

Where appropriate, planning authorities can seek planning obligations to secure the provision or contribution towards new or improved infrastructure. Authorities can also use planning obligations to secure affordable housing provisions from residential developments in line with local planning policies.

¹ RBK, Growth Committee meeting on 23 November 2016, on 'CIL Governance Principles'

Planning obligations can only constitute a reason for granting planning permission (and should only be sought by a local planning authority) if they meet the relevant statutory tests² and policies tests³, including that they are necessary to make the development acceptable in planning terms.

The 2019 amendments to the CIL Regulations removed the previous restriction on the pooling of planning obligations towards a single piece of infrastructure. It means that, subject to relevant tests, authorities can now use funds from both CIL and s106 to pay for the same item of infrastructure.

The development plan, including Kingston's adopted Core Strategy⁴, and the London Plan⁵ sets out the boroughs priorities on planning obligations, including requirements on affordable housing and public transport improvements. Further details on the range and nature of planning obligations sought by the Council is set out in Kingston's adopted Planning Obligations SPD⁶.

² Regulation 122 of CIL Regulations 2010 (as amended)

³ MHCLG, National Planning Policy Framework, paragraph 56

⁴ RBK, Core Strategy, adopted in 2012

⁵ GLA, The London Plan

⁶ RBK, Planning Obligations SPD, adopted in 2017

2. CIL & S106 REPORTS 2019/20

2.1 CIL headlines 2019/20

CIL invoiced in 2019/20:	£7,528,552
CIL receipts received in 2019/20:	£2,193,096
CIL expenditure in 2019/20:	Nil
CIL allocated in 2019/20:	£31,000
CIL retained at the end of 2019/20:	£5,611,884

2.2 CIL summary 2019/20

CIL demand notices and receipts received in 2019/20

In 2019/20, the total value from demand notices issued was £7,528,552; the amount of CIL receipts received was £2,193,096.

CIL expenditure in 2019/20

There was no infrastructure expenditure in the reported year.

CIL allocated by the end of 2019/20

The total amount of CIL receipts collected before 2019/20, and had been allocated to an infrastructure project or item was Nil. The total amount of CIL receipts, collected before 2019/20, and had not been allocated to an infrastructure project or item was £3,449,788.

The total amount of CIL receipts, whenever collected, and had been allocated to an infrastructure project or item was £31,500.

Table 2.1 CIL allocated at the end of 2019/20

Date allocated	CIL amount	Infrastructure project or item	Type
09/01/2020	£18,500	To Friends of Latchmere Recreation Ground for a new wildlife pond at Latchmere Recreation Ground	Neighbourhood CIL
10/03/2020	£13,000	To Regeneration Team in partnership with Fulham FC Foundation for a new mobile flood lighting for the Multi Use Games Area on the Cambridge Road Estate	Neighbourhood CIL

CIL retained by the end of 2019/20

At the end of 2019/20, the total amount of CIL receipts, whenever collected, and had not been allocated to an infrastructure project or item was £5,611,884.

Of the total CIL receipts remaining, 15 percent will be ring-fenced for funding bids towards the 'neighbourhood portion' of the CIL; 5 percent of the receipts will also be set aside to fund the costs of operating a CIL in the borough.

2.3 S106 headlines 2019/20

Monetary Contributions

Total money to be provided through planning obligations agreed in 2019/20:	£633,910
Total money received through planning obligations in 2019/20:	£1,042,688
Total money, received through planning obligations, spent in 2019/20:	£476,630
Total money, received through planning obligations, retained at the end of 2019/20:	£8,707,153

Non-Monetary Contributions

Total number of affordable housing units to be provided through planning obligations agreed in 2019/20:	15 units
Total number of affordable housing units which were provided through planning obligations in 2019/20:	64 units

2.4 S106 summary 2019/20

S106 agreed in 2019/20

In 2019/20, the total amount of money agreed through s106 was £633,910. Most significant agreements were:

- £200,000 towards public realm improvements at Land at 5-29 Coombe Road, New Malden (17/14178/FUL);
- £167,040 towards the carbon off-set fund at The Worcester Park Tavern, Worcester Park (19/00330FUL); and Land at 5-29 Coombe Road, New Malden (17/14178/FUL);
- £100,000 towards community facilities at Hotel Antoinette, Beaufort Road & Fassett Road, Kingston (18/12928/FUL);
- £95,000 towards new facilities at Manor Park at Former BBC Sports Ground, Motspur Park, New Malden (18/15124/FUL).

