



# Dacorum Borough Council

## Annual Infrastructure Funding Statement

For

### Community Infrastructure Levy and Section 106

Reporting Period:

From 01 April 2019 to 31 March 2020

## **Introduction**

Charging authorities are required to produce an Infrastructure Funding Statement (IFS) as a result of recent changes to the Community Infrastructure Levy Regulations.

The IFS is an annual report that will set out details about planning obligation receipts and anticipated expenditure.

This report covers the period between 1 April 2019 to 31 March 2020.

The report is split into three sections;

### **Community Infrastructure Levy (CIL) Matters**

This section details the collection and expenditure of CIL funds prior to and during the reporting period.

CIL is a charge levied by local authorities on new development in their area. It is an important tool to use to help deliver the strategic infrastructure needed to support development in the area.

The Levy only applies in areas where a local authority has consulted on and approved, a charging schedule which sets out its levy rates. [Dacorum Borough Council's charging schedule](#) has been in place since July 2015.

The Council has taken the decision to defer any spending of CIL until the Infrastructure Development Plan, which will support the New Local Plan, has been completed. This will enable any spending to be focused on key infrastructure needs that will unlock potential growth.

### **Section 106 (S106) Matters**

This section details the collection and expenditure of S106 funds prior to and during the reporting period.

S106 agreements assist in mitigating the impact of development to make it acceptable in planning terms. The obligations within a S106 must meet three legal tests;

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Whereas CIL funds can be spent on strategic infrastructure, S106 obligations are specific to the locality of the development.

Hertfordshire County Council obligations are often included within the S106 agreement and will be reporting separately on S106 obligations that have been paid or are due to them.

### **The Infrastructure List**

Changes to the Community Infrastructure Levy Regulations 2010 in September 2019 removed the need for Councils to publish a Regulation 123 list, detailing infrastructure items that would be funded either partly or wholly through CIL. This section of the IFS will instead outline priorities for the future year.

## Community Infrastructure Levy Matters

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

- a) The total value of demand notices issued in the reported period is £9,504,165.76. Of this amount £9,464,759.86 is from liable floorspace, £39,405.90 is from surcharges imposed due to breaches of the Community Infrastructure Levy Regulations and £0.00 is late payment interest accrued.
- b) The total amount of CIL receipts collected within the reported period totals £2,980,772.27.
- c) The amount of CIL receipts collected prior to the reported period totals £3,708,843.36. 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
<b>Cash</b>	£3,708,843.36	£3,514,218.37
<b>Land Payment</b>	£0.00	£0.00

- d) The total amount of CIL collected prior to the reported period that has been allocated in relation to cash received is £0.00 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
<b>Admin CIL</b>	£147,238.61
<b>Neighbourhood CIL</b>	£0.00
<b>CIL Land Payments</b>	£36,000.00
<b>Other CIL Cash</b>	£0.00
<b>Total Value</b>	£183,238.61

- f) The total amount of CIL allocated and not spent during the reported period is as follows:

Type	Allocated	Spent	Remaining
<b>Admin CIL</b>	£147,238.61	£147,238.61	£0.00
<b>Neighbourhood CIL</b>	£194,624.99	£0.00	£194,624.99
<b>CIL Land Payments</b>	£0.00	£0.00	£0.00
<b>Other CIL Cash</b>	£0.00	£0.00	£0.00

- 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
N/A			

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) is as follows:

Date	Amount Used	Loan/Interest	Infrastructure Funded
N/A			

iii) The amount of CIL collected towards administration expenses collected is £147,238.61. This is 5% of the total CIL receipts collected (£2,980,772.27) in the reported period.

Dacorum Borough Council has set a collection percentage of 5.00%. The percentage taken may differ due to Land payments (including payments in kind and infrastructure payments) not being allocated to administration expenses and Surcharges and Late Payment Interest not being split with Neighbourhood Areas.

The amount of CIL spent on administration expenses during the reported year is £147,238.61.

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
N/A			

i) i) The total amount of CIL passed to a neighbourhood zone under Regulation 59A<sup>1</sup>, cash collected and allocated towards Neighbourhood CIL, and 59B<sup>2</sup>, 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	Date	Amount Passed
<b>Berkhamsted Town Council</b>	31 March 2020	£30,279.22
<b>Bovingdon Parish Council</b>	31 March 2020	£16,688.22
<b>Chipperfield Parish Council</b>	31 March 2020	£0.00
<b>Flamstead Parish Council</b>	31 March 2020	£6,838.10
<b>Great Gaddesden Parish Council</b>	31 March 2020	£19,120.31
<b>Kings Langley Parish Council</b>	31 March 2020	£0.00
<b>Little Gaddesden Parish Council</b>	31 March 2020	£11,968.55
<b>Markyate Parish Council</b>	31 March 2020	£1,265.63

