

**London Borough of Newham**  
**Annual Infrastructure**  
**Funding Statement**  
For  
**Community Infrastructure Levy (CIL)**  
and  
**Deeds of planning obligation**  
**(S106 Deeds)**

Reporting Period:  
From 01 April 2019 to 31 March 2020

# Infrastructure Funding Statement (IFS)<sup>1</sup>

## Introduction

- 1.1 This statement is for the financial year 2019/20 and sets out the income, allocation and expenditure relating to the Community Infrastructure Levy (CIL); and Deeds of planning obligation (S106 Deeds), together with details of non-financial developer contributions.
- 1.2 The Council is now required to produce and publish an IFS on an annual basis, as a result of recent changes to government legislation<sup>2</sup>. The report must be published on the Council's website by 31 December for the previous reported year. This is a report on the previous financial year, known as 'the reported year'.
- 1.3 The publishing of this IFS has been deferred (missing the government deadline), to allow for a financial reconciliation of the CIL and S106.
- 1.4 The format of this report follows the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) (the 'CIL Regulations'). There is a brief overview of what developer contributions are; followed by what the CIL Regulations refer to as the 'CIL report' and the 'Section 106 report'.
- 1.5 We have primarily relied on our monitoring system to produce this report supplemented with information from the Council's financial records.
- 1.6 In 2021, we will be working on a way to fulfil our duty to publish this information and make this and other developer contributions information more engaging and accessible too.

## What are Developer contributions?

- 1.7 Developer contributions is the umbrella term used to describe ways for the Council to receive money or other benefits; and control development in the borough. Developer contributions make sure that developments in the borough contribute towards general investment in new or enhancing existing infrastructure across the borough – mainly by the CIL.  
Developer contributions negotiated by the Council through S106 Deeds ensure development contributes towards delivering or funding additional affordable housing; contributes towards the Council's skills and employment programmes (Workplace / Our Newham Work) and tend to focus on controls and benefits in the

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<sup>1</sup> The Council must produce this report – it is a requirement of Regulation 121A of the Community Infrastructure Levy Regulations 2010 (as amended) which requires the publication of the annual infrastructure funding statement. The Council has committed to enhance transparency in the planning process through the production of an annual report on developer contributions since 2011.

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

area where development is happening.

### **What is the CIL?**

- 1.8 CIL is a charge levied by Councils on any development in their area (chargeable per square metre (sqm)) that comprises a dwelling or is 100sqm or more of new floor space. A number of exemptions or reliefs that may apply. Unlike S106 Deeds, which are negotiated, the rate of CIL payable is mandatory and non-negotiable. The income can be used to help fund a wide range of infrastructure needs (e.g. Community facilities, Parks and open spaces, Public Realm – including walking and cycling initiatives, and Newham’s sports facilities etc.) arising from new development that is needed to meet the future growth needs of the borough.
- 1.9 The Council has also collected the CIL on behalf of the Mayor of London since April 2012. The Mayoral CIL (MCIL) is a similar standard charge, which applies to most new development across Greater London. MCIL1 ceased to operate in the Borough on the 31 March 2019 and was replaced with updated rates established in MCIL2 and effective on planning permissions granted from the 1 April 2019. The funding generated through MCIL2 will be used to fund Crossrail 2. Further information on MCIL is available [here](#).

### **What is a Deed of planning obligations?**

- 1.10 Planning permission can be granted with conditions which the Council use to control development. There are times when further controls are needed to minimise the impact on our communities or the people living or working within a new development, we will then use legal agreements between developers and the Council (and sometimes other parties) to assist in mitigating the impact of development to make it acceptable in planning terms, these are known as ‘obligations’.
- 1.11 The obligations within a S106 Deed must meet three legal tests and be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.

### **The Infrastructure List**

- 1.12 Changes to the Community Infrastructure Levy Regulations 2010 in September 2019 removed the need for CIL charging authorities to publish a Regulation 123 list, detailing infrastructure items that would be funded either partly or wholly through CIL. The Infrastructure list which sets out the themes of projects which the Council will or may wholly or partly fund via CIL for 2020/21 and 2020/22 was agreed by Cabinet on 01 December 2020. Paragraph m) of the IFS will outline the themes.

