

West Lancashire Borough Council
Annual Infrastructure Funding Statement
For
Community Infrastructure Levy and
Section 106

Reporting Period:
From 01 April 2021 to 31 March 2022

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 S106 and Planning Obligations may be used interchangeably throughout this Infrastructure Funding Statement to refer to the contributions secured through this kind of planning agreement.

Infrastructure Funding Statement

The CIL Regulations 2010 (as amended) set out how CIL monies must be administered and how they relate to S106 agreements. Under CIL Regulation 121A, from December 2020 onwards, local authorities must publish an Infrastructure Funding Statement (IFS) that states the types of infrastructure that will or may be wholly or partly funded by CIL and a report about CIL and planning obligations in relation to the previous financial year.

Community Infrastructure Levy Matters

Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 1

CIL will be used to fund the following infrastructure types: strategic transport and highways improvements or provisions (excluding any works that should form part of a Section 278 agreement), strategic green infrastructure (excluding on-site provision required by planning policy), and community facilities. Reference to a letter of the alphabet, e.g. " a) ", corresponds to the reference in the CIL Regulations 2010.

- a) The total value of Demand Notices issued in the reported period is £3,051,744.92. Of total value, the amount from Liability Notices (liable floorspace after any relief that has been granted) is £3,039,652.22 and surcharges imposed due to breaches of the Community Infrastructure Levy Regulations is £12,092.70.
- b) The total amount of CIL collected within the reported period totals £2,933,934.15.
- c) The amount of CIL collected prior to the reported period totals £11,619,685.79. Of this total the following amount was collected in Cash and as Land Transactions (including payments in kind and infrastructure payments) and the following amounts remain unallocated:

Type	Received	Unallocated
Cash	£3,473,047	£7,801,946
Land Payment	£0.00	£0.00

- d) The total amount of CIL collected prior to the reported period allocated in the reported period in relation to cash received is £3,661,643.64 and in relation to land payments (including payments in kind and infrastructure payments) is £0.00.
- e) The total CIL expenditure recorded for the reported period is as follows:

Type	Expenditure
Admin CIL	£0.00
Neighbourhood CIL	£28,889.73
CIL Land Payments	£0.00
Strategic CIL	£36,953.00
Total Value	£65,842.73

- f) The total amount of CIL allocated and not spent during the reported period is as follows, this does not include allocations made within the reported year that have been fully spent:

Type	Allocated	Spent	Remaining
Admin CIL	£89,532.65	£0.00	£89,532.65
Neighbourhood CIL	£593,008.65	£0.00	£593,008.65
CIL Land Payments	£0.00	£0.00	£0.00
Strategic CIL	£129,205.00	£0.00	£129,205.00

- g) i) The items of infrastructure on which CIL (including land payments) has been spent within the reported year, and the amount of CIL spent on each item is as follows:

Infrastructure	Date	Amount	Description
Long Heyes, Ashurst play area	28 May 2021	£30,000.00	Extension to provide play areas for under 6s
Parbold-Appley Bridge towpath improvement works	16 February 2022	£6,953.00	Improvements to Parbold-Appley Bridge towpath

ii) The amount of CIL spent 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) was £0.00.

iii) The amount of CIL collected towards administration expenses is £146,696.71. This was 5% of the total CIL receipts collected (£2,933,934.15) in the reported period. The amount of CIL spent on administration expenses during the reported year was £0.00. This was 0% of the total CIL collected within the reported year.

