

West Oxfordshire District Council

Infrastructure Funding Statement (IFS)

2022/2023

November 2023



WEST OXFORDSHIRE
DISTRICT COUNCIL

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I. Introduction

- I.1. In order to support planned growth, developers are often asked to make contributions towards new or improved infrastructure (schools, roads etc.). These developer contributions can take a number of different forms but most typically include Section 106 (S106) legal agreements and the Community Infrastructure Levy (CIL).
- I.2. Section 106 agreements often relate to direct provision e.g. a developer agreeing to provide say 40% affordable housing as part of a residential scheme but can also take the form of a financial contribution e.g. where the developer makes a payment towards improving community facilities nearby.
- I.3. The Community Infrastructure Levy (CIL) applies where local authorities have adopted a CIL Charging Schedule and is essentially a fixed financial contribution based on the size of development proposed. Unlike S106 agreements, money received through CIL is not tied to a particular development and can be spent more flexibly on new and enhanced infrastructure across the District.
- I.4. To ensure greater transparency on the receipt and use of developer contributions, in accordance with the CIL Regulations (2019) as amended¹, local authorities are now required to produce an annual Infrastructure Funding Statement (IFS).
- I.5. The main purpose of the IFS is to ‘look back’ over the previous financial year² in terms of Section 106 agreements and CIL monies agreed, received, allocated and spent.
- I.6. The IFS must also ‘look forward’ setting out, where possible, estimated future income from developer contributions along with the Council’s future infrastructure spending priorities.
- I.7. There is no single format for preparing an IFS but, as a minimum, it must include the following information:
 - A report relating to the previous financial year on section 106 planning obligations;
 - A report relating to the previous financial year on the Community Infrastructure Levy (where CIL is in place); and
 - A report on the infrastructure projects or types of infrastructure that the Council intends to fund wholly or partly through CIL.

¹ Regulation 121A

² For this report from the 1st April 2022 – 31st March 2023.

- I.8. This IFS should also be read in conjunction with Oxfordshire County Council's IFS which is available to view separately at <https://www.oxfordshire.gov.uk/>.

2. Infrastructure needs in West Oxfordshire

West Oxfordshire Infrastructure Delivery Plan

- 2.1. The main source of information on infrastructure needs in West Oxfordshire is the District Council's [Infrastructure Delivery Plan \(IDP\) 2016](#).
- 2.2. The IDP identifies the infrastructure that is needed to support housing and employment growth in West Oxfordshire during the Local Plan period 2011 – 2031.
- 2.3. It considers infrastructure needs under three broad categories.
 - **Physical infrastructure** (including transport, water, energy, waste and recycling, minerals and telecommunications);
 - **Social infrastructure** (including education, leisure and sport, health, public safety, community and culture, social care and criminal justice); and
 - **Green infrastructure** (including informal and formal green space, public rights of way, Local Wildlife Sites, Conservation Target Areas etc.)
- 2.4. The IDP includes a schedule of infrastructure projects based on these three main categories. For each project, the schedule provides details of the anticipated costs (where known) expected delivery partners, any funding which has already been secured and how any shortfall is expected to be funded (e.g. S106, CIL).
- 2.5. A number of key projects identified in the IDP have now been completed including Phase 2 of Carterton Leisure Centre, a pedestrian crossing on Bridge Street in Witney and improvements to the Downs Road/A40 junction at Witney.
- 2.6. Others such as the new Eynsham Park and Ride are currently in the process of coming forwards whilst some projects such as the West End Link Road in Witney are expected to come forward in the later period of the Local Plan. A new Infrastructure Delivery Plan/Strategy covering the period up to 2041 will be prepared to inform the new Local Plan.

Eynsham Area Infrastructure Delivery Plan (July 2020)

- 2.7. The West Oxfordshire Local Plan 2031 identifies the provision of around 3,200 new homes to the north and west of Eynsham, the former comprising a new garden village of around 2,200 homes and the latter, a sustainable urban extension of around 1,000 homes (237 of which are already completed/underway).
- 2.8. Delivery of the garden village (now referred to as Salt Cross) is being led by an Area Action Plan (AAP) and West Eynsham through a developer-led masterplan.

