
PLANNING OBLIGATIONS S106 & CIL BRIEFING

NOVEMBER 2024

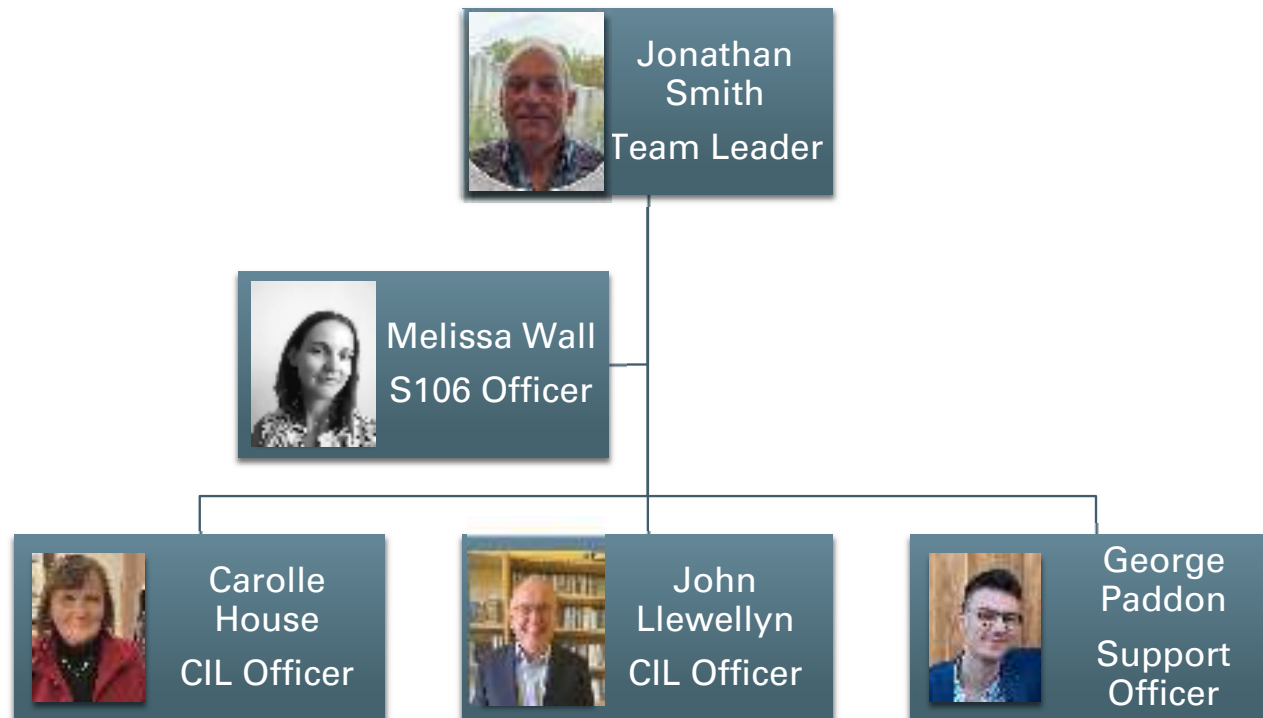


East
Devon

District Council

PLANNING OBLIGATIONS

MEET THE TEAM



PLANNING OBLIGATIONS: WHAT WE DO

- Collect contributions
- Administer CIL exemptions
- Monitor triggers for payment
- Advise on spending
- Liaise with Town & Parish Councils
- Maintain records
- Report
- Mitigate the impact of development on the community
- Help to deliver community infrastructure



PLANNING OBLIGATIONS: S106 IN EAST DEVON

What financial contributions do we collect through S106 agreements?

Pre CIL

- Off- site open space
- Habitat mitigation
- Affordable housing

We no longer seek contributions towards off-site open space and this is now covered by CIL.

We still have S106 monies available in many Parishes to spend on open space. We want you to spend this and we are here to help.