- h) Regarding CIL collected and allocated within the reported year that has not been spent, summary details of what has been allocated, is remaining to be spent and what it has been allocated towards is as follows:

Infrastructure	Amount Allocated	Amount Unspent	Allocation Dated
Dial A Ride transport service Year 2	£31,555.00	£31,555.00	25 January 2022
Ecumenical centre active community hub	£37,650.00	£37,650.00	27 January 2022
St James' Track and Trim-trail	£12,760.00	£12,760.00	25 January 2022

Infrastructure	Amount Allocated	Amount Unspent	Allocation Dated
Whittle Drive changing facilities	£60,000.00	£60,000.00	25 January 2022

- i) i) The total amount of CIL passed to a neighbourhood zone under Regulation 59A (collected on behalf of the neighbourhood zone in cash), cash collected and allocated towards Neighbourhood CIL, and 59B (cash provided by the Charging Authority to Neighbourhood Zones equivalent to what they would have received on a payment in kind), are as follows:

Zone (area)	Date	Amount Passed
Aughton	16 April 2021	£8,480.48
Burscough	16 April 2021	£61,701.38
Burscough	30 October 2021	£79,214.79
Downholland	16 April 2021	£2,295.91
Downholland	30 October 2021	£5,378.69
Halsall	16 April 2021	£13,170.80
Hesketh Bank	16 April 2021	£23,952.71
Hesketh Bank	30 October 2021	£26,893.12
North Meols	30 October 2021	£6,781.26
Ormskirk	16 April 2021	£69,308.27
Ormskirk	30 October 2021	£29,407.71
Parbold	30 October 2021	£1,185.52
Rufford	30 October 2021	£7,695.51
Scarisbrick	16 April 2021	£9,895.37
Scarisbrick	30 October 2021	£9,895.37
Tarleton	16 April 2021	£45,600.57
Tarleton	30 October 2021	£48,087.81
Up Holland	16 April 2021	£61,688.48
Up Holland	30 October 2021	£64,689.20
Wrightington	30 October 2021	£4,925.70

Where a Zone (area) is listed twice that area received two payments in the financial year.

The following amounts were allocated towards neighbourhood zones under Regulation 59B, cash provided by the Charging Authority to Neighbourhood Zones equivalent to what they would have received on a payment in kind, during the reported year: £0.00.

- ii) The following spends within the reported year have been passed to a third party to spend on the provision, improvement, replacement, operation or maintenance of infrastructure under Regulation 59(4): £0.00.
- j) i) The total collected by West Lancashire Borough Council for the reported year under Regulation 59E (CIL returned to the Charging Authority after 5 years if not spent) was £0.00 and under Regulation 59F, CIL collected and

retained by the Charging Authority for areas that are not designated Neighbourhood Zones, was £0.00.

ii) The amount of CIL allocated during the reported year under Regulation 59E, CIL returned to the Charging Authority that had been passed to a Neighbourhood Zone and had not been applied to infrastructure after a 5-year period, during the reported year is as follows: £0.00.

The amount of CIL spent under Regulation 59E during the reported year was £0.00.

The amount of CIL allocated during the reported year under Regulation 59F during the reported year was £0.00.

The amount of CIL spent under Regulation 59F during the reported year was £0.00.

k) i) The amount of CIL requested under Regulation 59E for the reported year is as follows per neighbourhood zone: £0.00.

ii) The amount of CIL still outstanding for recovery under Regulation 59E at the end of the reported year for all years is as follows for each neighbourhood zone: £0.00.

l) i) The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, for the reported year and that had not been spent is £2,264,771.79.

ii) The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, from 01 September 2014 to the end of the reported year that had not been spent is £11,138,951.63.

iii) The amount CIL collected and that had not been spent under Regulations 59E and 59F during the reported year was £0.00.

iv) The amount of CIL collected from 01 September 2014 to the end of the reported year under Regulations 59E and 59F that has not been spent was £0.00.

Section 106 Matters

Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 3

- a) The total amount of money to be provided under any planning obligations which were entered during the reported year is £30,000.00. This figure does not consider indexation (inflation/deflation) that may be applied when the money becomes due.

Planning Application	Site	Date Document Signed	Trigger	Details of Commuted Sum
2021/0142/FUL	Land To The West Of Children And Parenting Support Services, Fairlie, Birch Green	25.01.2022	Upon occupation of the first property	Payment of the sum of £30,000 towards the enhancement of local playing fields (in mitigation of the loss of playing fields on site).

