

INFRASTRUCTURE FUNDING STATEMENT

Annual statement for Canterbury City Council for financial year
2021/2022

December 2022



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Table of Contents

- Table of Contents** **2**
- Introduction** **3**
 - What are developer contributions? 3
- Definitions** **4**
 - Status of contributions 4
 - Infrastructure types 4
- Headlines** **6**
 - Key total figures for developer contributions in financial year 2021/2022 6
- CIL Report** **7**
 - What is the Community Infrastructure Levy (CIL)? 7
 - Total CIL secured and received in 2021/2022 7
 - Administrative expenses 8
 - 'Neighbourhood portion' 8
 - Strategic infrastructure projects 9
 - Allocated CIL receipts for financial year 2021/2022 9
 - Further information required in the CIL report for the reported year 2021/2022 10
 - Allocated receipts 10
 - CIL expenditure 10
 - CIL and the Neighbourhood Portion 10
 - Retained CIL receipts at the end of the reported year 11
- Section 106 Report** **12**
 - What are Section 106 agreements or planning obligations? 12
 - Total S106 agreements for financial contributions secured for the reported year 13
 - Obligations secured per purpose 13
 - Non-monetary contributions entered into during the reported year 15
 - Total S106 agreements for financial contributions received for the reported year 16
 - Obligations received per purpose 16
 - Total S106 agreements for financial contributions allocated but not spent in the reported year 18
 - Allocated obligations per purpose 18
 - Developer contributions held at the end of financial year 2021/2022 20
 - Developer contributions spent in financial year 2021/2022 20
 - Total contributions spent, per purpose 20
 - Examples of recent s106 developer contribution spend 22
 - Amount of money spent in respect of monitoring s106 contributions 24
- Future spending priorities** **25**
- Appendices** **26**

1. Introduction

- 1.1. Welcome to our third annual Infrastructure Funding Statement (IFS).
- 1.2. The IFS has been produced in accordance with the [Community Infrastructure Levy Regulations 2010 \(as amended\)](#).
- 1.3. The purpose of the statement is to illustrate the income and expenditure relating to developer contributions for the financial year 2021/2022 (1st April 2021 to 31st March 2022).
- 1.4. Along with summary information, the IFS also contains examples of infrastructure projects funded by developer contributions which have been delivered by Canterbury City Council in the financial year 2021/2022.

What are developer contributions?

- 1.5. The purpose of developer contributions is to ensure that developers address or mitigate the impacts of their development on infrastructure. Types of infrastructure include open space such as play areas and parks, schools, transport and community facilities.
- 1.6. Mitigation can be made as financial contributions by way of the Community Infrastructure Levy (CIL) or Section 106 (s106) agreements (also known as planning obligations). Alternatively, planning permissions may require that developers provide infrastructure directly.
- 1.7. Canterbury City Council began charging CIL from 1 April 2020. This year's statement will therefore feature information on developer contributions collected via CIL as well as through s106 agreements.
- 1.8. Canterbury City Council anticipates that s106 agreements will decrease over time and that CIL will become the primary method for collecting developer contributions from small and medium sized sites.

2. Definitions

Status of contributions

- 2.1. **Secured** - in CIL, this means that the demand notice has been issued and the developer is now required to pay all or part of their CIL liability. In terms of s106 agreements, a contribution is secured when it is included within a signed legal document attached to a planning permission. For both CIL and s106, these contributions have not been collected/delivered and if the planning permission is not implemented, they will never be received.
- 2.2. **Received** - contributions received, either monetary or non-monetary (in kind) to Canterbury City Council.
- 2.3. **Allocated** - contributions that have been received and allocated to specific projects. It also includes sums which will be knowingly passed to an external organisation but which are yet to be transferred.
- 2.4. **Spent/delivered** - Monetary or non-monetary contributions that have been spent or delivered. In the case of s106 contributions collected for external organisations such as Kent County Council or NHS, the contribution is deemed as spent once it has been transferred to the receiving body.

Infrastructure types

- 2.5. **Affordable housing** - commuted sums/a financial contribution which is allocated by Canterbury City Council's Property and Regeneration team, to be used for the purpose of enabling affordable housing in the district, either by the council or by a Registered Provider.
- 2.6. **Business support** - 'one to one' or group support to help local businesses with issues (e.g. social media, website, and property issues etc).
- 2.7. **East Kent SAMMS** - contributions made to Bird Wise East Kent, a partnership of local authorities and conservation organisations, who mitigate the potential recreational disturbance to bird populations on the Special Protection Area of the Thanet Coast and Sandwich Bay.
- 2.8. **Health** - contributions that are secured and received for and spent and allocated by NHS Kent and Medway Clinical Commissioning Group (CCG).
- 2.9. **KCC** - contributions secured, received and transferred to Kent County Council (KCC).

