

Infrastructure Funding Statement



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1. INTRODUCTION

Welcome to Colchester City Council's Infrastructure Funding Statement 2023/2024. Councils are now required to produce an Infrastructure Funding Statement (IFS) on an annual basis.

The Statement sets out income and expenditure relating to contributions secured through s106 Agreements on developments throughout Colchester. It is important to note that Colchester City Council is only responsible for some infrastructure, such as community, sport and recreation facilities. This IFS does not therefore detail those contributions which relate to Essex County Council functions such as schools and highways.

S.106 agreements are used to mitigate the impacts of development on infrastructure and to ensure that Colchester City Council's planning policy requirements are fully met.

Planning obligations or 'developer contributions' are used to help fund:

- The provision of, or improvements to, open space provision, community facilities and affordable housing contributions accepted in lieu of on-site provision.
- Provision of on-site affordable housing; and
- Non-financial obligations, including requirements such as travel plans.

The information included in this statement will be updated annually and published on the Council's website. The statement does not include information on open space provision delivered on-site as part of new development in the City.

The data on contributions is imperfect as it represents estimates at a given point in time and can be subject to change. However, it is the most robust available at the time of publication.

Infrastructure Funding Statements are required to comply with regulations published by the Government and are only concerned with financial and non-financial obligations secured through S106 agreements. Financial developer contributions are always secured through S106 agreements but there are occasions where some non-financial obligations are secured through planning conditions. These obligations are not listed within this statement. This Statement only relates to S106 obligations for which Colchester City Council is legally responsible for ensuring compliance. The data in this IFS therefore does not cover S106 obligations applying to land in the City in the following cases:

- (A) Where the S106 obligation is given to Essex County Council and where the County Council are signatory to the legal agreement (e.g., education; highway works; sustainable transport; Public Rights of Way)
- (B) Where Essex County Council is the Local Planning Authority and is responsible for determining the application (e.g., mineral and waste applications)
- (C) Section 278 Highways works agreements between the developer and Essex County Council
- (D) Where Colchester City Council determined a planning application, but where Essex County Council is signatory of the S106 to the effect that it is directly responsible for compliance — this mainly relates to certain highway payments.

Therefore, this Infrastructure Funding Statement should be read in conjunction with the IFS produced by Essex County Council to obtain the complete picture of all financial and non-financial developer contributions originating from developments in Colchester. The Essex County Council IFS will be made available on their website: [Welcome to Essex County Council](#)

2. INFRASTRUCTURE FUNDING STATEMENT 2023/2024

S106 Contributions Summary

For the financial year 2023/24 the Council received a total £2,945,096.61 in financial contributions with £1,632,009.38 spent across the City. The contributions received can be spent over a number of years and this enables the Council to plan ahead for the growth and future needs of the city and budget for larger scale, or more expensive, projects. Some contributions from large sites are phased so a proportionate amount is paid at various stages of the development.

2023/2024	
Infrastructure Type	S106 Contributions Received
Archaeology	£59,862.41
Community	£1,259,275.66
Environmental Measures	£6,804.00
Health	£294,930.06
Leisure/Open Space	£997,703.45
RAMS	£108,430.38
Sustainable Transport	£218,090.65
<u>Total</u>	<u>£2,945,096.61</u>

2023/2024	
Infrastructure Type	S106 Contributions spent
Art	£42,135.49
Business Enterprise	£46,257.86
Community	£90,158.14
Health	£130,485.82
Transport & Sustainability	£531,376.75
Leisure/Open Space	£585,151.79
RAMS	£206,443.53
<u>Total</u>	<u>£1,632,009.38</u>

Section 106 agreements signed.

Developments with notable s106 agreements signed in the last financial year 2023/24 include:

