

MIDWICH DISTRICT COUNCIL

SUGGESTION:

INCLUDE LOCAL AUTHORITY LOGO

INFRASTRUCTURE FUNDING STATEMENT 2019/2020

SUGGESTION: INCLUDE PHOTOS OF
INFRASTRUCTURE IN THE LOCAL AREA

This is a sample Infrastructure Funding Statement set out to show the essential items to comply with the regulations and suggested good practice. You can [find out more at the PAS website](#), or [ask questions and find an accessible version of this document in MS Word format at the knowledge hub](#).

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Contents

1. Introduction	3
CIL	3
Planning Obligations	3
2. Community Infrastructure Levy Report	4
2.3. Headline Figures	4
2.4. CIL infrastructure expenditure in 2019/20	5
2.6. Other infrastructure funded by CIL in 2019/20:	5
2.7. Other CIL expenditure in 2019/20	5
2.8. Other CIL expenditure relevant to CIL regulation 59E and 59F	6
2.9. CIL receipts retained (allocated and unallocated)	7
2.10. Other allocated CIL receipts	7
2.12. The (CIL) Infrastructure List	9
3. SECTION 106 (PLANNING OBLIGATIONS) REPORT	10
3.2. Headline Figures	10
3.4. Section 106 infrastructure expenditure in 2019/20	11
3.6. Other expenditure of section 106 receipts in 2019/20	12
3.9. Section 106 receipts retained (allocated and unallocated)	12
4. Section 278 Agreements Report (optional reporting)	13
ANNEX A: The Regulatory Requirements for Infrastructure Funding Statements	14
ANNEX B: List of Schedule 2 requirements for the Infrastructure Funding Statement	15
Community Infrastructure Levy	15
Section 106 planning obligations	17

1. Introduction

- 1.1. This report provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Midwich, and the subsequent use of those contributions by Midwich District Council. The report covers the financial year 1 April – 31 March 2020.
- 1.2. Midwich seeks developer contributions through the Community Infrastructure Levy (CIL) and Section 106 agreements (also known as “planning obligations”). [*add Section 278 if s278 being reported on*].

CIL

- 1.3. CIL was introduced in 2010 and has been charged in Midwich since April 2015. CIL is a set charge, based on the gross internal area floorspace of buildings, on most new development to help fund the infrastructure needed to address the cumulative impact of development across our area. Our CIL charging schedule, setting out our CIL charging rates, is available on our website. [*you can add a link to your website here*].
- 1.4. Local planning authorities must use CIL to fund *‘the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area’*. There is also a neighbourhood portion of CIL – ‘Local CIL’ – which is similarly able to fund infrastructure but can also fund *‘anything else that is concerned with addressing the demands that development places on an area’*. Under ‘Local CIL’, a CIL charging authority must pass 15% of local CIL receipts to the parish council for the area where a CIL liable development takes place, rising to 25% if the parish has a Neighbourhood Plan in place. In unparished areas, the CIL charging authority can spend equivalent amounts in the locality, following engagement with local communities.

Planning Obligations

- 1.5. Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation - to mitigate the impact of a specific development, to make it acceptable in planning terms. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments. In some instances, section 106 planning obligations may require payments to be made to parish councils.

2. Community Infrastructure Levy Report

- 2.1. A CIL charge is payable either within 60 days of the commencement of a development, or within the terms of an instalment policy set by the CIL charging authority. In Midwich, CIL is payable in two instalments over 12 months for sums of £100,000 or less; in three instalments over 18 months for sums up to £150,000; and in four instalments over 24 months for larger sums.
- 2.2. The CIL Demand Notice however, sets out the whole sum payable and the instalments required; therefore CIL Demand Notices issued during a particular year do not necessarily equate to the CIL sums likely to be received during that year, and can take up to two years to be paid. In addition, developments can be altered through further planning permissions over time, often resulting in revised Demand Notices needing to be issued. Any such re-issued Notices are not double-counted in this report; if a Demand Notice is issued and then re-issued in the same reporting year, only the re-issued Notice would be included within the figure for CIL invoiced during the year.