- 2.10. **North Kent SAMMS** - contributions made to Bird Wise North Kent, otherwise known as the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) board. It is a partnership of local authorities, developers and environmental organisations, who mitigate the potential recreational disturbance from development on bird populations on the Thames, Medway and Swale estuaries, which are designated Special Protection Areas and Ramsar sites.
- 2.11. **Open space** - contributions that are secured and received for and spent and allocated by Canterbury City Council's Environment team, to be used for the purpose of open spaces, gardens and parks in the district.
- 2.12. **Sustainable transport** - contributions that are secured and received for and spent and allocated by Canterbury City Council's Transportation team on sustainable transport initiatives. Other transportation schemes are funded by KCC Highways.

3. Headlines

Key total figures for developer contributions in financial year 2021/2022

3.1. CIL

- CIL invoiced (set out in Demand Notices): **£1.3m**
- Total CIL received: **£400,000.**
- Allocation and spend of CIL funds to follow in later financial years.

3.2. s106

- Total secured or pledged, to be collected by Canterbury: **£1.7m**
- Total affordable housing units secured: **143 dwellings**
- Total received (secured in any financial year): **£1m**
- Total allocated to infrastructure provision/improvement (secured in any financial year): **£6.2m**
- Total unallocated (secured in any financial year): **£200,000.**
- Total spent/transferred to external bodies to spend: **£229,000.**

Please note that the figures are rounded up to the nearest thousand.

There is more information on each headline figure within the statement.

4. CIL Report

What is the Community Infrastructure Levy (CIL)?

- 4.1. CIL was introduced nationally in 2010 and has been charged in Canterbury City Council since 1 April 2020.
- 4.2. CIL is a set charge on most new development, based on the gross internal area floorspace of buildings, to help to fund the provision and improvement of infrastructure needed to address the cumulative impact of development across the district.
- 4.3. Canterbury Council's CIL Charging Schedule, which sets out the CIL charging rates, is available on the [CIL and Planning Obligations pages on our website](#).
- 4.4. A CIL charge is payable either within 60 days of commencement of a development or within the terms of an instalment policy set by the CIL charging authority. Canterbury Council allows CIL to be paid in instalments where the chargeable amount is equal to or greater than £50,000. More information can be found in our [Instalments and Payment in Kind Policy](#).
- 4.5. The whole sum payable and the instalments required is set out within the CIL Demand Notice for each CIL chargeable development. There is a difference between the total amount of CIL invoiced in a financial year and the amount received as larger amounts are payable in instalments.
- 4.6. In addition, developments can be altered through further planning permissions over time, often resulting in revised Demand Notices needing to be issued. Any such reissued Notices are not double-counted in this report; if a Demand Notice is issued and then reissued in the same reporting year, only the reissued Notice would be included within the figure for CIL invoiced during the year.
- 4.7. Further information on CIL can be found in the [CIL guidance](#) provided by the Department for Levelling Up, Housing and Communities.

Total CIL secured and received in 2021/2022

- 4.8. The total CIL which was invoiced (as set out in Demand Notices) in the reported year is **£1,228,261.35**
- 4.9. The total CIL receipts received in the reported year is **£391,138.41**
- 4.10. These figures include any late payment or other surcharges, and any late payment interest, included in Demand Notices.

Total CIL allocated and spent in 2021/2022

- 4.11. CIL collected will be used to provide infrastructure to support growth within the district. Of this:

Administrative expenses

- 4.12. 5% of total CIL receipts collected in the reported year was both allocated to and spent on administrative expenses associated with the levy such as the set up and software costs and ongoing monitoring/operation.

