

## INFRASTRUCTURE FUNDING STATEMENT - PRIORITIES

Cabinet - 8 December 2022

**Report of:** Deputy Chief Executive, Chief Officer Planning & Regulatory Services

**Status:** For recommendation to Cabinet

**Also considered by:**

- Development & Conservation Advisory Committee - 1 December 2022

**Key Decision:** Yes

**Executive Summary:**

The Community Infrastructure Levy Regulations 2010 (as amended) require local authorities to produce an annual Infrastructure Funding Statement (IFS), containing income and expenditure information for CIL and Section 106 contributions. The IFS should also highlight infrastructure projects or types of infrastructure that the Council intends to be funded by CIL over coming year.

This report focuses on the infrastructure priorities to be contained in the new IFS, which needs to be published by 31<sup>st</sup> December 2022. These priorities do not bind local authorities, but they do provide transparency for developers and the community as to what our intentions are.

To assist members, this report details last year's infrastructure priorities and explains how recent developer contributions have been spent. It then considers the evidence to support infrastructure or projects for prioritisation over the coming year and concludes by making recommendations on our funding priorities.

**This reports support the Key Aim of: Ensuring that Sevenoaks District remains a great place to live, work and visit and that development is supported by the most appropriate infrastructure.**

**Portfolio Holder:** Cllr. Julia Thornton

**Contact Officer:** James Gleave ex 7326, Carlyn Kan ex 7264, Emma Henshall 7358

**Recommendation to Development and Conservation Advisory Committee:**

That the recommendations to Cabinet are supported.

**Recommendation to Cabinet:**

To agree the following:

1. The criteria for prioritising infrastructure projects as set out in paragraph 6 should remain.
2. That the specific projects and types of Infrastructure recommended in paragraphs 25-34 of this report are identified in the IFS as having a priority for full or partial funding.

**Reason for recommendation:**

To endorse the spending priorities for Section 106 contributions and the Community Infrastructure Levy receipts for the coming year.

**Introduction and Background**

- 1 Members will be aware that the Council has been a Community Infrastructure Levy (CIL) charging authority since 4<sup>th</sup> August 2014. From this date until middle of September 2022, the Council has collected just over £13 million in CIL contributions.
- 2 The Government's updated CIL Regulations came into effect on 1<sup>st</sup> September 2019 and included a requirement for local authorities to report on their CIL and Section 106 income and expenditure by producing an Infrastructure Funding Statement (IFS). This document is also expected to state the types of infrastructure or projects the authority intends to prioritise and fund wholly or partially through CIL.
- 3 All local authorities are required to prepare an IFS, for publication on or before 31st December of each year.
- 4 This report follows on from last year's IFS and considers whether any changes need to be made to the Council's priorities for infrastructure spending in its new IFS.

**Discussion**

- 5 The following considerations are relevant in considering the Council's priorities for allocating CIL and Section 106 monies:
  - Existing priorities and the projects and type of infrastructure that were put forward last year;
  - Recent CIL and Section 106 spend;
  - Any changes in circumstances and new evidence that has come forward in the Local Plan and the Infrastructure Delivery Plan (IDP). This will enable officers to consider how this will impact on what infrastructure should be prioritised; and

- In light of all the evidence, the report will identify what the priorities and projects for spending should be.

**Priorities for allocating CIL and Section 106 monies already in place:**

- 6 The Council’s Development and Conservation Advisory Committee agreed the following criteria for infrastructure funding in October 2021:
- The projects should fall within the infrastructure types/projects identified in the IFS report.
  - The projects have been identified in the IDP. (This ensures that the infrastructure prioritised supports the Local Plan).
  - The project supports and is clearly related to proposed site allocations or new development in the District. There is a strong link between development and the proposed project.
  - There is a strong social, environmental or economic justification for the proposed project.
  - Projects have not previously received CIL funding.
  - The project has support from infrastructure providers.
  - There is an existing need for the project or it will be expected to be delivered within the next 5 years.
  - That it is identified as having a critical or high need, where the project has to be delivered to support new development.
  - There are no significant issues with funding or landownership.
  - Where there is a clear plan as to how the project would be funded.
- 7 A copy of the report to the October 2021 Development and Conservation Advisory Committee is attached at Appendix A. In addition to the provisions of paragraph 6, the following types of infrastructure and projects were agreed as priorities in last year’s IFS:

**Flooding**

- 8 It was proposed that the Upper Darent flood alleviation scheme should be included as a priority in this year’s IFS.