- 220595 - School Road, Langham, Colchester – Outline application for erection of 30 houses with a new access onto School Road, Langham. All matters reserved.
- 213530 - Land west of Peldon Road, Abberton, Colchester - Outline planning application for: up to 50 dwellings; a new vehicle drop-off/pick up point; and access from Peldon Road. All Matters Reserved, except access.
- 211788 - Land west of 194 and east of 202 Old London Road, Marks Tey - Development of the site for commercial, business and service (Class E c and g), general industrial (Class B2) and storage and distribution (Class B8) purposes with associated access, parking including provision for lost residents on-street parking and landscaping, including diversion of a public right of way, and off-site highway improvement to the Old Landon Road and its junction with the A120
- 222803 - Classic Pot Emporium, 30A Straight Road, Boxted, Colchester - Erection of 23 new 1.5 storey Class E business units across 5 blocks with associated parking and landscaping.
- 221111 - Land at Plummers Road, Fordham, Colchester - Construction of 17 dwellings and associated development
- 231640 - Land off Hall Road, Copford, Colchester - Creation of 50 no. two, three-, four- and five-bedroom houses and associated infrastructure, plus public open space in the centre of the site and access works on Hall Road.
- 211610 - Land to North and South of, Tollgate West, Stanway, Colchester - Hybrid: Mixed-use development (i) Outline planning permission for flexible Use Classes E;F1(a-g);F2(b);C1 & uses to allow for cinema, indoor bowling, indoor golf, drinking establishments, drive-thrus, take-aways, amusement arcade, nightclub, venue for live music, casino, bingo hall, and/or dance hall & associated road infrastructure & parking, external improvements to existing retail units, landscaping & associated works (ii) Full planning permission for the erection of new buildings to accommodate flexible Use Classes E,B2,B8 and/or uses to allow for dark kitchen, laundrette, drinking establishments, take- aways &/or data centre associated road infrastructure, parking, landscaping.
- 231243 - Land at Broadfields, Wivenhoe, Colchester - Construction of residential development (Use Class C3), access, landscaping, public open space, and associated infrastructure works. Resubmission of 210965.
- 213507 - Land behind Fire Station, Colchester Road, Wivenhoe, Colchester - Outline planning application with all matters reserved, except for access, for the construction of a minimum of 80 dwellings, a 60-bed care home (Use Class C2), and up to 8 charity homes with associated open space, landscaping, and infrastructure. Provision for a dedicated access to proposed allotments.

- 223097 - 4-8, 29-32 Priory Walk and 14-22 Long Wyre Street, Colchester - Demolition of existing retail units and erection of mixed-use development at 14-22 Long Wyre Street, 4-8 and 29-32 Priory Walk, Colchester, comprising 19 new dwellings and 8 multi-purpose commercial units. Resubmission of 213382.

3. OUR PROCESSES

The Planning Application:

S.106 Agreements are a mechanism that makes a development proposal, that would not otherwise be, acceptable in planning terms.

The tests for when a S.106 Agreement can be used, are:

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Once signed, the S.106 Agreement is binding on successive owners of the land.

The Obligations:

Details of the obligations, and the point at which they become due, are detailed within the Agreement. This may, for example, be on commencement of development or after a certain number, or percentage, of properties are built or sold.

Collection of Monies Due:

Where the obligation is financial, the amount due will be calculated and the developer invoiced at appropriate times. The sum due is index linked and given a specific budget code to allow us to monitor spend and balance.

Requests to Spend:

Many S.106 Agreements contain specific covenants that detail where the monies must be spent or where housing is located.

For open space, sport, leisure and community facilities monies, it is important that up to date, local information is used to inform spend. This can be provided by Town & Parish Councils as well as ward Councillors and officers. S.106 contributions may be used for the provision or upgrade of open space, play areas and community facilities in accordance with Council policy.

Once a payment has been made, the financial database is updated to show the amount now available to spend. The S.106 financial report is available by following this link [S.106 Financial Report](#)

4. MONITORING FEES

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 allow Local Authorities to charge a monitoring fee through section 106 agreements, to cover the cost of the monitoring and reporting on delivery of the section 106 obligations it contains. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation. The regulations allow monitoring fees to be either a fixed percentage of the total value of the section 106 agreement or individual obligation; or could be a fixed monetary amount. Monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring and authorities are required to report on monitoring fees in their Infrastructure Funding Statements. Colchester City Council set monitoring fees at £807.20 per trigger for financial contribution clauses and £968.64 for all other clauses per trigger.

£37,151.16 was received in monitoring fees during the period 2023/24.

5. ART

In 2023/24, £42,135.49 of S.106 monies were spent on Art.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed the Art project delivered in 2023/24

Art project delivered off-site by S106 Contributions in 2023/24		
Development Site	Amount	Project Delivery
COL/94/0304/O/COL/02/0980 - ARC s PIT CHURCH LANE STANWAY, Lakelands.	£42,135.49	Totem Art Project, signage at new Community Centre, Stanway.

**please note – spend may be over more than one financial year*

6. BUSINESS ENTERPRISE

In 2023/24, £46,257.86 of S.106 monies was spent on Business Enterprise.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed the Business Enterprise project delivered in 2023/24

Business Enterprise project delivered off-site by S106 Contributions in 2023/24		
Development Site	Amount	Project Delivery
172935/193163 - Stane Park Site, Essex Yeomanry Way, Stanway	£46,257.86	Tourism Marketing Campaign Promoting Colchester

**please note – spend may be over more than one financial year*

7. COMMUNITY

In 2023/24, £90,158.14 S.106 monies were spent on Community projects across the City.

