



CIL Regulations 2010 (as amended)

Regulation 121A: Infrastructure Funding Statement

*Prepared in accordance with the requirements of the
Community Infrastructure Levy Regulations 2010 (as amended)*

Regulation 121A

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PART A: INFRASTRUCTURE NEED AND DELIVERY

1.1 Developer contributions and the Infrastructure Funding Statement

Developer contributions are planning tools that can be used to secure financial and non-financial contributions, or other works, to provide infrastructure to support development and mitigate the impact of development. The term 'developer contributions' usually refers to the Community Infrastructure Levy (CIL) and planning obligations secured through Section 106 Agreements or Unilateral Undertakings.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) was introduced nationally in 2010 and allows local authorities in England and Wales to raise funds from developers who are undertaking new building projects in their area. The money can be used to pay for a wide range of infrastructure that is needed to support new development. The principle behind CIL is that most development has some impact on infrastructure and so should contribute to the cost of providing or improving infrastructure. CIL is governed by the CIL Regulations 2010 (as amended).

Planning obligations

A Planning Obligation is a legal agreement between a developer and the local planning authority (Council) where the developer agrees to provide contributions (either financially or in-kind) to offset negative impacts caused by construction and development. As such, Planning obligations assist in mitigating the impact of what would otherwise be unacceptable development to make it acceptable in planning terms.

Planning Obligations are secured via a planning agreement usually entered into under section 106 of the Town and Country Planning Act 1990 by a person with an interest in the land and the local planning authority or, more occasionally, via a unilateral undertaking entered into by a person with an interest in the land without the local planning authority. As a result, Planning Obligations are often referred to as S106s, and the term S106s and Planning Obligations may be used interchangeably throughout this Infrastructure Funding Statement to refer to the contributions secured through this kind of planning agreement.

Since the introduction of CIL, it has been the intention of the Government that the use of S106s should be 'scaled back' so that CIL is the main way in which infrastructure funding is collected. Therefore, whilst this Council uses CIL as the main mechanism, we continue to use S106s for site-specific infrastructure needs, and have a number of outstanding S106 contributions yet to be used that pre-date the introduction of CIL in West Lancashire in 2014.

Infrastructure Funding Statement

The CIL Regulations 2010 (as amended) set out how CIL monies must be administered, and how they relate to S106s. Under CIL Regulation 121A (introduced by the 2019 amendment),

from December 2020, local authorities must publish an Infrastructure Funding Statement (IFS) to identify infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions and the choices the authority has made about how these contributions will be used (CIL Planning Practice Guidance paragraph 017¹). In doing so, authorities should consider known and expected infrastructure costs, taking into account other possible sources of funding to meet those costs.

This process is intended to help the charging authority to identify the infrastructure funding gap and a levy funding target. It also enables local communities and developers to see how contributions are being spent, ensuring a transparent and accountable system.

This statement will set out that information required by CIL Regulation 121A.

1.2 Establishing infrastructure needs

Preparation of the CIL Charging Schedule (in 2013) saw the Council prepare a list of infrastructure items identified as necessary to support new development across the Borough, which subsequently identified a funding gap to evidence the need to charge an infrastructure levy on new development. The Council has developed this list into an Infrastructure Delivery Schedule.

Infrastructure Delivery Schedule

The Council's Infrastructure Delivery Schedule (IDS) is a database containing details of all infrastructure projects identified as necessary across the Borough. Projects are typically identified by the Council in liaison with infrastructure and service providers but schemes may also be suggested by Councillors, Parish Councils or members of the public. The IDS fulfills two key purposes: i) to continue to provide the evidence of an aggregate funding gap to demonstrate a need for the community infrastructure levy; and ii) to provide the information upon which the Council will assess listed projects as to their suitability to receive CIL funding in the following financial year, in accordance with the Council's adopted Governance and Expenditure Framework for CIL and S106s.

A summary of the IDS is provided as an appendix to this report.

Identifying match funding

It is widely recognised that CIL cannot be expected to deliver all the necessary infrastructure and instead is designed as a mechanism to lever in match funding. In the interests of ensuring value for money, the Council will favorably consider those schemes that can provide match funding, although this is not a requisite of CIL funding and schemes without match funding may still receive CIL funds to enable delivery of the project.

¹ PPG Reference ID: 25-017-20190901

The IDS therefore contains details of available match funding, where known. In many cases, it is difficult to pinpoint other funding sources, particularly for those projects planned beyond the short term (1-2 years). Government guidance states that any significant funding gap should be considered sufficient evidence of the desirability of CIL funding, where other funding sources are not confirmed.

1.3 Use of CIL monies: infrastructure types and projects

The IFS should set out future spending priorities on infrastructure in line with the Council's plan policies, so as to provide clarity and transparency for communities and developers on the infrastructure that is expected to be delivered. The IFS should set out the infrastructure projects or types of infrastructure that the authority intends to fund, either wholly or partly, by the levy or planning obligations. This is not to dictate how funds must be spent, but to set out the local authority's intentions.

Infrastructure Types

Initially, the CIL Regulations 2010 (as amended) restricted Councils from pooling more than five obligations to fund the same item of infrastructure, and, for transparency, required that Councils set out the infrastructure items they intended to fund through CIL through a list – known as the Regulation 123 (R123) list. However, the 2019 amendments removed the pooling restriction, thereby enabling authorities to pool funding from different sources to fund the same infrastructure, provided that authorities set out in their IFS which infrastructure they expect to fund through the levy. The IFS therefore replaces the R123 list, and will set out the Council's intent for the use of CIL monies.

As per the previous R123 list, CIL will be used to fund the following infrastructure types:

- **Strategic transport and highways improvements or provision**, to include
 - cycle network provision and improvements
 - footpaths
 - bus stops

but excluding any works that should form part of a Section 278 agreement;

- **Strategic green infrastructure** including improvements to and provision of:
 - parks
 - amenity open space
 - play areas
 - outdoor sports facilities and playing pitches
 - semi-natural open space

but excluding any other onsite green infrastructure or public open space required by the most up to date planning policy in order to meet the needs of larger

development sites;

- **Community facilities** including libraries, health facilities, community centres, public realm, leisure centres.