'Neighbourhood portion'

- 4.13. The CIL Regulations stipulate that the CIL Charging Authority must pass 15% of local CIL receipts to the parish council for the area where a CIL liable development takes place, rising to 25% if the parish has a Neighbourhood Plan in place. This is sometimes known as the neighbourhood portion.
- 4.14. For receipts collected from a development in a parished area, the neighbourhood portion is automatically allocated to the respective parish. The neighbourhood portion is then transferred to parishes twice yearly, in October and in April, but a parish may request early release of funds to facilitate a project.
- 4.15. Parish councils may spend the neighbourhood portion on anything that is concerned with addressing the demands that development places on the parish's area. Parish councils are encouraged to work closely with the community and with Canterbury City Council to identify spending priorities.
- 4.16. In the reported year, Canterbury City Council received a CIL neighbourhood portion for Littlebourne parish only. This amount was transferred to Littlebourne Parish Council in the same reported year.
- 4.17. Parishes which receive neighbourhood funds through the levy are obliged to report this information (see the appendix for the report from Littlebourne parish council).
- 4.18. In unparished areas (the city of Canterbury, and Herne Bay and Whitstable towns), the CIL Charging Authority can spend equivalent amounts in the locality, informed by engagement with local communities.
- 4.19. Canterbury City Council seeks to engage with communities in these urban areas to understand the spend priorities, for example, through gathering opinion in the Residents Survey in 2022.

Strategic infrastructure projects

- 4.20. The remaining receipts (80% of total receipts) must be spent on infrastructure needed to support the development of the area. It can be used to fund a wide range of infrastructure including schools, transport, open spaces and parks, GP surgeries and other health and social care facilities.
- 4.21. This pot of CIL receipts will be used to deliver important infrastructure projects which will not be funded by s106 agreements but which are needed to support the cumulative impacts of Local Plan growth. These projects are identified in Part Two of the council's [Infrastructure Delivery Plan](#).
- 4.22. The Infrastructure Delivery Plan will be updated alongside the new Local Plan to 2040.
- 4.23. Canterbury City Council is in the process of setting up governance arrangements for how this pot of CIL receipts is allocated and spent.

Allocated CIL receipts for financial year 2021/2022

- 4.24. The figures are split into the aforementioned headings for the financial year 2021/2022 in the following table:

| CIL 'pot' | Received | Allocated | Spent |
|--|-----------------|------------------|--------------|
| Neighbourhood portion for parishes | £8,687.08 | £8,687.08 | £8,687.08 |
| Neighbourhood portion for non-parished (urban) areas | £43,060.95 | | |
| Strategic infrastructure | £312,909.70 | | |

- 4.25. In addition, the amount of CIL collected towards and spent on administration expenses is £19,546.94

Further information required in the CIL report for the reported year 2021/2022

4.26. Allocated receipts

There are no allocated receipts recorded for the reported year

4.27. CIL expenditure

| Information | Total |
|---|--|
| The total amount of CIL expenditure for the reported year | £28,234.02 |
| <i>Summary details of:</i> | |
| The items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item | £8,687.08 transferred to Littlebourne Parish Council |
| The amount of CIL spent on repaying money borrowed, including any interest | £0.00 |
| The amount of CIL spent on administrative expenses and that amount expressed as a percentage of CIL collected in that year | £19,546.94 (5% of total receipts) |

4.28. CIL and the Neighbourhood Portion

| Information | Total |
|--|------------|
| <i>The amount of CIL passed to:</i> | |
| Any parish council under Regulation 54A or 59B (funds or land transferred to parish council) | £8,687.08 |
| Any person under regulation 59(4) | £0.00 |
| <i>Summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including:</i> | |
| The total receipts that regulations 59E and 59F applied to | £43,060.95 |
| The items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item | £0.00 |
| <i>Summary details of any notices served in accordance with regulation 59E, including:</i> | |
| The total value of CIL receipts requested from each parish council | £0.00 |

| | |
|--|-------|
| Any funds not yet recovered from each parish council at the end of the reported year | £0.00 |
|--|-------|

4.29. *Retained CIL receipts at the end of the reported year*

| | Total |
|--|--------------|
| CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F* applied | £312,909.70 |
| CIL receipts from previous years retained at the end of the reported year | £0.00 |
| CIL receipts for the reported year to which regulation 59E or 59F* applied retained at the end of the reported year | £43,060.95 |
| CIL receipts from previous years to which regulation 59E or 59F* applied retained at the end of the reported year | £0.00 |

* see the [CIL Regulations](#) for further information.

5. Section 106 Report

What are Section 106 agreements or planning obligations?