In relation to affordable housing, the total number of units which were agreed through S106 during the reported year was 15 units; including 12 affordable rent units and 3 shared ownership units.

S106 were also entered into during the reported year for highway works and contributions, parking control measures and restriction of parking permits for a number of sites.

S106 received in 2019/20

The total amount of s106 money received in 2019/20 was £1,042,668.

Table 2.2 S106 received in 2019/20

Type	S106 amount
Affordable Housing	£179,414
Carbon Offsetting	£151,666
Cycling Improvements	£15,000
Parking Control & CPZ	£55,000
Highway Improvements	£71,313
Sustainable Travel & Other transport	£16,134
Education	£91,800
Health & Social Care	£16,495
Leisure	£7,028
Linear Park (open space)	£301,237
Other (Development Brief)	£125,686
Management & Monitoring	£11,894
Total	£1,042,668

S106 spent in 2019/20

The total amount of s106 money spent in 2019/20 was £476,630, including:

- £382,400 towards improving pedestrian safety and sustainable environment works at the junction of Fairfield North with Wheatfield Way; and resurfacing of footways at Lady Booth Road and Wheatfield Way, at Levels 6-11 Combined House, Wheatfield Way (13/12784);
- £10,000 towards climate change mitigation and adaptation projects - to be spent in accordance with the SPD at 70-78 Eden Street, Kingston (12/12754);
- £9,100 towards improvements at Fairfield Park, including gym equipment at 25 Victoria road, Kingston (15/12083);
- £75,000 towards Phase 2 and 3 of the proposed pedestrian and cycle shared surface route along Jubilee Way at 12 Kingston Road, Tolworth (15/10247).

In relation to affordable housing, the total number of units which were delivered through s106 during the reported year was 64 units; including 6 affordable rent units, and 58 shared ownership units.

S106 allocated by the end of 2019/20

The total amount of s106 money which had been allocated to an infrastructure project or item by the end of 2019/20 was £2,583,812.

Table 2.3 S106 allocated at the end of 2019/20

Type	S106 amount
Affordable housing	£1,760,245
Education	£183,310
Public Open Space	£21,295
Public Realm	£5,274
<i>Canbury Gardens Project</i>	£442,546
<i>Cambridge Road Site Requirements</i>	£101,130
<i>Primark Site Requirements</i>	£20,062
<i>Kingston Futures Project</i>	£17,528
Management & Monitoring	£32,420
Total	£2,583,812

S106 retained by the end of 2019/20

At the end of 2019/20, the total amount of S106 money which was retained at the end of the reported year was £8,707,153. £422,473 of the retained money is held as 'commuted sums'.

Table 2.4 S106 retained at the end of 2019/20

Account	S106 amount
Affordable Housing Reserve	£2,684,882
CCTV Reserve	£186,624
Climate Change Reserve	£243,126
Education Reserve	£912,180
Environmental Improvements Reserve	£559,841
Health/Social Care Reserve	£626,134
Sustainable Travel Reserve	£1,487,747
Transport Reserve	£147,674
Highways Contributions Reserve	£422,473
Public Realm Reserve	£841,943
Site Specific Items Reserve	£429,974
Management & Monitoring Reserve	£164,555
Total	£8,707,153

3. The Infrastructure List

Regulation 121A(1) requires the Infrastructure Funding Statement to include a statement of the infrastructure projects or types which will be, or may be, wholly or partly funded by CIL. This 'Infrastructure List' replaces the previous 'Regulation 123 List'.

