

RYEDALE  
DISTRICT  
COUNCIL



## **Infrastructure Funding Statement 2022 (Financial Year 2021/2022)**

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## What is Infrastructure?

Infrastructure is a broad definition covering the different structures, operations, services, facilities, and spaces that we use to conduct our lives and those of our families. It primarily encompasses the following areas:

- Affordable housing – as defined in the National Planning Policy Framework
- Education: nursery and early years/ Primary/ Secondary/Post-16/SEN
- Highways (Roads cycleways and paths)
- Transport and travel (rail and bus infrastructure)
- Open space and leisure (including sports facilities)
- Community facilities (such as village halls)
- Digital infrastructure (broadband)
- Green and blue infrastructure and biodiversity resilience such as rivers, streams and woodland
- Flood and water management (flood mitigation, management, and defence)
- Economic development – supporting expansion of resilience to business in the locality
- Health (GP/Acute/Mental Health/Primary Care)

## What is an Infrastructure Funding Statement?

The publication of an Infrastructure Funding Statement (IFS) is a legal requirement arising from the Community Infrastructure Levy Regulations 2019. All Local Planning Authorities must publish an annual report covering both Community Infrastructure Levy (CIL) and S.106 obligations regarding the monies secured, received, held and spent, as well as provision of certain on-site infrastructure, such as affordable housing by 31<sup>st</sup> December each year. This is the third IFS produced by the Council and it complies with the requirement to cover the financial year (1st April 2021 to 31st March 2022).

It is to enhance, and make more transparent, the monitoring of funding, and demonstrate the delivery of infrastructure that has been required in response to, or delivered by, new development. This is for the benefit of local communities and stakeholders to understand where money is spent and to assist the development industry in understanding where contributions, have been spent and are likely to be spent, in the future.

The Council has previously reported its progress on the collection and spending of CIL in its Authority Monitoring Report which is produced annually at the end of each calendar year. This will continue, but will be informed by this document and its preparation and cover:

- A report relating to the previous financial year on the Community Infrastructure Levy (CIL)
- A report relating to the previous financial year on section 106 planning obligations (s.106 Agreements)
- A report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy (including the neighbourhood portion)

On-site affordable housing delivery will be set out in the Authority Monitoring Report. The IFS will report on the collection and spending of commuted sums on affordable housing.

The IFS must set out the amount of levy or planning obligation expenditure where funds have been allocated. Allocated means a decision has been made by the local authority to commit funds to a particular item of infrastructure or project.

The IFS must also set out the amount of levy applied to repay money borrowed, applied to administrative expenses, passed to other bodies, and retained by the local authority. As no money has been borrowed, and none applied to expenses/administration costs the IFS only covers the levy passed to other bodies (Parish and Town Councils) and that retained by the District Council.

In this regard, the Council has sought to obtain information on the spending of CIL disbursements, and this will be reported in more detail in future IFS, or indeed in any updates which are prepared.

The infrastructure funding statement is expected to set out future spending priorities on infrastructure and affordable housing in line with up-to-date or emerging plan policies. We are undergoing a formal review of the Ryedale Plan, however as a result of Local Government Reorganisation (LGR) from the 1 April 2023 a new North Yorkshire Council will replace the current county council and seven district and borough councils. This means that after 31<sup>st</sup> March 2023, Ryedale District Council will cease to exist. This brings some uncertainty to the future of the Ryedale Plan review. At the writing of this report the council is not yet sure if the work that has already been undertaken is to be either subsumed into the new Local Plan evidence base work or whether the review of the Ryedale Plan will continue as a twin-tracking exercise alongside the new North Yorkshire Plan. Further detail on this will emerge in the coming months when a decision is reached by Members of the new council. There will be a requirement for the new North Yorkshire Council to publish an IFS annually.

Infrastructure Funding Statements should set out the infrastructure projects or types of infrastructure that the authority intends to fund, either wholly or partly, by the levy or planning obligations. It is important to note that this will not dictate how funds must be spent but will set out the local authority's general intentions.

As set out earlier, this statement is produced within a particular time frame. Whilst it represents as robust as possible factual information, it could be subject to change. As such, IFS can also be prepared more than annually, the Council will update this IFS if there are any key decisions or updates made prior to the publication of the 2023 IFS.

Throughout the IFS there will be references to the following definitions:

- Agreed - contributions that have been agreed within a signed legal document but have not yet been collected/delivered because the appropriate trigger point for payment has not yet been reached. If the planning applications are not implemented, they will never be received
- Received - contributions received, either non-monetary or monetary, that have been transferred to RDC
- Allocated - contributions that have been assigned to specific projects
- Spent/Delivered - monetary or non-monetary contributions that have been used as intended, either by spending the allocated funds or completing the contribution as agreed this financial year - unless stated otherwise, this refers to the period.

## S.106 Legal Agreements

Section 106 of the Town and Country Planning Act 1990 allows Local Planning Authorities (LPAs) to impose restrictions or requirements on land, including the payment of monies towards infrastructure or securing affordable housing. Collectively, these are known as planning obligations and may take the form of a Section 106 (S.106) agreement between a developer/landowner, the Council, and possibly other parties, or alternatively, a unilateral undertaking providing a legal commitment by the developer alone.

As a Local Planning Authority who imposes a CIL charge, S.106 agreements have become focused on on-site delivery and direct contribution such as the provision of affordable housing and provision of open space. Obligations form part of a planning permission, but are only used when planning conditions are unsuitable, because of their complexity and the delay they can add to the planning process. Since 1990 it has been a legal requirement that that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is:

- (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.

This Statement only relates to those s.106 obligations for which Ryedale District Council (RDC) is legally responsible for ensuring compliance. In accordance with the 2019 Regulations, the data in this IFS therefore do not cover s.106 obligations applying to land in the district in the following cases:

- (a) Where the North York Moors National Park Authority is the LPA
- (b) Where North Yorkshire County Council (NYCC) is the LPA (e.g. mineral and waste applications)
- (c) Section 278 Highways agreements between the developer and NYCC

## S.106 Legal Agreement Reporting

This section will set out all the separate types of commuted sums: affordable housing, education, Highways and public open space (including sports and facilities within). Progress is being made to ensure outstanding monies are being spent appropriately.

