

# **Annual Infrastructure Funding Statement**

For

Community Infrastructure Levy and Section 106

Reporting Period:

From 01 April 2024 to 31 March 2025

Published December 2025

# Introduction

## **Liam Montgomery - Divisional Director, Place Strategy**

Torbay is going through an exciting period of regeneration, with a number of Council led schemes progressing. Government investment has continued, and private sector interest has been secured for the growth and aspirational plans of the Council and our Community. The delivery of those plans and ensuring that the major projects and investment knit together and enhance our lives, built and natural environment in line with our Community & Corporate plan, will require additional investment.

In addition to our own direct resources, the Council continues to seek developer contributions through Section 106 Agreements and Community Infrastructure Levy (CIL) payments, to support that delivery. It is therefore more critical than ever that those payments are secured, monitored and used in the most effective manner. The successful implementation of the Exacom Obligations Suite back-office system and the continued excellent work of the Infrastructure Programme Officer and CIL & Section 106 Officer, are fundamental in ensuring there is a tight grip on Section 106 & CIL payments and expenditure.

Due to our 100% coverage of Neighbourhood Plans across Torbay, the CIL Neighbourhood Proportion monies (25% of the CIL monies collected) are being allocated to Brixham Town Council directly and through the CIL Spend panel, to community-led projects across Torquay and Paignton. Many schemes have been funded, implemented and documented and the details can be seen on the Exacom Public Facing Module.

[Torbay Council PFM - Home](#)

## Community Infrastructure Levy Matters

### Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 1

- a) The total value of demand notices issued in the reported period is £333,848.74.  
This value is of demand notices issued within the reported period that have not been suspended or superseded by new demand notices outside of the reported period.

Of total value the amount from Liability Notices (liable floorspace after any relief that has been granted) is £333,848.74. The total value is from surcharges imposed due to breaches of the Community Infrastructure Levy Regulations is £0.00 and the total value of the late payment interest accrued is £0.00.

- b) The total amount of CIL collected within the reported period totals £778,023.37.
- c) The amount of CIL collected prior to the reported period totals £1,991,837.90. Of this total the following amount was collected in Cash and as Land Transactions (including payments in kind and infrastructure payments) and the following amounts remain unallocated:

Type	Received	Unallocated
<b>Cash</b>	£1,991,837.90	£0.00
<b>Land Payment</b>	£0.00	£0.00

- d) The total amount of CIL collected prior to the reported period allocated in the reported period in relation to cash received is £1,753,342.13 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>	£38,901.16
<b>Neighbourhood CIL</b>	£108,145.45
<b>CIL Land Payments</b>	£0.00
<b>Other CIL Cash</b>	£320,366.21
<b>Total Value</b>	£467,412.82

- f) The total amount of CIL allocated and not spent during the reported period is as follows, this does not include allocations made within the reported year that have been fully spent:

Type	Allocated	Spent	Remaining
<b>Admin CIL</b>	£38,901.16	£38,901.16	£0.00
<b>Neighbourhood CIL</b>	£108,145.45	£108,145.45	£0.00
<b>CIL Land Payments</b>	£0.00	£0.00	£0.00
<b>Other CIL Cash</b>	£544,616.37	£320,366.21	£224,250.16

- g) i) The items of infrastructure on which CIL (including land payments) has been spent within the reported year, and the amount of CIL spent on each item is as follows:

Infrastructure	Date	Amount	Description
<b>Strategic Infrastructure Capital Project</b>	31 March 2025	£320,366.21	Capital Projects

Of this money spent within the reported year, the number of affordable housing units provisioned via the spend of CIL money is 0.

Of this money spent within the reported year, the following number of education places have been provisioned:

Education Type	Number of school places
<b>N/A</b>	N/A

- 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:

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

- iii) The amount of CIL collected towards administration expenses is £38,901.17. This was 5% of the total CIL receipts collected (£778,023.37) in the reported period.

Torbay Council has set a collection percentage of 5.00%. The percentage taken may differ due to Land payments (including payments in kind and infrastructure payments) not being allocated to administration expenses and Surcharges not being split with Neighbourhood Areas.

