

IFS April 2022 – March 2023

CHERWELL DISTRICT COUNCIL

Infrastructure Funding Statement 22-23

1 April 2022 – 31 March 2023

Draft for Executive



Contents

Section	Page
1. Introduction	3
2. An overview of s106 Agreements	3
3. Headline figures from the reported year	4
4. Guidance on understanding the IFS data	6
5. Providing the Statutory Information	8
6. References	9

List of Tables

Table No.	Page
1. s106 Monies secured	5
2. s106 Monies received	5
3. Unallocated s106 funds	6
4. s106 Monies spent	6
5. IFS Data Headings	7
6. IFS Categories	7
7. Statutory Information	9

List of Appendices

Appendix 1:	Developer agreements entered into
Appendix 2:	Developer contributions secured
Appendix 3:	Developer contributions received
Appendix 4:	Developer contributions allocated
Appendix 5:	Developer contributions spent

1. Introduction

- 1.1 This is Cherwell District Council's (CDC) Infrastructure Funding Statement (IFS) published in December 2023. It outlines the 'Section 106' (s106) developer contributions the council has secured during 2022/23 or for which there has been a transaction over the same reported year. In addition, it provides a summary of the s106 contributions the council has received, and which remain unspent. This report provides a summary of the contributions the council has secured for on- and off- site infrastructure and affordable housing.
- 1.2 Section 106 agreements secure contributions towards the delivery of infrastructure required to mitigate the impacts of development, thereby helping to make it acceptable.
- 1.3 This IFS sets out the required information outlined in the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019. The council is required to publish an IFS by the end of each calendar year for the preceding year. The government's objective is to improve transparency and accountability on developer contributions.
- 1.4 As Cherwell District Council (CDC) is not currently a Community Infrastructure Levy (CIL) charging authority, this IFS does not report on CIL. It instead focuses on s106 agreements.
- 1.5 The "reported year" is the financial year from 1 April 2022 to 31 March 2023.
- 1.6 Contributions received by Oxfordshire County Council for county infrastructure such as for highways and education are not included as they are received and monitored by that authority. Oxfordshire County Council's Infrastructure Funding Statements are [available online](#).
- 1.7 The annual IFS is published on the [council's website](#). It will help improve the accessibility of information and provide an overview of the infrastructure that has been secured and delivered within the district.
- 1.8 The data on developer contributions may include estimates and can be subject to change. The data reported in this document is the most robust available at the time of publication.
- 1.9 Copies of s106 agreements listed within this report can be [requested by email](#).

2. An overview of s106 Agreements

- 2.1 Under s106 of the Town and Country Planning Act 1990, a Local Planning Authority can seek obligations for both on- and off-site physical infrastructure and/or contributions when it is considered that a development needs to be supported by that infrastructure to make it acceptable and where those needs cannot be addressed through planning conditions when planning permission is granted.
- 2.2 Planning obligations help ensure that the additional pressure on resources that new development creates are overcome, to allow the development to make a positive contribution to the local area.
- 2.3 Regulations state that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 2.4 'In Kind' obligations are provided where the developer builds or directly provides the infrastructure necessary to fulfil the obligation. For example, a development may be required to provide a specific number of affordable homes on site or a community facility.
- 2.5 Financial obligations are payments towards the provision of off-site infrastructure works or alternate facilities elsewhere within the district, usually on or near the site.
- 2.6 In some cases, the obligation secured can be a combination of both on-site provision and financial contributions, such as the delivery of a community hall and the provision of an on-going maintenance sum.
- 2.7 The council's approach to securing contributions is set out in the [Cherwell Local Plan 2011-2031](#) and the [Development Contributions Supplementary Planning Document \(SPD\) \(February 2018\)](#). The Local Plan is supported by an [Infrastructure Delivery Plan](#) and its delivery is monitored by way of an [Annual Monitoring Report](#).

3. Headline figures from the reported year

Developer Agreements

- 3.1 Appendix 1 to this report shows that between 1 April 2022 and 31 March 2023 the Council entered into **thirteen** new s106 agreements, of which **four** were supplementary deeds of variation/modification to existing s106 agreements. The s106 agreements relate, in the main, to residential and mixed-use developments across the district and do not include s106 agreements Cherwell District Council was not party to.