- 2.9. An Eynsham Area IDP ([Stage 1 Draft Report, May 2019](#) and [Updated Draft Report, July 2020](#)) has been prepared, forming part of the evidence base for the Salt Cross AAP and helping to inform discussions on future infrastructure provision at West Eynsham.

Woodstock Community and Infrastructure Delivery Plan (2019)

- 2.10. In February 2019 the Blenheim Estate and Woodstock Town Council commissioned Community First Oxfordshire (CFO) to consult the community about the current and future infrastructure needs of Woodstock.
- 2.11. Following extensive consultation during 2019, the findings of the CFO work were launched at community events held in November 2019. Their report can be viewed [online](#) including a series of supporting appendices.
- 2.12. The report will be taken into account in future discussions on potential planning obligations associated with the two allocated sites at Woodstock (Hill Rise and Banbury Road) and will also be taken into account in the review of the West Oxfordshire IDP (2016).

Oxfordshire Infrastructure Strategy (OXIS)

- 2.13. Further information on the future infrastructure requirements associated with planned growth across Oxfordshire is set out in the Oxfordshire Infrastructure Strategy or OXIS. There have been two previous iterations of OXIS in 2017 and 2022 respectively. Further work is also proposed which will be taken into account as part of the preparation of the new Local Plan 2041.

3. Section 106 Planning Obligations

- 3.1. Planning obligations (generally referred to as S106 agreements) are legal obligations entered into in order to mitigate the impacts of a development proposal and make it acceptable in planning terms.
- 3.2. Most often, this will be via a planning agreement under Section 106 of the Town and Country Planning Act 1990 – known as a Section 106 or S106 agreement and will involve both the person with an interest in the land and the Council. It can also be achieved via a unilateral undertaking without the Council’s involvement.
- 3.3. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition or by the use of other statutory controls. They are legally binding and enforceable if planning permission is granted and they are tied to the land.
- 3.4. Importantly, planning obligations must meet three legal tests; they must be:
 - 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.
- 3.5. The District Council has been negotiating, securing and entering into S106 agreements for many years and has used this process to successfully deliver a raft of benefits to West Oxfordshire residents including new affordable housing, highway improvements, pedestrian and cycling routes, leisure and sports facilities, culture and art, primary health care provision and so on.
- 3.6. Set out below is an overview of S106 contributions which have been secured (i.e. formally agreed), collected, spent and allocated during the 2022/23 financial year.

Section 106 contributions secured (formally agreed) in 2022/23

- 3.7. The Council secured a total of **£1,078,895.00** in financial contributions through Section 106 agreements entered into during 2022/23. This sum is broken down in Table 1, which sets out the location of each development and the type of provision/contribution made.
- 3.8. These contributions are expected to come forward in a phased manner and it is important to note that the majority of the contributions will be index-linked and therefore this total should not be taken to be an exact sum that will be received by the District Council.
- 3.9. The Council also secured non-monetary obligations from S106 agreements signed in 2022/23, including on-site affordable housing provision. These are categorised and listed by location in Table 2 and Table 3.

Table 1 – Section 106 funds secured through S106 agreements entered into in 2022/23

Reference	Location	Type	Amount (£)
18/03403/FUL	Olivers Garage, Main Road, Long Hanborough	Affordable Housing	N/A ¹
20/01511/FUL	1 Farley Lane, Stonesfield	Affordable Housing	33,300.00
21/02320/FUL	Land South of Giernalls Road, Hailey	Sports and Recreation	37,510.00
		Village Hall	10,560.00
		Sports Pavilion	5,280.00
21/03405/OUT	Land East of Witney Road, Ducklington	Sports and Leisure	204,600.00
		Capital Infrastructure Improvement	18,061.00
		Countryside Enhancements	18,634.00
22/01330/OUT	Land North of Witney Road, Long Hanborough	Affordable Housing	N/A ¹
		Public Art	15,750.00
		Outdoor Pitch	268,500.00
		GP Services	129,600.00
		Sports Hall	65,165.00
		Swimming Pool	71,935.00
		Long Hanborough Hub	200,000.00 ²
			1,078,895.00

¹ This will only become due if First Homes are sold as market housing. Contribution will depend on the sales value.