After CIL adoption

- Habitat mitigation
- Affordable housing



WHAT CAN OPEN SPACE S106 MONIES BE USED FOR?

- Parks
- Public gardens
- Community orchards
- Recreation grounds
- Upgrading or installing new play equipment
- New fencing, gates & lighting
- Improved drainage
- Sports pitches (including nets)
- Goal posts
- Lighting
- Allotments
- Water supply to allotments
- Multi-use games area
- Skate parks
- Pump tracks
- Hard & soft landscaping
- Open space furniture e.g benches

S106 – AMOUNTS, ALLOCATION & TIMESCALES

How do I know how much Section 106 money is available in my Parish?

- Please ask us, we are here to help. Email s106@eastdevon.gov.uk
- Public facing Exacom – use with caution
- All open space monies are allocated to one pot, we will advise on how to spend.
- Timescales for spend will depend upon the agreement and we will advise you.

Section 106 Financial

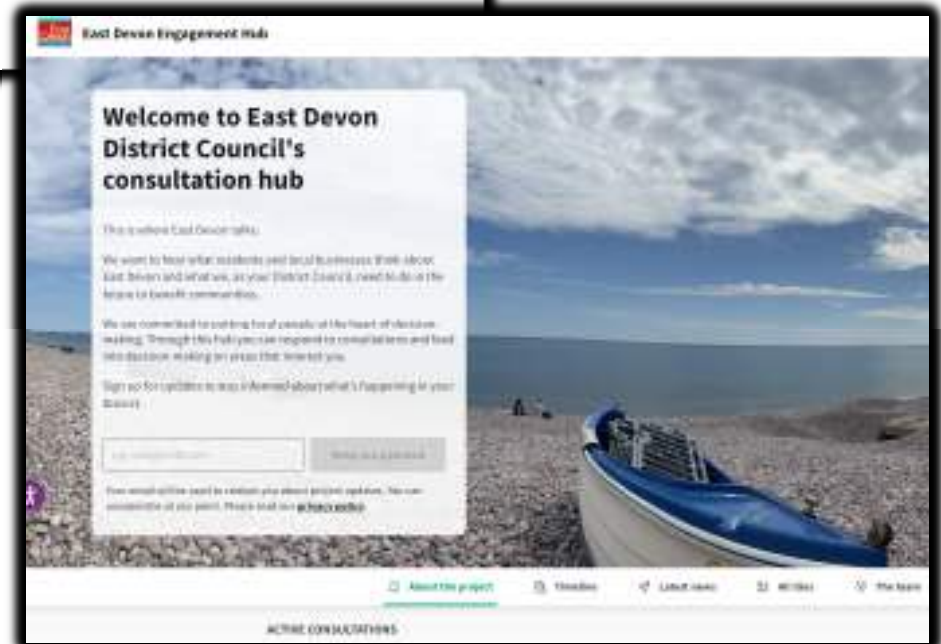
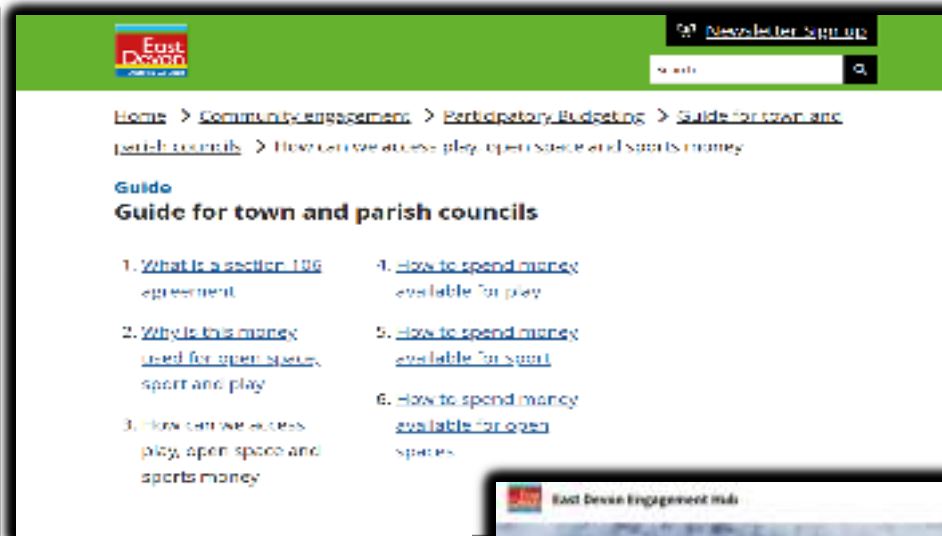
S106 Dead Signed Date Filter: 01 April 2010 to 31 March 2030