Below we have detailed eight of the off-site community projects delivered in 2023/24.

Community projects delivered off-site by S106 Contributions in 2023/24		
Development Site	Amount	Project Delivery
210847 - "Church House", Church Road, Wormingford	£1,895.59	Improvements to Wormingford Village Hall
F/COL/06/1836 - Rear Of East Lodge/Gatehouse", East Hill, Colchester	£686.65	Improvements to Cardinal Bourne Kitchen
120848 - The Sidings, Halstead Road, Stanway, Colchester, Essex,	£1,415.97	Collingwood Road Scout Hut
191830 - Land South of School Road, Langham, Colchester	£21,628.68	Langham Community Centre towards provision & installation of acoustic panes and installation of disabled stair lift.
192837 - Garrison Area K2, Butt Road, Colchester	£36,865.13	Improvements to Christ Church Parish Church
221496 - "Land Of 54 And 56", Berechurch Hall Road, Colchester, Essex	£8,208.10	Improvements to St Margaret's Church Hall
202562 - 44-45 St. Botolphs Street, Colchester	£4,697.39	Refurbishment to St Peters Church and Church Hall
201704 - "The Forge", Wakes Street, Wakes Colne, Colchester	£2,375.00	Improvements to Chappel and Wakes Colne Village Hall

**please note – spend may be over more than one financial year*

8. HEALTHCARE

In 2023/24, £131,819.03 of S.106 monies were spent on Healthcare

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed a Healthcare project delivered in 2023/24

Healthcare projects delivered off-site by S106 Contributions in 2023/24		
Development Site	Amount	Project Delivery
122134/151886 - "Land adj. North & South" Grange Road, Tiptree, Colchester	£34,138.33	Transferred to NHS for increased capacity at Tiptree medical Centre
180045 - Cowdray Centre, Mason Road, Colchester	£96,347.79	Transferred to NHS to provide new space and upgraded reception area at East Hill Surgery

**please note – spend may be over more than one financial year*

9. TRANSPORT & SUSTAINABILITY

In 2023/24, £530,043.54 of S.106 monies were spent on Transport & Sustainability.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed three of the off-site Transport & Sustainability projects delivered in 2023/24.

Transport & Sustainability projects delivered off-site by S106 Contributions in 2023/24		
Development Site	Amount	Project Delivery
120380 – The Maltings, King Edward Quay, Colchester 192090 - Western Knowledge Gateway Site; Land Adj Capon & Annan Road, Colchester	£219,669.31 £169,051.18	Transferred to ECC for improvement works to Lightship Way and will improve the route for walking & cycling, to enable students and local residents' better access to university and the local area.
171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£40,529.80	Transferred to ECC towards the LCWIP4, part of the Town Deal Project.
171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£44,557.05	Walking with Words Wayfinding Project between University and City Centre project

**please note – spend may be over more than one financial year*

10. LEISURE & OPEN SPACE

In 2023/24, £585,151.79 of S.106 monies were spent on open space provision or improvement across the City.

The S.106 financial report is available by following this link [S.106 Financial Report](#)

Below we have detailed seven of the off-site open space projects delivered in 2023/24

Open Space projects delivered off-site by S106 Contributions in 2023/24		
Development Site	Amount	Project Delivery
110373 - Land at Junction of, Drury Road & Maldon Road. 111302 - Layer Road, Colchester CO2 7JJ 132046 - Chrysmond Croft, Moor Road, Great Tey, Colchester CO6 1JH 132821 - 109 Bergholt Road, Colchester CO4 5AG 142167 - 15 Duncan Road, Colchester	£12,453.74 £72,975.20 £1,583.20 £1,899.10 £1,173.81 Total Amount from various agreements £140,000.00	Towards Highwoods Country Park supply and install play area equipment.
121699 - Blue Gates, 2 Nayland Road, Colchester CO4 5EG	£27,954.91	Towards replacement play equipment at Mile End Recreation Ground, Fords Lane.
192249 - Land at Brook Road, Great Tey, Colchester	£68,222.00	Great Tey Recreation grounds playground extension & refurbishment
182014 - "Land Off", Barbrook Lane, Tiptree, Colchester	£74,951.43	Grove Road Playground Refurbishment
110573 - 61-67 Rectory Road, Wivenhoe Colchester CO7 9ES.	£3,631.05 £1,222.58	Wivenhoe Town Football Club improvement works