## Affordable Housing Commuted Sums

Since March 2016 S.106 Agreements in Ryedale DC are primarily focused on affordable housing and are drawn up with the Developer, the District Council and often a Registered Provider (RP) who will acquire the housing. This is monitored through the Annual Monitor Report which is produced on the same time frame and dates as the IFS.

Because a percentage contribution of affordable housing is required by the Development Plan, that does not often equate to whole houses and so involves monetary payments (known as commuted sums) which are collected and used to fund:

- Rural housing enabling;
- Acquisition of properties for affordable homes;
- Conversion and change of use of buildings to provide new affordable homes; and
- Conversion and change of use of buildings to provide specialist housing

The National Planning Policy Framework requires Local Planning Authorities to reflect the need for affordable housing within their planning policies. The Ryedale Plan requires residential development for more than 10 dwelling to make provision for affordable dwellings.

Planning obligations secured through S.106 agreements are used to secure on-site affordable housing or off-site contributions in lieu of affordable housing provision. Where affordable housing units cannot be provided on site, affordable housing commuted sums may be agreed.

## Affordable housing projects

In terms of the breakdown in S.106 Affordable housing commuted sums spending over the past three years, there are 5 affordable housing projects currently being undertaken.

Unlike other commuted sums collected from S.106 legal agreements, affordable housing does not have to be area specific in terms of where the money is spent, as long as it is within the district. Part of the funding for these projects listed below have been agreed by Members and allocated through affordable housing commuted sums generated from S.106 agreements.

Below is a brief explanation of what each of the projects are achieving:

- Railway Tavern, Norton - Funding was provided from the Capital Programme, Homes England under the 'Move on Fund', and affordable housing commuted sums. The Railway Tavern project has now been delivered, the scheme provided 7 x 1-bedroom apartments and 1 x bedsit, all for rent, from a building previously used as a pub, but had become a vacant property prior to the affordable housing project. The full allocation of commuted sums amount has been spent.
- 82 Castlegate, Malton - 3 x 1 bed and 1 x 2 bed self-contained flats. All for rent. Two under the Homes England 'Next Steps Accommodation Programme' and two for general purpose housing.
- 5 Vine Street, Norton – A HMO providing 5 rooms of shared accommodation for rent.

- Black Swan Yard, Helmsley – 4 x 1-bedroom self-contained flats for discount sale under a S106 Agreement for local people.
- Karbon Homes Outgang Lane, Pickering – funding to support a fully affordable housing scheme for 20 units, a mix of rent and shared ownership. The scheme is the first in the district to obtain Future Homes Standards.

### Expenditure for the reported year

The below table sets out the expenditure in the last three monitoring years for each of the member approved projects detailed above. The second column in the table below sets out the total agreed spend for each of the 5 projects. This figure is known as the amount committed, and allows the council to establish what commuted sums are still available to be spent.

The table also provides figures for staff funding agreed through S.106 Affordable housing commuted sums.

It is important to note that the spending set out over the 3 monitoring years differs from information published in previous Infrastructure Funding Statements. The council has updated its monitoring process since those documents were published, therefore the expenditure set out in this monitoring report presents the affordable housing commuted sums accurately.

Scheme	Total Commuted sums agreed (committed)	Year 19/20	Year 20/21	Year 21/22	Remaining Commuted Sums total
Railway Tavern	<i>£510,000 total (£359,000.00 originally agreed. Overspend* of £151,000 agreed March 2023).</i>	£185,100.53	£13,225.95	<b>£231,918.44</b>	
82 Castlegate	<i>£405,350.00</i>	£0.00	£0.00	<b>£286,275.85</b>	
5 Vine Street	<i>£257,150.00</i>	£0.00	£150,938.00	<b>£1995.36</b>	
Black Swan Yard Helmsley	<i>£110,000.00</i>	£0.00	£0.00	<b>£600.00</b>	
Karbon Homes Outgang Lane Pickering	<i>£250,000.00</i>	£0.00	£0.00	<b>£0.00</b>	
Staff Funding	-	£82,596.48 **	£0.00	<b>£34,445.00</b>	
Total annual spend	-	£267,697.01	£164,163.95	<b>£555,244.65</b>	

\* This was due to additional build costs

\*\*This spend covers both years 19/20 and 21/22 but it was drawn down for both in the first years. This included £10,150 towards and enabling rural officer and £34,445.00 for a Housing Development Officer.

## Corresponding legal agreements

Below is the full list of outstanding S.106 legal agreement affordable housing commuted sums held with RDC at the beginning of the monitoring year (1<sup>st</sup> April 2021).

Reference Number	Site	Developer	Amount outstanding	Repayment date
	Land At Low Farm, Main Street, Barton-Le-Street, Malton	Richard Charles Dales & C J Raines and E M Pleasance	32,266.00	03/03/2022
13/00005/FUL	Westfield Nurseries, Scarborough Road, Norton	Persimmon Homes Ltd	100,173.00	07/03/2022
13/00005/FUL	Westfield Nurseries, Scarborough Road, Norton	Persimmon Homes Ltd	267,766.00	31/09/2022
	Whitfield Avenue, Pickering	Persimmon Homes Ltd	29,561.00	12/10/2021
06/01232/FUL	Land at Rectory Farm, Scrayingham	JP Wild Ltd	75,000.00	28/11/2021
14/00980/FUL	Ryelands Care Home Hurrell Lane, Thornton Le Dale	W & W Estates	12,413.05	26/08/2021
13/00005/FUL	Westfield Nurseries, Scarborough Road, Norton	Persimmon Homes Ltd	743,095.38	29/06/2022
11/00570/FUL, 15/00482/73A	Land at East End, Ampleforth	GEM Construction	20,000.00	19/06/2022
12/00618/MFUL	High Street, Slingsby	Mandale Homes	300,498.00	02/11/2022
15/01214/FUL	building adjacent to Brinkburn Barn, Hovingham	W Worlsey/K Deegan	27,000.00	04/03/2024
			<b>1,607,772.43</b>	

Balance carried forward at the start of the monitoring year (1 April 2021): **£1,607,772.43**

## Total received within the monitoring period

Within the monitoring year the following S.106 Commuted sums were paid into the Council:

- £53,377.62 in relation to the Westfield Nurseries scheme.



