

Infrastructure Funding Statement

1 April 2021 to 31 March 2022

Published: December 2022

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1. Introduction

Overview

- 1.1 The Wiltshire Core Strategy (Local Plan) (Adopted 2015) provides for at least 42,000 homes and approximately 178 ha of employment land in Wiltshire from 2006 to 2026. To support this growth, a large amount of infrastructure will be required.
- 1.2 The Community Infrastructure Levy (CIL) will be used alongside other sources of funding, such as Section 106 planning obligations, grants and borrowing, to deliver the infrastructure necessary to support development.
- 1.3 This Infrastructure Funding Statement (IFS) reports on Section 106 and CIL collected and spent during the period from 1 April 2021 to 31 March 2022.
- 1.4 The IFS outlines Wiltshire Council's future spending priorities for developer contributions.
- 1.5 The Council has prioritised and allocated the spending of CIL according to governance arrangements approved by Cabinet on 14 March 2017, which were revised by Cabinet on 27 September 2021.
- 1.6 The Infrastructure Delivery Plan (IDP) is periodically updated and provides further information on infrastructure to support growth, including projects referred to in the IFS.
- 1.7 Chapter Two summarises the collection and expenditure of Section 106 Planning Obligations. Appendix A provides full details in a spreadsheet format.
- 1.8 **Chapter Three** summarises the collection and expenditure of CIL. **Appendix B** provides full details in a spreadsheet format.
- 1.9 **Chapter Three** also discusses future spending priorities and projected income for CIL. **Appendix C** is the CIL Infrastructure List, which sets out those infrastructure projects that may be funded, in whole or in part, through CIL.

Section 106 Planning Obligations

- 1.10 A planning obligation may be required by the Council to:
 - Manage the mix of development, for example, securing that a proportion of the housing must be affordable.

- Compensate for the loss or damage caused by the development, for example, loss of hedgerow.
- Mitigate a development's impact, for example, increase public transport provision.
- 1.11 To mitigate the impacts of development, planning obligations can be:
 - Financial obligations requiring monetary contributions to the local authority to fund works or services, and
 - In-kind obligations requiring specific actions to be performed by specific parties
- 1.12 The Council can secure planning obligations through a legal agreement (under section 106 of the Town and Country Planning Act 1990) with an applicant. Or it will expect the applicant to enter into a unilateral undertaking, which is a type of planning obligation provided directly by the applicant. A planning obligation is attached to the land, which means that it will remain enforceable even when the land is sold.
- 1.13 Regulation 122 of the CIL Regulations 2010 (as amended) sets out three statutory tests for planning obligations, namely that:
- 1.14 "A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
 - 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."
- 1.15 The CIL Regulations (2019) abolished Regulation 123, thereby removing the 'double-dipping' and 'pooling' restrictions that had prevented Local Planning Authorities from spending section 106 and CIL on the same infrastructure type or project, or from using more than five separate planning obligations towards an infrastructure type or project capable of being funded by CIL.

Community Infrastructure Levy

1.16 CIL is a fixed, non-negotiable charge on new development. The amount is based upon the size of a development and is charged in pounds per square metre. It varies according to the type of development (e.g., residential, retail or employment uses) and in which area of Wiltshire the development takes place. The Wiltshire CIL Charging Schedule sets out the CIL rates that apply to different types of development in different parts of the county.

- 1.17 CIL applies to development that creates net additional floorspace (measured as Gross Internal Area) of at least 100 square metres. Development of less than 100 square metres is also liable for CIL if it involves the creation of at least one new dwelling. CIL is calculated at the same time as planning permission is granted on a Full or Reserved Matters application. It is payable upon commencement of development in line with the charging authority's proposed instalments policy. There are several types of development that do not pay CIL, by virtue of the rates being £0, and these are listed in the Wiltshire CIL Charging Schedule.
- 1.18 CIL will be used to help fund infrastructure projects on the Infrastructure List. These projects are taken from the Wiltshire Infrastructure Delivery Plan, which identifies infrastructure necessary to deliver housing and employment development in the Wiltshire Core Strategy. The intention behind CIL is that it will contribute towards the funding of infrastructure to support the cumulative impact of development across the county. Planning obligations will be used to mitigate the site-specific impact of development and deliver affordable housing.
- 1.19 A broad definition of 'infrastructure' for the purposes of CIL funding is set out in section 216(2) of the Planning Act 2008 and includes:
 - Roads and other transport facilities
 - Flood defences
 - Schools and other education facilities
 - Medical facilities
 - Sporting and recreational facilities
 - Open spaces
- 1.20 Wiltshire Council must pass at least 15% of CIL, capped at £100 per Council Tax rateable dwelling and indexed for inflation, to the parish council in whose area the development takes place. In areas covered by a 'made' neighbourhood plan, this amount rises to 25% of CIL, uncapped, from development. Up to 5% of CIL received can be used to cover the Council's CIL administration costs.