2.3. Headline Figures

CIL invoiced (set out in Demand Notices¹) in 2019/20	
CIL receipts² received in 2019/20	
CIL receipts that CIL regulations 59E and 59F applied to³	
CIL expenditure⁴ in 2019/20	
CIL retained⁵ at end of 2019/20	

¹ Includes any late payment or other surcharges, and interest, included in Demand Notices. Excludes Mayoral CIL in London, but an authority could report separately on that if it chooses to do so.

² Total CIL receipts during reported year (excluding Mayoral CIL in London and related admin costs retained, which can be reported separately but does not have to be) which includes any land and infrastructure "payments" received as "In-Kind" CIL payments; any CIL receipts subsequently set aside for CIL administration and 'Local CIL' purposes; any CIL surcharges/interest received, and CIL received for any other reason other than CIL collected on behalf of another CIL charging authority.

³ The total amount of CIL that was relevant to **CIL regulation 59E** (CIL previously paid to a parish or town council under CIL Regulation 59A or 59B which has subsequently been recovered from that parish Council) and **CIL regulation 59F** (a proportion of CIL that may be set aside to spend in the locality of a CIL liable development, which would otherwise have been paid to a parish or town council if such a council existed in the area where the CIL charge was incurred) .

⁴ Actual CIL expenditure during the reported year (excluding, in London, any Mayoral CIL passed on to TfL or related admin costs spent) , regardless of when received, including 'Local CIL' allocations both where spent by the charging authority under CIL regulation 59E and 59F, and where passed to parish/town councils under regulation 59A or 59B, whether subsequently spent or not by that council. Also includes CIL passed to external organisations under regulation 59(4) whether subsequently spent or not; CIL spent on administration of CIL; CIL "expenditure" in regard to any land and infrastructure payment received as "In-Kind" CIL payments from the point any development on the land is commenced or completed , and CIL refunded due to overpayments.

⁵ Total CIL retained – whenever received and including CIL retained to which regulation 59E and 59F applied (note: 'Total CIL retained' is not a regulatory reporting requirement in itself, but suggested it is included for

2.4. CIL infrastructure expenditure⁶ in 2019/20

2.5. Summary details of the items of infrastructure on which CIL (including land payments) has been spent in 2019/20, and the amount of CIL spent on each item:

(it is suggested some items might be highlighted through photographs and more detailed descriptions and others, perhaps for smaller items of infrastructure, through a list. Authorities could add details of any other funding streams which contributed.)

CIL provided this ...

Provide more details...

2.6. Other infrastructure funded by CIL in 2019/20:

Infrastructure Project/Type	CIL amount spent

2.7. Other CIL expenditure in 2019/20

2.7.1. Total amount of CIL spent in 2019/20 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part):

Infrastructure item	CIL spent repaying money borrowed
	£amount

greater clarity - the combined (regulatory) reporting requirements in items 2.4(f) to 2.4(i) in this report also cover the total amount retained.

⁶ 'Infrastructure expenditure' mainly relates to CIL spent by the reporting authority but this section can include details of infrastructure provision undertaken by an external organisation who has been passed CIL funds by the reporting authority under regulation 59(4). The reporting authority should clearly specify in this section any infrastructure provision relevant to regulation 59(4).

2.7.2. Total amount of CIL spend on administrative expenses in 2019/20 and that amount expressed as a percentage of the total CIL received in 2019/20:

CIL spent on Administration	Percentage of total CIL received
£amount	percentage

2.7.3. The amount of CIL passed to any parish or town council under CIL regulations 59A and 59B

Parish/Town Council	CIL amount provided
Parish 1	£amount

2.7.4. The amount of CIL passed to external organisations (other than parish/town councils) under CIL regulation 59(4).

Organisation	CIL amount provided
Organisation 1	£amount

2.7.5. Summary details of the expenditure of CIL on infrastructure, to which CIL regulations 59E or 59F applied during 2019/20:

2.8. Other CIL expenditure relevant to CIL regulation 59E and 59F⁷

Infrastructure/other item & details	Reg 59E or 59F (specify)	CIL expenditure
		£amount
		£amount

⁷ Reporting authorities should be clear in this section when infrastructure provision (or provision of “anything else that is concerned with addressing the demands that development places on an area”) was undertaken in respect of regulation 59E and 59F. Parish/Town councils are separately required to report on CIL sums received through regulation 59A and 59B.