- £186,990.00 for Riccal Drive, Helmsley
- £43,484 for the Blue Chip, Sherburn scheme

**Total £283,851.62**

The below table shows the amount carried forward at the end of the monitoring year (31 March 2022), to reflect the annual spend (**£555,244.65**) and payments received within the monitoring year. The table sets out the most up to date balance carried forward with the associated repayment dates for each outstanding legal agreement in which RDC hold Affordable housing funds for.

Reference Number	Site	Developer	Amount outstanding (£)	Repayment date
13/00005/FUL	Westfield Nurseries, Scarborough Road, Norton	Persimmon Homes Ltd	437,263.78	29/06/2022
13/00005/FUL	Westfield Nurseries, Scarborough Road, Norton	Persimmon Homes Ltd	267,766.00	31/09/2022
11/00570/FUL, 15/00482/73A	Land at East End, Ampleforth	GEM Construction	20,000.00	19/06/2022
12/00618/MFUL	High Street, Slingsby	Mandale Homes	300,498.00	02/11/2022
15/01214/FUL	building adjacent to Brinkburn Barn, Hovingham	W Worlsey/K Deegan	27,000.00	04/03/2024
13/00005/FUL	Westfield Nurseries, Scarborough Road, Norton	G M Horsley, S E Horsley & Persimmon Homes	53,377.62	05/08/2026
17/01238/MFUL	Land off Riccal Drive	Forward Development Ltd	186,990.00	01/02/2024
16/01088/FUL	Land adj to Blue Chip	Wellesley Homes Ltd	43,484.00	29/09/2026
			<b>1,336,379.40</b>	

Balance carried forward at 31.03.2022: **£1,336,379.40.**

#### Completed affordable plots

On-site affordable housing provision was also achieved in this monitoring year. The housing completion figures established that a total of 95 units of new build affordable homes completed on-site in this period. This total is made up of several major residential schemes which are in the process of being built out, as part of the permission on-site provision was agreed in line with policy requirements. The total is made up of the following:

- 6 plots from Riccal Drive Helmsley
- 18 plots from Westfield Kirkbymoorside

- 4 plots from Westgate Old Malton
- 7 plots from Wainds Field Kirkbymoorside
- 50 plots at Whitby Road Pickering
- 2 plots at Land Adj to St Auburns, Langton Road, Norton
- 8 Railway Tavern, Norton

Ryedale District Council's Housing department are responsible for managing affordable housing plots. Their monitoring procedure for recording affordable plots works differently to that monitored through the planning service, because it firstly includes all affordable properties as they become available for occupancy rather than when plots are substantially complete as a build project. As well as new build plots, the affordable housing figure for housing services also includes refurbishments acquired by the Council through commuted sums, and these units are not delivered through the planning process. The housing department's affordable housing figure for the monitoring year is 88 units.

It is for this reason that this does not align with the planning department's housing completion figure of 95 units, as both do not come forward fully within the same timescales. For example, in the breakdown below, the housing department have set out a total of 7 units delivered at Malton, these will include new build affordable plots but not necessarily those included in the housing completions figure. These will have been included in the previous year's figure but have taken longer to reach availability for occupation rather than being seen as completed as a new build plot.

The housing department's affordable housing figure of 88 is made up of the following:

- 29 Heathers Croft
- 5 Riccal drive, Helmsley
- 4 Westgate, Malton
- 31 Westfields, Kirkbymoorside
- 8 Railway Tavern, Norton
- 3 Castlegate, Malton
- 6 Wainds Field, Kirkbymoorside
- 2 Langton Road, Norton

Further information on the delivery of affordable homes can be found within the Council's annual Authority Monitoring Report.

## Education Commuted Sums

Since March 2016 education contributions have been subsumed into the Community Infrastructure Levy, rather than through S.106 agreements. The following are schemes which were approved prior to CIL being implemented and for which are unpaid on 31 March 2022.

North Yorkshire Education are responsible for administering education funds to appropriate projects. The council works with Education to ensure the proposed projects align with the requirements for the legal agreements before the S.106 commuted sums would then be passed on to NY Education to contribute to projects.

The below table sets out monies which during the period of this monitoring report were not eligible/available to be collected from the developer, as the relevant trigger point have not been reached or the money has not yet been sent to RDC.

Application	Area/School served by the agreement	Amount £	Stipulations on the spend	Actions
*13/01314/MOUT and 17/01449/MREM (approved March 2020)	Kirkbymoorside CP Primary	610,985.00	Towards the cost of providing, expanding, or improving primary school provision in the vicinity of the development.	The development commenced in 2020 and in this monitoring period (2021/22), the first half has come into the Council (£305,492.00). The second half of the money is likely to be paid by the developer in the next monitoring year if the development scheme remains on schedule.
14/01207/MOUT and 19/00278/MREM approved November 2019	Sherburn CE	-	Towards provision in the vicinity of the site.	The development has not commenced and has now lapsed. The developer was due to provide £139,369.25 toward education commented sums, however no commuted sums can be expected from the scheme now that it will not be going ahead. However, an amended application is currently under consideration so there is a possibility that contributions could be sought from the site into the future.
14/00428/MOUTE and 17/01509/MREM (39 units) Old Malton (Malton Cluster site)	Malton primary schools	132,561	For the provision of facilities for the education and/or care of children between the ages of 0 to 18 (both inclusive) within three miles of the site. Can be reimbursement of capital funding.	The development commenced as of March 2020 and in this monitoring period (2021/22), the trigger points for payment have been reached. This money is likely to be paid by the developer imminently.
14/00428/MOUTE and 17/01509/MREM (39 units) Old Malton (Malton Cluster Site)	Malton secondary schools	54,132	For the provision of facilities for the education and/or care of children between the ages of 0 to 18 (both inclusive) within three miles of the	The development commenced in 2020 and trigger points have now been reached. This money is likely to be paid by

			site. Can be reimbursement of capital funding.	the developer in the next monitoring year if the development scheme remains on schedule.
13/01141/MFUL Broughton Road allotments	Malton (Primary education	£227,733	Towards the cost of providing a new primary school within the vicinity	These funds will be collected as the scheme is complete.
14/00429/MOUTE and 17/01509/MREM Rainbow Lane (Malton Cluster site) 56 units Broadacres Housing Association	Malton primary	£176,748	Expanding or improving primary school provision in the vicinity of the development.	These funds will be collected as the scheme is substantially complete.
14/00429/MOUTE and 17/01509/MREM Rainbow Lane (Malton Cluster site) 56 units Broadacres Housing Association	Malton secondary	£71,176	Expanding or improving secondary school provision in the vicinity of the development.	These funds will be collected as the scheme is substantially complete.