**Highways and Transport**

- 9 The following highways or transport projects were identified and remain a priority:
- Swanley Transport Improvement Measures;
  - Junction 3 M25 Swanley - improvements required to address increased capacity and accessibility for pedestrians;
  - Improvements to bus services in and around Swanley;
  - Junction improvements at Bat & Ball;
  - Edenbridge Junction improvements; and
  - Edenbridge - sustainable transport improvements.

## **Utilities**

10 The following projects were identified as priorities for funding:

- Badgers Mount water supply upgrades; and
- Swanley supply water upgrades.

## **Health and Social Care**

11 The following areas were identified as particular priorities for additional capacity in healthcare services and will be kept under review:

- Northern Sevenoaks Health;
- Swanley;
- Hextable;
- Farningham;
- New Ash Green;
- Hartley;
- Fawkham;
- South Darenth;
- Expansion of GP Practices in Sevenoaks town;
- To increase the capacity of Otford Health Services (related to Fort Halstead); and
- Edenbridge Medical Hub

## **Affordable Housing**

12 Meeting the need for affordable homes across the District was identified as a continued priority, in accordance with up to date evidence and policy.

## **Other Corporate Priorities**

13 It was proposed that projects that contribute towards meeting the Council's corporate priorities should remain a funding priority, particularly those that support Net Zero ambitions and mental health and wellbeing ambitions.

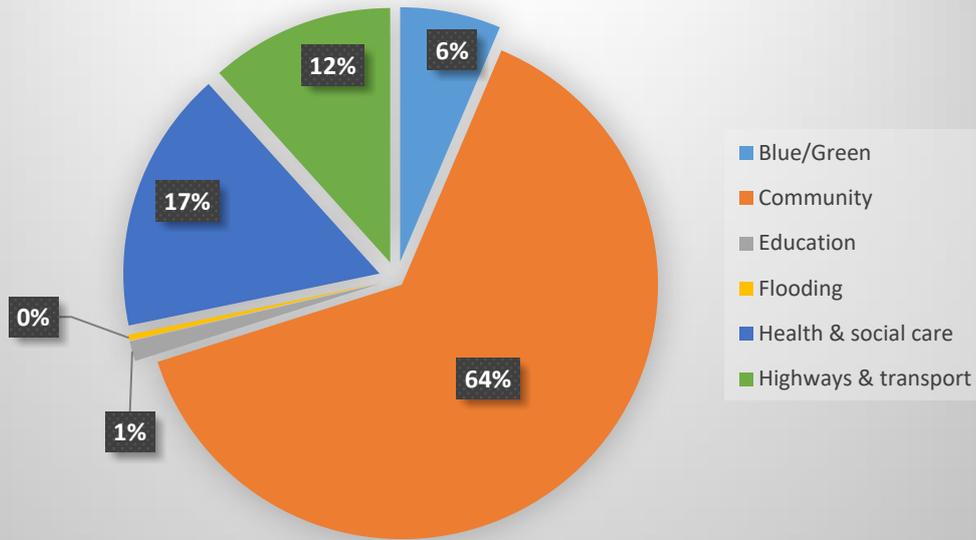
## **Broadband**

14 Any infrastructure proposals that seek to improve existing rural broadband services or propose new broadband infrastructure in rural areas will continue to be considered as a priority.