200089 - 4 Foresters Court, The Avenue, Wivenhoe, Colchester	£253.00	
102494 - Ten Acres, 13 The Avenue, Wivenhoe Colchester CO7 9AH	£1498.37	
080165 - Glance Lodge, De Vere Lane, Wivenhoe CO7 9AU	£2,520.83	
212474 - 12 St Johns Road, Wivenhoe, Colchester	£186.83	
F/COL/07/1904 - 56 The Avenue, Wivenhoe Colchester CO7 9AL	£1065.25	
140208 - 82 Belle Vue Road, Wivenhoe, Colchester	£2590.46	
201955 - Land adj 75c Rectory Road, Wivenhoe, Colchester		
222485 - Fingringhoe Hall Barns, Furneaux Lane, Fingringhoe, Colchester	£7,310.59	Fingringhoe Parish Council towards Playground refurbishments
191830 - Land South of School Road, Langham, Colchester	£49,000.00	Langham parish Council Play equipment

**please note – spend may be over more than one financial year*

11. AFFORDABLE HOUSING

The Strategic Housing Market Assessment updated Dec 2015 summarised that there is a requirement in Colchester to deliver 920 homes per annum, of which 278 should be affordable homes. These numbers have been incorporated into the Council's Local Plan 2017-2033.

In 2023/24, 222 affordable units were delivered via S.106 Agreements

Examples of Affordable Housing delivered On Site by S106 Contributions 2023/2024	
Development Site	Project Delivered
Gosbecks Farm	11 affordable rented homes and 6 shared ownership homes this year was delivered by Eastlight.
Halstead Rd	29 affordable rent and 3 shared ownership this year was delivered by Eastlight.
Barbrook Lane, Tiptree	11 affordable rented homes and 9 shared ownership this year was delivered by CHP
School Road	4 affordable rented homes were delivered by CHP.
Brierley Paddocks	19 affordable rented homes were delivered by CHP.
Cowdray Centre	42 affordable rent and 9 shared ownership this year was delivered by Sage.
Berechurch	36 affordable rent and 10 shared ownership this year was delivered by Sage.
Mile End	12 affordable rent and 6 shared ownership this year was delivered by Sage.
Pavillion View	4 affordable rent and 4 shared ownership this year was delivered by Flagship Homes.
Stanway	6 affordable rent and 1 shared ownership this year was delivered by Flagship Homes.

12. RECREATIONAL DISTURBANCE AVOIDANCE MITIGATION STRATEGY (RAMS)

The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the ‘Essex coast RAMS’) aims to deliver the mitigation necessary to avoid significant adverse effects from ‘in-combination’ impacts of residential development that is anticipated across Essex; thus protecting the Habitats (European) sites on the Essex coast from adverse effect on site integrity.

The whole of Colchester City is within the Zone of Influence. All residential proposals within the City should make a contribution towards the measures in the RAMS to avoid and mitigate adverse effects from increased recreational disturbance to ensure that Habitat Sites are not adversely affected, and the proposal complies with the Habitat Regulations.

Bird Aware Essex Coast is a tool being used to lessen potential impacts from increased local housing development. The initiative is run by the Essex Coast Recreational disturbance Avoidance and Mitigation Partnership (Essex Coast RAMS). This is made up of twelve local councils, Essex County Council and Natural England, and funded by contributions from all new residential dwellings within the Zones of Influence via S106 agreements.

The planned mitigation measures are set out in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (Essex Coast RAMS). The mitigation measures include a team of rangers to help coastal visitors and communities understand the importance of the different bird species and the impact of disturbance. Additional work will take place to encourage responsible dog walking and visits to less sensitive parts of the coast. Mitigation measures will also include new habitat creation.

RAMS Contributions in 2023/24

Development Site		Contribution Received
190424 - Land at "East Bay Mill", 19 East Bay, Colchester		£3,135.20
190647 - Land adjoining "The Gables", Kelvedon Road, Tiptree, Colchester		£17,894.12
192136/200960 - Land at Brierley Paddocks, West Mersea		£584.14
200351 - Land at Dawes Lane, West Mersea, Colchester		£12,558.00
201208 - "Land South Of", Cambian Fairview, Colchester		£3,265.08
202829 - Land Known as Catchbells, land rear of 296 London Road Stanway		£8,708.47
210088 - "Former Museum Resource Centre", 14 Ryegate Road, Colchester		£2,798.27
220235 - "Ewer House", 44-46 Crouch Street West, Colchester		£1,984.15
221111 - Land at Plummers Road, Fordham, Colchester		£2,664.92
221496 - "Land Of 54 And 56", Berechurch Hall Road, Colchester, Essex		£1,377.10
231243 - Land at Broadfields, Wivenhoe, Colchester		£18,238.14
Unilateral Undertakings from a range of schemes		£35,222.79
<u>Total</u>		<u>£108,430.38</u>

13. Summary of Information to comply with Schedule 2 of The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

The matters to be included in the section 106 report for each reported year are —

- a) the total amount of money to be provided under any planning obligations which were entered into during the reported year; **£4,428,127.11**.
- b) the total amount of money under any planning obligations which was received during the reported year; **£2,945,096.61**.
- c) the total amount of money under any planning obligations which was received before the reported year which has not yet been allocated by the authority; **£8,133,697.08**.