<sup>1</sup> Duty to pass CIL to local Councils

<sup>2</sup> Application of regulation 59A to land and infrastructure payments

Zone	Date	Amount Passed
<b>Nash Mills Parish Council</b>	31 March 2020	£12,141.85
<b>Nettleden with Potten End Parish Council</b>	31 March 2020	£0.00
<b>Northchurch Parish Council</b>	31 March 2020	£16,035.09
<b>Tring Rural Parish Council</b>	31 March 2020	£12,179.31
<b>Tring Town Council</b>	31 March 2020	£68,108.71
<b>Wigginton Parish Council</b>	31 March 2020	£0.00

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:

Zone	Amount	Date	Re-allocated from
<b>N/A</b>			

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)<sup>3</sup>:

Infrastructure	Amount	Date	Spend Description
<b>N/A</b>			

j) i) The total collected by Dacorum Borough Council for the reported year under Regulation 59E<sup>4</sup> was £0.00 and under Regulation 59F<sup>5</sup>, 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:

Infrastructure	Neighbourhood Zone	Amount	Date
<b>N/A</b>			

The amount of CIL spent under Regulation 59E during the reported year is as follows:

Infrastructure	Amount	Date	Spend Description
<b>N/A</b>			

<sup>3</sup>Application of CIL. For the purposes of this regulation, any reference to applying CIL includes a reference to causing it to be applied, and includes passing CIL to another person for that person to apply to funding the provision, improvement, replacement, operation or maintenance of infrastructure.

<sup>4</sup>Recovery of CIL passed in accordance with regulation 59A or 59B

<sup>5</sup> Use of CIL in an area to which regulations 59A and 59B do not apply

The amount of CIL allocated during the reported year under Regulation 59F during the reported year is as follows:

Infrastructure	Neighbourhood Zone	Amount	Date
N/A			

The amount of CIL spent under Regulation 59F during the reported year is as follows:

Infrastructure	Amount	Date	Spend Description
N/A			

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

Neighbourhood Zone	Amount Requested
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- 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:

Neighbourhood Zone	Amount Outstanding
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- l) i) The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, for the reported year and that has not been spent is £2,396,221.68.
- ii) The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, from 01 July 2015 to the end of the reported year that has not been spent is £5,405,381.88.
- iii) The amount CIL collected and that has not been spent under Regulations 59E and 59F during the reported year are as follows:

Type	Retained
Regulation 59E	£0.00
Regulation 59F	£0.00

- iv) The amount of CIL collected from 01 July 2015 to the end of the reported year under Regulations 59E and 59F that has not been spent is as follows:

Type	Retained
Regulation 59E	£0.00
Regulation 59F	£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 Section 106 planning obligations which were entered into in Dacorum during the reported year is £2,553,707 (including those obligations due to Hertfordshire County Council). Of these total obligations £665,117 is due to Dacorum Borough Council<sup>6</sup>. This figure does not consider indexation (inflation/deflation) that may be applied when the money becomes due.
- b) The total amount of money received from planning obligations during the reported year was £351,732.
- c) The total amount of money received prior to the reported year that has not been allocated is £3,433,403.
- d) During the reported year the following non-monetary contributions have been agreed under planning obligations:
- i) The total number of affordable housing units to be provided is 365.
- e) The total amount of money from planning obligations allocated towards infrastructure during the reported year was £1,826,428. Of this amount £986,406 was not spent during the reported year.
- f) The total amount of money from planning obligations spent during the reported year was £1,396,882. Of this amount £49,010 was spent by a third party on behalf of Dacorum Borough Council.
- g) In relation to money which was spent by Dacorum 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
<b>Maylands Public Urban Realm - Phase 1 Heart of Maylands</b>	£25,844.15
<b>Nash Mills Village Hall refurbishment</b>	£49,010.00
<b>Northend and Westerdale affordable housing</b>	£1,088,646.67
<b>Creation of temporary accommodation units</b>	£105,000.00
<b>Other affordable housing funding</b>	£4,385.72
<b>Play equipment for toddlers in Gadebridge Park</b>	£9,357.67
<b>Dog waste bin improvements at public open spaces</b>	£2,863.63
<b>Nickey Line improvements</b>	£36,656.25
<b>Perennial wildflower sustainable planting</b>	£23,826.52
<b>Provision of trees</b>	£1,474.92
<b>Allotment improvements</b>	£12,374.01
<b>Sport facilities and playing pitches improvements</b>	£26,126.93

<sup>6</sup>It should be noted that Section 106 agreements with financial obligations are almost always linked to planning applications – but not all sites with planning permission granted are developed immediately or indeed at all. Therefore this represents the maximum potential figure.

ii) 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 £2,200.

h) The total amount of money retained at the end of the reported year is £1,916,033. Of this amount retained an amount of £30,461 has been retained for long term maintenance.



## **Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A**

### **The Infrastructure List**

A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL.

A report to Cabinet in November 2016 detailed the following themes that the Infrastructure Advisory Group identified as priorities for funding:

- Transport Infrastructure
- Infrastructure for East Hemel Hempstead

The Council is currently preparing its Infrastructure Delivery Plan (IDP) alongside the new Local Plan. When completed the IDP will provide a more detailed list of infrastructure priorities which will require funding, this will be reflected in future updates to the IFS.