The below table sets out the outstanding education commuted sums held with RDC as of 31 March 2022:

Settlement	Application	Site	Developer	Total Education Contributions due	Payment by RDC to NY Education	Primary	Secondary	Total outstanding held with RDC
Malton	10/00899/MOUT	Broughton Road	Taylor Wimpey	£357,680	£237,999	-	-	£119,680**
Malton	14/0427/MOUT with 15/00616/MREM (17/00488/MREM) as phase I And 18/00304/MREM phase II  <b>*subject to adjustment as Excluding now phase III 16/00003/MOUT 18/00305/MREM which is dealt with via CIL</b>	The Showfield (Malton Cluster Site)	Linden Homes	1,086,649*	-	£771,573*	£315,076*	832,938*
Kirkbymoorside	13/01314/MOUT The first trigger point has been met, the second half of the contributions will likely be paid within the next 2-3 years dependant on how long the scheme takes to build out.	Land at Westfields Kirkbymoorside	Countryside Properties UK Ltd	£610,984.00	-	-	-	£305,492 Paid to RDC on 06/09/2021
-	-	-	-	-	-	-	-	<b>£952,618</b>

\*\* have been committed to primary school extensions recently finished at St. Marys Roman Catholic School

The Local Planning Authority is currently working with the council's internal legal department and NY education to get this money released for appropriate projects. We aim that this will be resolved as soon as possible, and we will make an interim update to this document to record when this money is released.

The following sums are held with NYCC as of March 2020 and have been committed to recently completed projects:

Application	Schools	Amount £	Stipulations on the spend
10/01086/MFUL	Pickering Infant & Junior	285,516.00	Towards procuring improvements to primary school education in Pickering due 2024

Application	Schools	Amount £	Stipulations on the spend
10/01384/MFUL	Pickering Infant & Junior	81,576.00	Towards procuring improvements to primary school education in Pickering due September 2021

## Highways Commuted Sums

North Yorkshire County Council are the Local Highway Authority. Highway improvements are delivered via both S.106 and S.278 agreements. S.278 agreements are not included within this statement and are monitored via separate means.

Prior to CIL, S.106 monies at Malton and Norton were collected for the development of Brambling Fields Junction and that money has been split between NYCC and Ryedale District Council.

Within this monitoring year no money currently held by RDC has been sent to NY Highways for highway infrastructure projects. However, two new payments have come in to the Council for Highways commuted sums.

The below table sets out the S.106 Highways commuted sums held by Ryedale District Council at the start of this monitoring year (2021/22):

Application	Developer	Site	Contributions
10/01086/MFUL	Pickering Town Council and Roger Ltd, BDW trading	The Nurseries, Whitby Road Pickering	22,368.00
	Morrisons Super Market	Land at Castlegate	10,000.00
10/00977/MFUL	John Fields and Others	Cheesecake Farm Norton	5,916.00
09/00011/73	Pad55 Ltd	Spire View Eastgate Square Pickering	7,500.00
14/00427/MOUTE	Linden Homes	Land at Pasture Lane Malton	132,225.00
10/00899/MOUT 13/01141/MFUL	Taylor Wimpey Ltd	Land to North of Broughton Road Malton	75,284.00
-	-	-	<b>Total £253,293.00</b>

Within this monitoring period the council received two further payments for highways commuted sums:

£62,800 - 13/01314/MOUT, countryside Properties UK Ltd, Land at Westfield Kirkbymoorside

£35,000 – 15/00098/MOUT, Keepmoat Homes, Land at Langton Road Norton

Making new total held by RDC: **£317,141.52**

RDC will work with NY Highways to identify projects that conform to the specified legal agreements. NY highways have provided the below information on projects they wish to receive funding for:

Local Highway Contribution - Implementation of a one-way system and pavement improvements to Finkle Street; Newgate and Spital Street, Malton	£ 35,000.00
A64 Contribution - highway improvements to the A64 at Brambling Fields	£135,000.00
Off-site Highway Works Contribution - procuring works to the roundabout in Pickering [£3,000] Procuring improvements to the junction of Vivis Lane, Pickering [£ 18,000]	£21,000.00
Highway Contribution - Brambling Fields junction of the A64 York to Malton Trunk Road and associated measures	£232,500.00



## Open Space Commuted Sums

Other commuted sums contributions relate to Public Open Space maintenance and improvements, as well as sports and leisure facilities. There are a series of ‘legacy’ applications with relevant commuted sums which pre-date CIL and in which funds can still be drawn for such projects.

The distribution of the funding from these off-site commuted sums is handled mainly through a Grants Working Party. Community groups and Parish Councils can apply for money from the various pots, and the Working Party make decisions on the allocation of the money towards numerous infrastructure projects in line with the requirements of the specific S.106 agreement.

Once project payments are agreed through the Working Party, the process operates in such a way that 50% of the agreed funding amount is paid upfront, with the remaining half only paid on completion of the project. It is also important to note that there is often a stipulation within the grant agreement which allows for either a set figure to go towards the project, or an allocated percentage of the project, whichever is less. For example, if the project allowed for £5,000.00 in funding or 25% of the overall project cost, and upon completion the project had come in under budget, 25% of the overall project cost may be less than £5,000.00. In which case the 2<sup>nd</sup> payment may come in as less than £2,500.00.

With this in mind, this can make the reporting of such spending slightly more complex. Some projects may receive the first instalment in one monitoring year, and the second could follow years later – it will largely depend on how long the project takes to reach completion.

For any on-site public open space provided within the development site which the s.106 relates these are being gradually drawn down to be used by the District Council for maintenance or the relevant Town Council. This is an out-dated approach, for which only a small number of sites are subject of this arrangement, and it is now considered via a maintenance agreement and a contractor is secured by the developer to manage any public areas of open space.