- 1.13 The CIL regulations pre-September 2019 amendments require that CIL receipts are allocated in accordance with the LBN's Regulation 123 list, adopted in May 2013<sup>3</sup>.
- 1.14 During the period September 2019 – March 2020 the Regulation 123 list continued to guide the allocation and spend of the CIL.

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<sup>3</sup> <https://www.newham.gov.uk/downloads/file/870/cil-regulation-123-list>

# Community Infrastructure Levy Report

## CIL Regulations

### Regulation 121A and Schedule 2 Sections 1 & 2

- a) The total value of demand notices issued in the reported period is £6,681,446.85. 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.
- b) The total amount of CIL collected within the reported period totals £5,860,947.73.
- c) The amount of CIL receipts, collected before the reported year, which have not been allocated is £12,466,382.91.
- d) The total amount of CIL collected prior to the reported period allocated in the reported period in relation to cash received is £0.00 and in relation to land payments (including payments in kind and infrastructure payments) is £0.00.
- e) The total CIL expenditure recorded for the reported period is as follows:

Type	Expenditure
<b>Admin CIL</b>	£166,691.09
<b>Neighbourhood CIL</b>	£0.00
<b>Strategic</b>	£3,250,000.00
<b>Total Value</b>	£3,416,691.09

- f) The total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year is £100,000.00. This relates to one project, Plaistow Park Play Area Refurbishment<sup>4</sup>. See paragraph h).
- g) i) The items of infrastructure on which CIL (including land payments<sup>5</sup>) has been spent within the reported year, and the amount of CIL spent on each item is as follows:

<sup>4</sup> Plaistow park funding was drawn down from S106 monies in error; the £100,000 is not therefore included in the CIL spent within the reported year. A correction being processed in a subsequent financial year.

<sup>5</sup> The Council has not accepted any land payments for the payment of CIL, as allowed by Regulation 73

<b>Infrastructure</b>	<b>Date</b>	<b>Amount</b>	<b>Description</b>
<b>Leisure and Sports</b>	31 March 2020	£50,000.00	Project management, commissioning and oversight of a range of sports and leisure infrastructure projects across the borough.
<b>Community Neighbourhood Assets</b>	31 March 2020	£1,858,400.00	Provision /Operation /Maintenance of Community infrastructure throughout the borough; including Community facilities in the following areas: East Ham/ Beckton and Royal Docks/ Custom House and Canning Town/ Stratford and West Ham/ Plaistow/ Green Street/ Forest Gate/ Manor Park.
<b>Greenspace</b>	31 March 2020	£1,091,600.00	Operation / Maintenance of community public open space throughout the borough.
<b>2019/20 Citizens' Assemblies</b>	31 March 2020	£250,000.00	Facilitation and delivery of Community Plans

ii) The amount of CIL spent 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) is as follows:

<b>Date</b>	<b>Amount Used</b>	<b>Loan/Interest</b>	<b>Infrastructure Funded</b>
N/A	0.00	0.00	N/A

iii) The amount of CIL spent on administration expenses pursuant to regulation 61 is £250,952.34. This includes administrative expenses for the Mayoral CIL (MCIL 1 and MCIL 2) and the Newham CIL as outline in the table below.

Charging schedule	CIL Administrative costs	Total CIL collected	Percentage of Total CIL collected spent on administrative costs
<b>Mayoral CIL (MCIL 1/ MCIL 2)</b>	£84,261.25	£2,293,444.37	3.67%
<b>Newham CIL</b>	£166,691.09	£5,860,947.73	2.84%

- h) The amount of CIL allocated to projects in 2019/20 but which remains unspent at the end of the reported year is £100,000.00 summary details are outlined in the table below.