2. Section 106 Planning Obligations

Collection and expenditure

2.1 Looking at Section 106 activity in 2021/ 2022, the Council received a total of £12,047,536.43 in Section 106 financial contributions, with £3,811,136.54 being spent within this period. This consists of £466,416.09 for funding highways works in the County, £1,057,145.73 spent on improving existing or creating new open spaces, £472,342.87 on affordable housing and £1,468,230.97 towards additional school places in the county.

Infrastructure type	Section 106 monies available
Public open space	£677,811.57
Affordable housing	£521,111.80
Highways	£1,127,441.23
Education	£8,248,892.52
Other ¹	£1,472,279.31
TOTAL	£12,047,536.43

Table 1 – Section 106 financial contributions received in 2021/2022

Infrastructure type	Section 106 monies available
Public open space	£1,057,145.73
Affordable housing	£472,342.87
Highways	£466,416.09
Education	£1,468,230.97
Other ¹	£347,000.88
TOTAL	£3,811,136.54

Table 2 – Section 106 financial contributions spent in 2021/2022

2.2 Section 106 monies are normally ring-fenced to be spent in the area where the development will take place to mitigate its impact. Financial contributions typically have a set time within which they can be spent; in Wiltshire, this is usually 10 years. Therefore, at any one time there will be a pot of monies that will have accrued but that is restricted in the way it can be spent and is often tied to specific projects and therefore cannot be used for other purposes.

Future spending priorities

2.3 Section 106 income varies on a site-by-site basis depending upon a range of factors, such as the viability of development and site-specific considerations. This makes it difficult to forecast future Section 106 income and expenditure.

¹ Includes public art, ecology, community facilities, air quality, waste and recycling, libraries, fire service and health care.

2.4 Appendix A provides details on the following:

- Developments from which Section 106 contributions have been received in 2021/2022
- Projects delivered off-site by Section 106 contributions in 2021/2022
- Developments from which Section 106 contributions have been secured for future years. These have planning permission and contributions will be paid in future years should the developments progress as planned. These contributions will be paid by the developers either once development has commenced on site or once a specified number of homes has been delivered on the site.

3. Community Infrastructure Levy

Collection and expenditure

3.1 The amount of CIL carried forward to 2021/2022 is set out in *Table 3*.

CIL Carried Forward	Amount
Strategic CIL (Wiltshire Council)	£30,595,120.91
Local CIL (Town/ Parish Councils)	£1,291,630.11
Admin	03
Total:	£31,886,751.02

Table 3 - The amount of CIL as of 31 March 2021

3.2 Total CIL income in 2021/2022 was £8,617,359.90, as set out in *Table 4*. Details of each CIL receipt and how it was apportioned are set out in **Appendix B**². The Council did not receive any land or infrastructure payments (i.e., the provision of land or infrastructure in lieu of paying CIL) during 2021/2022.

CIL Received	Amount
Strategic CIL (Wiltshire Council)	£6,507,588.94
Local CIL (Town/ Parish Councils)	£1,657,602.34
Admin	£452,168.62
Total:	£8,617,359.90

Table 4 - The amount of CIL received in 2021/2022

- 3.3 £2,304,189.82 was devolved to Town/ Parish Councils in 2021/2022.
- 3.4 £95,630.40 was spent on strategic infrastructure projects in 2021/2022. Committed expenditure to strategic infrastructure projects is set out later in this statement.
- 3.5 The Council can also use up to 5% of CIL towards administrative costs.
- 3.6 In summary, therefore, the amount of CIL carried forward to 2022/ 2023 is set out in *Table 5*.