2.9. CIL receipts retained⁸ (allocated⁹ and unallocated)

2.9.1. The total amount of CIL receipts, received prior to 2019/20, *which had been allocated* (to an infrastructure project or item), but not spent, by the end of 2019/20: £amount

2.9.2. The total amount of CIL receipts, received prior to 2019/20, *which had not been allocated* (to an infrastructure project or item) by the end of 2019/20: £amount

2.9.3. The total amount of CIL receipts, whenever collected including 2019/20, which were allocated (whether allocated prior to or during 2019/20) but not spent during 2019: £amount

2.9.4. Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2019/20, have been allocated (but not spent) and the amount allocated to each item:

2.10. Other allocated CIL receipts

Infrastructure Project/Type	CIL amount allocated
Item	amount

⁸ Retained' in sections 2.4(f) to 2.4(i) refers to CIL sums remaining unspent and therefore includes sums both 'allocated' and 'unallocated'.

⁹ 'Allocated' means CIL sums retained by the reporting authority which have, or knowingly will be, passed to an internal team to fund a specific infrastructure project or infrastructure type. 'Allocated' also includes sums which will knowingly be passed to an external organisation but which are yet to be passed.

2.11. Summary details of any Notices served in accordance with regulation 59E (to recover CIL previously passed to a parish or town council) and whether sums had been recovered by end of 2019/20:

Parish/Town Council (or "Parish A, B etc") ¹⁰	Sum requested	Outstanding
Parish	£total	£total

2.11.1. CIL receipts received in 2019/20 retained at the end of 2019/20 (other than those to which CIL regulation 59E and 59F applied): £amount

2.11.2. CIL receipts received before 2019/20 retained at the end of 2019/20 (other than those to which CIL regulation 59E and 59F applied): £amount

2.11.3. CIL receipts received in 2019/20 to which CIL regulation 59E or 59F applied, retained at the end of 2019/20: £amount

2.11.4. CIL receipts received prior to 2019/20 to which CIL regulation 59E or 59F applied, retained at the end of 2019/20: £amount

¹⁰ Reporting authorities are not necessarily required to name any parish/town council to which this regulation applies.

2.12. The (CIL) Infrastructure List

2.13. Regulation 121A(1)(a) requires the infrastructure funding statement to include:

“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 (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”)”

2.14. NOTE: The publication of “the infrastructure list” is mandatory and is intended to provide transparency on how an authority intends to use CIL funds.

2.15. “the infrastructure list” is intended to be a high level statement of how an authority intends to use CIL - it is entirely separate from the regulatory requirement to provide *“Summary details of the infrastructure projects or items to which CIL receipts, whenever collected including 2019/20, have been allocated (but not spent) and the amount allocated to each item”* – but reporting authorities may want to ensure there is no obvious reporting inconsistency between the two requirements.

3. SECTION 106 (PLANNING OBLIGATIONS) REPORT

3.1. *(Authorities could add here comments on policies for seeking section 106 agreements including in regard to seeking on-site or off-site affordable housing contributions. Comments might also be added on how section 106 agreements can be re-negotiated & varied, and delivered in stages etc.)*

3.2. Headline Figures

Monetary Contributions

Total money to be provided¹¹ through planning obligations agreed in 2019/20	£
Total money received¹² through planning obligations (whenever agreed) in 2019/20	
Total money , received through planning obligations (whenever agreed), spent¹³ in 2019/20	
Total money , received through planning obligations (whenever agreed), retained¹⁴ at the end of 2019/20 (excluding “commuted sums” for longer term maintenance).	
Total money , received through planning obligations (whenever agreed), retained at the end of 2019/20 as “commuted sums” for longer term maintenance.	