Infrastructure	Amount Allocated	Amount Unspent	Allocation Dated
<b>2019/20 Plaistow Park Play Area Refurbishment<sup>6</sup></b>	£100,000.00	£100,000.00	15 October 2019

- i) (i) and (ii) are not relevant to this report as there are no parish councils within the borough. As such, regulation 59A and 59B are not relevant.
- j) (i) The Neighbourhood CIL was first apportioned during the reported year. This was attributed equally to the eight Community Neighbourhood areas. The Neighbourhood portion is 15% of the monies collected and for the reported year is £879,142<sup>7</sup>.
- ii) Of the Neighbourhood CIL collected within the reported year no monies have been allocated or spent.
- k) (i) and (ii) Regulation 59E does not apply in the London Borough of Newham as there are no parish councils within the borough therefore no notices are included in this report.
- l) i) The amount of CIL collected and retained at the end of the reported year, not Neighbourhood CIL and that had not been spent is £1,565,114.64.
- ii) The amount of CIL collected, not Neighbourhood, from 01 January 2014 to the end of the reported year that had not been spent is £13,822,140.
- iii) The amount CIL collected and that had not been spent under Regulations 59E and 59F during the reported year are as follows:

<sup>6</sup> Plaistow park funding was drawn down from S106 monies in error; the £100,000 is not therefore included in the CIL spent within the reported year. A correction being processed in a subsequent financial year.

<sup>7</sup> Regulation 59E does not apply in the London Borough of Newham, as there are no parish councils within the borough; this section reports on Regulation 59F.

Type	Retained
<b>Regulation 59E</b>	£0.00
<b>Regulation 59F</b>	£879,142

iv) The amount of CIL collected from 01 January 2014 to the end of the reported year under Regulations 59E and 59F that has not been spent is as follows:

Type	Retained
<b>Regulation 59E</b>	£0.00
<b>Regulation 59F</b>	£879,142 <sup>8</sup>

m) For 2020/21 and 2021/22 the themes of projects which the Council will or may wholly or partly fund via CIL are listed in the table below<sup>9</sup>.

<b>Provision, improvement, operation, maintenance of:</b>
Town centres, local centres and employment uses; civic uses and community facilities
Public Realm – including walking and cycling initiatives which connect social and green infrastructure to our residents
Newham’s parks, open spaces, green spaces
Play equipment; outdoor gym equipment in Newham’s parks and housing areas
Newham’s sports facilities
Newham’s sports facilities

<sup>8</sup> Neighbourhood CIL monies were accrued for the first time from 2019/20

<sup>9</sup> [The Infrastructure List](#) sets out the types of infrastructure or projects, which Newham’s strategic CIL receipts may fund. The Infrastructure List will be published annually in accordance with regulation 121A(a).



## Section 106 Report

### CIL Regulations

#### Regulation 121A and Schedule 2 Section 3

a) The total amount of money to be provided under any planning obligations, which were entered during the reported year, is £3,280,751.64. This figure does not consider indexation (inflation/deflation) that may be applied when the money becomes due.

For detail of the deeds of planning obligation please refer to Appendix 1, Overview of Planning Obligations *Secured* 2019/2020, which sets out the types of obligations which funding has been secured for and provides a summary of the non-financial obligations for each S106 Deed.

b) The total amount of money received from planning obligations during the reported year was £10,150,471.50.

For details of the deeds of planning obligation please refer to Appendix 2, Overview of Planning Obligations *Received* 2019/2020, which sets out the types of obligations for which funding has been received and the corresponding S106 Deed and developments which made the contributions.

c) The total amount of money received prior to the reported year that has not been allocated is £55,776,519.84.

d) During the reported year the following non-monetary contributions have been agreed under planning obligations:

i) The total number of affordable housing units to be provided is 678.

ii) No education provision has been agreed in a S106 Deed.

Summary details of all non-monetary obligations agreed within the reported year are included in Appendix 1, Overview of Planning Obligations *Secured* 2019/2020.

e) The total amount of money from planning obligations allocated towards infrastructure during the reported year was £2,174,099.22. Of this amount £1,635,420.18 was not spent during the reported year.

f) The total amount of money from planning obligations spent during the reported year was £5,350,064.33. Of this amount, £375,000.00 was transferred to a third party and treated as spent.

g) The following items have had money allocated towards them during the reported year with unspent allocations:









19/01762/FUL Land at 89 to 93 Woodgrange Road E7	£7,000.00								
18/03413/FUL The Upton Centre, Claude Road E13	£101,124.00	v	v	v			v		v
18/03349/VAR West Ham United FC Development Site E7	£250.00								
19/01215/FUL Land Adjacent 3 Disraeli Road E7	£5,380.00			v					
19/01919/FUL Part Former Showcase Cinema Car Park E16	£112,205.00	v							
17/03647/FUL 2A - 2B Windmill Lane E15	£2,000.00	v		v			v		
19/00022/FUL 1 Claps Gate Lane E16	£116,575.00	v							
19/02967/LA3 Garages 1 To 13 Adjacent Upland Road E13	£1,000.00	v					v		
19/02604/LA3 236 Romford Road E7	£21,100.00	v		v			v		
19/02978/LA3 Garages 1 To 22 Adjacent 25 To 35 Idmiston Road E15	£3,000.00	v		v			v		
19/01456/FUL 196 Plaistow Road E15	£35,500.00		v	v					
19/00281/FUL Silvertown Fire Station 303 North Woolwich Road E16	£110,540.00	v		v					v
18/03572/FUL 79-81 Prince Regent Lane E13	£17,956.00			v					
19/00364/FUL 297D-297E Romford Road E7	£8,100.00								
19/03281/LA3 Garages 2 To 16, Forest View Road	£26,085.00	v		v			v		
19/03282/LA3 Garages 1 To 16 Adjacent 41, Landseer Avenue	£16,572.00						v		
19/03284/LA3 Garages 1 To 18 Adjacent 1, Malmesbury Terrace E16	£16,439.00	v					v		

19/03268/LA3 Garages 1 To 14 Adjacent 54, Anne Street E12	£3,000.00	v		v		v			
19/02979/LA3 Garages 1 to 12 opposite 1-5 Bramall Close E15	£17,851.68	v		v		v			
19/03242/LA3 17 - 21 New Barn Street E12	£5,000.00	v		v		v			
19/02977/LA3 Garages 3 to 38 opposite 1-15 David Street E15	£20,200.00	v		v		v			
18/03321/FUL 2 Boleyn Road East Ham E6	£55,851.00	v	v	v	v	v			
19/00517/FUL 1 Bradfield Road E16	£234,105.00	v	v	v	v	v			

## Appendix 2: Overview of Planning Obligations Received for 2019/20

### Received by Purpose

Category	Amount:
Affordable Housing (Off-site Contribution)	£6,824,064.35
Highways (Site Mitigation and Environmental Improvements, Public Realm, Parking Administration)	£292,432.44
Transport and Travel (Sustainable Transport, Car Club, Travel Plan, Travel Plan Monitoring)	£99,462.89
Open Space and Leisure (Leisure)	£279,490.62
Education (primary and secondary provisions)	£414,068.34
Economic Development (Our Newham Works )	£992,205.76
Carbon Offset	£645,205.89
Green Infrastructure (Air Quality, Tree Planting, Ecology Biodiversity, Tree Planting, District Heating)	£78,267.77
Monitoring Fees	£423,170.63
Other (Design, TV Mitigation )	£102,102.81
<b>TOTAL RECEIVED</b>	<b>£10,150,471.50</b>

### Received by Deed

Planning Reference	Site Address	Planning Contributions Received
10/02291/FUL	2 - 12 High Street E15	£1,450,000.00
10/90285/FUMODA	Plot N24, Zone 3, Stratford City Development	£128,471.63
10/90641/EXTODA	Stratford City Development	£7,484.21
13/00322/FUL/FUM	Land on the Norther Side of the Great Eastern Road, Zone 1, Stratford City	£5,244,280.00
13/01228/FUL	London City Airport, Hartmann Road E16	£1,479,807.84
14/00057/FUL	222-226 Green Street, Forest Gate E7	£349,812.06
14/00664/OUT	Gallions Quarter, Atlantis Avenue E16	£2,606.04
16/00224/FUL	Pontoon Dock, North Woolwich Road E16	£106,616.85
16/00527/FUL	Deanston Wharf E16 2AX	£15,000.00
16/02395/FUL	Site At 39A To 49A, Woodgrange Road E7	£50,000.00
16/03026/FUL	Site Former 48 to 54 Grange Road, Plaistow	£50,000.00
17/00467/FUL	140 - 150 Earlham Grove, Forest Gate E7	£5,000.00
17/01395/FUL	The Forest Tavern, 173-175 Forest Lane E7	£3,000.00
17/03647/FUL	2A - 2B Windmill Lane, Stratford E15	£2,000.00
17/04003/FUL	Land Former 2, Pier Road E16	£156,558.11
17/04045/VAR	Areas 7 and IC Barking Road, Canning Town E16	£2,000.00
18/00678/FUL	ETAP Accor Hotel, North Woolwich Road E16	£20,000.00



