



**Corporate Policy &
Resources Committee**

**Thursday 11th November
2021**

Subject: Annual Infrastructure Funding Statement

Report by:	Assistant Director of Planning and Regeneration
Contact Officer:	Rachael Hughes Head of Policy and Strategy rachael.hughes@west-lindsey.gov.uk
Purpose / Summary:	To provide a summary of financial contributions the Council has secured through section 106 agreements and Community Infrastructure Levy receipts, collectively known as developer contributions, from new developments for the provision of infrastructure and affordable housing within the financial period 2020/21.

RECOMMENDATION(S):

- 1. Members accept the content of the Infrastructure Funding Statement, found in appendix 1 of this report, for publication by 31 December 2021.**
- 2. Members resolve to receive future versions, for information only, through the Members Newsletter.**

IMPLICATIONS

Legal:

The Council has a statutory duty to prepare an Infrastructure Funding Statement further to the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 annually between 2nd to 31st December. The recommendations in this report comply with this statutory duty.

Financial :**FIN REF: FIN/96/22/JA/MT**

There are no specific financial implications for this report as the report presents details of transactional activities in relation to S106 and CIL monies secured, collected and spent as detailed within the financial ledger.

However monies held are invested as part of our Treasury Management function and will generate a small return.

Full details are contained within Appendix 1.

S106 Summary

	2019/20 CF (£)	Additions 2020/21 (£)	Internal Interest (£)	Spent 2020/21 (£)	2020/21 CF (£)
Affordable Housing	£1,898,157.21	£1,889,835.11	£431.40	£16,828.99	£3,771,594.73
Health	£18,636	£27,232	0	0	£45,868
Public Open Space	£2,500	0	0	0	£2,500
S106 Maintenance	£6,000	0	0	£8,000	-£8,000
Total	£1,925,293	£1,917,067	£431	£24,829	£3,817,963

CIL Summary

	Total Income	Parish Council Collected	WLDC Admin	LCC portion (held in line with MOU)
2018/19	£94,720.00	£14,903.70	£4,736.00	£68,818.14
2019/20	£33,693.06	£5,224.56	£1,684.65	£26,783.85
2020/21	£127,089.64	£25,833.34	£6,165.30	£101,353.16
Total	£255,502.70	£45,961.60	£12,585.95	£196,955.15

Staffing :

N/A

Equality and Diversity including Human Rights :

The collection and subsequent delivery of projects in connection with developer contributions is non-discriminating and is undertaken in line with the CIL Regulations 2010 (as amended) and aligned with evidence based Council wide priorities.

Data Protection Implications :

All information provided within the report is publically available either by request or on the Planning Register.

Climate Related Risks and Opportunities:

As the Infrastructure Funding Statement is a retrospective view on spend against priorities from the previous financial year, there are no immediate risk of conflicting opportunities relating to climate change.

Section 17 Crime and Disorder Considerations:

N/A

Health Implications:

As the Infrastructure Funding Statement is a retrospective view on spend against priorities from the previous financial year, there are no direct health implications derived from this report, however some monies are held for the benefit of the NHS.

Title and Location of any Background Papers used in the preparation of this report :

IFS 2019/20 - <https://www.west-lindsey.gov.uk/my-services/planning-and-building/community-infrastructure-levy-cil/>

S106 Capital Programme Paper 23.09.21 - <https://democracy.west-lindsey.gov.uk/documents/g2918/Public%20reports%20pack%2023rd-Sep-2021%2018.30%20Corporate%20Policy%20and%20Resources%20Committee.pdf?T=10>

Risk Assessment :

N/A

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Introduction

- 1.1 The Infrastructure Funding Statement (IFS) has been brought to committee for information only, this is because whilst the statement doesn't necessarily show anything different to that presented in West Lindsey's financial statements, it does draw the information together in one place and provides members and the public an opportunity to view developer contribution transactions in one specific report promoting greater transparency and understanding of a complex area of work.
- 1.2 It is a requirement of the Community Infrastructure Regulations 2010 (as amended) that each Local Authority publish their IFS for the previous financial year prior to the 31st Dec. As such the Infrastructure Funding Statement for 2020/21 can be found at appendix 1 of this report. .
- 1.3 The IFS also details future spending priorities on infrastructure and affordable housing in line with up-to-date or emerging Local Plan policies. This provides clarity and transparency for communities and developers on the infrastructure and affordable housing that is expected to be delivered. It also provides a useful link back to previous decisions made by members in relation to the Capital Programme and the spending of s106 monies on new housing delivery projects (approved at the last Corporate Policy & Resource committee).
- 1.4 Finally, the IFS provides a summary of what new monies have been secured through s106 agreements and as such may be available for future projects.
- 1.5 The IFS does not include any details in relation to s106 monies for highway improvements or education, this is because LCC is almost always a signatory on s106 agreements and as such monies are paid directly to Lincolnshire County Council (LCC). LCC, under the regulations are also required to produce an IFS, which is also currently underway. A link to this completed document will be provided on the West Lindsey website so that the two documents can be read simultaneously by interested parties.

2. Background

- 2.1 The Community Infrastructure Levy (CIL) is one of the primary mechanisms for collecting financial contributions from new developments, specifically residential and convenience retail over 100m² (supermarkets) to help fund the provision of infrastructure required to support growth within the District.
- 2.2 The Council started charging CIL on all new residential developments receiving planning permission from the 22nd January 2018. The extent of applicable charges by use and geography is set out within the Council's adopted Charging Schedule (www.west-lindsey.gov.uk/CIL).

- 2.3 In addition to CIL, the Council continues to secure affordable housing, site specific infrastructure items, NHS and primary school contributions through the use of legal agreements under Section 106 (S106) of the Town and Country Planning Act 1990 (as amended).
- 2.4 Previously, charging authorities were required to report annually on how much CIL had been received, and how it has been spent; this was known as the Regulation 62 statement.
- 2.5 Regulation 62 reports have been presented to this committee as part of the annual finance report and have detailed CIL monies collected and redistributed. This information remains part of this reporting mechanism. Additionally regulation 123(4) required charging authorities to set out a list of projects or types of infrastructure intended to be funded by CIL.
- 2.6 However, there were a number of issues found in this approach including the level of detail presented by authorities as well as procedural difficulties in relation to delivering infrastructure. As such, the regulations were updated.
- 2.7 As a result, changes to the Regulations implemented through the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 (which came into force on 1 September 2019), each calendar year (between 2nd Dec – 31st Dec) the Council must publish an Infrastructure Funding Statement (IFS) detailing what they have received and spent through CIL and other developer contributions such as s106 agreements, as well as include information for the following year on funding priorities.

3. Summary

- 3.1 Due to a change in regulations, it is a requirement for Local Authorities that collect and spend monies from Developer Contributions to publish an Infrastructure Funding Statement on or before 31st December for the preceding financial year.
- 3.2 An Infrastructure Funding Statement must contain:
 - A report relating to the previous financial year on the Community Infrastructure Levy, Section 106 planning obligations and where appropriate any Section 278 highways agreements. (In a two tier authority information on s278 highway agreements will be detailed within the county council's IFS.
 - A report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partially by the levy (excluding the neighbourhood portion).
- 3.3 West Lindsey District Council's IFS for financial year 2020/21 is attached as an appendix to this report and provides an overview of developer contributions for this period and the previous year for context, meeting the requirement of the regulations.

4. Recommendation

- 4.1 Members accept the content of the Infrastructure Funding Statement, found in appendix 1 of this report, for publication by 31 December 2021.
- 4.2 Members resolve to receive future versions, for information only, through the Members Newsletter.