The table below sets out all commuted sums for both public open space maintenance and improvement contributions and associated spending. The table sets out the opening and closing balance for each relevant legal agreement within the monitoring year. The table also provides information on spending. Where it is known there is dates in which the money should be returned if it remains unspent:

Planning Ref.	Site Address	Owner/ Developer	Balance at 01.04.2020 (£)	Money Spent	Balance at 31.03.2021 (£)	Commuted Sums Type	Spending split	Spending notes	Repayment Information
89/00047/OLD	Land between York Road and Castle Howard Road Malton	Persimmon Homes (Yorkshire) Ltd	16,000.00	16,000.00	0	Public Open space Maintenance (POSM)	-	Drawdown for maintenance annually	-

Planning Ref.	Site Address	Owner/ Developer	Balance at 01.04.2020 (£)	Money Spent	Balance at 31.03.2021 (£)	Commutated Sums Type	Spending split	Spending notes	Repayment Information
99/00939/73	Home Farm, Duggleby	Hogg Builders (York) Ltd	508.22	0	508.22	POSI	-	-	
01/00028/FUL	West End Mews Kirkbymoorside	Barratt York Ltd	3,536.64	2,393.50	1,144.00	POSI	<b>1143.50, 1250.00</b>	£1,143 was the first payment to Kirkbymoorside Town Council for new tree planters, trees, and associated decoration.  £1,250 was paid to Kirkbymoorside Town Council as the final payment towards basketball court improvements and associated equipment for young players.	Initially paid 07.04.2016 (75,000)
01/00028/FUL	West End Mews Kirkbymoorside	Barratt York Ltd	30,000.00	0	30,000.00	POSM		Spent for onsite	07/04/2016 (total £75,000 originally)
02/00116/OUT	The builders Yard Kirby Misperton	W Harding and Son	3,412.00	0	3,412.00	POSI	-	-	Initially paid 24.06.10
03/000658/OUT	Land to the Rear of 7 Eastgate Pickering	Yorkshire Housing	8,000.00	0	8,000.00	POSI	-	-	Initially paid 16.08.07
06/01232/FUL	Rectory Farm, Scrayingham	JP Wild Milner Farms Ltd	12,000.00	0	12,000.00	POSI	-	-	08/12/21

Planning Ref.	Site Address	Owner/ Developer	Balance at 01.04.2020 (£)	Money Spent	Balance at 31.03.2021 (£)	Commutated Sums Type	Spending split	Spending notes	Repayment Information
07/01109/FUL	Land at the Garage Wintringham	CT and S Yates and Sturdy Ltd	2,598.40	2,600	-1.6	POSI			Initially paid 13/10/2011
10/00977/MFUL	Cheesecake Farm, Beverley Road Norton	Jon Fields and others and Shepherd homes ltd	53,691.88	0	53,691.88	POSI		-	27/03/2012 £1500 15/07/14 344732.88
12/00618/MFUL	East Side of High Street, Slingsby	Mandale Homes	10,000.00	0	10,000.00	POSI		Contribution for land & buildings on the east side of High Street, Slingsby	08/05/2022 (5yrs)
13/00005/FUL	Land at Westfield Nurseries	Persimmon Homes	12,145.57	10539	£1,607	POSI	-	This money was the final 50% towards bowling club at Norton, for bowling rink improvements.	31.08.21
13/00582/MFUL	Land at site of Former North Riding Garage, Eastgate, Pickering	McCarthy & Stone	4365	0	£4,365	Public Open Space Improvement (POSI)		-	11.6.2025
14/00426- 429/MOUTE	Land at Pasture Lane, Malton (Showfield site)	Linden Homes	107,706.00	0	107,706.00	POSI		-	03/05/2023 (5 yrs)
14/00980/FUL	Ryelands Care Home, Thornton le Dale	W & W Estates (Thornton Dale)	3,104.00	0	3,104.00	POSI	-	-	NA

Planning Ref.	Site Address	Owner/ Developer	Balance at 01.04.2020 (£)	Money Spent	Balance at 31.03.2021 (£)	Commutated Sums Type	Spending split	Spending notes	Repayment Information
15/00710/FUL	South Holme Slingsby	Charles and Clare Saggars	2,642.50	0	2,642.50	POSI	-	-	Within 5 years of receipt of payment
12/00618/MFUL	Land at East End, Ampleforth	GEM Construction	15,250.00	7,104.19	8,145.81	POSI	<b>2,424.00, 1,106.19, 3574.00</b>	<p>£2,424.00 was the final payment made to Ampleforth Parish Council for refurbishment of millennium green. This was the last payment for the scheme.</p> <p>£1,106.19 was the first payment to Ampleforth village hall for equipment and improvements for the village halls outdoor space.</p> <p>£3,574.00 was the first payment towards a community grants scheme for equipment and landscaping at Ampleforth Playfield.</p>	19/06/2022 (5yrs)
15/01214/FUL	Building adjacent to Brinkburn Barn, Brookside, Hovingham	W Worlsey/	2,518.00	0	2,518.00	POSM	-	-	04/03/24
11/00107/EXTM	Land to the South of Pasture Lane Hovingham	Inside Land (Midland) Ltd	1,197.83	0	1,197.83	POSI	-	-	
<b>Totals</b>			<b>288,676.04</b>		<b>250,040.64</b>				

Two payments were received for public open space improvements within this monitoring period:

£30,000.00 – 04/00292/MREM, Fox Oak Properties Ltd, Preston Hill Lane between Back Lane and Main Street Leavening.

£27,444.00 – 15/00098/MOUT, Keepmoat Homes, Land off Langton Road Norton.

Bring the new total public open space maintenance/ improvements commuted sums held by RDC balanced carried forward to: £307,484.64

The below table sets out the Sports and Leisure Facilities contributions in the same way as the previous table, including all spend within the monitoring period. There was no Sports and Leisure facilities commuted sums received within the monitoring period.