18/01214/FUL	11 Upton Lane, Forest Gate E7	£45,575.10
18/01257/FUL	West End Car Park, Western Gateway E16	£421,227.98
18/01733/FUL	292-294 Plashet Grove, East Ham E6	£14,500.00
18/01889/FUL	Site At 656 To 666, Romford Road E12	£7,500.00
18/01930/FUL	59 Southern Road, Plaistow E13	£1,500.00
18/02191/FUL	Site at 445 to 451 Romford Road E7	£1,500.00
18/02574/FUL	44-46 Rear of Balaam Street E13	£7,500.00
18/02594/FUL	Depot DLR, Armada Way E6	£8,000.00
18/02659/FUL	9 Prince Regent Lane, Plaistow E13	£10,000.00
18/02687/FUL	119 London Road Plaistow E13	£8,750.00
18/02830/OUT	Site Rear of 970 Romford Road E12	£10,000.00
18/03200/FUL	The Manbey Arms, 19 Water Lane E15	£2,000.00
18/03321/FUL	2 Boleyn Road E6	£8,000.00
18/03349/VAR	West Ham United FC Development Site E13	£250.00
18/03413/FUL	The Upton Centre, Claude Road, E13	£101,124.00
18/03418/FUL	272 High Street North, Manor Park E12	£2,000.00
18/03572/FUL	79-81 , Prince Regent Lane E13	£14,500.00
19/00022/FUL	1 Claps Gate Lane, Beckton E6	£116,575.00
19/00191/FUL	313-319 , Katherine Road E7	£500.00
19/00281/FUL	Silvertown Fire Station , 303 North Woolwich Road E16	£20,000.00
19/00364/FUL	297D-297E, Romford Road, Forest Gate E7	£500.00
19/00517/FUL	1 Bradfield Road E16	£15,000.00
19/01215/FUL	Land Adjacent 3, Disraeli Road E7 9JR	£5,380.00
19/01456/FUL	196 Plaistow Road, Stratford E15	£9,500.00
19/01762/FUL	Land at 89 to 93 Woodgrange Road E7	£1,000.00
19/01919/FUL	Part Former Showcase Cinema Car Park, Jenkins Lane	£112,205.00
19/02604/LA3	236 Romford Road, Forest Gate E7	£21,100.00
19/02967/LA3	Garages 1 To 13 Adjacent Upland Road, Chargeable Lane E13	£1,000.00
19/02977/LA3	Garages 3 to 38 opposite 1 - 15 David Street E15	£20,200.00
19/02979/LA3	Garages to 1 to 12 opposite 1 - 5 Bramall Close E15	£17,851.68
19/02978/LA3	Garages 1To 22 Adjacent 25 To 35, Idmiston Road E15	£3,000.00
19/03242/LA3	17 - 21 New Barn Street Plaistow E13	£5,000.00
19/03268/LA3	Garages 1 To 14 Adjacent 54, Anne Street, Plaistow E13	£3,000.00
19/03281/LA3	Garages 2 To 16, Forest View Road, Manor Park E13	£26,085.00
19/03282/LA3	Garages 1 To 16 Adjacent 41, Landseer Avenue, Manor Park E13	£16,572.00
19/03284/LA3	Garages 1 To 18 Adjacent 1, Malmesbury Terrace, Canning Town E16	£16,439.00
20/00758/LA3	Garage 1 to 43 opposite 16 to 26 New City Road Plaistow E13	£3,000.00