Planning obligations or planning conditions will be used to secure the following infrastructure types, on a site by site basis:

- Affordable housing
- Education provision
- Onsite open space and future maintenance
- Flood alleviation measures

Unlike CIL, which applies to all developments, planning obligations are used to provide site-specific mitigation to address the impact of development on certain infrastructure in order to make a planning application acceptable in planning terms. As such, there is still a legitimate role for development-specific planning obligations, even where CIL applies, to ensure that the specific consequences of a development can be mitigated. Planning obligations must be i) necessary to make the development acceptable in planning terms; ii) directly related to the development; and iii) fairly and reasonably related in scale and kind to the development. These tests are statutory tests in CIL Regulation 122 and policy tests within the NPPF. Planning obligations for affordable housing should only be sought from major developments (those with a site capacity above 10 units) (Planning Obligations Planning Practice Guidance paragraph 023²).

Infrastructure Projects

Whilst the Council are keen to use CIL funding to deliver infrastructure projects in the short-term, the Council also wish to ensure that CIL is allowed to accumulate so as to save funds to support the delivery of larger, costlier schemes and medium to long-term projects.

Consequently, each year, the Council will allocate up to £200,000 of CIL monies to 'smaller' projects (each requiring less than £100,000 of CIL funding) that can be delivered in 1-2 years. The remainder of CIL monies will be 'saved up' until such time that larger, costlier schemes are identified and shown to be deliverable. This approach strikes an appropriate balance between delivering smaller-scale projects each year and collecting sufficient CIL funding to make a meaningful contribution to the delivery of larger-infrastructure projects.

Smaller, short-term delivery projects

Each year, in accordance with the Council's Governance and Expenditure Framework for CIL and S106s (updated July 2020), the Council works to identify and prioritise a number of

² [PPG Reference ID: 23b-023-20190901](#)

infrastructure schemes as suitable to receive CIL funding in the following financial year. These projects are drawn from the IDS and assessed against a series of criteria examining deliverability, need, appropriateness and priority. Members are invited to comment on the shortlisted projects in summer, before the schemes are presented for public consultation in the early autumn. Final recommendations on the most appropriate schemes to receive CIL funding are then made to Cabinet for a final decision in late autumn / early winter on the expenditure of CIL receipts.

This annual, cyclical process is known as the 'CIL Funding Programme' and focuses primarily on those short-term delivery schemes each requiring less than £100,000 of CIL funding. However, it will also extend to include any schemes requiring more than £100,000 of CIL funding, and which, through the assessment process, are deemed suitable and deliverable within the two year period. These will also be subject to consideration by Cabinet, with a view to making a separate decision on allocating some of the saved CIL funding towards such larger projects.

The details of this process are outlined below in Section 1.4, and detailed within the Council's Governance and Expenditure Framework (updated July 2020). The actual projects which CIL will be used to fund will be identified and determined each year through the Council's annual CIL Funding Programme.

Larger, long-term delivery projects

However, this IFS must also identify any significant / larger, specific projects that CIL is anticipated to fund. The Council expect that a significant proportion of the available strategic monies will be used on the following key schemes which will support delivery of the Council's key objectives, including ensuring people in the Borough can live healthy and fulfilling lives.

These are:

- **The development of new leisure facilities**
New Leisure and Wellbeing Hubs are one of the Council's key priorities. The building of replacement leisure centres in Skelmersdale and Ormskirk was set out in the Leisure Facility and Contract Procurement report to Council in July 2018.
- **Green infrastructure / cycling and walking provision and improvements**
Including the 'West Lancs Wheel'; canal towpath improvements on the Leeds-Liverpool canal; the River Douglas Linear Park; the Ormskirk-Burscough Linear Park; and the Skelmersdale-Ormskirk Linear Park.

These schemes may take a longer time to deliver, perhaps as a result of land ownerships, planning permissions, feasibility studies, community consultation requirements or the availability of funding. The Council continue to progress these schemes "in the background"

and updates will be provided in future IFS's as and when information is known. As needed, reports will be taken to Cabinet to seek authority to allocate CIL funding to the above projects and types of infrastructure.

1.4 Annual CIL Funding Programme

Allocating funding to the value of £200,000

In July 2020, as part of the update to the Governance and Expenditure Framework, Council agreed that for all CIL monies collected each financial year from 1 April 2020 onwards, a maximum of £200,000 will be allocated through the CIL Funding Programme (CFP) each financial year towards projects individually requiring £100,000 of CIL funding or less.

Following consultation on the draft CIL Funding Programme, Cabinet have agreed to allocate CIL funding in the following financial year to the following schemes:

2020 CIL Funding Programme (for 2021/22)

- <TO BE COMPLETED FOLLOWING NOVEMBER CABINET DECISION>

Allocating funding above the value of £200,000

The remainder of 'strategic' monies collected each financial year will be saved towards more significant infrastructure projects (requiring more than £200,000 of CIL funding) to be drawn down as necessary as such significant projects are identified and approved. Inevitably, such larger schemes are costlier to deliver and it takes time to build up the appropriate levels of CIL funding.

Following consultation on the draft CIL Funding Programme, Cabinet have agreed to allocate CIL funding in the following financial year to the following schemes:

"Saved" CIL funding allocated to projects for 2021/22

- <TO BE COMPLETED FOLLOWING NOVEMBER CABINET DECISION>

Previous cabinet decisions on CIL funding allocations are reported through this Infrastructure Funding Statement (see Part B).

1.5 Anticipated CIL monies

The Government recommend that authorities report on estimated future income from developer contributions, where they are able to do so, in order to give communities a better understanding of how infrastructure may be funded in the future. However, this is not a mandatory requirement of annual reporting under R121A.

