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**Key Decision - Yes**  
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## HUNTINGDONSHIRE DISTRICT COUNCIL

**Title/Subject Matter:** Infrastructure Funding Statement (IFS)  
**Meeting/Date:** Cabinet – 12 December 2023  
**Executive Portfolio:** Executive Councillor for Strategic Planning  
**Report by:** Chief Planning Officer  
**Wards affected:** All

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### **Executive Summary:**

Huntingdonshire District Council (HDC) has been a Community Infrastructure Levy (CIL) charging authority since May 2012.

Under the CIL Regulations 2010 (as amended), a CIL contribution receiving authority such as HDC is required to publish an annual Infrastructure Funding Statement (IFS) by no later than 31<sup>st</sup> December including:

- A statement on the infrastructure projects or types of infrastructure which the Council intends will be, or may be, wholly or partly funded by CIL
- A report about CIL on matters specified in the regulations
- A report about planning obligations specified in the regulations

The IFS in this report covers the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 and provides detail on how the Council is delivering the Corporate Plan to Do:Enable;Influence and the Local Plan with particular regard to infrastructure to enable growth.

Members are requested to read the IFS found at Appendix 1 and provide any comments on the infrastructure delivery in the reporting year and note the statement on future projects that may be supported by CIL.

**Recommendation(s):**

The Cabinet is

**RECOMMENDED**

- a) To approve the statement on the infrastructure projects or types of infrastructure which the Council intends will be, or may be, wholly or partly funded by CIL stated at para 2.5 in the Infrastructure Funding Statement
- b) Delegate authority to the Chief Planning Officer in consultation with the Executive Councillor for Strategic Planning, to make any final amendments to the IFS, if necessary, prior to publication.

## **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to seek agreement on the Infrastructure Funding Statement 2022/2023 and the update on the infrastructure delivery during this time (to 31 March 2023). It also asks for agreement to the statement required in relation to projects that will or may be, wholly or partly, funded by Community Infrastructure Levy (CIL).

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 Huntingdonshire District Council has been a CIL Charging Authority since May 2012. The system provides a framework to fund new infrastructure to unlock land for growth, enabling the delivery of the Huntingdonshire Local Plan 2036.
- 2.2 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 introduced the requirement to publish an annual Infrastructure Funding Statement (IFS). The IFS must include
- The Infrastructure List – a statement of the infrastructure projects or types of infrastructure which the charging authority will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies);
  - A CIL report setting out required details on income and expenditure in relation to the previous financial year; and
  - A S106 report in relation to planning obligations (S106 agreement obligations), for the previous financial year.
- 2.3 CIL governance outlining how CIL could be spent and the process for bidding and approving funding of infrastructure projects from the CIL receipts, as shown in the IFS, was originally agreed in October 2012 and subsequently updated in December 2015 working with the then Huntingdonshire Growth & Infrastructure (HG & I) group, which made recommendations to Cabinet. The current governance was approved by Cabinet in October 2020.
- 2.4 It is now considered timely for a further review of governance, taking into account ambitions published under the Levelling Up Agenda, the recent Technical Consultation on the proposed Infrastructure Levy as well as recognising the Council's recently adopted Corporate Plan to 2028, and the three pillars of 'Do, Enable, Influence'. An update on this will be brought back to Cabinet for consideration and recommendation at a later time.
- 2.5 This annual IFS covers the financial year 1<sup>st</sup> April 2022 – 31<sup>st</sup> March 2023. The regulations require the final document to be published on the Council's website by 31<sup>st</sup> December 2023.
- 2.6 The IFS provides an opportunity to outline not only what funding has been received to support the delivery of infrastructure, but it also enables the Council to provide information on infrastructure being delivered directly by developers, in accordance with S106 legal agreements. Where

appropriate, infrastructure will be provided directly, in accordance with agreed specifications, to reduce the burden of cost on all and risk to the Council.

