

**Infrastructure Funding Statement**

<b>Final Decision-Maker</b>	Strategic Planning and Infrastructure Committee
<b>Lead Head of Service</b>	<i>Rob Jarman</i>
<b>Lead Officer and Report Author</b>	Rob Jarman and Carole Williams
<b>Classification</b>	Public
<b>Wards affected</b>	<i>All</i>

**Executive Summary**

It is a statutory requirement for the Council to produce an Infrastructure Funding Statement (IFS) annually before 31 December each year. In compliance with this requirement, this report produces the Council's Infrastructure Funding Statement for the financial period 2019/20.

**Purpose of Report**

For noting and endorsement so that the Infrastructure Funding Statement can be published

**This report makes the following recommendations to this Committee:**

The Report is for noting

**Timetable**

<b>Meeting</b>	<b>Date</b>
Strategic Planning and Infrastructure	8 December

# Infrastructure Funding Statement

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>• We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council’s overall achievement of its aim of enabling infrastructure by providing a position statement.</p>	Rob Jarman
<b>Cross Cutting Objectives</b>	NA	Rob Jarman
<b>Risk Management</b>	This reduces risk by being transparent on the latest position in relation to CIL and s106 monitoring	Rob Jarman
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	[Section 151 Officer & Finance Team]
<b>Staffing</b>	We will deliver the recommendations with our current staffing.	Rob Jarman
<b>Legal</b>	Pursuant to Regulation 121A (read with Schedule 2) of the Community Infrastructure Levy Regulations 2010 (as amended) the Council is required to produce an Infrastructure Funding Statement (IFS), which replaces the	Russell Fitzpatrick (MKLS (Planning))

	'123 lists'. This must be provided at least annually by no later than 31 December each year and report on CIL and s.106 receipts (financial and non-financial) and the allocation/expenditure thereof during the previous financial year. The IFS must be published on the Council's website. Accepting the recommendation will allow the Council to fulfil its statutory obligations.	
<b>Privacy and Data Protection</b>	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.	Rob Jarman
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Rob Jarman
<b>Public Health</b>	NA	Rob Jarman
<b>Crime and Disorder</b>	NA	Rob Jarman
<b>Procurement</b>	NA	Rob Jarman

## 2. INTRODUCTION AND BACKGROUND

2.1 Pursuant to the Community Infrastructure Levy Regulations 2010 (as amended) (the 2010 Regulations), the Council, as the contribution receiving authority, is required to produce and publish at least annually (and by no later than 31 December) an Infrastructure Funding Statement (IFS) for the previous financial year. Although the content of the IFS is set out in the 2010 Regulations, in broad terms the IFS sets out:

- 2.1.1 a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL,
- 2.1.2 reports on the CIL and s.106 (planning obligations) contributions (financial and non-financial) it has collected, and
- 2.1.3 the allocation and any expenditure (including distribution) of the receipts received.

2.2 The IFS replaces the CIL Regulation '123 lists'.

- 2.3 In compliance with this statutory requirement, the Council has produced at Appendix 1 to this report its IFS for the financial period 1 April 2019 to 31 March 2020.
- 2.4 This IFS sets out the 2019/20 income and expenditure relating to CIL and s106 legal agreements (also referred to as planning obligations). This annual report provides a summary of all financial and non-financial developer contributions received by the Council for the previous financial year.
- 2.5 The IFS is a key document which seeks to communicate how developer contributions are achieving the infrastructure required by the Council's Strategic Plan, Local Plan and Infrastructure Delivery Plan with the latter containing a 'long list' of infrastructure projects with prioritisation of these. This Committee will allocate CIL monies following a bidding process and the IDP informs the prioritisation of these projects. Within the "critical" list in the IDP it is suggested that Linton Crossroads, the junction of Fountain Lane with the A26 and improvements to Junction 7 of the M20 motorway are perhaps the biggest priorities but a detailed report will be brought to this Committee in the future once greater levels of overall funding have been collected.
- 2.6 S106 monies have to be spent on the projects set out in the s106 agreement. They also cover non-financial matters such as obligating a developer to provide for affordable housing provision and the creation of *in situ* public open space.
- 2.7 The Council also collects funds on behalf of third parties. As this Council is non-unitary much of the funds received through CIL and s.106 receipts are transferred to Kent County Council. Some of the CIL receipts are also to be distributed to parish councils and neighbourhood forums. This Council also collects funds for the Clinical Commissioning Group under s.106 agreements. A summary of the funds held/collected on behalf of third parties, the allocation of those funds and what they have been (or are due to be) spent on by these third parties is also reported on in the IFS.
- 2.8 This report is for noting only and the Council's IFS at Appendix 1 will be published on the Council's website in accordance with the 2010 Regulations.
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### **3. AVAILABLE OPTIONS**

- 3.1 This report is for noting only and endorsement so that the IFS can be published.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 NA
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## **5. RISK**

5.1 Whilst this report is presented for information only and has no risk management implications it is a statutory requirement to produce an IFS at least annually by 31 December in each calendar year. It is also a requirement that the IFS be published on the Council's website.

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## **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

6.1 The IFS at Appendix 1 will be uploaded onto this Council's web site.

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## **7. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix 1: Infrastructure Funding Statement December 2020
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