Non-Monetary Contributions

Total number of affordable housing units to be provided through planning obligations agreed in 2019/20	
Total number of affordable housing units which were provided¹⁵ through planning obligations (whenever agreed) in 2019/20	
Total number of school places for pupils to be provided through planning obligations agreed in 2019/20	
Total number of school places for pupils which were provided¹⁶ through planning obligations (whenever agreed) in 2019/20	

¹¹ If sums to be provided are yet to be confirmed please provide an estimate (as set out in regulations)

¹² Including sums received for monitoring in relation to the delivery of s106 obligations

¹³ “spent” includes sums transferred to an external organisation to spend but does not include sums held internally, whether allocated or otherwise to a specific infrastructure project or type. Total money spent includes sums spent on monitoring the delivery of s106 obligations (please provide an estimate if total sum not known, in line with regulations)

¹⁴ ‘Retained’ refers to S106 sums remaining unspent including sums both ‘allocated’ and ‘unallocated’.

¹⁵ Not a regulatory requirement but it is suggested that authorities, for clarity and transparency, report on this

¹⁶ Also not a regulatory requirement but it is suggested that authorities, for clarity and transparency, report on this item

3.3. (also add summary details outside of the above table on any other non-monetary contributions¹⁷ to be provided through section 106 planning obligations which were agreed in 2019/20)

3.4. Section 106 infrastructure expenditure¹⁸ in 2019/20

3.5. Summary details of the items of infrastructure on which money received through planning obligations (whenever received) has been spent in 2019/20, and the amount of money, received through planning obligations, spent on each item:

(it is suggested some items are highlighted through photographs and more detailed descriptions and others, perhaps for smaller items of infrastructure, through a list. Authorities could add details of any other funding streams which contributed.)

Examples of local infrastructure provided under Section 106

Provide more details of the scheme...

Other infrastructure funded by Planning Obligations in 2019/20:

Infrastructure Project/Type	Planning Obligation receipts spent

¹⁷ This includes any land or infrastructure to be provided

¹⁸ Reporting authorities should report sums transferred to external organisations in this section (as such sums are regarded as “spent” in the regulations) and can add details of the infrastructure provided in regard to such transfers of money, where the sums have subsequently been spent.

3.6. Other expenditure of section 106 receipts in 2019/20

3.7. Total amount of money, received through planning obligations (whenever agreed and money received), spent in 2019/20 on repaying money borrowed, including any interest, and details of the items of infrastructure which that money was used to provide (wholly or in part) £amount

Infrastructure item	Planning obligation spent repaying money borrowed

3.8. Total amount of money, received through planning obligations (whenever agreed and money received), spent¹⁹ in 2019/20 in respect of monitoring (including the preparation of the section 106 report for this Infrastructure Funding Statement) in relation to the delivery of planning obligations: £amount

3.9. Section 106 receipts retained (allocated²⁰ and unallocated)

3.9.1. The total amount of money, received through planning obligations prior to 2019/20, which had not been allocated (to an infrastructure project or item) by the end of 2019/20: £amount

3.9.2. The total amount of money, received under any planning obligation in any year, which had been allocated (to an infrastructure project or type) for spending by the end of 2019/20 but which had not been spent: £amount

3.9.3. Summary details of the infrastructure projects or items to which receipts from planning obligations, whenever collected including 2019/20, have been allocated (but not spent) and the amount allocated to each item:

3.10. Other allocated receipts from Planning Obligations

Infrastructure Project/Type	Planning Obligation receipts allocated
Items ...	£amounts

Examples of local infrastructure provided under Section 106

¹⁹ If the total spent on monitoring is not known, please provide an estimate (in line with regulations)

²⁰ 'Allocated' means section 106 sums retained by the reporting authority which have, or knowingly will be, passed to an internal team to fund a specific infrastructure project or infrastructure type. 'Allocated' also includes sums which will knowingly be passed to an external organisation but which are yet to be passed.

Provide more details of the scheme...

4. Section 278 Agreements Report (optional reporting)

4.1. Summary details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year.

(We suggest you use the same approach as for CIL and section 106 reporting)

4.2. Summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.

(We suggest you use the same approach as for CIL and section 106 reporting)

END (but see Annex A and B below)

ANNEX A: The Regulatory Requirements for Infrastructure Funding Statements

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

Regulation 121A states:

(1) Subject to paragraph (2), no later than 31st December in each calendar year a contribution receiving authority must publish a document (“the annual infrastructure funding statement”) which comprises the following—

(a) 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 (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”);

(b) a report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);

(c) a report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).