- 5.1. Section 106 of the Town and Country Planning Act 1990 enables a Local Planning Authority to enter into a negotiated agreement – a planning obligation - to mitigate the impact of a specific development, to make it acceptable in planning terms.
- 5.2. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments. In some instances, s106 planning obligations may require payments to be made to the county council or parish councils.
- 5.3. Canterbury City Council collects some contributions on behalf of Kent County Council, for example, for Education, Libraries and Adult Social Care. However, the majority of contributions for Kent County Council are secured and collected directly by the county council. More information can be found in Kent County Council's annual Infrastructure Funding Statement.
- 5.4. Section 106 agreements or planning obligations are made between the council and developers. Although the agreements are signed by the developer, it's the land itself that becomes bound by a legal agreement and therefore viewable on the local land charge register
- 5.5. Commonly, agreements will include obligations for payment of money to the council as mitigation for impacts of a proposed development, such as providing for community infrastructure.
- 5.6. Canterbury City Council also requires planning obligations for developments affecting Special Protection Areas. These areas cover the Thames, Medway and Swale estuaries and marshes, and Thanet Coast and Sandwich Bay. Following a significant decline in important bird species in Kent, Canterbury City Council has worked with Natural England to create Strategic Access Management and Monitoring Strategies (SAMMS) for these protected sites. If a development is in the SAMMS area, the developer must contribute towards mitigation measures for these areas. The contribution is only paid for new dwellings, including holiday homes, and is paid on the basis of the number of bedrooms proposed in the development.
- 5.7. [Read more about Planning Obligations on the council website.](#)

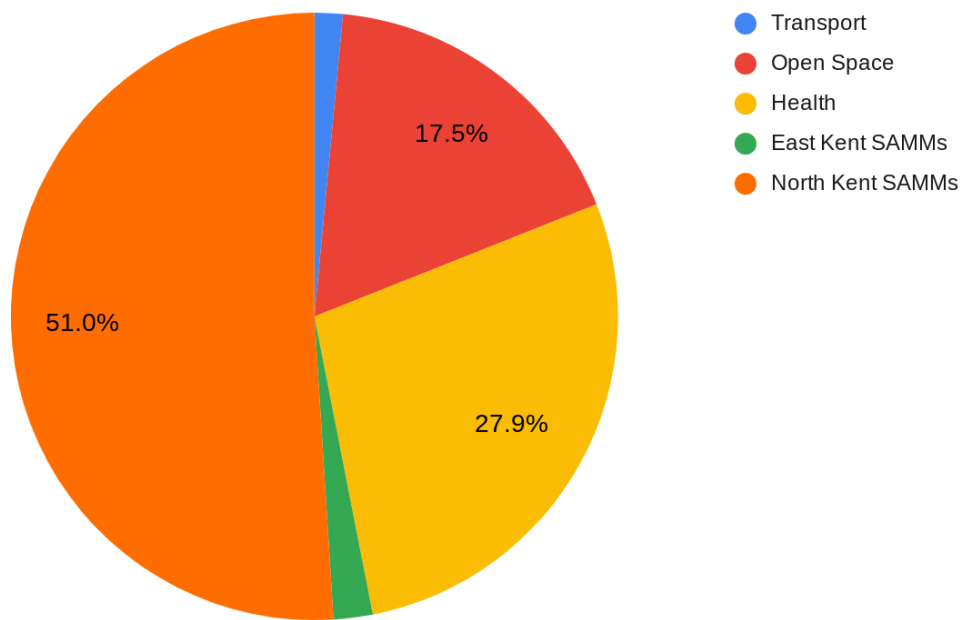
Total s106 agreements for financial contributions secured for the reported year

- 5.8. The following table shows the total developer contributions secured through planning obligations in the reporting year. Although 'secured' through the legal agreement, these contributions only become payable when a 'trigger' for the obligation (as outlined in the agreement) is met.
- 5.9. Common triggers include: 'on commencement of a certain phase' or 'when development is occupied by a certain percentage'. If a development is not implemented or not completed, it may not meet the triggers and therefore the obligation is not collected.

5.10. **Obligations secured per purpose**

| Purpose | Amount |
|-----------------------|----------------------|
| Health | £465,012.00 |
| East Kent SAMMS | £34,624.20 |
| North Kent SAMMS | £848,890.29 |
| Open Space | £290,905.97 |
| Sustainable Transport | £25,000.00 |
| Total | £1,664,432.46 |

5.11. The pie chart below depicts the data in table 5.10:



5.12. The figures in the data above do not include money secured for KCC which KCC will collect directly. This information can be found in Kent County Council's Infrastructure Funding Statement.