The amount of CIL spent on administration expenses during the reported year was £38,901.16. This was 5% of the total CIL collected within the reported year.

- h) Regarding CIL collected and allocated within the reported year that has not been spent, summary details of what has been allocated, is remaining to be spent and what it has been allocated towards is as follows:

Infrastructure	Amount Allocated	Amount Unspent	Allocation Dated
<b>Berry Head Mitigation</b>	£77,825.69	£77,825.69	28 June 2024 to 31 March 2025
<b>Employment Growth in Torbay</b>	£146,424.47	£146,424.47	14 April 2024

- i) i) The total amount of CIL passed to a neighbourhood zone under Regulation 59A (collected on behalf of the neighbourhood zone in cash), cash collected and allocated towards Neighbourhood CIL, and 59B (cash provided by the Charging Authority to

Neighbourhood Zones equivalent to what they would have received on a payment in kind), are as follows:

Zone	Date	Amount Passed
<b>Brixham Peninsula</b>	14 May 2024	£5,111.94
<b>Paignton</b>	09 August 2024	£25,000.00
<b>Paignton</b>	16 December 2024	£20,000.00
<b>Torquay</b>	31 May 2024	£20,398.51
<b>Torquay</b>	17 October 2024	£25,000.00
<b>Torquay</b>	05 December 2024	£5,850.00
<b>Torquay</b>	05 December 2024	£6,785.00

The following amounts were allocated towards neighbourhood zones under Regulation 59B, cash provided by the Charging Authority to Neighbourhood Zones equivalent to what they would have received on a payment in kind, during the reported year:

Zone	Amount	Date	Re-allocated from
<b>N/A</b>	N/A	N/A	N/A

ii) The following spends within the reported year have been passed to a third party to spend on the provision, improvement, replacement, operation or maintenance of infrastructure under Regulation 59(4):

Infrastructure	Amount	Date	Spend Description
<b>Anstey's Cove: Essential repairs and maintenance to access</b>	£20,398.51	15 May 2024	Essential Repairs
<b>Grass Cricket Facility for Paignton Cricket Club</b>	£25,000.00	19 August 2024	New Grass Cricket Facility to include netting, scoreboard, mower and covers.
<b>Community Sport Health and Wellbeing Hub Barton Cricket Club</b>	£25,000.00	17 October 2024	Seed funding for main building work
<b>Bringing Families Together</b>	£6,785.00	15 January 2025	For Turning Heads for works at Gino's Café to make a social café.
<b>BMX Track Remedial Work at Peoples Parkfield</b>	£20,000.00	17 December 2024	BMX Track remedial work
<b>Maidencombe Beach Access</b>	£5,850.00	17 December 2024	Handrails for upper steps and slope
<b>Brixham Town Council I</b>	£5,111.94	14 May 2024	3 Display Boards

- j) i) The total collected by Torbay Council for the reported year under Regulation 59E (CIL returned to the Charging Authority after 5 years if not spent) was £0.00 and under Regulation 59F, CIL collected and retained by the Charging Authority for areas that are not designated Neighbourhood Zones, was £194,505.84.

ii) The amount of CIL allocated during the reported year under Regulation 59E, CIL returned to the Charging Authority that had been passed to a Neighbourhood Zone and had not been applied to infrastructure after a 5-year period, during the reported year is as follows:

Infrastructure	Neighbourhood Zone	Amount	Date
N/A	N/A	N/A	N/A

The amount of CIL spent under Regulation 59E during the reported year is as follows:

Infrastructure	Amount	Date	Spend Description
N/A	N/A	N/A	N/A

The amount of CIL allocated during the reported year under Regulation 59F during the reported year is as follows:

Infrastructure	Neighbourhood Zone	Amount	Date
N/A	N/A	N/A	N/A

The amount of CIL spent under Regulation 59F during the reported year is as follows:

Infrastructure	Amount	Date	Spend Description
N/A	N/A	N/A	N/A

- k) i) The amount of CIL requested under Regulation 59E for the reported year is as follows per neighbourhood zone:

Neighbourhood Zone	Amount Requested
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ii) The amount of CIL still outstanding for recovery under Regulation 59E at the end of the reported year for all years is as follows for each neighbourhood zone:

Neighbourhood Zone	Amount Outstanding
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- l) i) The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, for the reported year and that had not been spent is £224,250.15.

ii) The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, from 01 June 2017 to the end of the reported year that had not been spent is £366,122.17.

iii) The amount CIL collected and that had not been spent under Regulations 59E and 59F during the reported year are as follows:

Type	Retained
Regulation 59E	£0.00

Type	Retained
<b>Regulation 59F</b>	£86,360.39

iv) The amount of CIL collected from 01 June 2017 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>	£324,856.15

## Section 106 Matters

### Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A 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 £929,557.90. This figure does not consider indexation (inflation/deflation) that may be applied when the money becomes due.
- b) The total amount of money received from planning obligations during the reported year was £1,697,190.46.
- c) The total amount of money received prior to the reported year that has not been allocated is £50,589.87.
- 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 as on-site provision agreed under planning obligations is 0.

The total number of affordable housing units to be provided by S106 off site funding allocations made within the reported period is 0.

- ii) The following education provisions have been agreed under S106 agreements:

Education Type	Number of school places
N/A	N/A

In line with the description of the s106 educational contribution, the monies received have been spent on enhancing the education provision in Torbay. Specifically in the Paignton area to ensure that sufficient good quality provision is available to meet demand; here funding has been used to address site, premises and safeguarding issues in a local school.

The following education provisions have been funded by offsite S106 and other funding sources allocated during the reported year:

Education Type	Number of school places
N/A	N/A

Summary details of all non-monetary obligations agreed within the reported year are as follows:

Covenant Type/Service	Deed Date	Clause	Planning Application
N/A	N/A	N/A	N/A



- e) The total amount of money from planning obligations allocated towards infrastructure during the reported year was £1,836,618.25. Of this amount £1,601,323.62 was not spent during the reported year.
- f) The total amount of money from planning obligations spent during the reported year was £542,063.15. Of this amount £277,285.61 was spent by a third party on behalf of Torbay Council.
- g) The following items have had money allocated towards them during the reported year with unspent allocations:

<b>Infrastructure</b>	<b>Allocated</b>	<b>Date Allocated</b>	<b>Unspent</b>
<b>Berry Head Mitigation</b>	£9,710.10	28 June 2024 to 31 March 2025	£9,710.10
<b>Brixham Bus Service Subsidy</b>	£20,045.52	29 April 2024	£20,045.52
<b>Collaton TRO</b>	£8,000.00	11 November 2024	£8,000.00
<b>Paignton and Preston Promenade Regeneration</b>	£39,985.40	18 April 2024	£39,985.40
<b>Flood Alleviation Scheme</b>	£87,698.23	27 August 2024	£87,698.23
<b>Affordable Housing Scheme</b>	£772,500.00	15 August 2024	£772,500.00
<b>Car Parks Project</b>	£57,022.72	21 October 2024	£57,022.72
<b>Improvement Works Totnes Road</b>	£161,830.00	27 August 2024 to 07 October 2024	£161,830.00
<b>Lifelong Learning I</b>	£102,680.46	15 August 2024 to 16 January 2025	£102,680.46
<b>Clennon Valley Walk/Cycle Route Phase 2 and 3</b>	£59,940.00	18 March 2025	£59,940.00
<b>Abbey Sands to the Pavilion</b>	£24,930.00	15 August 2024	£24,930.00
<b>Paignton Bus Service Subsidy</b>	£6,666.67	21 January 2025	£6,666.67
<b>Torre Valley North Modular Unit</b>	£26,680.66	18 March 2025	£26,680.66
<b>Replacement Tree Planting Green Infrastructure</b>	£434.90	31 October 2024	£434.90
<b>Torbay Waste and Recycling Improvement Project</b>	£792.00	07 June 2024	£792.00
<b>Churston Library Open Access</b>	£22,175.66	12 February 2025	£22,175.66
<b>Street Warden PPE</b>	£1,620.00	15 August 2024	£1,620.00
<b>CCTV Camera Paignton</b>	£5,094.90	21 October 2024	£5,094.90
<b>Princess Gardens Conservation Area Funding</b>	£30,000.00	15 July 2024	£30,000.00