Developer Agreement Contributions

- 3.2 Appendix 2 to this report provides a breakdown of the individual contributions arising from the thirteen s106 agreements (i.e. for those agreements entered into between 1 April 2022 and 31 March 2023).
- 3.3 It is not possible to fully quantify the total contribution values as some are reliant upon further planning consideration. For example, some contributions are secured based on an individual unit such as a square metre of open space or per individual tree. The total contribution is not fixed until open space or landscaping schemes are approved, such as through the approved of reserved matters. Furthermore, developers may be given the option to provide a financial contribution in lieu of providing physical infrastructure themselves.
- 3.4 For this reason, the data is not fully reflective of the true value of secured contributions. An estimation is provided based on the best information available. The thirteen agreements have secured:
- Total contributions worth a total of **£11,138,237.96**
 - **869** affordable homes.
 - Infrastructure including a new local centre, a sports pavilion, sports pitches, ecology land and biodiversity enhancements, play areas, allotments, a community orchard,

community facilities and major highway infrastructure.

- 3.5 Table 1 provides a breakdown of the s106 monies secured by category during the reported year:

Table 1: s106 Monies Secured

Category	
Affordable Housing	£28,125.00
Community Facilities	£487,680.69
Green Infrastructure	£2,988,775.77
Health	£2,677,782.00
Open Space and Leisure	£4,082,018.88
Other	£702,855.62
Section 106 Monitoring Charges	£171,000.00
TOTAL	£11,138,237.96

Developer Agreement Transactions

- 3.6 Appendix 4 (contributions received), appendix 5 (contributions allocated) and appendix 6 (contributions spent) provide the raw data on s106 transactions during the reported year. The key statistics and summaries of the funds received and spent during the reported year are provided below:

- the council received **£3,038,025.31** from developer contributions.
- the council spent **£385,151.28** using developer contributions.
- 181 affordable homes were delivered in the district.

- 3.7 Table 2 provides a breakdown of the s106 monies received by category during the reported year:

Table 2: s106 Monies Received

Category	Money Spent
Affordable Housing	£244,470.29
Community Facilities	£335,675.84
Flood and Water Management	£61,725.96
Health	£23,627.71
Open Space and Leisure	£2,215,356.13
Other	£138,040.78
Section 106 Monitoring Charges	£19,128.60
TOTAL	£3,038,025.31

- 3.8 Table 3 provides a list of s106 money which has been received but is not yet allocated.

- 3.9 'Allocated' means funds which have been passed to a team within the council to spend but may not have been assigned to a specific project yet.

Table 3: Unallocated s106 funds

Planning Application	Clause / Purpose	Balance
Unknown	Car Park Commuted Sum	£79,811.58
TOTAL		£79,811,58

3.10 Table 3 indicates that **£79,811.58** s106 monies had not been spent or allocated by the end of the reported year. This does not present the most up to date position as it:

- does account for allocations and transactions undertaken since 31 March 2023;
- does account for all payments owed to services/infrastructure providers for the forward funding of infrastructure delivery and/or maintenance; and
- in some cases, the Council's records may need updating.

3.11 There has been a **£116,821.81** reduction in the total amount of unallocated money compared with last year's IFS.

3.12 Table 4 provides a breakdown of the s106 monies spent by category during the reported year:

Table 4: s106 Monies Spent

Category	Money Spent
Affordable Housing	£10,000.00
Community Facilities	£16,767.37
Flood and Water Management	£3,600.44
Open Space and Leisure	£225,371.47
Other	£129,412.00
Section 106 Monitoring Charges	£0
TOTAL	£385,151.28

3.13 S106 Monitoring Charges were received, but the balance was not drawn down on during the reported year. These funds were carried forward and the spending will be reflected in next year's IFS.

3.14 The difference between money received and money spent will result from some infrastructure projects being delivered over multiple years, thus the spending may not occur during the reported year.

4. Guidance on understanding the IFS data

4.1 The Council no longer publishes its raw IFS data in csv format following the government's movement away from this approach ^[1]. This format was not easily accessible to the reader and was primarily for supporting a data return to government.

4.2 For this reported year, the Council has published five new data sets: developer agreements entered into, developer contributions secured, developer contributions received, developer contributions received, and developer contributions spent (appendices 1 – 5).

4.3 These new data sets provide similar information to previous years' IFS, but in a more

accessible and legible format.

- 4.4 Table 5 explains the meaning of each column in the appendices.