CIL Carried Forward	Amount
Strategic CIL (Wiltshire Council)	£37,007,079.45
Local CIL (Town/ Parish Councils)	£645,042.63
Admin	£0
Total:	£37,652,122.08

Table 5- The amount of CIL as of 31 March 2022

² A total amount taken from individual CIL receipts in Appendix B may differ from the summary totals in Table 4 due to the timings of separate monitoring systems relating to finance and planning.

Priority projects

3.7 In total, as of 31 March 2022, c.£22.8m of CIL expenditure from the CIL strategic fund has been spent or committed leaving £14.1m. This is discussed further below but as shown in *Table 6*, comprises:

Date approved	Amount	Infrastructure category	Project
December 2018	£119,000	Education	Preliminary studies for the expansion of Abbeyfield School, Chippenham
December 2018	£136,000	Transport	Preliminary studies for the following: • Malmesbury Road Roundabout, Chippenham • Bridge Centre Gyratory, Chippenham • A361 Holy Trinity Gyratory, Trowbridge
2020/ 2021	£27,874	Open space, green infrastructure, and the environment	Entrade commissioned to identify offsetting measures to ensure phosphate neutral development in the catchment area for the River Avon (Hampshire) Special Area of Conservation (SAC)
January 2021	£850,000	Open space, green infrastructure, and the environment	Strategic fund to deliver offsetting mitigation measures to help secure phosphate neutral development in the catchment area for the River Avon (Hampshire) SAC
September 2021	£6,427,229	Education	Phase 1 of the expansion of Abbeyfield School, Chippenham
September 2021	£1,350,000	Open space, green infrastructure, and the environment	Strategic fund to mitigate the impact of recreational pressures from development on bat habitats associated with the Bath and Bradford on Avon Special Area of Conservation (SAC) in line with the Trowbridge Bat Mitigation Strategy

Date approved	Amount	Infrastructure category	Project
			(February 2020).
September 2021	£220,000	Open space, green infrastructure, and the environment	Strategic fund for measures to mitigate the impact of recreational pressures from development on the Salisbury Plain Special Protection Area (SPA).
September 2021	£750,000	Open space, green infrastructure, and the environment	Strategic fund to mitigate recreational pressures arising from development on the New Forest Protected Sites in line with the Interim Recreation Mitigation Strategy for the New Forest Internationally protected sites (January 2022).
February 2022	£3,154,212	Transport	A350 Chippenham Bypass improvements phases 4 and 5
February 2022	£4,516,000	Transport	A350 M4 Junction 17 capacity improvements
February 2022	£1,377,783	Transport	A338 Southern Salisbury Junction improvements (Exeter Street Roundabout, Harnham Gyratory and Park Wall Junction)
February 2022	£3,909,500	Transport	A350 Melksham Bypass
TOTAL:	£22,837,598		

Table 6 - Committed or spent CIL as of 31 March 2022

Education projects

3.8 Following Cabinet in December 2018 and approval of initial funding of £119,000, a preliminary study was completed on the expansion of Abbeyfield School. The project is required to support the cumulative demand from planned growth at Chippenham, namely the allocations in the Chippenham Site Allocations Plan. The study has shaped the project brief and identified that the school should be expanded in three phases rather than two, with each phase being for 150 pupils and equate to a single form of entry. No Government funding has been identified or is likely to become available to support the project within the Core Strategy plan period up to 2026. The study has identified the cost of Phase 1 as c£6.4m and Phase 2 as c£3.02m.

- 3.9 On 27 September 2021, Cabinet approved the release of further funding of circa £6.43m for Phase 1 of the expansion of Abbeyfield Secondary School. Phase 1 needs to be ready for occupation in September 2025.
- 3.10 The timing of further phases of expansion at Abbeyfield will be determined by the build out rate of future housing and the availability of pupil places at the other secondary schools in Chippenham. Phase 1 will cost more than subsequent phases as it includes the creation of a second access to the school, additional car parking, provision of incoming utilities, net carbon zero technologies etc.
- 3.11 The anticipated programme for the completion of phase 1 is to achieve planning permission by June 2023, commence works on site by March 2024 and complete on site ready for occupation by September 2025.
- 3.12 *Table 7* shows the allocation of CIL funding to the expansion of Abbeyfield School, Chippenham, and the potential for future drawdown.