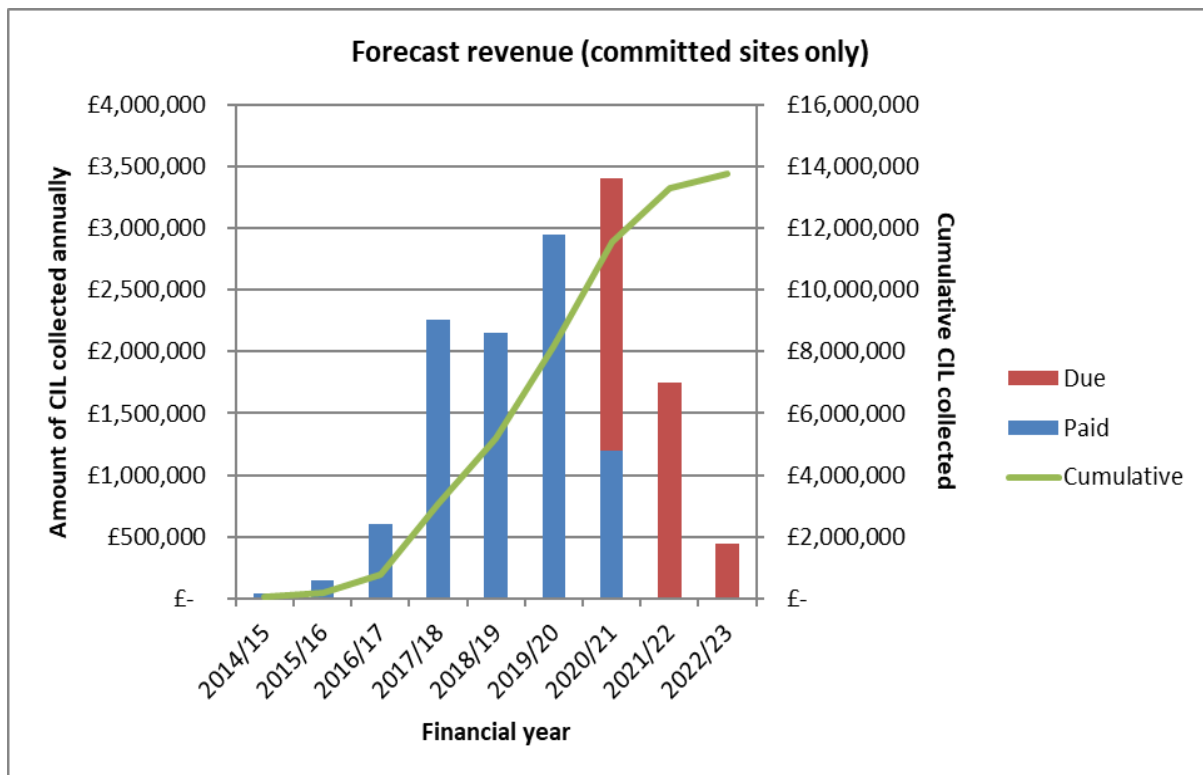
It should be stressed that anticipated future income is provided as a guide only. Payment of CIL is triggered upon the commencement of development, but this is dependent on the developer, and the Council cannot anticipate when developments will start. Furthermore, there is no guarantee that a developer will make payment at the relevant instalment dates, necessitating immediate payment or enforcement action which can affect the payment dates. Subsequently, the Council have provided indicative amounts based on those developments which have commenced, but estimates do not account for those developments that may commence in the future; where payment is not made on time; where enforcement action is required; or where surcharges and/or interest need to be applied. The estimates represent a given point in time and are always subject to change.

The CIL monies in the Table A1 below reflect the actual and forecast receipts. In accordance with the CIL Regulations, receipts must be split as follows: 5% to CIL administration costs, 15% to local councils as the Neighbourhood CIL (NCIL) portion (which rises to 25% for those areas which have an adopted Neighbourhood Plan), and the remaining 80% (or 70%) as the 'strategic portion' – which is that amount available to the Council to spend on infrastructure.

Table A1: Forecast for CIL, based on commenced sites with committed monies (at August 2020):

	Actual / Forecast	Admin	NCIL	Strategic portion
2014-20	£8,146,638	£407,330	£1,185,850	£6,553,455
2020/21	£3,403,705	£170,185	£510,555	£2,722,964
2021/22	£1,746,843	£87,342	£262,026	£1,397,474
2022/23	£446,693	£22,334	£67,003	£357,354
Forecast Total 2020-23	£5,597,241	£279,861	£839,584	£4,477,792
Overall total	£13,743,879	£687,191	£2,025,434	£11,031,247

Figure A1: CIL monies received and due (at August 2020)



1.6 CIL Payment in Kind

There may be circumstances where the Council and a person liable for the levy will want to pay the levy charge by providing land and/or infrastructure, instead of money. For example, there may be time, cost and efficiency benefits in accepting completed infrastructure in place of the levy. Payment in Kind (PiK) can enable developers, users and authorities to have more certainty about the timescale over which certain infrastructure items will be delivered.

The Council adopted a Payment in Kind policy in 2015. Subject to relevant conditions, and at its discretion, the Council may enter into an agreement for land and/ or infrastructure to discharge part or all of a levy liability.

At the time of writing, and in six years of CIL's operation, the Council have not received any requests for Payment in Kind. As any requests are expected to be on an 'ad-hoc' basis, we cannot anticipate how any future payments will be received or used.

Where Payment in Kind is agreed, this will be reported through the IFS.

1.7 Use of Section 106 planning obligations

Planning obligations must be used to deliver benefits to local communities that can offset the negative impacts caused as result of a specific development. The CIL Regulations 2010 (amended) state that obligations may only be used where it is:

- i) necessary to make a development acceptable in planning terms;
- ii) directly related to the development; and
- iii) fairly and reasonably related in scale and kind to the development.