Table 5: IFS Data Headings

Heading	Meaning
Developer Agreement	A unique identifier for s106 agreement, usually in the format of the associated application reference, minus the suffix.
Signed Date	The date the s106 agreement was signed and sealed.
Planning Application	The planning application reference the s106 agreement is associated with.
Location	The planning application location.
Description of development	A paraphrased description of the development.
Contribution Detail	The s106 contribution name/purpose as written within the agreement.
Amount (£)	The base amount of the financial contribution, as written in the s106 agreement, without indexation. Estimates are used where necessary.
Quantity	The number of units (e.g. affordable homes).
Size	The area or floorspace of the infrastructure.
Area	The Parish in which the development is sited.
Date received	The date the financial contribution was paid to the council.
Monies received/spent	The amount of money received or spent by contribution.

- 4.5 Government guidance ^[2] recommends that infrastructure is grouped by the categories listed below in Table 6. Table 6 describes the meaning of each category; where there is overlap between categories, the most relevant category is used.

Table 6: IFS Categories

Category	Meaning
Affordable housing	Affordable housing for sale or rent, for those whose needs are not met by the market. It includes: Affordable housing for rent; Discounted market sales housing; and other affordable routes to home ownership.
Bonds	These include financial securities which will need to be paid at certain trigger points during the development.
Community facilities	Community facilities include the provision of buildings and spaces such as village halls, community centres, places of worship, meeting places, museums and libraries.
Digital infrastructure	This includes electronic communications networks, such as next generation mobile technology (such as 5G) and full fibre broadband connections. It also includes radio and electronic communications masts, and the sites for such installations.

Education	This includes facilities needed for all school phases aged 0-19 years and special educational needs.
Flood and water management	This includes infrastructure with the purpose of managing the risk of flood and coastal erosion. This can include structural measures, such as hard defences and flood relief works, and soft defences, such as green infrastructure.
Green infrastructure	Green infrastructure can include woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and 'blue infrastructure' such as streams, ponds, canals and other water bodies.
Health	This includes facilities needed for primary, secondary and tertiary care.
Highways	This relates to agreements entered into under section 278 of the Highways Act 1980.
Land	This includes land which is provided to the council instead of money.
Open space and leisure	This includes all open space of public value, whether for sport and recreation or for visual amenity. This category includes formal sports pitches, open areas within a development, linear corridors and country parks.
Section 106 monitoring charges	Monitoring and registration fees to cover the cost of monitoring and reporting on the delivery of section 106 obligations.
Transport and travel	This includes measures to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and measures that deal with the anticipated transport impacts of the development such as new access roads, and roundabouts.
Other	Any infrastructure which does not fit in the categories above. This includes contributions for refuse, community workers, burial grounds, police, public art and non-monetary contributions for heritage assets, training, employment and local centres.

5. Providing the Statutory Information

- 5.1 This section comprises the information required to fulfil the requirements of Schedule 2 of the Regulations which prescribes the minimum information required for the IFS. The data in section 3 and the appendices to this statement provide data beyond this minimum requirement.
- 5.2 The required data is set out below in Table 7 with the council's return based on the best information available at the time of publication.

Table 7: Statutory Information

	Information Required	CDC Data
3(a)	the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£11,138,237.96

3(b)	the total amount of money under any planning obligations which was received during the reported year;	<i>£3,038,025.31</i>
3(c)	the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	<i>£85,339.00</i>
3(d)	summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—	<i>See appendix 2</i>
3(d)(i)	in relation to affordable housing, the total number of units which will be provided;	<i>869</i>
3(d)(ii)	in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	<i>N/A</i>
3(e)	the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	<i>£3,038,025.31</i>
3(f)	the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	<i>£385,151.28</i>
3(g)	in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	<i>See appendix 3</i>
3(h)	in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of—	
3(h)(i)	the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;	<i>See appendix 4</i>
3(h)(ii)	the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);	<i>£0</i>
3(h)(iii)	the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	<i>£0</i>
3(i)	the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.	<i>£16,890,217.52 of which £5,098,419.21 is commuted sums</i>

6. References

[1] Planning Advisory Service (2023) *Infrastructure Funding Statements*. Available at: <https://www.local.gov.uk/pas/topics/developer-contributions/infrastructure-funding-statements>

[2] UK Government (2023) *Community Infrastructure Levy*. Paragraph 179. Available at: <https://www.gov.uk/guidance/community-infrastructure-levy#monitoring-and-reporting-on-cil-and-planning-obligations>