Total cost Expansion of Ab	Total CIL allocation (As of 31 December 2022) beyfield Seconda	Drawdown from finance (As of 31 March 2022) ry School, Chippe	Timing of the drawdown of the full amount enham	Likelihood of future requirement being needed
£12,053,800* *Estimate prior to feasibility study. Likely to increase due to inflation.	£6,546,229	£119,000	Feasibility study: £119,000. Feasibility study complete. Phase 1: £6.43m. By September 2025. Phase 2: £3.02m (cost correct at Sept 2021 based on feasibility study, subject to review due to inflation) Timing will depend on the build out rate of housing and the availability of places at other schools.	Medium: CIL funding for 150 places has been allocated for Phase 1. Future phases are expected to be funded through a combination of CIL and Section 106, with Section 106 contributions sought from non-allocated major sites.

Total cost	Total CIL allocation (As of 31 December 2022)	Drawdown from finance (As of 31 March 2022)	Timing of the drawdown of the full amount	Likelihood of future requirement being needed
			Phase 3: £TBC. Timing will depend on the build out rate of housing and the availability of places at other schools.	

Table 7 – Allocation of CIL funding to the expansion of Abbeyfield School, Chippenham.

Transport projects

- 3.13 In February 2022, Cabinet added to the Council's CIL Infrastructure List and approved £12.597m of CIL funding for the following transport projects:
 - A338 Southern Salisbury Junction improvements (Exeter Street Roundabout, Harnham Gyratory and Park Wall Junction)
 - A350 Chippenham Bypass improvements phases 4 and 5
 - A350 M4 Junction 17 capacity improvements, and
 - A350 Melksham Bypass
- 3.14 The A338 Southern Salisbury Junction improvements project is identified in the Salisbury Transport Strategy. It will support planned growth in the Wiltshire Housing Site Allocations Plan by improving the strategic transport network, which includes the A338 around Salisbury. To ensure timely progression of the project, CIL will contribute towards the funding gap left following the allocation of Major Road Network (MRN) funding (£13.2m) and Section 106 contributions (£960,000, as of February 2022).
- 3.15 The A350 Chippenham Bypass improvements phases 4 and 5 project is identified in the Chippenham Transport Strategy. It will improve the A350 to support its functionality as a strategic road corridor and the sustainable growth of west Wiltshire, thus supporting planned growth in the Chippenham Site Allocations Plan. Similarly, CIL will contribute towards the funding gap left after the allocation of MRN funding (£26.1m) and Section 106 contributions (£2m, as of February 2022).
- 3.16 The A350 M4 Junction 17 capacity improvements project is a result of work undertaken by the Council that identified the need for additional

- investment at the top of the A350 around Junction 17 to support its functionality. This project will provide further capacity improvements over and above those secured as part of the Chippenham Gateway development. CIL will contribute towards the local funding gap left following the allocation of MRN funding (estimated at £23.3m).
- 3.17 Funding towards the A350 Melksham Bypass project, which will address longstanding concerns about capacity in the A350 through Beanacre and Melksham, will progress the scheme to the Full Business Case stage. Discussions will continue to be held with the Department of Transport (DfT) regarding the longer-term funding arrangements for the scheme.
- 3.18 Table 8 sets out the CIL funding profile for these projects.

CIL contribution	2022/23	2023/24	2024/25	2025/26	2026/27	Total
A350 M4 Junction 17 capacity improvements	£236,050	£269,950	£2,639,950	£1,370,050	£0	£4,516,000
A338 Southern Salisbury Junction improvements	£113,824	£84,176	£562,640	£617,143	£0	£1,377,783
A350 Chippenham Bypass Phases 4 and 5	£248,652	£1,923,336	£982,224	£0	£0	£3,154,212
A350 Melksham Bypass	£508,750	£929,500	£954,250	£975,250	£541,750	£3,909,500
Total:	£1,107,276	£3,206,962	£5,139,064	£2,962,443	£541,750	£12,957,495

Table 8 – CIL funding profile for new transport projects.