- b) The total amount of money received from planning obligations during the reported year was £0.00.

- c) The total amount of money received prior to the reported year that has not been allocated is £439,038.

- d) During the reported year the following non-monetary contributions have been agreed under planning obligations:

Planning Application	Site	Details
2019/0991/FUL	Fine Jane's Farm, Moss Road, Halsall	Delivery of 42 affordable rent units, 41 shared ownership units (17 of which to be specialist housing) and on-site provision of public open space.
2020/0263/OUT	Former Hunter & Sons warehouse, Moorgate	Delivery of up to 31 affordable rent units (20% of which to be specialist housing)
2021/0188/FUL	Land to the North-east of Fairstead, Birch Green	Delivery of 100% (14) affordable housing units
2021/0142/FUL	Land to the West of Children and Parenting Support	Delivery of 100% (50) on-site affordable housing units (14 of which to be specialist housing) and on-site provision of public open space.

	Services, Fairlie, Birch Green	
2020/1166/FUL	Former Playing Fields, Barnes Road, Skelmersdale	Delivery of 100% (60) affordable housing units (12 of which to be specialist housing).
2017/0026/HYB	Moor Farm, 48 School Lane, Dowholland	Delivery of 8 affordable shared ownership housing units (6 of which to be specialist housing).

i) The total number of affordable housing units to be provided as on-site provision agreed under planning obligations is 205. The total number of affordable housing units to be provided by S106 off site funding allocations made within the reported period is 0.

ii) The following education provisions have been agreed under S106 agreements: none. The following education provisions have been funded by offsite S106 and other funding sources allocated during the reported year: 0.

e) The total amount of money from planning obligations allocated towards infrastructure during the reported year was £111,650.00. Of this amount £72,000.00 was not spent during the reported year. The £72,000.00 was allocated / approved by cabinet in March 2021 (i.e. not the reporting period) but was not included in the 2020/21 ifs as being allocated.

f) The total amount of money from planning obligations spent during the reported year was £39,650.00. Of this amount £0.00 was spent by a third party on behalf of West Lancashire Borough Council.

g) The following items have had money allocated towards them during the reported year with unspent allocations: 0.

h) In relation to money which was spent by West Lancashire Borough Council during the reported year:

i) The items of infrastructure that planning obligation money has been spent on and the amount spent are as follows:

Infrastructure	Spent	Date Spent	Spend Description
Mere Avenue play equipment	£8,070.00	17 February 2022	-
Hesketh Avenue play equipment	£31,580.00	07 December 2021	-

ii) The amount of planning obligation money spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide are as follows: £0.00.

iii) The amount of planning obligation money spent in respect of administration of planning obligations and monitoring in relation to the delivery of planning obligations during the reported year was £0.00.

i) The total amount of money retained at the end of the reported year is £2,430,378.72 and the break-down of this is shown by Service Area below. Of this amount retained an amount of £0.00 has been retained for long-term maintenance.

Service Area	Amount Paid	Amount Spent (Including Returned from developer)	Amount Allocated / Committed	Amount Unallocated	Unspent Amount
Education	£90,321.56	£0	£90,321.56	£0	£90,321.56
POS	£3,111,678	£2,114,511	£649,787	£351,335	£997,168
Transport	£2,173,141.55	£881,854.30	£1,203,583.70	£87,703.30	£1,291,287
"Maintenance of POS" – 1 amount from payment in 2015	£35,983	£0	£35,983	£0	£35,983
"Management Fees" Historic	£15,619	£0	£15,619	£0	£15,619
TOTAL	£5,426,743.59	£2,996,365	£1,995,294.69	£439,038.30	£2,430,378.72

Section 278 Matters Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 4

Lancashire County Council is the highways authority in West Lancashire Borough Council and therefore they hold, and should report on, records of legal agreements entered into during the reported year in respect to Highways Agreements under Section 278 of the Highways Act 1980.