## **What have we funded so far?**

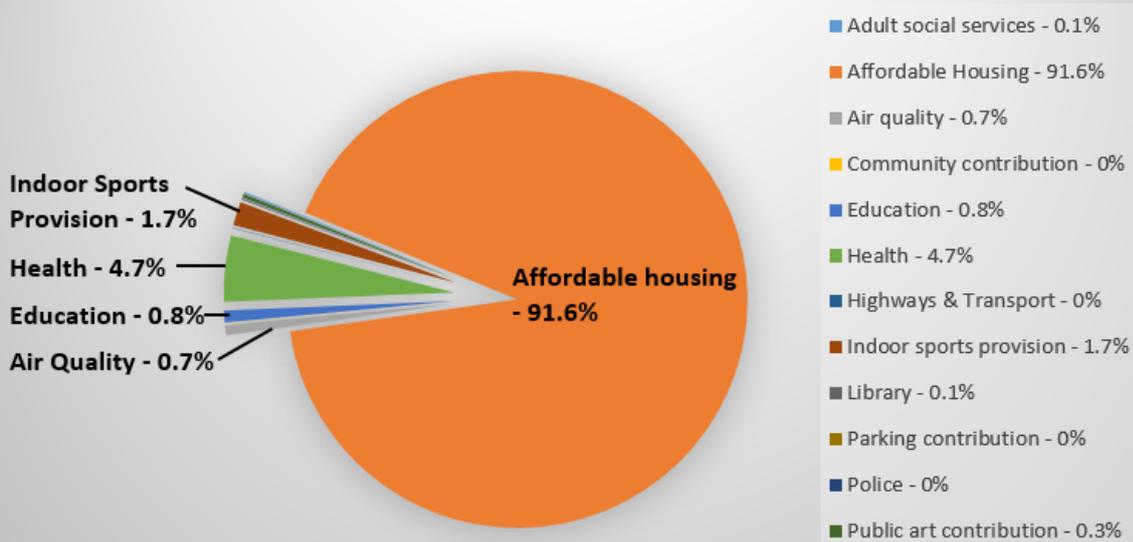
15 The following chart shows how CIL funding has been allocated since the introduction of the Council's Charging Schedule in 2014. Further detail can be found at **Appendix C**.

## CIL Spend since 2014 to date



- 16 The largest amount of spend has been on Community Facilities (64%), which has included village halls, public toilets and play areas. The next largest amount falls under Health and Social Care (17%), where money has been awarded to a medical centre/hub and a health pod. Highways and transport have received 12% of funding, where money has been awarded to projects including train stations and footpath improvements. All of these projects have been funded in accordance with the provisions of the Council's Constitution regarding CIL Governance (Appendix X1 of the Constitution).
- 17 The following chart shows how funding through Section 106 agreements has been allocated since 2014.

## Section 106 Monies Received 2014 to date



- 18 In light of this information, members are asked to consider the projects and types of Infrastructure that should be prioritised. A particular issue for consideration is whether the Council continues to follow previous patterns of CIL and Section 106 spending.

### **Evidence in the Local Plan and Infrastructure Delivery Plan**

#### **Local Plan**

- 19 Members will be aware of the Council's emerging Regulation 18 draft Local Plan, which focuses on the potential to make best and most efficient use of land in existing settlements. This document will contain policies on infrastructure provision to reflect the latest evidence.

#### **Infrastructure Delivery Plan (IDP)**

- 20 The most recent IDP can be found at Appendix B of this report. As part of updating our evidence base for the Regulation 18 document, consideration will be given to the preparation of a joint IDP with Tonbridge and Malling Borough Council. In the meantime, infrastructure providers have been requested to provide an update on any planned works, identified need and pinch points for Sevenoaks District.
- 21 The IDP is a live document and will continue to develop in conjunction with the emerging Local Plan, as sites are identified and more site specific information becomes available. The final version of the IDP will contain a schedule of infrastructure provision, with costs, time horizons, standards of provision and capital programme information. Members will be kept updated on the development of this important document.

#### **Key Sites**

- 22 Infrastructure requirements for major development sites coming forward for development in the District will be included in the latest version of the IFS.

### **Priorities for spending this year**

- 23 Notwithstanding the progress on the emerging Local Plan and its associated evidence, there have been no significant alterations to the IDP and the spending priorities for the coming year are proposed to remain largely unchanged. The criteria set out in paragraph 6 of this report continue to be relevant and recommended for approval.

#### **Community Facilities**

- 24 The community infrastructure projects identified in our current IDP do not fall within the priority timescales. Most are proposed over a period of 16-20 years and have been given a medium to low priority. It is therefore proposed that the provision of CIL towards community facilities is not an identified priority in this year's IFS.