- 3.19 In April 2022, Cabinet added to the Infrastructure List and approved funding for up to £400,000 to the Local Highways and Footpath Improvement Groups (LHFIGs) programme for projects that relate to pedestrian and cycle improvements. These projects comprise infrastructure improvements to support walking and cycling, associated safety measures or projects to improve the attractiveness of travel by these modes.
- 3.20 Previously, in December 2018, Cabinet had approved CIL funding of £136,000 towards preliminary studies in relation to the following transport projects:

- Malmesbury Road, Roundabout, Chippenham
- Bridge Centre Gyratory, Chippenham, and
- A361 Holy Trinity Gyratory, Chippenham
- 3.21 *Table 9* summarises CIL funding allocations to transport schemes and the potential for future draw.

Total cost	Total CIL allocation (as of 31 December 2022)	Drawdown from finance (as of 31 March 2022)	Timing of the drawdown of the full amount	Likelihood of future requirement being needed
Malmesbury Roa	Medium:			
£3,000,000	£80,000	£80,000	Complete	Project should provide capacity to support future growth at the town. As such, the Local Plan Review will need to be more advanced before further funding is committed.
Bridge Centre G	yratory, Chippenh	nam		Medium:
£1,000,000	£36,000	£36,000	Complete	Project needs to be coordinated with the regeneration of the Bridge Centre and Bath Road Car Park site in Chippenham.
A361 Holy Trinit	y Gyratory, Trowb	ridge		Medium:
£1,000,000	£20,000	£20,000	Complete	Projects needs to be coordinated with the regeneration of associated sites in central Trowbridge.
A350 M4 Junctio	Medium:			
£28,816,000	£4,516,000	£0	Short-term (next five years). See Table 8.	Most of the remaining funding to be provided by an estimated DfT

Total cost	Total CIL allocation (as of 31 December 2022)	Drawdown from finance (as of 31 March 2022)	Timing of the drawdown of the full amount	Likelihood of future requirement being needed
				MRN contribution of £23.3m.
A338 Southern S	Medium:			
£17,494,534	£1,377,783	£0	Short-term (next five years). See Table 8	Most of the remaining funding to be provided by a DfT MRN contribution of £13.2m and Section 106 contributions of circa. £0.96m (as of February 2022).
A350 Chippenha	Medium:			
£31,254,000	£3,154,212	£0	Short-term (next five years). See Table 8.	Most of the remaining funding to be provided by a DfT MRN contribution of £26.1m and Section 106 contributions of £2m (as of February 2022).
A350 Melksham	Medium:			
£135,800,000	£3,909,500	£0	Short-to- medium-term (next 10 years). See Table 8.	CIL funding will progress the scheme to Full Business Case stage. Discussions will continue to be held with DfT regarding longer-term funding arrangements for the scheme.

Table 9 – CIL funding allocations to transport projects.

Environmental projects

3.22 In January and September 2021, Cabinet approved pots of funding for European protected sites that can be drawn down in an efficient way. This followed their earlier decision, in December 2018, to give delegated authority to allocate CIL spending for projects that are needed to support planned growth and provide mitigation measures to ensure no adverse impacts on the integrity of protected sites.

Nutrient Management Plan (River Avon)

3.23 In January 2021, Cabinet approved a ring-fenced pot of £850,000 for the delivery of off-setting measures to achieve phosphate neutral development in the River Avon (Hampshire) Special Area of Conservation (SAC) and fund a project officer to oversee delivery, monitoring, and reporting. This followed the Council's commissioning of Entrade, in 2020/ 2021, at a cost of £27,874, to run auctions with farmers to find suitable land for offsetting mitigation measures. The Council's generic Appropriate Assessment clarifies the approach to mitigation and the circumstances where CIL funding will be used.

Salisbury Plain Special Protection Area (SPA)

3.24 In September 2021, Cabinet approved a ring-fenced pot of up to £220,000 for the next four-year monitoring contract and visitor surveys, which form part of the mitigation strategy for the Salisbury Plain Special Protection Area (SPA). This will ensure that protected bird species, namely the Stone Curlew, are not adversely affected due to recreational impact arising from development.

