

This Report will be made public on 12 January 2021

Report Number **C/20/68**

To: Cabinet
Date: 20 January 2021
Status: Key Decision
Responsible Officer: Charlotte Spendley – Director Corporate Services
Cabinet Member: David Wimble - Cabinet Member for the District Economy

SUBJECT: Infrastructure Funding Statement

SUMMARY:

In accordance with the latest revisions made via the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019¹, from December 2020 local authorities must publish an Infrastructure Funding Statement (IFS). The IFS document provides a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) and the Community Infrastructure Levy (CIL) within Folkestone & Hythe District for a given financial year. This report seeks approval of the IFS, and identifies the infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions, and the choices the authority has made about how these contributions will be used.

REASONS FOR RECOMMENDATIONS

To replace the Regulations 123 List which has been deleted by legislation and replace with the Infrastructure Funding Statement in accordance with the regulations.

RECOMMENDATIONS:

1. To receive and note report C/20/68.
2. To agree that the Council accepts the proposed Infrastructure Funding Statement contained in Appendix 1, which is to have immediate effect and be published externally no later than 31st December 2020

¹ <http://www.legislation.gov.uk/ukdsi/2019/9780111187449>

1. Introduction

- 1.1 In accordance with the latest revisions made via the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019), from December 2020 local authorities must publish an Infrastructure Funding Statement (IFS), and information should be drawn from this. A copy of the IFS is presented in **Appendix 1**.
- 1.2 Accordingly, the IFS is to provide a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) and the Community Infrastructure Levy (CIL) within Folkestone & Hythe District for a given financial year.
- 1.3 The IFS should also identify infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions, and the choices the authority has made about how these contributions will be used.

2. Preparing an Infrastructure Funding Statement

- 2.1 The Planning Policy Guidance (PPG) on Infrastructure Funding Statements provides guidance on the contents of statements, as follows:

“Infrastructure funding statements must set out:

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

The infrastructure funding statement 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.”

- 2.2 Associated reporting is set out within the body of the IFS.

3. Scheme prioritization through reference to the Infrastructure Funding Statement

- 3.1 The District Council formally adopted a Community Infrastructure Levy Governance Framework at Cabinet on 24th June 2020, and Cabinet report C/20/12 and its associated appendices refer.
- 3.2 The purpose of having a governance framework in place is to ensure the deployment of CIL income follows clear and appropriate processes. Decisions to be taken by the District Council on spend of CIL receipts from the strategic pot would be taken in accordance with the IFS priorities and through the involvement/discussions between the Planning Policy team which leads on

preparation of the IFS and one of the following Directors, depending on the directorate area where a particular project falls:

- Director of Place
- Direction of Housing and Operations
- Director of Corporate Services

3.3 The District Council has set out a comprehensive list of infrastructure schemes to be delivered across the District within a corresponding Infrastructure Schedule that is appended to the IFS (Appendix 2 refers). Inclusion of any individual project within the schedule does not guarantee that support via CIL shall be forthcoming. Indeed, a number of referenced schemes will be fully-funded via S106.

3.4 The content of the Infrastructure Schedule presented in Appendix 2 has been drawn from the Infrastructure Delivery Plans (IDPs) prepared as part of the evidence base for the Places and Policies Local Plan and the Core Strategy Review respectively. Both IDP documents were produced following extensive discussion and collaboration with stakeholders, strategic infrastructure providers and the County Council throughout the period 2017 to 2019. As such, information drawn from the IDPs for inclusion within the Infrastructure Schedule remains both current and relevant. However, it is important to note that the IFS and its supporting documentation are dynamic and will be subject to annual review and updating, as required.

3.5 Member views on the content of the IFS and Infrastructure Schedule are welcomed, to include recommendations for the setting of priority projects.

3.6 The 2020 IFS document does not set any priorities on project spend.

4. Conclusion

4.1 The district council has prepared its first Infrastructure Funding Statement, and meets the requirements of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 for local authorities to publish information on the infrastructure funding they receive through Section 106 and CIL.

4.2 It should be noted that, at the time of writing this statement, the Government is consulting on proposals for radical reform of the planning system, as set out in the Planning White Paper 'Planning for the Future' (MHCLG, August 2020). These changes may therefore need to be reflected in future updates of this document.

5. Reporting officer

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Appendices

Appendix 1. Folkestone & Hythe District Council Draft Infrastructure Funding Statement (November 2020)

Appendix 2. Draft Infrastructure Schedule (November 2020)