Following the introduction of the Council's CIL charging schedule in 2014, the use of Planning obligations has been reduced, as the majority of funding should now stem from CIL. However, in accordance with the statutory tests governing the use of planning obligations, S106s will continue to be used to address site specific issues and to secure affordable housing, where those matters cannot be addressed through planning condition. This will be done on a site by site basis and in line with the adopted Local Plan and any relevant Supplementary Planning Documents (SPDs) in effect at the time of decision making.

S106s may be agreed for the following infrastructure types:

Transport and highways

As the Council is a two tier authority, site-specific transport and highways contributions are formally secured through S106 obligations based on requests from the Highways Authority (Lancashire County Council (LCC)), who is consulted on a site by site basis. In identifying site-specific needs, LCC will draw upon the West Lancashire Highways and Transport Masterplan, Route Management Strategy and Local Transport Plans. In relation to case by case site-specific highways improvements, LCC will still have the use of both S106 and Section 278 (S278) obligations, where localised conditions of a site require specific mitigation measures. These will continue to be communicated through individual consultation responses to development proposals. For clarity, both S106 and S278 obligations may only be used where the requirement meets the necessary statutory tests limiting the improvement to site specific measures. In addition, S106 and S278 obligations may only be used where the Council does not intend to fund such infrastructure improvements through CIL and have indicated this through the Infrastructure Funding Statement. An example could be specific junction improvements or highway widening.

Public open space

The provision of on-site public open space is currently secured based on the application of the standard requirements within the Provision of Public Open Space in New Residential Development SPD (July 2014), which sets out the requirements for securing adequate levels and types of public open space in new developments. Where development is of a substantial size, 40 units or more, policy requires that open space is delivered on-site and that maintenance of the open space is the responsibility of the developer. However, in exceptional circumstances, and where it can be justified, maintenance may be passed to the Council along with payment for a period of 10 years. Where this is the case, the developer

will be required to enter into a Section 106 Agreement with the Council to secure such funding.

Affordable housing

The provision of affordable housing is secured through S106 Agreements that are based on the Council's Affordable Housing Policy (RS2) within the West Lancashire Borough Council Local Plan 2012–2027 on a site by site basis and subject to viability constraints. This approach will remain unchanged and affordable housing will continue to be secured through the use of S106 Agreements or planning conditions, in line with the Local Plan's Affordable Housing Policy (RS2).

Education

While requests are rare, in certain circumstances it may be appropriate for contributions to education provision to be sought on some developments. Such contributions will continue to be secured through S106 agreements, where there is a demonstrated need for a specific development to contribute to such an improvement to make the development acceptable in planning terms and subject to development viability. LCC, as Education authority, will advise on a case by case basis as to when contributions are necessitated, based on the LCC Methodology for Education Contributions in Lancashire (2016).

Ecology

In some cases, the Council can seek to secure planning contributions to provide ecological improvements. Use of ecological planning obligations may increase with the emergence of biodiversity net gain.

Monitoring fees

The Council may now also charge fees for the monitoring of S106 obligation triggers, payments and projects. At the time of writing, the re-introduction of fees by this Council is still being explored.

1.8 Expenditure process for S106 monies

In July 2020, the Council adopted an updated Governance and Expenditure Framework which sets out how it will identify the use of S106 and CIL monies. This is published at <https://www.westlancs.gov.uk/media/545705/ge-framework-final.pdf>.

Broadly speaking, for planning obligations, proposals are invited from multiple sources and considered by officers/working groups to assess whether or not the proposal(s) meets the stipulations of the originating S106 agreement. Cabinet then make the final decisions on whether schemes are appropriate to receive funding.

More detailed information on each of the processed can be found within the Governance and Expenditure Framework.

1.9 Reporting CIL and S106

According to CIL PPG paragraph 179, for the purposes of reporting developer contributions, infrastructure should be categorised as follows:

Affordable Housing	Collected through S106, relating to site specific needs or planning policy requirements
Education (primary; secondary; post 16)	
S106 Monitoring Fees	
Bonds (held or repaid to developers)	
Transport and travel	
Open space and leisure	
Community facilities	Collected through CIL
Digital infrastructure	
Economic development	
Green infrastructure	
Health	
Highways	
Land	
Transport and travel	
Open space and leisure	
Other	
CIL Admin costs	
Neighbourhood CIL	

'Transport and travel' and 'open space and leisure' contributions have, historically, been collected by the Council via planning obligations but since the introduction of CIL it has been expected that these infrastructure types would be predominantly funded by the levy. However, site-specific needs can continue to be mitigated through planning obligations and so these types appear against both S106 and CIL in the above table. Following the removal of the pooling restrictions (2019 amendments to the CIL Regulations), the Council may now pool contributions from multiple S106 obligations, and CIL, to fund the same infrastructure item.

1.10 Reporting Neighbourhood CIL

15% (or 25% where there is a Neighbourhood Plan in place) of CIL monies collected in an area must be transferred to the local (parish or town) council so that the monies can directly benefit the area in which the development stemmed. Local councils must report on their Neighbourhood CIL (NCIL) receipts and expenditure, and therefore use of NCIL does not comprise part of this IFS. Parish council reports are due by 31 December each year, and they must report on CIL monies for the previous financial year. Copies of all reports are published at:

<https://www.westlancs.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-receipts-and-expenditure/annual-reports.aspx>

In those areas that have NCIL receipts but do not have a parish or town council (Ormskirk and Skelmersdale), the Council must retain the NCIL portion and spend it in consultation with the local community. We will produce annual reports for those NCIL monies in our control, and publish them at the above weblink.

2.0 Progress with Infrastructure Delivery

Progress with infrastructure delivery has previously been reported in the Annual Monitoring Report, but it is now more appropriate to include within the Infrastructure Funding Statement.

