

Infrastructure Funding Statement 2023-24

Timetable	
Meeting	Date
Planning and Healthier Stronger Communities Policy Advisory Committee	6 November 2024
Cabinet	20 November 2024

Will this be a Key Decision	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet
Lead Head of Service	Rob Jarman (Head of Development Management)
Lead Officer and Report Author	Carole Williams (CIL & S106 Team Leader)
Classification	Public
Wards affected	All

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 2023/24.

Purpose of Report

For noting.

This report asks the Planning and Healthier Stronger Communities Policy Advisory Committee:

1. To note the attached Infrastructure Funding Statement 2023-24.

Infrastructure Funding Statement 2023-24

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <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>	Head of Development Management
Cross Cutting Objectives	NA	Head of Development Management
Risk Management	This reduces risk by being transparent on the latest position in relation to CIL and s106 monitoring.	Head of Development Management
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Head of Development Management
Staffing	We will deliver the recommendations with our current staffing.	Head of Development Management
Legal	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). 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.	Head of Development Management

	The IFS must be published on the Council's website. Accepting the recommendation will allow the Council to fulfil its statutory obligations.	
Information Governance	Accepting the recommendations will increase the volume of data held by the Council. We will hold that data in line with our retention schedules.	Head of Development Management
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Head of Development Management
Public Health	NA	Head of Development Management
Crime and Disorder	NA	Head of Development Management
Procurement	NA	Head of Development Management
Biodiversity and Climate Change	NA	Head of Development Management

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 In compliance with this statutory requirement, the Council has produced at Appendix 1 to this report its IFS for the financial period 1 April 2023 to 31 March 2024.

- 2.3 This IFS sets out the 2023/24 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.
- 2.4 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 allocated strategic CIL funds to 3 projects (M20 Junction 7 improvements, St Faiths Community Centre, and Heather House Community Centre) on 23 September 2023 following the bidding and assessment process.
- 2.5 S106 monies must 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.
- 2.6 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 NHS England 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.
- 2.7 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.
- 2.8 The item was considered at the Planning, Healthier Stronger Communities Policy Advisory Committee on Wednesday 6 November and was recommended to be noted at Cabinet.

3. AVAILABLE OPTIONS

- 3.1 This report is for noting only and endorsement so that the IFS can be published.

4. RECOMMENDATION

- 4.1 The Report is for noting.

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.

6. REPORT APPENDICES

- Appendix 1: Infrastructure Funding Statement 2023-24
 - Including Annex 1: Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2
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