² This contribution is to be paid directly to Hanborough Parish Council.

Table 2 – Affordable housing required from S106 planning obligations signed in 2022/23

Reference	Location	Total Units
21/02320/FUL	Land South of Giernalls Road, Hailey	9
21/03405/OUT	Land East of Witney Road, Ducklington	48
21/03716/FUL	Downs Road, Witney	25
21/03720/FUL	44 Common Road, North Leigh	2
22/01330/OUT	Land North of Witney Road, Long Hanborough	75
		159

Table 3 – Non-monetary contributions from S106 planning obligations signed in 2022/23

Reference	Location	Type
21/03405/OUT	Land East of Witney Road, Ducklington	Public Open Space
22/01330/OUT	Land North of Witney Road, Long Hanborough	Allotments
		Biodiversity Plan
		Public Open Space
		Play Space
		8 Self/Custom Build Houses

Section 106 contributions collected in 2022/23

3.10. The Council collected a total of **£2,959,488.61** through Section 106 planning obligations in 2022/23. Table 4 below provides a full breakdown of the contributions.

Table 4 – Section 106 funds collected in 2022/23

Reference	Location	Contribution for	Received (£)
14/0091/P/OP	Land East of Monahan Way, Carterton	Play	535,989.89
		Recycling	48,189.89
15/03165/FUL	Northmoor Park, Church Road, Northmoor	Village Hall	28,363.91
16/01353/OUT	Land between Wychwood House and Malvern Villas, Witney Road, Freeland	Primary Education	222,861.85
16/02369/FUL	Land on Stanton Harcourt Road, Old Station Way, Eynsham	Highway Improvements	177,185.71
		Travel Plan Monitoring	1,666.39
16/03415/OUT	Land East of Mount Owen Road, Bampton	Play	190,491.34
		Sport and Recreation	235,791.21
17/00629/FUL	Land to the Rear of 65 High Street, Standlake	Play and Recreation	11,557.98
		Sport and Recreation	14,306.52
17/01859/OUT	Land South of Burford Road, Minster Lovell	Burial Ground	21,345.57
		Community Facilities	160,091.74
		Public Art	8,516.88
		Ripley Avenue Play Area	37,103.93
		Wash Meadow	4,802.75
		St Kenelms Hall Play Area	5,336.39
17/03509/FUL	12 Corndell Gardens, Witney	Local Primary Care	16,645.87
17/04117/FUL	Land Between Glebe Farm and The Orchard, Hayway Lane, Weald, Bampton	Affordable Housing	32,535.65
18/01517/FUL	Linden House, Kilkenny Lane, Carterton	Play and Recreation	18,475.16
		Public Art	2,786.39
		Sport and Recreation	22,911.16
18/02841/FUL	Land South East of 84 - 86 Grove Road, Bladon	Play and Recreation	12,286.56
		Public Art	2,512.80
		Sport and Recreation	19,608.37
19/02013/FUL	27 Market Square, Witney	Play	11,889.15
		Sport and Recreation	19,439.58
19/02148/FUL	Land South East of Pinsley Farm, Main Road, Long Hanborough	Village Hall	154,950.00
20/02452/FUL	Land at Downs Road, Curbridge, Witney	Community Facilities	5,574.02
		Play	23,218.62
		Sport	37,964.04
21/00228/FUL	Land South of Milestone Road, Carterton	Biodiversity Net-gain	214,535.93
		Monitoring	11,572.35
		Sport and Recreation	373,195.42
		Thames Valley Police	23,621.99
21/01285/FUL	Land at West Witney, Downs Road, Witney	Community Facilities	198,813.60

21/02320/FUL	Land South of Giernalls Road, Hailey	Sport and Recreation	37,510.00
		Sports Pavilion	5,280.00
		Village Hall	10,560.00
			2,959,488.61

Section 106 funds spent in 2022/23

- 3.11. A total of **£1,156,612.54** collected from S106 planning obligations was spent in 2022/23. Table 5 below provides a full breakdown of this expenditure.
- 3.12. The Council did not spend any funds collected from S106 planning obligations on repaying borrowed money.
- 3.13. The Council did not spend any funds collected from S106 planning obligations on monitoring the delivery of planning obligations.