### **3. OPTIONS CONSIDERED/ANALYSIS**

- 3.1 The annual Infrastructure Funding Statement 2022/2023 is shown at Appendix 1. It is split into sections to cover the regulatory requirements as outlined above at para 2.2.
- 3.2 CIL income and S106 obligations are directly related to development approved through the planning system. The statement includes reports outlining information relating to CIL and S106 planning obligations that have been approved, had monies received, funding allocated to infrastructure projects and funding spent during the financial year April 2022 – March 2023. Case studies are also given within the IFS to provide some real information and pictures behind just some of the successes within the reported year.
- 3.3 Through successful negotiation with applicants the local planning authority secures S106 income to ensure the delivery of new infrastructure to mitigate the impact of development, alongside the collection of the Levy to unlock and support growth across the district. A number of infrastructure projects were delivered in 2022/23 highlighting the council's commitment set out in the Corporate Plan to supporting the development of infrastructure that enables district-wide and localised growth as well as improving the supply of new and affordable housing, jobs, and vital community facilities. This includes the Mill Weir at Godmanchester which received nearly £250,000 towards the project to improve the Mill Weir delivered in partnership with Environment Agency, Highways England, Godmanchester Town Council, Godmanchester in Bloom and a local working group, the Godmanchester Community Liaison Group. It delivers both environmental benefits and gives the local and wider community a brilliant new space for the area. In addition the MAGPAS Air Ambulance Facility received £750,000 towards a £7m project creating a new purpose –built facility in Alconbury Weald.
- 3.4 The IFS provides an update on the Community Infrastructure Levy (CIL) receipts which have been allocated to projects, through the governance process, outlined at para 2.3 above, but were not spent in the reported year. This is shown in the IFS at 2.4 (d). This CIL investment will result in over £70million of infrastructure being delivered for the benefit of Huntingdonshire, in addition to those already completed.
- 3.5 The financial obligations received in relation to S106 agreements are bound by the specific wording of the relevant legal agreement.
- 3.6 S106 obligations also support the council's commitment set out in the Corporate Plan to supporting the development of infrastructure that enables district-wide and localised growth as well as improving the supply of new and affordable housing, jobs, and vital community facilities. Specifically in 2022/23 this has included affordable housing at a number

of locations across the district including in Alconbury Weald within the Stukeleys and a rural exception site at Great Staughton prioritising new housing for those with a connection to the village. The table on page 22 of the IFS provides further details of S106 spend during 2022/23 including sport, green spaces, health and community facilities.

3.7 Whilst the Council currently holds S106 monies noted as allocated (to an infrastructure project or type) but which had not been spent, as referenced in para 3.4 (c) of the IFS, there are a number of reasons the monies have not been noted as spent including, but not limited to:

- The necessary legal contract/indemnity is being discussed and agreed
- Evidence of matters required within the S106 legal agreement to be in place prior to transferring the funds, such as a tender/contract in place to deliver the project, have not yet been provided.
- The legal agreement may provide between 5 and 15 years in which to use the funds and, on some occasions, there is no spend deadline. These timelines are agreed as it is recognised the projects are often not quick or easy to deliver and will take time.
- Other funding may be required before the project can be implemented and so agreement to take the monies is not yet reached
- The S106 payment may have been made early and the trigger for actual delivery of the project itself has not yet been reached
- Recession/Inflation has caused delays as budget shortfalls have arisen.
- Delays in getting materials

All of these projects are kept under review to ensure matters can be progressed as soon as it is feasible to do so.

3.8 The infrastructure list at para 2.5 in the IFS, notes projects which CIL receipts could be used to fund, in line with current governance arrangements.

#### **4. COMMENTS OF OVERVIEW & SCRUTINY**

4.1 The comments of the relevant Overview and Scrutiny Panel will be published as a supplement prior to the Cabinet meeting.

#### **5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

5.1 Following approval by Cabinet, the Infrastructure Funding Statement 2022/23 will be published on the Council's website by 31<sup>st</sup> December 2023 in line with the requirements under Regulation 121A of the Community Infrastructure Levy Regulations 2010 (as amended).