New Forest protected sites (Special Protection Area, Special Area of Conservation and Ramsar site)

3.25 Also in September 2021, Cabinet approved an initial strategic fund of £750,000 to contribute to the delivery of appropriate measures identified in the mitigation strategy for the New Forest protected sites. These measures will ensure that there is no adverse impact on the protected sites from recreational pressure arising from new development.

Other mitigation strategies

- 3.26 In April 2022, Cabinet approved an increase to the pot of funding, from £1.35m up to £2.35m, for the delivery of measures to mitigate the impact of recreational pressures upon bat habitats associated with the Bath and Bradford on Avon Bats Special Area of Conservation from housing development around Trowbridge. Through the adoption of the Trowbridge Bat Mitigation Strategy Supplementary Planning Document (February 2020), the Council had originally committed to the use of circa £1.35m CIL. In September 2021, Cabinet had approved an initial CIL funding pot to be created for this.
- 3.27 The Council is also working with Natural England and adjoining Local Planning authorities on the need for mitigation strategies and potential funding to

address any impact arising from development due to recreational pressures on the North Meadows Special Area of Conservation (SAC) in the north of the County.

Air quality monitoring infrastructure

3.28 In April 2022, Cabinet approved £160,500 of CIL funding towards air quality monitoring infrastructure at Bradford-on-Avon, Calne, Devizes and Salisbury, where infrastructure is either absent or failing. This is the funding gap once Section 106 contributions of £19,571 from development in Bradford on Avon and Calne has been considered. The monitoring data will inform the shaping of development to address air quality issues, which in turn enables investment in essential infrastructure as part of development. For example, to manage air quality by providing walking and cycling routes.

Future spending priorities

3.29 *Table 10* shows, as of 31 March 2022, the total amount of CIL collected since the Council started charging CIL in 2015.

CIL	Amount
Strategic CIL (Wiltshire Council)	£37,505,870.31
Local CIL (Town/ Parish Councils)	£9,186,743.15
Admin	£2,466,257.27
Total:	£49,158,870.73

Table 10- Total amount of CIL collected from 18 May 2015 to 31 March 2022

- 3.30 This shows that, over the last seven years since Wiltshire Council started charging CIL, the average amount of CIL received is about £7.0m per year. Should CIL continue to accumulate at this rate, by 2026 about £77.2m will have been received in total. This would breakdown into an estimated £58.9m for the strategic CIL, £14.4m for parish councils and £3.9m for administration costs. The strategic CIL is the amount that the Council has available to spend on projects on the Infrastructure List (**Appendix C**). However, the estimated total cost of all the projects on the List is about £396m. This means that the strategic CIL would only meet around 19.5% of the total cost and, therefore, it is necessary to prioritise spending. It should also be emphasised that CIL is only one source of funding to help deliver infrastructure to support development.
- 3.31 As of December 2022, circa. £24.4m of CIL in the Council's Strategic Fund has been either spent or committed, leaving £13.1m left of the amount accumulated as of 31 March 2022. Cabinet resolved to make reporting updates on CIL spend and recommendations for allocation as part of the quarterly budget reporting to Cabinet where appropriate. This will ensure greater visibility and the link to the revenue and capital programmes.

- 3.32 Factors that might affect the amount of CIL accumulated in the strategic pot by 2026 include:
 - Economic factors
 - Neighbourhood plans e.g., increasing number of made neighbourhood plans means more CIL passed to parish councils
 - National policy changes, e.g., proposed changes to CIL and section 106 in the Levelling-up and Regeneration Bill.
- 3.33 **Appendix C** is the CIL Infrastructure List, which is a statement of the infrastructure that may be funded, in whole or in part, through CIL.

Appendix A: Section 106 Planning Obligations data spreadsheet

Appendix B: Community Infrastructure Levy data spreadsheet

Appendix C: The Communi	y Infrastructure L	_evy Infrastructure List
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This document was published by Spatial Planning, Wiltshire Council.

For further information please visit the following website:

https://www.wiltshire.gov.uk/planning-policy