Table 5 – Section 106 funds spent in 2022/23*

Reference	Development Location	Contribution for	Recipient	Amount (£)
13/1494/P/OP	Aston	Equipment	Thames Valley Police	14,944.00
13/1465/P/OP	Bampton	Equipment	Thames Valley Police	11,983.00
14/0091/P/OP	Brize Norton	Public Art	Brize Norton PC	1,054.00
21/00228/FUL	Carterton	Purchase of Infrastructure	Thames Valley Police	23,621.99
14/01884/FUL	Chipping Norton	Public Art	Chipping Norton Theatre	20,000.00
17/01758/FUL	Chipping Norton	Highway Signage	Oxfordshire CC	1,162.27
15/03148/OUT	Eynsham	Old Witney Road Play Area	Eynsham PC	19,281.55
16/02369/FUL	Eynsham	Travel Plan Monitoring	Oxfordshire CC	1,666.39
16/02369/FUL	Eynsham	Highway Improvements	Oxfordshire CC	177,185.71
16/01353/OUT	Freeland	Play Facilities	Freeland PC	24,788.60
16/01353/OUT	Freeland	Hanborough Primary School	Oxfordshire CC	222,861.85
14/1046/P/FP	Kingham	Play Facilities	Kingham PC	15,855.00
14/1102/P/OP	Long Hanborough	Equipment	Thames Valley Police	6,621.00
14/1102/P/OP	Long Hanborough	Hanborough Surgery	Eynsham Medical Group	29,166.00
14/1102/P/OP	Long Hanborough	Sport and Play	Hanborough PC	16,650.00
15/03128/OUT	Milton u Wychwood	Play and Recreation	Milton under Wychwood PC	2,909.50
15/03128/OUT	Milton u Wychwood	Sport and Recreation	Milton under Wychwood PC	36,910.00
16/03761/OUT	Over Norton	Play Facilities	Over Norton PC	20,863.97
STC032	Various	Maintenance of Open Spaces	West Oxfordshire DC	162,464.80
Various	Various	Affordable Housing	Heylo Housing	310,125.00
12/0084/P/OP	Witney	Public Art	Artist (Mosaic Work)	2,090.00
12/0084/P/OP	Witney	Public Art	Artist (Creative Connector)	9,254.38
13/0345/P/FP	Witney	Land at Langel Common	Landowner	25,153.53
				1,156,612.54

*West Oxfordshire District Council has passed on the contributions and the responsibility for the actual spend is normally with the recipient of the S106 monies.

Section 106 money received by the Council but not spent in 2022/23

- 3.14. The CIL Regulations require local authorities to report on the total amount of money under any planning obligations that was received before the reported year but which has not been allocated by the authority, and the total amount of money under any planning obligations that was allocated but not spent during the reported year.
- 3.15. A total of **£2,158,168.46** received under planning obligations was allocated for funding infrastructure but not spent during 2022/23. Table 4 below provides a breakdown of the allocations.

Table 6 – Allocated Section 106 funds

Reference	Allocated to	Amount (£)
07/1970/P/FP	Temporary public art programme at Windrush Place, Witney	788.24
12/0084/P/OP	Public art and a temporary public art programme led by West Oxfordshire DC	127,439.10
13/0345/P/FP	Public art programme at Witney Community Hospital?	2,603.27
13/0345/P/FP	Raleigh Crescent Play Area	75,000.00
13/1752/P/FP	Temporary public art and interpretation in Carterton provided by West Oxfordshire DC	40,370.90
13/1752/P/FP	Toilets at Kilkenny Lane Country Park	11,133.00
14/0091/P/OP	Public art features and programme in village and Brize Meadow by Brize Norton Parish Council	29,640.98
14/01884/FUL	Temporary public art programmes for youth and community in Chipping Norton delivered by various organisations	11,889.71
14/1215/P/OP	West Witney Sports Ground	356,669.58
16/00758/OUT	Public art features as part of sensory garden by Ducklington Parish Council	2,639.00
16/01450/OUT	3G Football Pitch	941,335.54
18/01517/FUL	Kilkenny Lane Country Park Trees	20,399.00
CGU008	Marriott's Walk Play Area	6,334.50
Various	Chipping Norton Leisure Centre	39,789.22
Various	Car park at Kilkenny Lane Country Park	179,386.42
Various	Heylo Affordable Housing Scheme	51,750.00
Various	Weavers Fold Affordable Housing Scheme	261,000.00
		2,158,168.46