5.13. The spreadsheet appended shows the contributions that were secured during the reported year. These include a number of contributions for Play Space and Semi Natural Open Space in Whitstable as well as a contribution of £324,000 towards medical facilities at Beltinge Surgery

Non-monetary contributions during the reported year

- 5.14. In Community Infrastructure Levy Regulations (as amended), Regulation 121A states that for the purpose of the Infrastructure Funding Statement: 'a non-monetary contribution includes any land or item of infrastructure provided pursuant to a planning obligation'.
- 5.15. Non-monetary contributions secured by planning obligations are secured less frequently than monetary contributions and they are typically for land or affordable housing units.
- 5.16. A total of 143 affordable housing units have been secured in applications - of which 77 are Affordable rent and 23 are Affordable home ownership and 43 Social rent.
- 5.17. Most on-site infrastructure provisions are secured through conditions imposed on the planning permission as opposed to planning obligations. In financial year 2021/2022, there were two instances in which infrastructure provisions were provided pursuant to a planning obligation:

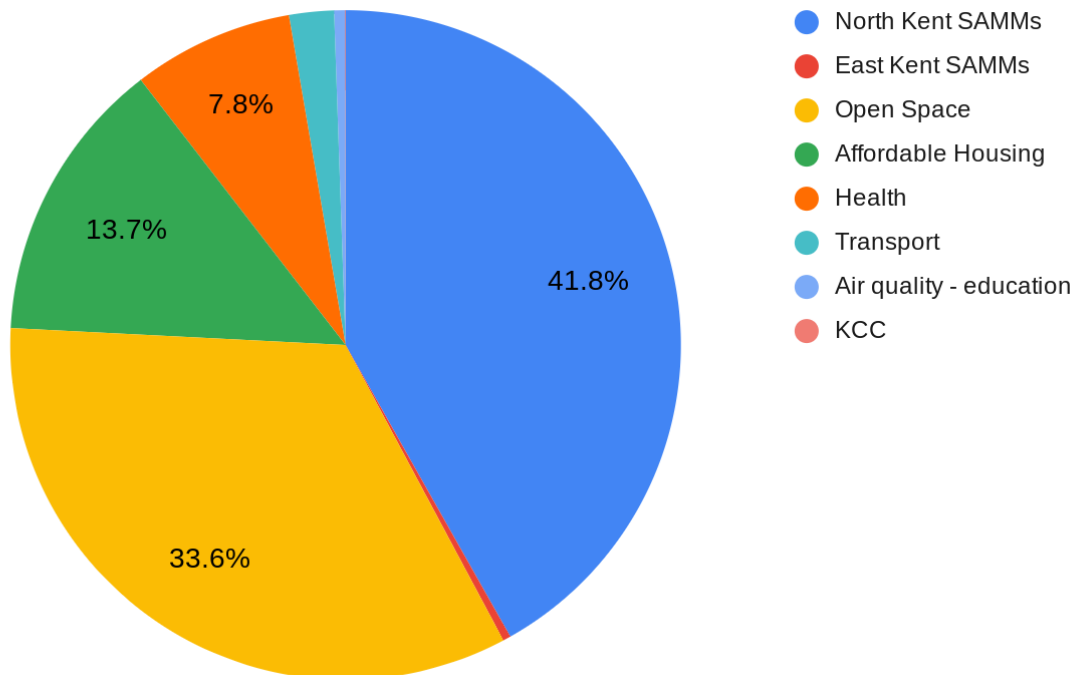
| Application | Provision of: |
|--|--|
| CA/17/01866 Land At Hillborough, Sweechbridge Road | <ul style="list-style-type: none">● Community Building● Sports Pitches● Allotments |
| CA/20/01628 Land South Of Osborne Gardens, Hillborough | <ul style="list-style-type: none">● Bus vouchers● Bicycle vouchers |

Total s106 agreements for financial contributions received for the reported year

5.18. **Obligations received per purpose**

| Purpose | Amount |
|-------------------------|--------------------|
| Transport | £21,521.75 |
| Open Space | £334,727.14 |
| Health | £77,210.17 |
| East Kent SAMMs | £3,732.61 |
| North Kent SAMMs | £416,543.67 |
| Air quality - education | £5,230.91 |
| Affordable Housing | £136,772.48 |
| KCC | £219.22 |
| Amount received | £995,957.95 |

5.19. The pie chart below depicts the data in table 5.18:



- 5.20. The majority of developer contributions for Kent County Council are collected directly by Kent County Council but some are collected by Canterbury City Council and transferred to Kent County Council when required. You can see which council is due to collect the funds by reviewing the relevant legal agreement.
- 5.21. The total for KCC in 5.18 and 5.19 consists of contributions that Canterbury City Council received on behalf of Kent County Council which was for Primary Education.
- 5.22. Contributions received directly by Kent County Council will feature in Kent County Council's Infrastructure Funding Statement.