Planning Ref.	Site Address	Owner / Developer	Balance at 01.04.2021 (£)	Money Spent	Balance at 31.03.2022 (£)	Commutated Sums Type	Spending notes	Repayment Information
10/00899/MOUT	Land to North of Broughton Road, Malton	Taylor Wimpey UK Ltd	70,226.00	48,968.00	21,258.00	Sport and leisure facilities	This money was sent to Malton Sports Centre to contribute towards a new fitness suite.	17/01/2022
13/00005/FUL	Land at Westfield Nurseries, Scarborough Road, Norton	Persimmon Homes	2,156.00	1,032.00	1,124.00	Sport and leisure facilities	Part of the sports centre fitness suite (totalling £50,000 overall)	
10/00899/MOUT	Land to North of Broughton Road, Malton	Taylor Wimpey UK Ltd	27,395.00	2,182	25,213	Sports and leisure facilities	This was the final payment towards tennis court refurbishment made to Amotherby Parish.	
12/00618/MFUL	Land at station Road, Ampleforth	BDW Trading Ltd	1,429.00	0	1,429.00	Sports and leisure	-	Initially paid 09.09.2016
11/01233/MOUT	Land to the West of station Road Nawton Helmsley	Ambleside property development	363.2	0	363.2	Sports and Leisure	-	Initially paid 13/10/14
02/0092/REM	White House Farm Foxholes	A Hartley	66	0	66	Sports and Leisure	-	Initially paid 03/02/06
			<b>101635.20</b>	<b>52,182.00</b>	<b>49,453.20</b>			

## The Community Infrastructure Levy (CIL)

The 2008 Planning Act made provision that most financial contributions could be secured by the Community Infrastructure Levy (CIL). It was the government's intention at the time that this would become the usual means of securing funding for off-site infrastructure, excluding affordable housing. This general intention has not changed and may be expanded in due course. It would also allow the pooling of contributions (in a manner not previously permitted by s.106 agreements) over a wide geographic coverage (rather than only to the town/parish where the development which generated the funds was sited).

Ryedale District Council is a CIL charging Authority and adopted their charging schedule in January 2016 to commence charging 1 March 2016. It only covers new market housing (subject to any exemptions which may be applicable) and certain types of retail development (Supermarkets). As such, CIL is only collected for certain types of development, and effectively is a land charge which is payable upon commencement of the development, subject to any phasing/instalment policy and any possible exemptions, such as self-build or affordable housing relief.

CIL rates must be set out via a published charging schedule. The Council's charging schedule was adopted in January 2016 with effect from 1 March 2016. Further information can be found on our [community infrastructure levy web page](#).

Unlike s.106 agreements, CIL monies are not geographically tied nor tied to specific uses, but a proportion (15%) per scheme contribution is distributed to the Town and Parish Councils for local groups to use for delivery and enhancement of infrastructure in their areas. This proportion rises to 25% if the Parish or Town Council of that area have an adopted Neighbourhood Plan. At the present time no Neighbourhood Plans are adopted within the Ryedale District. However, the settlements of Malton and Norton are committed to preparing a Neighbourhood Plan, and were well advanced in preparation, until they decided to go back and revisit the plan.

In contrast to S.106 contributions, CIL is intended to fund more generalised, and often strategic infrastructure requirements across the district in order to support new development. It is a mechanism to secure financial contributions from developers on certain viable developments. CIL monies can be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area.

At the time of adoption, and until the 2019 Regulations, the Council was required to prepare a list of projects or types of infrastructure that it intends will be or may be wholly or partly funded by CIL. It was known as a Regulation 123 List. This list of infrastructure requirements has now been in effect superseded by the requirements for annual Infrastructure Funding Statements. The purpose of collecting CIL is to ensure that infrastructure is put in place to support planned growth. The 123 List represented the potential key infrastructure requirements established as part of the Ryedale Plan, which is the currently adopted Development Plan.

However not all elements of the 123 list will be able to be delivered through CIL, as there is a limit to how much CIL can be achieved from the levels of qualifying development proposed. Therefore, the inclusion of a project or type of infrastructure on this list did not signify a commitment from the District Council to fund, either in whole or in part, all the projects or types of infrastructure listed through CIL. Nor does the list imply any order of preference or weighting of one project or type of infrastructure against another. This was for a specific reason: The Ryedale Plan was produced in stages, with CIL being adopted between the strategic policy choices in the Local Plan Strategy and the site allocations in the Local Plan Sites Document. It was therefore developed in conjunction with infrastructure delivery partners such as NYCC (The County Council in its capacity as Local Highway Authority and Local Education Authority).

In 2012 one of the key strategic pieces of infrastructure was completed to support growth of the towns of Malton and Norton. The extension of an existing junction of the A64 Trunk Road at Brambling Fields, close to Norton to provide a fully Grade Separated Junction to provide access to Norton from the west and to help redistribute some of the traffic which passes through the Town Centres.

The site allocations were adopted in 2019, and it was at this point that key strategic infrastructural requirements were established. This was possible as the size and relative location of sites was known to established infrastructure and general capacity. Some sites will be, commensurate with their size, be providing on-site open space and recreation, and their highway infrastructure.

Regulation 123 List as originally presented:

Type of Infrastructure	Location	Requirement
Education	Malton and Norton	Provision of a new primary school in Malton Provision of a new primary school in Norton Provision of additional secondary school capacity required as a result of new development
Education	Pickering	Provision of a new primary school Provision of additional secondary school capacity required as a result of new development
Education	Kirkbymoorside	Provision of additional primary school places required as a result of new development
Education	Helmsley	Provision of additional primary school places required as a result of new development
Education	Amotherby; Ampleforth; Staxton; Sherburn; Thornton-Le-Dale	Provision of additional primary school places required as a result of new development
Transport and Highway Network	Malton and Norton	Junction improvements required to mitigate the impact of planned development Improvements to the Bus/Rail Interchange Improvements to the Footpath and Cycle Network and facilities Public realm improvements
Transport and Highway Network	Pickering	Junction improvements required to mitigate the impact of planned development Improvements to the Footpath and Cycle Network and facilities Public realm improvements Additional visitor car parking required as a result of new development
Transport and Highway Network	Kirkbymoorside	Junction improvements required to mitigate the impact of planned development Improvements to the Footpath and Cycle Network and facilities
Transport and Highway Network	Helmsley	Improvements to the Footpath and Cycle Network and facilities
Transport and Highway Network	Service Villages	Improvements to the Footpath and Cycle Network and facilities
Communications	District-Wide	Broad band roll out – additional points of presence through NYNET network