2.1 Infrastructure Delivery Plan

The Council's Infrastructure Delivery Plan (IDP) seeks to identify the infrastructure required to support the West Lancashire Local Plan. Infrastructure is essential to support increased housing provision and economic growth, to mitigate climate change impacts, and to create thriving and sustainable communities. The IDP provides the background evidence regarding the infrastructure likely to be required to support the development identified in the Local Plan by setting out when, where, and by whom actions will take place to deliver development, as well as gaps / hotspots of infrastructure stress or deficiency.

The IDP was first prepared in 2012 to support the Local Plan 2012-2027 and is updated with the development of each Local Plan. A new IDP will be prepared as the Local Plan 2038 progresses.

2.2 Infrastructure Delivery Schedule

The Infrastructure Delivery Schedule (IDS) outlines the specific details of infrastructure projects and schemes. The IDS is regularly monitored and updated to provide an up-to-date account of all infrastructure projects required and their status. The IDS is also used to inform which infrastructure schemes are the most appropriate for shortlisting and prioritising through the Community Infrastructure Levy (CIL) Funding Process.

The IDS is regularly reviewed to check the status of current projects, and to add any further projects as and when they are identified as necessary. Implementation of projects often relies on funding, and the Council works with delivery partners to help secure the finances to enable schemes. The IDS informs the identification and prioritisation of those projects to receive funding from revenue collected through CIL.

The current IDS, as at August 2020, can be found as an Appendix to this report. It excludes those projects that are in progress, or which have been completed.

2.3 Delivery of approved schemes

As explained in section one, there is a formal process for approving projects to be funded using CIL, or NCIL, monies. In addition, projects using S106 monies must also be approved by Council Cabinet. The lists below outline those S106, CIL and NCIL schemes that have been granted approval, and their status in spring 2020 (as this IFS must report on the 19/20 financial and monitoring year).

Infrastructure schemes completed / nearing completion in 2019/20

Tawd Valley Park cycleway	S106	£200,000	Completed
Tarleton Pavilion store	S106	£30,513	Completed
Outdoor gym, Station Rd, Hesketh Bank	S106	£12,540	Completed
Sensory garden, Halsall	S106	£5,500	Completed
MUGA, Rufford village hall	S106	£43,000	Completed
Pine Grove link, Ormskirk	S106	£10,000	Completed
Mere Sands Wood Visitor Centre Phase II	CIL	£25,000	Completed
Whittle Drive playing field facilities	CIL	£40,000	Nearing completion
Ormskirk Bus/Rail pedestrian/cycle link	CIL S106	£53,000 £79,579	Nearing completion

A further £60,000 of CIL monies were allocated to the Chequer Lane playing field facility improvements. However, due to circumstances beyond the control of the Council, it has not been possible to deliver this project within the two year timeframe, and so the monies have been returned to the CIL funding pot. If funding is still sought, then a new funding bid will need to be made.

Chequer Lane playing field facilities	CIL	£60,000	Returned to funding
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Infrastructure schemes in progress in 2019/20

Burscough CC Environmental improvements	S106	£21,292	In progress
MUGA, Pickles Drive, Burscough	S106	£40,000	Completed
Play area, Highsands Avenue, Rufford	S106	£43,000	In progress
Tawd Valley Masterplan phase 1	S106	£175,000	In progress
MUGA at Ennerdale, Skelmersdale	S106	£32,169	In progress

Tawd Valley Masterplan	CIL	£300,000	In progress
Hunters Hill Country Park improvements	CIL	£60,000	In progress
Sluice Lane PROW improvements	CIL	£31,000	In progress
Ormskirk gyratory improvements	NCIL	£50,0000	In progress

Infrastructure schemes approved for CIL funding January 2020 (for funding in 2020-22)

Hesketh Bank Community Centre	CIL	£230,000	Approved
Tawd Valley play area provision	CIL	£225,000	Approved
Play area at Thompson Avenue, Ormskirk	NCIL S106	£29,000 £11,000	Approved

PART B: REPORTING CIL & S106 RECEIPTS AND EXPENDITURE

3.0 Receipts and Expenditure for the financial year 2019/20

A	The total value of CIL set out in all demand notices <u>issued</u> in the reported year	£1,309,581
B	The total amount of CIL receipts for the reported year	£2,944,857
C	The total amount of CIL receipts collected before the reported year which have not been allocated	£3,444,727
D	The total amount of CIL receipts collected before the reported year which have been allocated in the reported year	£225,000 (Skelmersdale Play Area scheme)
E	The total amount of CIL expenditure for the reported year	£198,251
F	The total amount of CIL receipts, whenever collected, which were allocated but not spent during the reporting year	£325,000
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	See Table 2
	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)	£0
	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	£147,243 5%
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	See Table 2
I	The amount of CIL passed to	
	i) Any parish council under regulation 59A or 59B	See Table 3
	ii) Any person under Regulation 59(4)	£0

Note: 59A relates to the duty to pass the local CIL portion to local councils. 59B governs CIL paid through land or infrastructure and where payments to a local council must be paid in money.

Table 1: CIL Receipts and apportionment; Allocations and expenditure

	Total CIL receipts	Admin portion	Meaningful, or neighbourhood, portion	Strategic portion	Total CIL receipts allocated to strategic schemes	Total CIL receipts unallocated (cumulative)	Total CIL spent	CIL spent in reported year (2019/20)	CIL returned to pot in reported year 2019/20
2014/15	£45,703	£2,285	£6,855	£36,562	£43,000	£110,083	£43,000	-	-
2015/16	£144,959	£7,247	£21,190	£116,521					
2016/17	£603,834	£30,191	£89,982	£483,660	£173,000	£420,743	£173,000	-	-
2017/18	£2,257,038	£112,852	£338,310	£180,5877	£425,000	£1,801,620	£224,366	£183,261	£60,000*
2018/19	£2,150,247	£107,512	£308,627	£173,4107	£91,000	£3,444,727 (C)	£14,990	£14,990	-
2019/20 receipts	£2,944,857 (B)	£147,243 (G(iii))	£420,885	£2,376,729 (L(i))	£325,000	£5,496,455	£455,356	£198,251	-
Total	£8,146,638	£407,330	£1,185,850	£6,553,455	£1,057,000	£5,556,455* (includes returned £60,000)	£455,356	£198,251(E)	£60,000*

*In 2017/18, £60,000 was allocated to Chequer Lane playing field facilities, however, due to circumstances beyond the Council's control, it has not been possible to deliver this project within the two years, and so the money has been returned to the strategic pot. Should the project be deliverable in the future, a new bid for monies will need to be made through the CIL Funding Programme.

