

**Leicestershire County Council
Infrastructure Funding Statement
2022/23**

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Policy Overview

Government legislation in relation to developer contributions requires any local authority that receives a financial contribution from a developer to publish an annual Infrastructure Funding Statement (IFS) outlining income and expenditure during each financial year, from the year 2019/20 onwards.

The information within the statement is required to cover contributions secured through both Section 106 Agreements and the Community Infrastructure Levy.

Planning obligations represent an important funding stream for the provision of county wide services needed to deliver sustainable growth. They are also commonly referred to as 'section 106' and/or 'developer contributions'. A planning obligation is a legal obligation under Section 106 (s106) of the Town and Country Planning Act 1990 and is entered into to mitigate the unacceptable impacts of a development proposal on the infrastructure of the surrounding area.

S106 agreements are most commonly agreed between a local authority and a developer and are typically related to a planning permission. In a two-tiered local government environment, it is usual that the county and the district councils would be a party to the legal agreement to secure the necessary infrastructure funding for county and district infrastructure.

Planning obligations assist in mitigating the impact of development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the 3 statutory tests as set out in the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and in paragraph 57 of the NPPF. These tests require that obligations are:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

Leicestershire County Council is responsible for the delivery and operation of much of the large-scale infrastructure required to support development such as highways, schools, libraries, and waste. The County Council's requirements for S106 contributions are set out in its Planning Obligations Policy document which was agreed in July 2019.

The County Council works closely with the seven district/borough Local Planning Authorities in the county to identify the impact of proposed development and ensure the infrastructure requirements needed to support development are identified through the Local Plan process.

Leicestershire County Council Context

Leicestershire County Council is responsible for the delivery of a range of services to meet the needs of its residents including those moving into new housing, and therefore seeks to secure planning obligations towards provision of new infrastructure where necessary.

Where a proposed development triggers a County Council infrastructure requirement, the Council will request that it be a signatory to the Section 106 Agreement, which will enable contributions to be provided by the developer directly to the County Council.

In some cases, it will receive contributions passed over from the District/Borough Council who may collect contributions from developers on the County Council's behalf (usually where the County Council is not a signatory to the S106 Agreement).

The Infrastructure Funding Statement will not report on contributions that have been collected or are held by the District/ Borough Councils (this will be in their own report). However, where contributions have been transferred to the County Council, this will be included in the reported expenditure.

Monetary Contributions

Table 1 – Total money to be provided through planning obligations

The following table shows the amount of money which has been agreed through S106 agreements completed between 1 April 2022 and 31 March 2023 and will be available to spend in future years as developments are constructed.

Service Area	£
County Council Monitoring Fees	131,846
Education (including Early Years)	47,110,263
Highways	19,932,996
Libraries	172,851
Sustainable Travel	4,270,316
Waste	308,516
Total	71,926,790

Table 2 – Total money received

This table shows the amount of money the council received between 1 April 2022 and 31 March 2023 from S106 agreements that were completed at any point in the past. This money is available to fund infrastructure that was identified within the individual S106 agreement for each development proposal.

The table below also identifies the monitoring fees which the Council is permitted to collect to administer the S106 process.

Service Area	£
County Council Monitoring Fees	120,047
Education (including Early Years)	15,906,746
Highways	3,863,761
Libraries	111,071
Sustainable Travel	930,617
Waste	85,856
Total	21,018,098

Table 3 – Total money spent

This table shows the amount of money spent between 1 April 2022 and 31 March 2023 on infrastructure improvements throughout the county. Details of the individual improvements are shown later in the report.

Service Area	£
County Council Monitoring Fees	66,275
Education (including Early Years)	21,797,199
Highways	296,160
Libraries	89,356
Sustainable Travel	133,892
Waste	36,076
Total	22,418,958

Table 4 – Balance at the start of the financial year

This table shows the opening balance of money at the start of the 2022/23 financial year. This money may be allocated to specific schemes as detailed in the individual S106 agreements and will be spent as and when the Council develops and delivers the schemes.

Service Area	£
County Council Monitoring Fees	495,514
Education (including Early Years)	62,208,349
Highways	21,652,636
Libraries	640,959
Sustainable Travel	8,011,472
Waste	808,801
Total	93,817,731

Table 5 – Balance at the end of the financial year

This table shows the opening balance of money at the end of the 2022/23 financial year. This is an accumulation of money collected in the 2022/23 financial year and unspent monies collected from previous financial years. This money may be allocated to specific schemes as detailed in the individual S106 agreements and will be spent as and when the Council develops and delivers the schemes.

Service Area	£
County Council Monitoring Fees	495,514
Education (including Early Years)	54,838,642
Highways	25,054,035
Libraries	670,395
Sustainable Travel	8,915,606
Waste	837,929
Total	90,812,121

Table 5a – Money received for long term maintenance

Committed sums are agreed in S106 agreements to provide money so that infrastructure can be maintained for a period to ensure that it successfully establishes. The County Council does not ask for any commuted sums in relation to any of the service areas that it is responsible for through S106 agreements and as such no money was collected in the 2022/23 period for this purpose.

Non-Monetary Contributions

Table 6 – Non-monetary contributions

Purpose	Number
Total number of affordable housing units to be provided through planning obligations agreed in 2022/23	0*
Total number of affordable housing units to be provided through planning obligations (whenever agreed) in 2022/23	0*
Total number of school places for pupils to be provided through planning obligations agreed in 2022/23	2,272
Total number of school places for pupils to be provided through planning obligations (whenever agreed) in 2022/23	1,597

**Please note that it isn't the function of the County Council to provide affordable housing. That is the role of the seven Leicestershire district councils, and this information will appear in their own individual IFS documents.*

Other related expenditure

Table 7 – Money spent on repaying forward funded projects

This is where the Council would borrow money to forward fund infrastructure in the absence of the receipt of the S106 funding for that project so that it can progress in a timely manner to address a need in a locality caused by an approved development scheme.

It is not Council policy to borrow money externally to forward fund projects; the preference is to wait for all S106 monies to be received before a scheme progresses. Therefore, no schemes were forward funded from external funds during the 2022/23 financial year.

Section 106 Funded Schemes

Table 8 – Summary of Money Spent

Table 8a – Delayed projects

This information was not available at the time of publishing this Infrastructure Funding Statement, but will be added by the end of January 2024