



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	<b>Cabinet: Wednesday 15 December 2021</b>
Report Number	<b>Agenda Item No. 8</b>
Subject	<b>Infrastructure Funding Statement (IFS)</b>
Wards affected	ALL
Accountable member	Councillor Jeff Haine Cabinet Member for Strategic Planning Email: <a href="mailto:jeff.haine@westoxon.gov.uk">jeff.haine@westoxon.gov.uk</a>
Accountable officer	Chris Hargraves, Planning Policy Manager Tel: 01993 861686; Email: <a href="mailto:Chris.Hargraves@westoxon.gov.uk">Chris.Hargraves@westoxon.gov.uk</a>
Summary/Purpose	To consider and approve the West Oxfordshire Infrastructure Funding Statement (IFS) for 2020/21.
Annex	Annex A - Infrastructure Funding Statement 2020/21
Recommendation	That the Infrastructure Funding Statement (IFS) attached at Annex A to the report be approved and published on the Council's website by 31 December 2021 in accordance with legislative requirements.
Corporate priorities	The main purpose of the Infrastructure Funding Statement (IFS) is to provide greater clarity on the receipt and use of developer contributions including Section 106 planning obligations to fund new and enhanced infrastructure in support of planned growth. As such, the IFS will help to support a number of the aims and objectives of the Council Plan (2020 – 2024).
Key Decision	No
Exempt	No
Consultees/ Consultation	None.

## **I. BACKGROUND**

- 1.1. Following changes to the Community Infrastructure Levy (CIL) Regulations in 2019, local authorities are now required to report on the receipt and use of developer contributions through the publication of an annual Infrastructure Funding Statement (IFS).
- 1.2. The IFS must be published by 31 December each year and cover the previous financial year (1 April - 31 March). Its main purpose is to set out in a transparent manner, future infrastructure requirements and expected costs, contributions received during the previous financial year, anticipated funding from developer contributions (e.g. Section 106 and CIL) and the Council's future spending priorities.
- 1.3. In particular, the IFS must set out:
  - A report relating to the previous financial year on the Community Infrastructure Levy (where CIL is in place);
  - A report relating to the previous financial year on section 106 planning obligations; and
  - A report on the infrastructure projects or types of infrastructure that the Council intends to fund wholly or partly through CIL.
- 1.4. Any authority that receives a contribution from development through CIL or section 106 planning obligations must prepare an IFS. This includes County Councils.
- 1.5. The IFS must be updated annually (although local authorities can produce more regular updates if they wish) and should be published on the Council's website no later than 31st December each year.
- 1.6. The IFS is intended to feed back into Local Plan reviews and effectively replaces previous local authority CIL regulation 123 lists (which set out CIL spending priorities) where these were in place.

## **2. WEST OXFORDSHIRE INFRASTRUCTURE FUNDING STATEMENT 2020/21**

- 2.1. The Council's Infrastructure Funding Statement (IFS) is attached at Annex A and covers the period 1 April 2020 – 31 March 2021.
- 2.2. Section 2 of the IFS provides an overview of future infrastructure needs and costs in West Oxfordshire with reference to a number of sources of information including the district-wide West Oxfordshire Infrastructure Delivery Plan (2016) which was prepared in support of the Local Plan and more recent infrastructure studies that have been prepared for the Eynsham area and Woodstock respectively.
- 2.3. Section 3 reports on S106 planning obligations (agreed, received, spent etc.) in the period 1 April 2020 – 31 March 2021.
- 2.4. Headline figures to note are as follows:
  - £1,671,560 of Section 106 funds were secured/entered into during 2020/21 which included £1,255,800 for affordable housing;
  - £986,491.41 of Section 106 funds were collected by the District Council in 2020/21 of which the majority (£622,936) was collected towards sports, recreation and play facilities, followed by affordable housing (£164,563) public art (£61,652) and contributions towards various enhancements of Kilkenny Lane Country Park (£58,478);
  - £728,626.96 of Section 106 funds were either spent by West Oxfordshire District Council, transferred to Oxfordshire County Council or transferred to the Town/Parish Council;

- £1,706,920.34 of received Section 106 funds were allocated (i.e. committed to a certain project) but not spent in 2020/21;
- A total of £5,797,172.53 has been received from Section 106 funds before 1st April 2021 but has not yet been allocated (i.e. committed to a certain project) by the District Council;
- As of 1<sup>st</sup> April 2021, the District Council held a total of £1,490,105.59 in commuted sums for maintenance.

2.5. Section 4 of the IFS provides a brief update on CIL, explaining that in September 2021, Cabinet agreed to defer further progress towards submission and examination pending the publication of the Government's new Planning Bill.

2.6. As the Planning Bill has been delayed, Officers are continuing to monitor the situation in order to determine whether to proceed to submission and examination.

2.7. Section 5 of the IFS explains the extent of the infrastructure funding gap in West Oxfordshire which is estimated to be in the region of £192.2m - £198m. The extent of the funding gap emphasises the importance of maximising funding from Section 106 planning obligations subject to the relevant statutory tests and potentially CIL subject to any national policy changes and implementation in West Oxfordshire.

2.8. Section 5 also provides an overview of the District Council's future spending priorities with reference to a number of relevant sources including the West Oxfordshire Infrastructure Delivery Plan (2016) and the District Council's draft Developer Contributions Supplementary Planning Document (SPD) which was published for consultation in December 2020.

2.9. Future infrastructure funding will be drawn from a variety of sources including Section 106 legal agreements (planning obligations), CIL (depending on further progress towards adoption) and other potential sources of funding where applicable and available (e.g. from Central Government).

### **3. NEXT STEPS**

3.1. Subject to the approval of Members, the IFS will be published on the District Council's website no later than 31 December in accordance with legislative requirements.

### **4. FINANCIAL IMPLICATIONS**

4.1. The IFS for 2020/21 provides information on monies received and spent in relation to Section 106 planning obligations during the period 1 April 2020 – 31 March 2021. It also provides an overview of future infrastructure needs and costs and the spending priorities of the Council in relation to Section 106 planning obligations and CIL, subject to future implementation.

### **5. LEGAL IMPLICATIONS**

5.1. Publication of the Infrastructure Funding Statement (IFS) is a requirement of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.

5.2. There are potential legal implications if the Council does not fulfil its obligations in respect of Section 106 legal agreements. The preparation of the IFS on an annual basis provides much greater transparency in relation to S106 funds including those which have been received, spent, allocated and not yet allocated or spent.

## **6. RISK ASSESSMENT**

6.1. The report raises no specific risks.

## **7. EQUALITIES IMPACT**

7.1. The report raises no specific implications in respect of equality.

## **8. CLIMATE CHANGE IMPLICATIONS**

8.1. The report raises no specific implications in respect of climate change.

## **9. ALTERNATIVE OPTIONS**

9.1. None. The publication of the IFS is a legislative requirement and its content is dictated by the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019.

## **10. BACKGROUND PAPERS**

10.1. None.