Total s106 agreements for financial contributions allocated but not spent in the reported year

This section contains information on developer contributions which have been or will be allocated by Canterbury City Council and external parties.

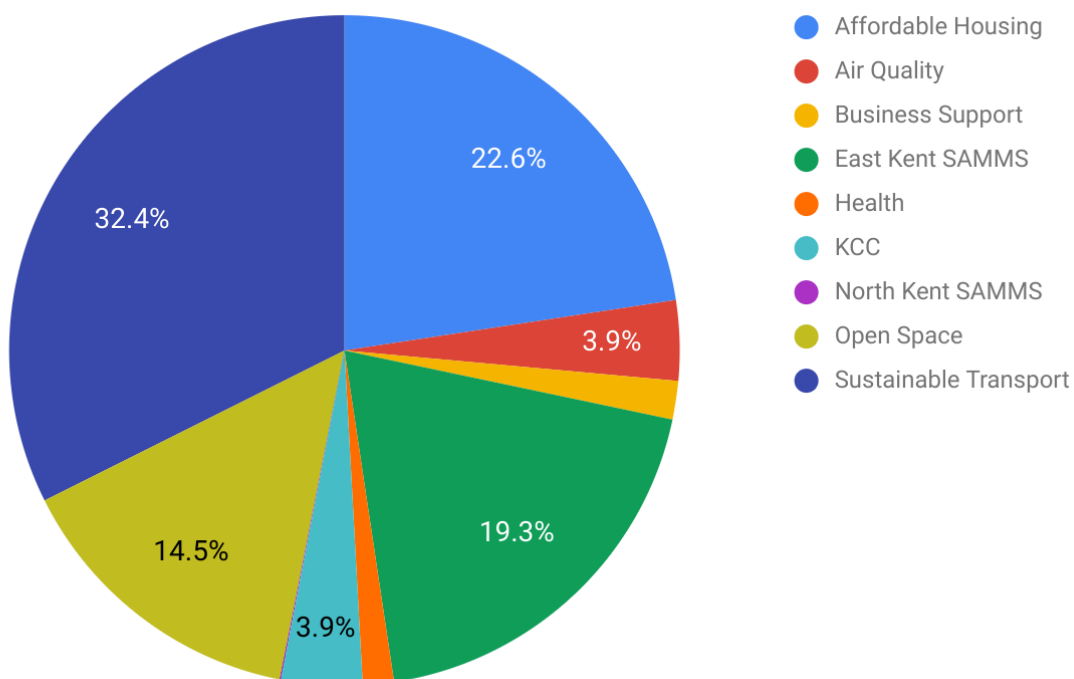
5.23. These external parties include Kent County Council, East Kent SAMMS, North Kent SAMMS and the NHS Kent and Medway Clinical Commissioning Group.

5.24. Contributions for these external organisations are counted as allocated, as per the definition of 'allocated' on page 4.

5.25. Allocated obligations per purpose

| Purpose | Amount |
|------------------------|----------------------|
| Affordable Housing | £1,388,796.41 |
| Air Quality | £237,214.08 |
| Business Support | £114,054.01 |
| East Kent SAMMS | £1,188,058.76 |
| Health | £92,210.17 |
| KCC | £240,060.70 |
| North Kent SAMMS | £3,732.61 |
| Open Space | £892,756.37 |
| Sustainable Transport | £1,990,608.07 |
| Total allocated | £6,147,491.18 |

5.26. The pie chart below depicts the data in table 5.29:



5.27. The IFS requires councils to provide a summary of details of items of infrastructure to which the funds have been allocated. Please see the appendix for this summary. One planning application can fund several items of infrastructure so the summary includes a line for each of these specific allocations.

5.28. The IFS also requires councils to provide information on money which was received before the reported year which is due to be allocated. All funds received prior to the reported year are either allocated or spent.