Filter: Parish: Parish/West Hill

Allocation	Potential	Due	Collected	Interest	Allocated	Spent
Affordable Housing	157,000.00	0.00	0.00	0.00	0.00	0.00
Education - Generic - Secondary	0.00	0.00	3,945.00	0.00	0.00	0.00
Education - Generic - post Apr 10 pre Apr 15	0.00	0.00	41,705.42	0.00	0.00	0.00
Habitat Mit - Generic - PH - post Apr 15	6,690.54	0.00	162.86	0.00	0.00	0.00
Habitat Mit - Generic - PH - pre Apr 15	0.00	752.57	8,529.54	0.00	0.00	0.00
Habitat Mit - non-infra - both - post Apr 15	0.00	0.00	8,291.30	0.00	0.00	1,033.19
Habitat Mit - non-infra - PH - post Apr 15	0.00	0.00	8,357.08	0.00	3,686.01	0.00
Monitoring	5,184.00	0.00	1,633.50	0.00	1,633.50	0.00
Open Space - Generic - post Apr 10 pre Apr 15	0.00	3,393.81	64,070.08	0.00	29,435.07	99,841.81
Overage	0.00	0.00	0.00	0.00	0.00	0.00
STII - PH	881.00	0.00	15,659.21	0.00	0.00	0.00
Total	168,756.05	4,146.48	148,452.99	0.00	33,754.58	30,675.00

PROCESS FOR SPENDING S106

- Previous guidance on our website – Participatory Budgeting – a new process will replace this.
- Less input from EDDC
- Consultation – you will be responsible for consulting with your community. We can help through our platform Commonplace.
- Application process with supporting information to include quotes, results of consultation, details of land ownership, Parish Council minutes, Parish Council Standing Orders



PLANNING OBLIGATIONS: CIL IN EAST DEVON

- Introduced in East Devon in 2016 after independent Examination in Public
- CIL liable on new dwellings (inc. holiday homes, agricultural dwellings & student accommodation), retail outside of town centres, annexes, extensions over 100sqm
- Relief available for affordable housing, charities, self-build, annexes & extensions
- Exempt development is still monitored, as CIL becomes payable if a 'disqualifying event' occurs



PLANNING OBLIGATIONS: CIL SPLIT

Neighbourhood CIL

- 15% of CIL Collected or;
- 25% if Town or Parish has a made neighbourhood plan
- Sent to Towns and Parishes twice yearly in April and October
- Available for spend on by the town or parish once received

CIL Infrastructure Fund

- For spend on large scale strategic infrastructure anywhere within East Devon
- Spent through a bidding process
- 8.6% of this fund is dedicated to Habitat Mitigation

CIL Admin Fund

- Up to 5% of CIL collected is spent on the team monitoring costs
- Unspent costs are transferred into the CIL Infrastructure Fund if not needed

PLANNING OBLIGATIONS: SPENDING NEIGHBOURHOOD CIL

- Can be spent by Towns and Parishes once received without input from EDDC
- Regulation 59C allows for spending on a wide range of things
- Good practice to consult with community for spend
- Please notify the Planning Obligations Support Officer when spend is made so our records and public facing module stay up to date
- If you're unsure, ask. We are always happy to help!