(2) The first annual infrastructure funding statement must be published by 31st December 2020.

(3) A contribution receiving authority must publish each annual infrastructure funding statement on its website.

ANNEX B: List of Schedule 2 requirements for the Infrastructure Funding Statement

This table compares the relevant paragraphs under Schedule 2 against the item numbers used in this template – this Annex could also be used as the template for the IFS report.

Community Infrastructure Levy

Reporting requirement (Schedule 2, Paragraph 1)	Sum/Details	Ref. in template
1 (a). The total value of CIL set out in all demand notices issued in the reported year		Headline figures
1 (b). The total amount of CIL receipts for the reported year		Headline figures
1 (c). The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated		Unallocated prior
1 (d). The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year		Allocated prior
1 (e). The total amount of CIL expenditure for the reported year		Headline figures
1 (f). The total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year		Allocated unspent ever
1 (g). in relation to CIL expenditure for the reported year, summary details of— (i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item; (ii) the amount of CIL 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); (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;		Infrastructure list Repayment Admin percentage

<p>1 (h). in relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;</p>		<p>Allocated list</p>
<p>1 (i). The amount of CIL passed to:</p> <p>(i) any parish council under Regulation 59A or 59B</p> <p>(ii) (any person under Regulation 59(4))</p>		<p>Parish 59AB Organisation5 94</p>
<p>1 (j). summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—</p> <p>(i) the total CIL receipts that regulations 59E and 59F applied to;</p> <p>(ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;</p>		<p>Headline figures</p> <p>Expenditure summary</p>
<p>(k) summary details of any notices served in accordance with regulation 59E, including—</p> <p>(i) the total value of CIL receipts requested from each parish council;</p> <p>(ii) any funds not yet recovered from each parish council at the end of the reported year;</p>		<p>59E total</p> <p>59E outstanding</p>
<p>(l) The total amount of:</p> <p>(i) CIL receipts for the reported year retained at the end of the reported year other than those to which regs 59E and 59F applied;</p> <p>(ii) CIL receipts from previous years retained at the end of the reported year other than those to which regs 59E and 59F applied;</p> <p>(iii) CIL receipts for the reported year to which regs 59E and 59F applied retained at the end of the reported year;</p> <p>(iv) CIL receipts from previous years to which regs 59E and 59F applied retained at the end of the reported year.</p>		<p>Current year non59</p> <p>Prior year non59</p> <p>Current year 59</p> <p>Prior year 59</p>

Section 106 planning obligations

Reporting requirement (Schedule 2, Paragraph 3 and (optional) 4)	Sum/ Details	Ref. in template
3 (a). the total amount of money to be provided under any planning obligations which were entered into during the reported year;		Headline figures
3 (b). the total amount of money under any planning obligations which was received during the reported year;		Headline figures
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;		Unallocated prior
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) in relation to affordable housing, the total number of units which will be provided; (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;		Headline figures Headline figures
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;		Allocated unspent
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);		Headline figures
3 (g). in relation to monies (received under planning obligations) which were 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 allocated to each item;		Allocated items
3 (h). in relation to monies (received under planning obligations) which were spent by the authority		

<p>during the reported year (including transferring it to another person to spend), summary details of—</p> <p>(i) the items of infrastructure on which monies (received under planning obligations) were spent, and the amount spent on each item;</p> <p>(ii) the amount of monies (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);</p> <p>(iii) the amount of monies (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations.</p>		<p>S106 expenditure</p> <p>Repaying borrowed</p> <p>Monitoring</p>
<p>3 (i). the total monies (received under any planning obligations) during any year which were retained at the end of the reported year, and where any of the retained monies have been allocated for the purposes of longer term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.</p>		<p>Headline figures</p>

Reporting requirement (Schedule 2, Paragraph 4) (optional)	Sum/Details	Ref. in template
<p>4 (a). summary details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year</p>		<p>S278 funding</p>
<p>4 (b). summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.</p>		<p>S278 projects</p>