- 3.16. A total of **£8,082,935.72** was received through planning obligations before 1st April 2022, and which has not yet been allocated by the District Council.
- 3.17. A breakdown per category is set out in Table 7 below. As and when decisions are made to allocate these various S106 contributions, this will be set out in future iterations of the IFS as per the information in Table 6 above.

Table 7 – Non-allocated Section 106 funds

Contribution for	Available (£)
Affordable Housing	2,535,782.02
Car Parking	251,563.77
Cemeteries	76,036.50
Community Facilities	402,607.94
Dredging and Sewers	14,180.05
Education	10,147.00
Flood and Water Management	20,155.00
Green Infrastructure	496,383.20
Highways and Sustainable Transport	15,651.11
Libraries	2,900.00
Public Art	213,098.04
Sports, Play and Leisure	3,215,740.81
Town Centre Improvements	750,604.28
Waste/Recycling	78,086.00
	8,082,935.72

3.18. The District Council held a total of **£13,292,586.04** in S106 monies on 1st April 2023 of which **£1,248,640.79** were commuted sums for maintenance.

4. Community Infrastructure Levy (CIL)

- 4.1. CIL is a charge which can be levied by local authorities on new development in their area to help fund supporting infrastructure. Whereas S106 planning obligations are specific to particular developments, CIL is a more general financial contribution, the receipts from which can be spent on new and enhanced infrastructure across the whole District. CIL can however only be charged where there is an approved CIL Charging Schedule in place.
- 4.2. The Council consulted on a draft CIL charging schedule in July 2020 but it was not progressed to examination and has therefore not been adopted. New viability evidence is in the process of being prepared to inform a public consultation on a new draft CIL charging schedule early in 2024.
- 4.3. Further information on CIL is available on the Council's website³.

³ <https://www.westoxon.gov.uk/planning-and-building/community-infrastructure-levy/community-infrastructure-levy-examination/>

5. Infrastructure Funding Gap and Future Spending Priorities

- 5.1. The District Council has previously prepared an [Infrastructure Funding Gap Analysis](#) which sets out an assessment of the likely infrastructure funding gap that exists in West Oxfordshire to meet identified needs⁴.
- 5.2. The analysis identifies a total infrastructure funding gap of between £192.2m and £198m when taking account of expected costs and known sources of funding. However, this is considered to be a conservative estimate with the actual funding gap likely to be much higher.
- 5.3. This emphasises the importance of maximising available developer funding.
- 5.4. Future infrastructure spending priorities in West Oxfordshire will be influenced by a number of factors including the West Oxfordshire Infrastructure Delivery Plan (2016) and any subsequent update/replacement prepared to inform the new Local Plan 2041. Regard will also be had to any locally specific evidence of infrastructure needs such as the Eynsham Area IDP and Woodstock Community and Infrastructure Delivery Plan (2019) as well as any relevant countywide assessments of need set out in the Oxfordshire Infrastructure Strategy (OXIS).
- 5.5. In considering infrastructure priorities emerging from these studies the Council will have regard to relevant changes in circumstance (e.g. projects since having been completed, or additional/alternative sources of funding having been identified etc.) as well as the respective degree of importance of each infrastructure item in supporting planned growth.
- 5.6. Future funding will be drawn from a variety of sources including Section 106 legal agreements (planning obligations), CIL and other potential sources of funding where applicable and available (e.g. from Central Government).
- 5.7. Further information on the District Council's future spending priorities is set out in the Developer Contributions Supplementary Planning Document (SPD) which was adopted in July 2023. The SPD provides information on what contributions will be sought from new development in West Oxfordshire and from what source i.e. Section 106 and/or CIL.

⁴ i.e. The shortfall in funding available to meet identified infrastructure requirements when the total cost (where known) is set against known or likely available funding.