Infrastructure Item	Amount
Affordable Housing	£452,417.90
Archaeology	£38,144.79
Art	£213,674.49
Business Enterprise	£31,512.95
Education Pre-School	£119,385.18
CCTV	£8,997.67
Community	£2,425,352.50
Environmental Improvements	£172,578.64
Health	£724,838.34
Leisure	£3,414,039.16
Transport & Sustainability	£522,320.82
Waste & Recycling	£10,434.64
Total	£8,133,697.08

- 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—
- (i) in relation to affordable housing, the total number of units which will be provided; **81**
 - (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; N/A – Essex County Council are the Education Authority, and they have responsibility for Education related planning obligations. Refer to Essex County Council IFS for details.
- e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure; **£2,216,243.59**.
- 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); **£1,632,009.38**.
- 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.

Infrastructure Item	Amount Allocated
Affordable Housing	£572,196.9
Archaeology	£2,416.69
Business Enterprise	£19,202.17
Community	£309,505.64
Leisure	£1,007,444.75
Transport & Sustainability	£305,477.44
Total	<u>£2,216,243.59</u>

Some examples of Projects where the money has been allocated to a specific project but is not yet shown as spent.

Infrastructure Item	Development	Amount Allocated	Project
Affordable Housing	111222 - 33-37 London Road, Marks Tey Colchester	£2,416 £26,238	Development of 6 social rented units at 6 Wheeler Close.

	162607 - Equity House, 2 Bergholt Road, Colchester, CO4 5EY 191414 - Wilkin And Sons Ltd", Factory Hill, Tiptree, Colchester 131538/160423 - "Hunters Rough", 18 Chitts Hill, Colchester, CO3 9ST. 162607 - Equity House, 2 Bergholt Road, Colchester, CO4 5EY	£167,381 £203,431	CCC Stock Phase 3 garage redevelopment.
Community	120380/145328 - THE MALTINGS, King Edward Quay, Colchester 121444/145131 - 505 Ipswich Road, Colchester CO4 9HE 191997 - Land Adj West Bergholt CC & "Stable Cottage", Colchester Road, West Bergholt, Colchester	£88,352 £28,333 £73,710	To be used at KEQ installing facilities to enable events to take place. St Johns & Highwoods Community Centre. Renovation works at St Mary's Church Hall.
Leisure	Various Agreements 160551 - Rowhedge Wharf Phase 2, High Street, Rowhedge, Colchester, CO5 7ET COL/97/0220/0221 - Former Myland Hospital and adjacent land Mill Road, Colchester F/COL/01/0011 - Berechurch Hall Road, Colchester Various Agreements	£212,563 £180,700.00 £66,067 £220,150.00 £50,000	Refurbishments to Castle Park Play Area. Purchase land for allotments as per S106 agreement. Supply and install children's playground at Gavin Way, and a kick about area. Supply and installation of MUGA and Playground as per agreed scheme. Refurbishment of the fitness pool at Leisure World.

	110373 - Land at Junction of, Drury Road & Maldon Road	£20,000.00	IRARA Community Orchard Project.
Transport & Sustainability	190335 - Land Rear of Weston Business Centre, The Colchester Centre, Hawkins Road, Colchester	£93,000.00	Walking & Cycling/ LCWIP4.
	171646/181096 - Aim Hire Site, Hawkins Road, Colchester	£67,000.00	Student Travel/ works to upgrade Lightship Way cycling, walking, lighting.

- 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;
- (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;

2023/2024	
Infrastructure Type	S106 Contributions spent
Art	£42,135.49
Business Enterprise	£46,257.86
Community	£90,158.14
Health	£130,485.82

Transport & Sustainability	£531,376.75
Leisure/Open Space	£585,151.79
RAMS	£206,443.53
<u>Total</u>	<u>£1,632,009.38</u>

(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); **N/A**

(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; **£37,151.16** was received in monitoring fees during the period 2023/24 and used to fund the costs directly associated with the monitoring of s.106 clauses.

- 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. **Total amount of commuted sum retained £2,253,258.14.**
Total amount allocated for longer term maintenance £93,945.45.