Infrastructure	Allocated	Date Allocated	Unspent
<b>The Creation of Employment</b>	£135,000.00	18 March 2025	£135,000.00
<b>Refurbishment of Changing Facilities at Armada Park</b>	£19,410.00	15 August 2024	£19,410.00
<b>Recycling Centre Metal Steps</b>	£9,106.40	15 August 2024 to 18 March 2025	£9,106.40

h) In relation to money which was spent by Torbay Council during the reported year:

i) The items of infrastructure that planning obligation money has been spent on and the amount spent are as follows:

Infrastructure	Spent	Date Spent	Spend Description
<b>Clennon Valley Walk/Cycle Route Phase 1</b>	£13,410.70	31 March 2020 to 13 September 2024	Professional design fees & contractual costs
<b>Brixham Bus Service Subsidy</b>	£35,936.43	31 March 2023 to 23 October 2025	Saturday's Service 15.
<b>Torquay Bus Service Subsidy</b>	£3,333.33	31 March 2024 to 24 June 2025	Service 65
<b>Velopark Cycle Apron improvements</b>	£1,919.00	15 July 2024	Velopark improvements *Includes Third Party spending
<b>Bikeability</b>	£15,000.31	15 July 2024	Bikeability *Includes Third Party spending
<b>Zero Emission Busses</b>	£166,396.71	31 May 2024	Zero Emission Busses
<b>Changing Room Refurbishment at Windmill Hill</b>	£9,975.00	25 September 2024	*Includes Third Party spending
<b>Refurbishment of the Torquay War Memorial</b>	£30,221.07	08 November 2024 to 26 March 2025	Scaffolding and pre-survey work. Cleaning & repairing the stonework, metalwork & gilding work. Amendments to the lettering and additional works to the skyward plaques.
<b>Compass House Surgery Extension</b>	£250,391.30	15 August 2024 to 15 August 2025	*Includes Third Party spending
<b>Berry Head Hotel HRA Mitigation</b>	£275.00	21 February 2025	Installed a 'Coast path' sign

Infrastructure	Spent	Date Spent	Spend Description
<b>Lucius Street Zebra Crossing Refurbishment</b>	£10,585.00	09 December 2024	New posts installed along with floodlights & beacons
<b>Woodville Road Footpath Improvements</b>	£1,437.51	20 February 2025	Footpath improvements at junctions with Woodville Rd, Ellacombe.
<b>Waterside Road Lighting</b>	£540.00	17 March 2025	New LED lanterns
<b>Centenary Way Restrictions</b>	£2,641.79	19 March 2025	TRO, Advert, Design, Lining works, construction

ii) The amount of planning obligation money spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide are as follows:

Date	Amount Used	Loan/Interest	Infrastructure Funded
N/A	N/A	N/A	N/A

iii) The amount of planning obligation money spent in respect of administration of planning obligations and monitoring in relation to the delivery of planning obligations during the reported year was £0.00.

i) The total amount of money retained at the end of the reported year is £4,722,371.09. Of this amount retained an amount of £0.00 has been retained for long term maintenance. Please see the below table for a breakdown of the retained maintenance amount.

Description	Amount
<b>Total collected for long term maintenance</b>	£119,829.35
<b>Total allocated towards maintenance</b>	£119,829.35
<b>Total spent on maintenance</b>	£119,829.35

**Section 278 Matters**  
**Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule**  
**2 Section 4**

Click on this link to access the agreements entered into during the reported year in respect to Highways Agreements under Section 278 of the Highways Act 1980:

<https://www.torbay.gov.uk/roads/highway-maintenance/road-adoption/torquay-road-agreements/>

The financial values of these are not included in the matters under **Schedule 2 Section 3** of this report.