Table 2: CIL funded projects and expenditure (G(i), H)

Year collected	Projects	Allocations	Year allocated	Spent					Returned as unspent	Allocated but unspent
				2015/16	2016/17	2017/18	2018/19	2019/20		
2014-2019	Skem. Allotments	£20,000	2015/16	-	£20,000					-
	Station Approach	£15,000	2015/16	-	£15,000					-
	HCNR Boardwalk	£8,000	2015/16	-	£8,000					-
	Burscough towpath	£150,000	2016/17	-	-	£150,000				-
	Stanley Park, Skem	£20,000	2016/17	-	-		£20,000			-
	MSW Visitor Ph1	£3,000	2016/17	-	-	£3,000				-
	MSW Visitor Ph2	£25,000	2017/18	-	-	-	£25,000			-
	Chequer Lane play	£60,000	2017/18	-	-	-			£60,000	-
	Whittle Drive play	£40,000	2017/18	-	-	-	£2,094	£525		£37,381
	Tawd Valley Park	£300,000	2017/18	-	-	-	£14,011	£182,736		£103,253
	Hunters Hill	£60,000	2018/19	-	-	-	-	£14,990		£45,010
Sluice Lane PROW	£31,000	2019/20	-	-	-	-			£31,000	
2019/20	Hesketh Bank CC	£100,000	2020/21	-	-	-	-	-		£100,000(F)
	Tawd Valley play area	£225,000 (D)	2020/21	-	-	-	-	-		£225,000(F)
Total		£1,057,000						£198,251 (E)	£60,000	£541,644

Table 3: CIL monies transferred to local councils (I(i))

Parish	Neighbourhood CIL (Meaningful proportion) transferred to local (Parish) council							Total returned under R59F
	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Total	
Aughton	£107	£4,681	£14,382	£27,857	£6,013	£22,439	£75,479	-
Bickerstaffe	-	-	-	-	£4,632	-	£4,633	-
Bispham	-	-	-	-	-	-	-	-
Burscough	£1,683	-	£56,808	£116,569	-	£39,367	£217,427	-
Dalton	-	-	-	-	-	£909	£909	-
Downholland	-	-	-	-	-	-	-	-
Great Altcar	-	-	-	-	-	-	-	-
Halsall	-	-	-	-	£18,482	£21,904	£40,386	-
Hesketh-with-Beconsall	£3,486	£4,126	£8,871	£6,052	£21,817	£27,540	£71,892	-
Hilldale	-	-	£864	-	-	-	£864	-
Lathom	-	-	-	£637	-	£5,464	£6,101	-
Lathom South	-	-	-	£15,199	£46,888	£56,960	£119,047	-
Newburgh	-	-	-	-	-	-	-	-
North Meols	-	-	-	£3,682	-	-	£3,682	-
Parbold	-	-	£4,801	£14,649	-	-	£19,450	-
Rufford	-	-	-	-	-	£19,797	£19,797	-
Scarisbrick	-	-	£1,454	£4,447	-	£1,711	£7,612	-
Simonswood	-	-	-	-	-	-	-	-
Tarleton	-	-	£2,803	£27,982	£11,003	£51,353	£93,142	-
Unparished - Ormskirk	-	-	-	£114,993	£199,117	£95,173	£409,285	-
Unparished - Skelmersdale	-	-	-	-	-	£16,581	£16,581	-
Up Holland	£1,352	£10,149	-	-	£673	£61,688	£73,862	-
Wrightington	£228	£2,234	-	£3,242	-	-	£5,704	-
Total	£6,855	£21,190	£89,983	£338,310	£308,627	£420,885	£1,185,851	-

J	Summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year, including –	
i)	The total receipts that regulations 59E and 59F applied to	59E - £0 59F – See Table 4 & 5
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	See Table 4 and 5

Note on 59E: Where local (Parish) Councils do not spend their CIL monies within five years of receipt, or fail to spend them on infrastructure items, the Borough Council can request the return of the monies.

Note on 59F: In non-Parished areas, the Borough Council retains the local portion and must spend it in consultation with the local community on projects within that area. The only non-Parished monies collected belong to Ormskirk.

K	Summary details of any notices served in accordance with regulation 59E, including -	
i)	The total value of CIL receipts requested from each parish council	£0
ii)	Any funds not yet recovered from each parish council at the end of the reporting year	£0
L	The total amount of -	
i)	CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied	£2,918,373
ii)	CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied	£3,179,726
iii)	CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year	£204,078
iv)	CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year	£126,614

Table 4: Ormskirk neighbourhood portion (non-parished area)(J,K,L)

Year collected	Neighbourhood portion received	Projects	Allocations	Year allocated	Spent					Allocated but unspent	Unallocated
					2015/16	2016/17	2017/18	2018/19	2019/20		
2014-2019	£126,614	Ormskirk gyratory traffic improvements	£50,000	2018/19	-	-	-	-	-	£50,000	£23,614
		Cycle and pedestrian links	£53,000	2018/19	-	-	-	-	-	£53,000	
2019/20	£187,497	Thompson Avenue play area	£40,000	2019/20	-	-	-	-	-	£40,000	£147,497
Total	£314,111		£143,000							£143,000	£171,111

Table 5: Skelmersdale neighbourhood portion (non-parished area)(J,K,L)

Year collected	Neighbourhood portion received	Projects	Allocations	Year allocated	Spent					Allocated but unspent	Unallocated
					2015/16	2016/17	2017/18	2018/19	2019/20		
2014-2019	£0	None									n/a
2019/20	£16,581	None									£16,581
Total	£16,581		£0							n/a	£16,581

4.0 Report on S106 Monies for the reporting financial year (2019/20)

Section 106 (S106) agreements, also known as planning obligations, are an agreement between the Council and a developer, made at the end of a planning application stage, whereby the developer agrees to provide contributions to offset likely negative impacts associated with the proposed development being applied for. Historically in West Lancashire, contributions have been accepted for open space, public transport, infrastructure or services, footpath / cycleways and community facilities (e.g. health, leisure and education facilities) and have been used to secure on-site affordable housing.