The infrastructure projects that may be, wholly or partly funded by the borough's CIL are:

Social Infrastructure:

- Provide 14 new forms of entry to existing schools throughout the borough plus the possible need for a new primary school(s) / free school;
- Upgrade current NHS Health facilities to increase capacity and accommodate modern practices;
- Improve and expand libraries within Kingston Town Neighbourhood;
- Co-locate Kingfisher Leisure Centre;

Green Infrastructure:

- Expansion and improvement of the Council-owned Parks and Allotments;
- Increase provision of playing fields in Maldens and Coombe and South of the Borough Neighbourhoods;
- Improvements & extension to Hogsmill Walk;
- Public Realm Improvements to Lower Marsh Lane;

Physical Infrastructure:

- Kingston Futures: Ancient Market Place Public Realm Improvements Phase 2;
- Kingston Futures: Mini Holland Project;
- Kingston Futures: Thames Side Riverside & Connections Public Realm improvements (excluding works which are directly related to a development site);
- Improve sustainable travel between Kingston and Surbiton Town Centres (excluding improvements which are directly related to a development site);
- New Malden High Street Public Realm Improvements (excluding improvements which are directly related to a development site);
- Surbiton Public Realm Improvement Scheme (excluding improvements which are directly related to a development site);
- Tolworth Public Realm Improvement Scheme (excluding improvements which are directly related to a development site);
- Kingston Road A2043 Corridor Improvements;
- Improvements to the local cycling network in South of the Borough Neighbourhood (excluding improvements which are directly related to a development site);
- Freight Movement Improvements in South of the Borough Neighbourhood (excluding improvements which are directly related to a development site);
- Installation of District Heating Network in the Penrhyn Road connecting (principally) Kingston University, Surrey County Council, Kingston College and the Guildhall complex.

This List does not signify a commitment by the Council to fund all of the projects listed, wholly or partly with CIL. Nor does this list imply any order of preference for CIL spending.

The 2019 amendments to the CIL Regulations removed the previous restriction on the pooling of planning obligations towards a single piece of infrastructure. Alongside CIL contributions, Kingston Council may also seek planning obligations where it can meet the statutory tests and policy tests, and are in line with requirements set out in Kingston's adopted Planning Obligations SPD.

Annex

CIL Report (CIL Regulations, Schedule 2, Part 1)

(a)	the total value of CIL set out in all demand notices issued in the report year;	£7,528,552
(b)	the total amount of CIL receipts for the reported year;	£2,193,096
(c)	the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;	£3,449,788
(d)	the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;	£31,500
(e)	the total amount of CIL expenditure for the reported year;	Nil
(f)	the total amount of CIL receipts, whenever collected, which were allocated but not spent during the report year;	£31,500
(g)	in relation to CIL expenditure for the reported year, summary details of: <ul style="list-style-type: none"> i. the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item; ii. the amount of CIL spend on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); iii. the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation; 	N/A N/A N/A
(h)	in relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;	£31,500 (see Table 2.1 of report)
(i)	The amount of CIL passed to: <ul style="list-style-type: none"> i. any parish council under regulation 59A or 59B; and ii. any person under regulation 59(4); 	N/A
(j)	summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including: <ul style="list-style-type: none"> i. the total CIL receipts that regulations 59E and 59F applied to; ii. the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item; 	N/A
(k)	summary details of any notices served in accordance with regulation 59E, including: <ul style="list-style-type: none"> i. the total value of CIL receipts requested from each parish council; ii. any funds not yet recovered from each parish council at the end of the reported year; 	N/A
(l)	the total amount of: <ul style="list-style-type: none"> i. CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied; ii. CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied; iii. CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year; 	£2,193,096 £5,642,884 Nil

iv. CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year.	Nil
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Planning Obligations Report (CIL Regulations, Schedule 2, Part 3)

(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£633,910
(b) the total amount of money under any planning obligations which was received during the reported year;	£1,042,668
(c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£2,872,838
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of: <ul style="list-style-type: none"> i. in relation to affordable housing, the total number of units which will be provided; ii. in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided; 	15 units TBC
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£2,583,812
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£476,630
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	£2,583,812 (see Table 2.3 of report)
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of: <ul style="list-style-type: none"> i. the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item; ii. the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); iii. the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations; 	£476,630 (see Section 2.4 of report)
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held.	£8,707,153; of which, £422,473 is held as commuted sums