

Guidance is given in square brackets under each of the headings below. Headings which are discretionary are also in square brackets. Please delete as you go along and remove heading and sections not needed.

Divisions Affected -

CABINET – DATE 19/12/2023

Infrastructure Funding Statement 2022/23

Report by Corporate Director for Environment and Place

RECOMMENDATION

1. **The Cabinet is RECOMMENDED to**
 - a) **Consider the content of the Infrastructure Funding Statement 2022/23**
 - b) **Approve the publication of the report onto the Oxfordshire County Council website**
 - c) **Note the current work underway to review S106 expenditure and governance arrangements.**

Executive Summary

2. The Infrastructure Funding Statement is a statutory statement of fact to be reported annually, by 31 December 2023 on developer contributions secured, spent or received during the previous financial year, 1 April 2022 – 31 March 2023.

3. The Infrastructure Funding Statement will be published on the authority's website and shows that:

(a) The county council secured 68 new planning obligations in 2022/23 for developer contributions worth £124m;

(b) £28.2m funding was spent on projects in 2022/23;

(c) £62.3m of developer contributions was received in 2022/23, mainly for education and transport;

(d) future service priorities to be funded either in full or part from developer contributions include new schools, school expansions and transport infrastructure;

(e) £194k was received in admin fees which contributes towards the service costs of monitoring the planning obligations and collecting developer contributions;

(f) £276m of funding is currently held to fund future projects, this includes funding received in 2022/23;

(g) Of the funding that is held £97.7m is allocated to projects that are in the capital programme/have a business case. The remainder has been secured for the delivery of other strategic and local infrastructure projects, which will inform the pipeline of future capital investment.

(h) During the last 3 financial years from 2020/21 to 2022/23 no funds have been repaid.

Infrastructure Funding Statement 2023

4. Local authorities are required to produce an Infrastructure Funding Statement on an annual basis in accordance with Schedule 2 of the Community Infrastructure Levy Regulations 2010 (as inserted by the 2019 regulations).
5. The reporting period is the previous financial year, so this statement covers the period 1 April 2022 to the 31 March 2023. The purpose of the Statement is to give policy makers and communities better insight into how developer contributions are supporting new development and local infrastructure priorities.
6. The report is broken down into a number of different sections that cover new planning obligations entered into; funding of projects within the financial year; contributions received and future funding priorities.

New planning obligations entered

7. The county council secured 68 new planning obligations in 2022/23. The value of contributions secured from these planning obligations is £124m. The contributions are index linked and invoiced according to relevant trigger points in the delivery of the proposed developments.

Funding of projects

8. £28.2m of developer contributions was spent on projects in 2022/23. The majority of this was spent on education schemes such as school expansions or new builds.

Contributions received

9. £62.3m of developer contributions was received in 2022/23. The majority was for education, with transport the next highest level of receipts.
10. £194k was also received in admin fees which contributes towards the service costs of monitoring the planning obligations and collecting developer contributions.

Future funding priorities

11. The report identifies future service priorities to be funded either in full or part from developer contributions. These priorities include new schools, school expansions and transport infrastructure, namely the Connecting Oxford initiative; Oxford zero emission zone and local cycle and walking infrastructure plans.
12. The County Council continues to be effective in securing developer contributions for strategic and local infrastructure investments needed to deliver County Council priorities. Officers undertake regular monitoring and review of S106 spend including governance arrangements to ensure alignment with the County Council's capital programme and pipeline of projects.

Corporate Policies and Priorities

13. Developer funding can be used to support corporate plan priorities providing the schemes that are to be funded meet with the terms of the planning obligation. Examples include, reducing the impact of climate change and protecting the local environment through transport projects referred to above and striving to give every child a good start in life through the provision and expansion of schools.

Financial Implications

14. Developer contributions provide significant amounts of funding for the Council's capital programme. Prioritising the use of funds before any longstop dates are reached mitigates against the risk of repayment.
Comments checked by:

Filipp Skiffins, Assistant Finance Business Partner,
filipp.skiffins@oxfordshire.gov.uk (Finance)

Legal Implications

15. There are no new legal implications in this report. Legal agreements are used to secure developer contributions which must be spent in accordance with the terms of the agreement. This Infrastructure Funding Statement is required to be produced in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

Comments checked by:
Jennifer Crouch, Principal Solicitor (Environment)
jennifer.crouch@oxfordshire.gov.uk (Legal)

Staff Implications

16. There are no new staffing implications within this report. The report is introducing the Infrastructure Funding Statement, which is an annual, statutory

requirement for the council. The work undertaken to produce the report is achieved within existing resources.

Caroline Bing, HR Business Partner, caroline.bing@oxfordshire.gov.uk

Equality & Inclusion Implications

17. There are no equality and inclusion issues arising from this report. Equalities will be considered within service areas at the point at which funding is sought for a scheme.

Sustainability Implications

18. There are no sustainability implications from this report. Sustainability will be considered within service areas at the point at which funding is sought for a

Risk Management

19. There are reputational and financial risks to the Council through publication or non-publication of the report. Publication is a statutory duty. Whilst there are no defined penalties for failing to publish, the reputation of the council could be affected by a failure to publish.
20. Publishing the statement creates a reputational and financial risk if there are contributions identified that have been received that have not been spent on a timely basis. In many legal agreements there is a clause that enables developers to seek a return of contributions if they have not been spent within a defined timescale. This risk is mitigated by the prioritisation of those funds that are most at risk.

Consultations

21. As the report is a statement of fact no consultations have been undertaken.

Bill Cotton, Corporate Director for Environment and Place

Annex: Infrastructure Funding Statement 2022/23
Background papers: None

Other Documents: None

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