This report summarises receipts and expenditure for planning obligations (S106 agreements). It should be noted that from 1 September 2014, the Council have collected the majority of developer contributions through the Community Infrastructure Levy (CIL).

A	The total amount of money to be provided under any planning obligations which were entered into during the reported year	£80,253
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Monies agreed to be provided through planning obligations during 2019/20

Planning Application	Site	Provision for	S106 Sum Due upon trigger	Value
2018/0259/FUL	Land to the west of Oasis Close, Rufford	Education: the provision of 5 primary school places at Burscough Village Primary School or any subsequent name or designation by which it is known	50% due prior to occupation of 12 th dwelling; 50% prior to occupation of the 25 th dwelling	£80,253
Total				£80,253

B	The total amount of money under any planning obligations which was received during the reported year (2019/20)	£763,439
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Monies received during 2019/20

Planning Application	Site	Provision for	Amount received
2018/1090/ARM	Whalleys Site 2	MUGA and Open Space	£103,590
2018/0796/FUL	Whalleys Site 5	MUGA and Open Space	£110,603
2016/0665/FUL	Ashurst Road, Skelmersdale	Public Open Space	£45,000
2018/0800/FUL	Atkinson & Kirby, Atkinson Road	Education	£47,475
2013/1060/WL3	Whalleys, Skelmersdale	Bus route	£120,000
2013/1060/WL3	Whalleys, Skelmersdale	Quality bus stops	£30,000
Total			£763,439

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	£705,894
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Monies received (including that received in 2019/20 but not allocated by the authority)

Public Open Space	Transport	Ecology	Education	Total
£220,382	£225,056	£0	£0	£705,894

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	34
	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	5x Primary

Non-monetary contributions agreed during the reported year (2019/20)

Planning Application	Site	Number of affordable housing units	Number / type of school places
2018/0259/FUL	Land to the west of Oasis Close, Rufford	10	5
2018/0394/FUL	Halton Castle, Westhead	5	-
2018/1130/OUT	Land adjacent 24 Snape Green, Scarisbrick	4	-
2017/1141/OUT	Land rear of 48 Fermor Road, Tarleton	7	-
2019/0979/ARM	Moor Farm, 48 School Lane, Downholland	8	-
Total		34	5

E	The total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure	£191,030
F	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	See table below

Details of monies allocated to infrastructure projects during 2019/20

Planning Application	Originating development site	Monies allocated	Monies allocated and spent	Monies allocated and unspent	Project
2018/1090/ARM	Whalleys Site 2	£103,590	-	£103,590	Tawd Valley Phase 2
2012/0515/FUL	Atkinson & Kirkby, Wigan Road	£10,265	-	£10,265	Thompson Avenue play area
2012/0628/WL3	Park Avenue, Ormskirk	£736	-	£736	Thompson Avenue play area
2014/0463/FUL	114 Summerwood Lane, Halsall	£4,808	£4,808	-	Halsall Hall Memorial play area
2014/0463/FUL	114 Summerwood Lane, Halsall	£20,618	£20,618	-	Halsall Hall Memorial play area
2012/1090/OUT	Land at Sluice Lane, Rufford	£43,000	£43,000	-	Highsands Avenue play facilities
2012/1090/OUT	Land at Sluice Lane, Rufford	£53,874	-	£52,874	MUGA, Rufford Village Hall
2007/1254/FUL	Land off Tanhouse Road, Skelm	£23,565	-	£23,565	Tanhouse MUGA improvements
2015/0736/FUL	1 Hattersley Way, Ormskirk	£5,000	£5,000	-	Pine Grove footpath/cycle link
2015/0733/FUL	Grove Farm, High Lane, Ormskirk	£5,000	£5,000	-	Pine Grove footpath/cycle link
Total		£270,456	£78,426	£191,030	

G	The total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend)	
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	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 -	
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i)	The items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item	See table below
ii)	The amount of money (received under planning obligations) spent on repaying money borrows, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part)	£0
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	£0

Planning Application	Originating development site	Amount spent	Project
2014/0463/FUL	114 Summerwood Lane, Halsall	£4,808	Halsall Hall Memorial play area
2014/0463/FUL	114 Summerwood Lane, Halsall	£20,618	Halsall Hall Memorial play area
2015/0736/FUL	1 Hattersley Way, Ormskirk	£5,000	Pine Grove footpath/cycle link
2015/0733/FUL	Grove Farm, High Lane, Ormskirk	£5,000	Pine Grove footpath/cycle link
2009/1391/FUL	Skelmersdale College	£197,500	Tawd Valley cycle path
2013/1060/WL3	Whalleys	£175,622	Masterplan implementation – Ph1 path
1999/0462	Land at Mayo Drive, Tarleton	£30,513	Tarleton Pavilion sports store
2014/1302/ARM	Land at 90 Moss Lane, Hesketh Bank	£11,087	Shore Road outdoor gym
2017/0052	9 Shore Road, Hesketh Bank	£1,473	Shore Road outdoor gym
2014/0463/FUL	114 Summerwood Lane, Halsall	£5,500	Sensory garden
2016/0054/ARM	Sluice Lane, Rufford	£43,000	Rufford play area

1	<p>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.</p>	<p>£0</p> <p>The Council do not collect or use commuted sums for the purposes of maintenance</p>
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SUMMARY TABLES