## **Flooding**

- 25 As the Upper Darent Flood alleviation scheme has not been implemented and the CIL money returned to us, it is recommended that this continues to be a priority.

## **Highways and Transport**

- 26 A number of projects are identified as a high priority and it is recommended that these remain as:
- Swanley transport improvement measures;
  - Junction 3 M25 Swanley - improvements required to address increased capacity and accessibility for pedestrians;
  - Improvements to bus services in and around Swanley;
  - Junction improvements at Bat & Ball;
  - Edenbridge junction improvements; and
  - Edenbridge - sustainable transport improvements.

## **Utilities**

- 27 The following projects should continue to be included as funding priorities, unless evidence is submitted to the contrary:
- Badgers Mount water supply upgrades; and
  - Swanley supply water upgrades.

## **Health and Social Care**

- 28 As previously stated, the increase in the capacity of Otford Health Services has been identified as a high priority. A bid to extend the Kemsing branch received partial funding at the March 2021 CIL Spending Board. However, as development at Fort Halstead will continue to have an impact on Otford Health Services, this should remain a priority.
- 29 In the light of this and the information in the IDP, the additional capacity required for health services in the following areas should be identified as a priority:
- Northern Sevenoaks Health;
  - Swanley;
  - Hextable;
  - Farningham;
  - New Ash Green;
  - Hartley;
  - Fawkham;
  - South Darent;
  - Expansion of GP Practices in Sevenoaks Urban Area; and
  - To increase the capacity of Otford Health Services (related to Fort Halstead).

- 30 Notwithstanding the identified needs in these areas, the relevant healthcare organisations will still need to apply for funding. Inclusion in the IFS does not guarantee that schemes will be fully or partly funded, but will be given weight by the Spending Board. Edenbridge Medical Hub has now received two amounts of CIL funding and is not identified as a future funding priority.

### **Affordable Housing**

- 31 Funding for affordable housing will reflect our current planning policies and Supplementary Planning Documents. The income will be spent in accordance with the appropriate legal agreements and portfolio holder discussions.

### **Corporate Priorities**

- 32 It is proposed that projects which would contribute towards the Council's corporate objectives should remain a priority, particularly projects that support and facilitate the Council's Net Zero ambitions and its mental health and wellbeing agenda.

### **Education**

- 33 Whilst no specific projects are identified in the IDP for the next 5 years, the need for education facilities will be on going over the plan period and subject to change as new development comes forward. It is therefore proposed to include education as a funding priority in the forthcoming IFS.

### **Broadband**

- 34 Infrastructure proposals that seek to improve existing rural broadband services or propose new broadband infrastructure in rural areas will continue to be considered as a priority.

### **Other options considered and/or rejected**

- 35 The provisions of this report are based on the latest available evidence and discussions with officers and members across the Council.
- 36 The Committee could determine that the priorities or projects put forward are not acceptable. This could result in an incomplete IFS being produced by the Council. The Committee could also recommend other priorities that they consider more appropriate.

### **Key Implications**

#### Financial

There are no financial implications regarding this report.

#### Legal Implications and Risk Assessment Statement.

There are no legal implications regarding this report.

## Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## Net Zero Implications

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be a decrease on carbon emissions produced in the district as a result of this decision.

## **Conclusions**

It is requested that the Committee agree to the following:

1. The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement.
2. That the specific projects and types of infrastructure recommended in paragraphs 25-34 of this report are identified in the IFS as having a priority for full or partial funding.

### **Appendices**

**Appendix A** - Last year's IFS Report to DCAC October 2021 and Cabinet November 2021

**Appendix B** - Infrastructure Delivery Plan March 2019

**Appendix C** - Full details of CIL expenditure and Section 106 monies received

### **Background Papers**

[Governance of Community Infrastructure Levy](#) - (Appendix X1) of the Council's Constitution.

Infrastructure Delivery Plan March 2019

Sevenoaks District Council's Supplementary Planning Document; Affordable Housing.

**Richard Morris**

**Deputy Chief Executive, Chief Officer - Planning & Regulatory Services**