## **6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

[\*\(See Corporate Plan\)\*](#)

- 6.1 The IFS helps to show how several of the Council's priorities for 2023 - 2028 are being delivered through the provision of infrastructure to support and funding provision to specific projects. Specifically it is supporting the following:

Improved housing - 27. Maintain the level of new housing delivery, which meets the needs of Huntingdonshire residents, including the type of home and tenure (open market and social housing).

Forward-thinking economic growth - 34. Continue the delivery of the Market Town Programme, including completion of the Accelerated Programme, ongoing delivery of Future High Street projects in St. Neots, development of new Retail Hub activity in Ramsey, and delivery of UKSPF funded Vibrant Communities project.

Forward-thinking economic growth - 39. Influence delivery of infrastructure including East West Rail, A428, A141 Strategic Outline Business Case and future Transport Strategies.

Delivering good quality, high value-for-money services with good control and compliance with statutory obligations - 61. Deliver the enhancement of visitor facilities at Hinchingsbrooke Country Park.

Delivering good quality, high value-for-money services with good control and compliance with statutory obligations - 62. Upgrade path and cycleways at Riverside Park St. Neots

## **7. LEGAL IMPLICATIONS**

- 7.1 Regulation 121A requires that no later than 31<sup>st</sup> December in each calendar year, an annual infrastructure funding statement must be published. This report addresses this requirement.
- 7.2 Section 216 (2) of the Planning Act 2008 as amended by Regulation 63 of the Community Infrastructure Regulations 2010 (as amended) stated that infrastructure 'includes [and is therefore not limited to]:
- (a) roads and other transport facilities,
  - (b) flood defences,
  - (c) schools and other educational facilities,
  - (d) medical facilities,
  - (e) sporting and recreational facilities,
  - (f) open spaces.
- 7.3 The Community Infrastructure Levy may not be used to fund affordable housing.

## **8. RESOURCE IMPLICATIONS**

- 8.1 Staff resource is required to fulfil this regulatory requirement. While overseen by the Implementation team, input is required from a range of services including finance and strategic housing. This is funded, in part, by the administration costs permitted to be retained from the CIL receipts.

## **9. HEALTH IMPLICATIONS**

- 9.1 The use of CIL receipts and S106 planning obligations to deliver infrastructure to support growth within the District will, in many instances, have a positive impact on health and wellbeing such as the MAGPAS Air Ambulance Facility through to projects like the Huntingdon Sailing Club.

## **10. ENVIRONMENT AND CLIMATE CHANGE IMPLICATIONS**

- 10.1 The use of CIL receipts and S106 planning obligations to deliver infrastructure to support growth within the District will, in many instances, have a positive impact on the environment and climate change, such as where strategic green space is provided or funding has supported projects such as Godmanchester Mill Weir and the Community Nursery.

## **11. REASONS FOR THE RECOMMENDED DECISIONS**

- 11.1 The approval of the Infrastructure Funding Statement, subject to final amendments under delegated authority, enables the Council as a CIL Charging Authority to meet its statutory duty to publish an annual IFS by the 31<sup>st</sup> December in accordance with Regulation 121 A and Schedule 2 of the Community Infrastructure Levy Regulations 2010 (as amended).
- 11.2 The statement provides clear and transparent reporting of the CIL and S106 receipts and allocations and the infrastructure being delivered to support the needs of growth as outlined in the Local Plan to 2036.

## **12. LIST OF APPENDICES INCLUDED**

Appendix 1 – Huntingdonshire Infrastructure Funding Statement 2022/23

## **13. BACKGROUND PAPERS**

[Section 216 Planning Act 2008](#)

[Huntingdonshire Infrastructure Delivery Plan](#)

[Huntingdonshire Infrastructure Delivery Plan - Infrastructure Schedule June 2017](#)

[Huntingdonshire Infrastructure Delivery Plan Addendum November 2017](#)

[CIL Governance October 2020](#)

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