

This report is public	
Infrastructure Funding Statement 2023-24	
Committee	Executive
Date of Committee	2 December 2024
Portfolio Holder presenting the report	Portfolio Holder for Planning and Development Management, Councillor Jean Conway
Date Portfolio Holder agreed report	11 November 2024
Report of	Assistant Director - Planning and Development, David Peckford

Purpose of report

To seek approval of the Council's Infrastructure Funding Statement 2023-24 for publication by 31 December 2024.

1. Recommendations

The Executive resolves:

- 1.1 To approve the Infrastructure Funding Statement 23-24 at Appendix 1 for publication by 31 December 2024 subject to any final changes considered to be necessary by the Assistant Director – Planning and Development to secure accuracy in consultation with the Portfolio Holder for Planning and Development Management.

2. Executive Summary

- 2.1 The council has a statutory obligation to publish an annual Infrastructure Funding Statement for the previous financial year by 31 December each year. Mandatory reporting requirements include information on section 106 contributions secured, received, held and spent. The 23-24 Infrastructure Funding Statement replicates the format of previous years and the data has been supplied from Planning and Finance records.

Implications & Impact Assessments

Implications	Commentary
Finance	Work on the IFS has been completed in collaboration with the Finance team and the s.106 figures have been agreed. The work has been produced within existing budgets. Joanne Kaye, Head of Finance, 4 November 2024

Legal	There is a statutory requirement to publish an IFS that meets prescribed requirements and Planning Officers consider that the information presented to meet those requirements is, in accordance with guidance, the most robust available at this time. Shahin Ismail, Legal Services Manager. 30 October 2024			
Risk Management	Within the IFS, it is explained that the statement has been produced on the best information available at this moment in time. The data it contains is drawn from current records which may change or be updated. The publication of the IFS mitigates potential reputational risks to the Council as well as potential challenge for failing to meet a statutory requirement. This and any other risks that may arise will be managed accordingly by the services and escalated as and when necessary to the Leadership Risk Register. Celia Prado-Teeling, Performance Team Leader. 30 October 2024			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		<input checked="" type="checkbox"/>		There are no implications arising from the gathering and publication of this date.
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		<input checked="" type="checkbox"/>		Not applicable
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		<input checked="" type="checkbox"/>		Not applicable
Climate & Environmental Impact		<input checked="" type="checkbox"/>		Not applicable
ICT & Digital Impact		<input checked="" type="checkbox"/>		Not applicable
Data Impact		<input checked="" type="checkbox"/>		Not applicable
Procurement & subsidy		<input checked="" type="checkbox"/>		Not applicable
Council Priorities	Business plan priorities for 2024-2025: <ul style="list-style-type: none"> • Housing that meets your needs • Supporting environmental sustainability 			

	<ul style="list-style-type: none"> • An enterprising economy with strong and vibrant local centres • Healthy, resilient and engaged communities
Human Resources	N/A
Property	N/A
Consultation & Engagement	Councillor Jean Conway, Portfolio Holder – Planning & Development Management

Supporting Information

3. Background

- 3.1 The Infrastructure Funding Statement (IFS) is published annually, and details developer contributions secured either to mitigate the impact of approved development or for which there has been a transaction during the financial year.
- 3.2 The publication of a Statement is a statutory requirement for the Council arising from changes to the Community Infrastructure Regulations (the Community Infrastructure Levy)(Amendment)(England)(No.2) Regulations 2019 and the Council's first IFS was published in 2020.
- 3.3 Any council which receives a contribution from development must prepare an Infrastructure Funding Statement. The Council only reports on the contributions it receives. It is for Oxfordshire County Council to report on its own contributions, such as those for highways and education.
- 3.4 Local Planning Authorities continue to be required to keep a copy of any Planning Obligation, together with details of their modification or discharge, and make these publicly available on their planning register (i.e. the Council's Public Access System) and Local Land Charges Register.
- 3.5 An Infrastructure Funding Statement should include a Community Infrastructure Levy (CIL) Report (where relevant) and a Section 106 Report which refers to the section of the Town and Country Planning Act 1990 under which developer contributions are sought. As the Council has not introduced a CIL, the Council's IFS includes only a Section 106 report.
- 3.6 The IFS at Appendix 1 covers the period 1 April 2023 to 31 March 2024 and has been prepared to meet regulatory requirements. It includes data reporting beyond the statutory minimum.
- 3.7 The IFS does not take into account allocations and transactions undertaken since 31 March 2024 nor all payments owing to services/infrastructure providers for the forward funding of infrastructure delivery and/or maintenance. It should also be

noted that the IFS reflects a moment in time and that there may be cases where the data will be updated.

3.8 The data return has been produced following national guidance. There are three broad categories of data collected:

1. developer agreements – details of those agreements entered into during the reporting year.
2. developer agreement contributions – those individual obligations or sums within an agreement assigned to particular purposes/specified categories (e.g. community facilities, affordable housing, monitoring fees).
3. developer agreement transactions – those that are secure `secured`, `received`, `allocated`, `transferred`, `spent` or `returned` with the amount specified.

3.9 There is not a requirement to republish historical data other than for contributions previously received that remain unspent.

3.10 Where the Council passes funds onto 3rd party bodies, this should be on the condition that they will provide information back to the Council on how contributions have been spent that reported year and how they intend to spend future contributions.

3.11 The IFS should be used to feed back into reviews of plans to ensure that policy requirements for developer contributions remain realistic and do not undermine the delivery of the plan.

3.12 The guidance recommends that authorities report on the delivery and provision of infrastructure where they are able to do so in order to give communities a better understanding of how developer contributions have been used to deliver infrastructure in their area.

3.13 It also acknowledges that data on developer contributions is imperfect, represents a snapshot in time and can be subject to change. However, the Statement published should contain the most robust data available at the time.

4. Details

4.1 The key messages from this year's report are as follows:

1. Total developer contributions secured in 23/24 was £11,529,633.25, a small increase on the previous year which totalled £11,138,237,96.
2. 618 affordable dwellings were secured, down from 869 the previous year. Last year's figure included 2 long-term major development sites.
3. Total contributions received were £1,167,340.94 compared to £3,038,025.31 received the previous year.

- 4.2 The current “unallocated” figure is £84,245.24 which relates to a single unidentified historic contribution. All monies secured during 23-24 were allocated and further detailed examination of historic records will continue to identify these “unallocated” legacy funds.
- 4.3 Members are invited to approve the IFS to meet the Council’s statutory requirements.

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to bring forward and Infrastructure Funding Statement. This is not a lawful option and would leave the Council in breach of its statutory duty.

Option 2: Seek review of the key statistics and proposed Infrastructure Funding Statement. Officers consider that this is not required as the information is the most accurate and available at this time.

6 Conclusion and Reasons for Recommendations

- 6.1 The publication of an Infrastructure Funding Statement (IFS) is a statutory requirement that provides transparency and accessibility to information about developer contributions secured by the Council through Section 106 Agreements.
- 6.2 The report has been produced in collaboration with Financial Services and the information contained within it is considered to represent the most robust data available at this time.

Decision Information

Key Decision	No
Subject to Call in	Yes
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	Infrastructure Funding Statement 2023-24

Appendix 2	Infrastructure Funding Statement 2023-24 Appendices
Background Papers	None
Reference Papers	Infrastructure Funding Statement 2022-23 https://www.cherwell.gov.uk/info/115/planning-process/766/infrastructure-funding-statements
Report Author	Sean Tilbury, Senior Planning Enforcement Officer
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Corporate Director Approval (unless Corporate Director or Statutory Officer report)	Corporate Director for Communities, 8 November 2024