Application of CIL by local councils

59C. A local council must use CIL receipts passed to it in accordance with regulation 59A or 59B to support the development of the local council's area, or any part of that area, by funding—

- (a) the provision, improvement, replacement, operation or maintenance of infrastructure, or
- (b) anything else that is concerned with addressing the demands that development places on an area



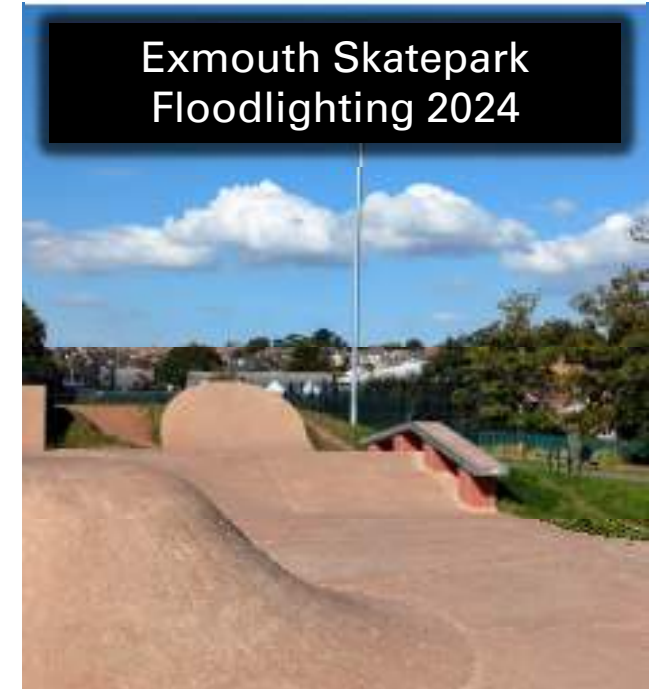
PLANNING OBLIGATIONS: EXAMPLES OF NEIGHBOURHOOD CIL SPEND

- Axminster 2023 – Community Tree Planting
- Buckerell 2024 – Tarmac Resurfacing
- Honiton 2023 – Clapper Lane Crossing Improvements
- Membury 2024 – Village Hall Financial Support
- Newton Poppleford 2023 – Replacement Fencing
- Sidmouth 2020 – Toilet Refurb
- Upottery 2023 - Defibrillator

Budleigh Community Workshop Refurb (Former Fire Station) 2021



Exmouth Skatepark Floodlighting 2024



infrastructure

/'ɪnfreɪstrʌktʃə/

noun

1. the basic physical and organizational structures and facilities (e.g. buildings, roads, power supplies) needed for the operation of a society or enterprise.
"the social and economic infrastructure of a country"

PLANNING OBLIGATIONS: REPORTING

- Infrastructure Funding Statement Published by EDDC annually
- Parish and Town reporting on CIL receipt and spend if this has occurred within the financial year

XXXX Parish/Town Council Community Infrastructure Levy (CIL) Annual Report

1st April XXXX – 31st March XXXX

In accordance with Regulation 121B of the CIL Regulations 2010 (as amended), a local council must report on any financial year in which it receives CIL receipts. This Report must be published on the local council's website (or on the District Council's website if it does not have a website) and a copy must be provided to the District Council by email to cil@eastdevon.gov.uk no later than 31st December following the reported year.

Total value of CIL receipts for the reported year:	£0000
Total value of CIL expenditure for the reported year:	£0000
Total value of CIL repaid following a repayment notice (S9E):	£0000
Total value of CIL receipts subject to a repayment notice (S9E) in any year that has not yet been paid to EDDC by the end of the reported year:	£0000
Total value of CIL retained at the end of the reported year:	£0000

CIL Expenditure 1st April XXXX – 31st March XXXX

Date of Spend	Details of Spend	Total Value of Spend
		£XXXX
		£XXXX
		£XXXX
		£XXXX
		£XXXX
		£XXXX
		£XXXX

PLANNING
OBLIGATIONS:
QUESTIONS