Type of Infrastructure	Location	Requirement
Open Space, Recreation Provision, Green Infrastructure and Burial Space	Malton and Norton	Additional open space and recreations space across a range of typologies required to address deficiencies arising from planned growth Additional burial capacity Refurbishment of the Milton Rooms for mixed community uses
Open Space, Recreation Provision, Green Infrastructure and Burial Space	Pickering	Additional open space and recreations space across a range of typologies required to address deficiencies arising from planned growth Additional burial capacity
Open Space, Recreation Provision, Green Infrastructure and Burial Space	Kirkbymoorside	Additional open space and recreations space across a range of typologies required to address deficiencies arising from planned growth Additional burial capacity
Open Space, Recreation Provision, Green Infrastructure and Burial Space	Helmsley	Additional open space and recreation space across a range of typologies required to address deficiencies arising from planned growth
Open Space, Recreation Provision, Green Infrastructure and Burial Space	Service Villages	Additional children and young people play space and village amenity space required to address deficiencies arising from planned growth.
Flood Defences	Malton and Norton	Maintenance and enhancement of the Malton and Norton Flood Alleviation Scheme
Flood Defences	Pickering	Slowing the Flow Project – maintenance and enhancement of bunds and engineered structures

In relation to open space the allocations have sought to identify on-site formal children's play space in conjunction with the development, in relation to the allocations at Norton (SD3), Pickering (SD6) and Amotherby (SD10).

CIL expenditure through the relevant local parishes has contributed to additional play area infrastructure in both Sherburn and Helmsley. In Pickering the Town Council allocated approximately £20,000 of CIL funds towards an outdoor gym.

No funding issues have been identified concerning flood defence infrastructure.

Where highways infrastructure improvements have been implemented, they are provided through the s.106 or s.278 process.

It is important to be aware that Members have not made any allocations at this stage and so have not made any decisions on the precise spending of CIL Monies.



The work undertaken to evidence delivery of the allocations (and the Ryedale Plan as a whole) has identified that the key infrastructure requirement would be concerning primary school provision, and that based on housing delivery at Malton and Norton. A site would be required to deliver a new primary school in either settlement, depending on where the allocation is made.

This site for a school has been identified and allocated in the Development Plan as part of a housing allocation in Norton (SD3).

The value of the land (educational value) will be a payment in kind and so any CIL payment will factor this in. Collated CIL funds will be utilised to help deliver the school. It is also not formally established what funding regimes will be available from Central Government.

At the time of writing this IFS, a planning application for the Norton allocation site SD3, known as Land Adjacent to Norton Lodge, Beverley Road is currently under consideration. It is expected that work with NYCC, the Developer and the LPA will be taking place during the course of the application to establish the funding framework which will inform any decisions around the timing and allocation of CIL funds. Based on the initial submission information for the scheme, the proposal is set to be CIL liable for roughly £2.3 million, subject to permission being granted and any revisions made to the scheme.

The planning application has been defined as a hybrid application and contains a number of elements including full permission for 672 dwellings and outline planning permission for the erection of a primary school. Should the scheme gain approval, it is anticipated that a large proportion of the CIL money held by the Council will contribute towards the school's construction costs. Officers have also been made aware of other infrastructure projects which has sought funding from CIL funds.

Within this monitoring period Members have not yet established how the CIL funding will be spent, but there is a clear understanding that Members would like to make decisions for allocating funds prior to LGR taking place on 1 April 2023. This will be reported in the following years' IFS.

National guidance suggests that councils should consider reporting on estimated future income where possible. The Council will look at incorporating forecasting of developer contributions within future versions of the IFS, although this is difficult until a planning application is approved- but where sites are allocated in a development plan an indication of CIL can be made- and this has been set out concerning the key allocation SD3 at Norton.

## Community Infrastructure Levy Reporting

The total CIL receipts for the reported year 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 totals **£910,261.60**.

The below table sets out each CIL payment made to Ryedale District Council within this period.

Planning Reference	Developer	Development	Town/ Village	Date Received	Total
17/00719/FUL	G and E Benson (Full payment)	8a Valley View	Ampleforth	22.03.2021	£6,375.00
18/01263/FUL	Mr Raines (full amount)	Barn at Garrow Lodge	Ryton	08.04.2021	£13,600.00
19/01192/FUL	Mr Brewis (Full Amount)	Quarry Farm	Norton	14.04.2021	£603.00
19/01180/MFUL	Keepmoat Homes (full amount)	Langton Road	Norton	14.04.2021	£5,345.10
17/00101/FUL	Melverley Ltd (full amount)	6 Market Place	Kirkbymoorside	25.05.2021	£2,720.00
17/01111/FUL	Mr and Mrs Auckland (full Payment)	Land Adj to Stone Gables	Middleton	01.06.2021	£21,675.00
20/00382/73	ZSJ Developments (Full Payment)	Land rear of 44 Scarborough Road	Norton	22.06.2021	£12,600.00
17/01178/FUL	Kristian Strangeway (full payment)	Garages at East Bank	Weaverthorpe	29.06.2021	£3,026.00
19/00692/FUL	Major Property Ltd (1 of 2)	Land East of the Malt Shovel Inn	Hovingham	13.07.2021	£7,905.00
18/00642/FUL	Dane Development Ltd (2 of 2)	Church Farm Westgate	Rillington	19.07.2021	£7,875.00
18/00305/MREM	Vistry Homes Yorks (full payment)	Showfield (Phase 3)	Malton	01.09.2021	£702,695.00
19/00692/FUL	Major Property Ltd (2 of 2)	Land East of the Malt Shovel Inn	Hovingham	29.09.2021	£7,905.00
20/01186/73M (18/01313/MFUL)	Stirling Mortimer (1 of 4)	Land North of Wainds Field	Kirkbymoorside	04.10.2021	£54,931.25
20/01186/73M (18/01313/MFUL)	Stirling Mortimer (2 of 4)	Land North of Wainds Field	Kirkbymoorside	07.01.2022	£54,931.25
19/00109/FUL	Taylor Built Development Limited (2 of 2)	Land adj Church Lane Cottage	Sinnington	23.03.2022	£8,075.00
-	-	-	-	-	<b>£910,261.60</b>

The total CIL expenditure for the reported year:

As previously identified, there has been £0 of expenditure in relation to District Council held Levy. However, a total of **£138,765.60** has been distributed to the associated Parish and Town Councils through the 15% proportion per liable scheme over the monitoring period **1 April 2021 to 31 March 2022**.