Developer contributions held at the end of financial year 2021/2022

5.29. The table below shows the total s106 developer contributions that Canterbury City Council retained by 31 March 2022:

| Information | Total |
|---|----------------------|
| Total allocated by end of the financial year (see 5.25) | £6,147,491.18 |
| Total received before FY21/22 which is due to be allocated (see 5.28) | £194,912.48 |
| Total retained | £6,342,403.66 |

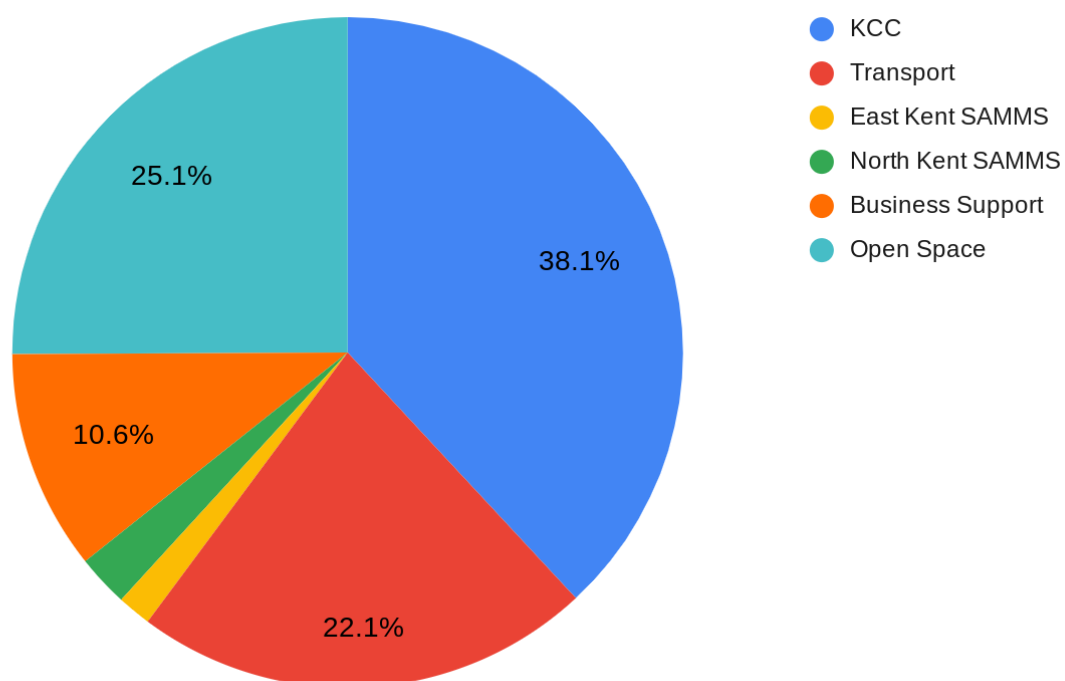
Developer contributions spent in financial year 2021/2022

5.30. This section of the s106 Report includes all developer contributions that have either been spent by the council (e.g. the Environment team) or they have been transferred to external parties (e.g. KCC) to spend.

5.31. ***Total contributions spent, per purpose***

| <i>Purpose</i> | <i>Amount</i> |
|-------------------------------|-------------------------|
| KCC Education Libraries | £85,608.57 £1,522.28 |
| Transport | £50,534.39 |
| East Kent SAMMS | £3,732.61 |
| North Kent SAMMS | £5,722.00 |
| Business Support | £24,301.15 |
| Open Space | £57,374.44 |
| Total spent | £228,795.44 |

5.32. The pie chart below depicts the data in table 5.32:



5.33. Please refer to KCC's Infrastructure Funding Statement for the reported year for further information on the s106 developer contributions which KCC received from Canterbury City Council and details of how these contributions have been allocated or spent.

5.34. For information on the ways in which SAMMS payments contribute to mitigating potential disturbance to bird populations on the coast, please visit [Birdwise website](#).