*Monies raised through Section 106 for **Public Open Space**, by Ward (April 2020)*

Ward	Collected	Spent	Allocated and unspent	Unallocated
Ashurst	£484,815	£175,622	£103,590	£155,603
Aughton & Downholland	£110,846	£110,845	-	-
Aughton Park	£94,633	£94,633	-	-
Bickerstaffe	£11,819	£11,819	-	-
Birch Green	-	-	-	-
Burscough East	£117,734	£17,935	£56,292	£43,507
Burscough West	£299,972	£60,925	£169,000	£70,047
Derby	£318,245	£307,245	£11,001	-
Digmoor	-	-	-	-
Halsall	£36,636	£36,636	-	-
Hesketh with Becconsall	£96,766	£96,766	-	-
Knowsley	£194,500	£194,500	-	-
Lathom	£36,000	£36,000	-	-
Lathom South	£50,000	-	£50,000	-
Moorside	-	-	-	-
Newburgh	-	-	-	-
North Meols	£288,392	£136,812	£120,000	£31,580
Parbold	£99,800	£99,800	-	-
Rufford	£96,874	£43,000	£53,874	-
Scarisbrick	£72,419	£28,560	-	£43,859
Scott	£7,335	£7,335	-	-
Skelm. North	£13,254	£6,254	£7,000	-
Skelm. South	£98,370	£98,370	-	-
Tanhouse	£32,169	-	£32,169	-
Tarleton	£313,853	£125,520	£18,833	-
Up Holland	£158,107	£133,808	£15,000	£9,299
Wrightington	£118,094	£96,004	-	£22,090
Total	£3,100,633	£1,918,389	£806,259	£375,985

Notes

1. *Following negotiations between the developers and the Council, some payments are accepted in instalments to help protect the viability of the development*
2. *Potential monies are where the trigger for payment has not yet been met, or where monies are due but payment is pending.*
3. *Due monies are where the trigger for payments has been met, and monies are payable in line with agreed future timescales, or are with the WLBC legal team for enforcement action.*
4. *In some wards, the potential monies figure may increase as a result of a S106 on an outline permission; where the sum due may only be calculated at reserved matters stage at which point the actual size of the development is known.*
5. *No S106 money has been raised for POS in Birch Green, Digmoor, Moorside, or Newburgh wards.*

Monies raised through Section 106 for Ecology

Ward	Collected	Allocated & spent	Allocated & unspent	Potential (\$106 signed, triggers pending)	Of which, being pursued by Legal
North Meols	£3,150	£0	£3,150	0	0
Up Holland	£20,000	£20,000	£0	0	0
Total	£23,150	£20,000	£3,150	0	0

£20,000 was received in Up Holland for habitat improvements for farmland birds, of which £15,885 has been spent at Mere Sands Wood, and £4115 has been spent on improvements at Scutchers Acres. A scheme to use the £3150 to provide barn owl foraging habitat has been formally allocated and is expected to be delivered in 2020/21.

Monies raised through Section 106 for Education

Ward	Collected	Spent	Allocated and unspent	Unallocated	Potential (triggers pending)	Due
Halsall	-	-	-	-	£142,125	-
Rufford	-	-	-	-	£80,253	-
Scarisbrick	£42,846	-	£42,846	-	-	-
Scott	£47,475	-	£47,475	-	-	-

Notes: Lancashire County Council is responsible for identifying the need for planning obligations to provide school places, and then to provide those school places. The Borough Council notify LCC of receipt and continue to liaise with them with regard to the use of the monies.

Monies raised through Section 106 for Monitoring

Collected	Spent	Allocated and unspent	Unallocated	Potential (triggers pending)	Due
£15,169	-	-	-	-	£472

Notes: Councils are able to charge a fee to cover the administration costs of monitoring S106 obligations, for example triggers, payments and subsequent projects

*Monies raised through Section 106 for **Transport**, by Ward (April 2020)*

Ward	Collected	Spent	Allocated and unspent	Unallocated	Returned to developer
Ashurst	£135,000	-	£135,000	-	-
Aughton & Downholland	-	-	-	-	-
Aughton Park	-	-	-	-	-
Bickerstaffe	-	-	-	-	-
Birch Green	£200,000	£200,000	-	-	-
Burscough East	-	-	-	-	-
Burscough West	£100,000	£4,283	£95,717	-	-
Derby	£560,960	£92,421	£467,739	£800	-
Digmoor	£10,000	-	-	£10,000	-
Halsall	£15,000	-	-	£15,000	-
Hesketh with Beconsall	-	-	-	-	-
Knowsley	£22,000	£22,000	-	-	-
Lathom	-	-	-	-	-
Lathom South	-	-	-	-	-
Moorside	-	-	-	-	-
Newburgh	-	-	-	-	-
North Meols	£105,000	£5,344	£99,656	-	-
Parbold	-	-	-	-	-
Rufford	£46,000	-	£16,000	£30,000	-
Scarisbrick	-	-	-	-	-
Scott	£191,000	£48,500	£6,000	£95,000	£41,500
Skelm North	-	-	-	-	-
Skelm South	£65,557	£51,700	£13,856	-	-
Tanhouse	-	-	-	-	-
Tarleton	£42,000	£22,000	£20,000	-	-
Up Holland	£315,625	£210,047	£5,875	£9,9703	-
Wrightington	-	-	-	-	-
Total	£1,808,142	£656,296	£859,842	£250,503	£41,500

Notes

1. Following negotiations between the developers and the Council, some payments are accepted in instalments to help protect the viability of the development
2. Potential monies are where the trigger for payment has not yet been met, or where monies are due but payment is pending.
3. Where monies are available, the Borough Council is working with Lancashire County Council to identify, refine and deliver suitable projects.
4. £41,500 of monies allocated to transport highway works in Scott Ward have been returned to the developer due to the highway works no longer being required (after consultation with local residents)