The below table sets out Parish and Town Council disbursements taking place throughout this period and a breakdown of what that money has contributed to:

Parish	Planning Reference No	Amount	Date sent	Spent or <i>anticipated spend</i>
Sinnington Parish	19/00109/FUL	<b>£1,211.25</b>	25.06.2021	Part of the CIL funds have been spent on improvements to the village green, including a new additional visitor donations box. The rest of the money has been earmarked for a project to increase the amount of grasscrete area to allow for more visitor parking. It is anticipated that this will be completed next year, in the spring.
Ampleforth Parish	17/00719/FUL	<b>£956.25</b>	25.06.2021	This CIL money was put towards the cost of repairing the road to the village hall, this involved a full road resurface. Before the works the road was in very poor condition and
Pickering Town Council	20/00618/FUL	<b>£25.20</b>	25.06.2021	This CIL money has not yet been spent. Pickering Town Council are currently carrying out consultation exploring the possibility of providing a skate park for Pickering. This would be at least partly CIL funded, although no decision has been made on this yet and this will be discussed further in the New Year. If the project does not go ahead, then the Council may look at other sports provisions for the Community Park and would look at using CIL funding. The Town Council are also continually advertising for grants applications from local organisation where their projects meet CIL criteria.
Norton Town Council	19/01180/MFUL 17/01517/MREM 19/01192/FUL	<b>£801.76</b> <b>£7,369.31</b> <b>£90.45</b>	2.06.2021 20.04.21 20.04.21	The full amount of CIL payments was wholly consumed in the refurbishment of the Norton Skatepark (not inclusive of the half pipe).
Kirkbymoorside Town Council	17/00101/FUL 18/01313/MFUL	<b>£408.00</b> <b>£8239.68</b>	28.06.2021 03.11.2021	The CIL in respect of development at Wainds Field Planning Application 18/01313/MFUL amounts to £32,958.75. To date the Town Council have allocated £20,048.34 and there is a balance remaining of £12,910.41 to be paid to the Town Council. The funds have been allocated to costs associated with commissioning of a Natural Flood Management Feasibility Assessment for Kirkbymoorside catchment, the refurbishment of all public seats and benches throughout the town, including the oak leaf table and seats at Ryedale View play area, the purchase of tree planters installed on Market Place, and replacement play equipment at Old Road play area. Other anticipated sending projects are likely to be associated with the purchase and installation of additional play equipment at Old Road play area and purchase and installation of structures (signage and sculptures) at The Pound in Manor Vale to signify the historic significance of the site.
Middleton Parish	17/01111/FUL	<b>£3251.25</b>	28.06.2021	The CIL has not yet been spent. The parish have no major infrastructure plans for it now, however, they have allocated some of it for parish maintenance to improve the general parish environment, items such as signs, greens, seating, etc.

Parish	Planning Reference No	Amount	Date sent	Spent or <i>anticipated spend</i>
Rillington Parish	20/00382/73 18/00642/FUL 18/00642/FUL 19/00242/FUL	<b>£1,890.00</b> <b>£1,181.25</b> <b>£1,181.25</b> <b>£1,890.00</b>	28.06.2021 03.11.2021 03.11.2021 03.11.2021	This money generated through CIL has been earmarked towards the cost of providing a war memorial for Rillington, a settlement that does not currently have one. Work on developing this project has been seriously delayed due to Covid 19 lockdown measures, and only now is this project gaining momentum. So far only £1250 has been spent on an architect in developing potential designs for local consultation. This project has a long way to run and will be some time before it comes to fruition. The balance of the CIL funding has been ring fenced for this project for use at the relevant time. It is expected that further funding will be required to fully fund and complete this project, with options currently under development.
Weaverthorpe Parish	17/01178/FUL	<b>£453.90</b>	03.11.2021	The money has been put towards replacing the fencing on the village green.
Hovingham Parish	19/00692/FUL	<b>£2,371.50</b>	03.11.2021	The full CIL money was allocated to Hovingham Playground as part of the cost of replacing the popular fort equipment which has reached the end of its life. The project is not yet completed but due to be finished by the end of the year.
Malton	18/00305/MREM	<b>£105,404.35</b>	03.11.2021	Malton Town Council have spent a small proportion of the CIL total allocated to them on repairs to Malton Cemetery. The works included updating the shed, adding a concrete pump, a chapel trestle, updating the onsite workshop and repairs to the entrance gates at the Pasture Lane entrance. The total works cost approximately £8300. The Town Council still hold approximately £90,000.00 to spend on infrastructure projects. No decisions have been made yet on how this money will be allotted.
Great Habton Parish (Ryton)	18/01263/FUL	<b>£2,040.00</b>	03.11.2021	The CIL money has not yet been spent. The Parish is awaiting highways approval for a noticeboard for Ryton, and pedestrian warning signs into Habton for traffic on the blind bend.
-	-	<b>£138,765.60</b>	-	-

The previous total for CIL expenditure (based purely on funds returned to Parish and Town Councils) totalled £385,134.31. With the inclusion of the £138,765.60 distributed to parish and town councils in this monitoring year the new overall total for expenditure of CIL is £544,643.75.

#### **The items of infrastructure to which CIL has been applied:**

None in 2021/22 for the District Council but see list above for neighbourhood CIL expenditure.

**The amount of CIL expenditure on each item:**

None in 2021/22 for the District Council but see list above for neighbourhood CIL expenditure.

**The amount of CIL applied to repay money borrowed, including any interest, with details of the infrastructure items which that money was used to provide (wholly or in part):**

£0

**The amount of CIL applied to administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation:**

0%

**The total amount of CIL receipts retained at the end of the reported year (31 March 2022):**

The total CIL payments received up to 31<sup>st</sup> March 2021 was £2,651,547.40

Adding to it the total received within this monitoring year (£910,261.60), the total received in CIL by 31<sup>st</sup> March 2022 was £3,561,809.00

Total Parish payments up to 31 March 2022: £523,899.91

Therefore, including this year's figure, the new total retained is **£3,037,909.10**