5.35. Canterbury City Council is required to report on the items of infrastructure on which money received under planning obligations was spent, and the amount spent on each item. These details are listed in the table below:

| Infrastructure type | App. no. | Amount spent | Item of infrastructure |
|----------------------------|---|---------------------|---|
| Transport | CA/15/00602 | £8,362.46 | Underpass improvements (Additional tiling to Wincheap underpass) |
| | CA/15/00602 | £133.58 | Underpass improvements (Additional tiling to Wincheap underpass) |
| | CA/12/02097 | £7,054.09 | William Street Herne Bay car park and highway improvements |
| | CA/12/02097 | £3,755.39 | William Street Herne Bay car park and highway improvements |
| | CA/16/00375 | £510.80 | Anti Skid surfacing of carriageway along the frontage of the development at Sea Wall to enable pedestrian connectivity |
| | CA/16/00375 | £22,389.57 | Anti Skid surfacing of carriageway along the frontage of the development at Sea Wall to enable pedestrian connectivity |
| | CA/17/02092 | £5,885.50 | Improvements to existing riverside walk to permit cycling - Design fees |
| | CA/09/00778 | £2,443.00 | 3 benches and 20 cycle parking stands in various locations in Herne Bay |
| Open Space | CA/12/01895 CA/13/01811 CA/13/02308 CA/12/01698 CA/13/00624 CA/13/02430 CA/14/01569 | £10,611.15 | The money is to be transferred to Tankerton Football Club for them to be able to undertake groundworks, fencing works and habitat mitigation necessary to obtain a licence from Natural England. The site |

| | | | |
|------------------|-------------|------------|--|
| | | | has specific requirements in terms of habitat mitigation and biodiversity requirements which are linked to its development for outdoor sports provision. These requirements must be met and the licence granted before for the further development of the site into a football facility. |
| | CA/15/02786 | £2,610.79 | Changing places toilet project - Removal of temporary fencing and hiring of Bishopstone fencing. |
| | CA/15/01305 | £10,468.80 | Kingsmead Field Green Gym - Design, supply and installation of Green Gym equipment |
| | CA/15/01305 | £1,672.80 | Kingsmead Field Green Gym - Design, supply and installation of Green Gym equipment |
| | CA/15/01520 | £2,253.87 | Kingsmead Field Green Gym - Design, supply and installation of Green Gym equipment |
| | CA/12/02140 | £29,757.03 | Footpath improvements and habitat creation and management (40 acres) Design and installation of interpretation boards, footpath improvements and habitat creation and management |
| Business Support | CA/12/02097 | £24,301.15 | Business support in Herne Bay, including grants, destination marketing and the 'shop local' campaign |

Amount of money spent in respect of monitoring s106 contributions

- 5.36. Canterbury City Council is required to report the amount of money received under planning obligations spent in respect of monitoring in relation to the delivery of planning obligations.
- 5.37. Monitoring refers to tracking progress of developments to understand if they have reached a 'trigger' for payment as set out in their legal agreement e.g. to pay a certain sum prior to commencement or prior to first occupation.
- 5.38. Monitoring activities mostly involve communication between council officers and developers but can also involve site visits as well as accessing council tax and building control data.
- 5.39. On 1st April 2021 Canterbury City Council started charging s106 monitoring fees to cover the administrative costs of monitoring and reporting on s106 agreements. In the reported year £35,116.00 was received. [Read more about s106 monitoring fees on our website.](#)

6. Future spending priorities

- 6.1. Canterbury City Council's Infrastructure Delivery Plan (IDP) (2019) sets out the future spending priorities on infrastructure and provides information on the infrastructure schemes necessary to deliver the Canterbury District Local Plan (2017).
- 6.2. The IDP includes information relating to timing, phasing, delivery, costs and funding of these key infrastructure requirements. Moreover, it outlines how developer contributions such as s106 agreements and the Community Infrastructure Levy (CIL) will be used to deliver planned infrastructure provision.
- 6.3. As mentioned in the introduction of this statement, it is anticipated that infrastructure provision will be increasingly funded by CIL, with the exception of strategic development sites and infrastructure required for site-specific mitigation which will continue to be subject to s106 planning obligations.
- 6.4. Alongside the IDP, the Council's Infrastructure List (2020) specifies the types of infrastructure that may be funded wholly or partly through CIL and that which will be funded through s106 planning obligations.
- 6.5. The publication of the Infrastructure List is intended to provide transparency on how an authority intends to use CIL funds.
- 6.6. Both the Infrastructure List and the Infrastructure Delivery Plan will be subject to periodic review and are currently being reviewed as part of the work to develop a new Local Plan to 2040. [Read more about the new Local Plan on our website.](#)

7. Appendices

- *CIL Report from Littlebourne Parish Council*
- *Total S106 Developer Contributions Allocated*