

Tamworth Borough Council

Infrastructure Funding Statement

2019/20

Purpose

The purpose of the Infrastructure Funding Statement is to provide information on the income received and spending of planning obligations including from the Community Infrastructure Levy (CIL) and from section 106 agreements.

Time period covered

Except for any references to future spending priorities, this statement covers the period 01 April 2019 to 31 March 2020.

Key definitions

Community Infrastructure Levy (CIL) – CIL is a charge which can be levied by local authorities on new development to help them deliver the infrastructure needed to support development in their area. Not all development is required to pay CIL and different types of development may be charged at different rates. The Council adopted CIL in Tamworth in August 2018. You can find out more information on CIL and the charging schedule on our website at www.tamworth.gov.uk/cil

Section 106 agreement (s106) – A s106 is a legal agreement, usually between an applicant seeking planning permission and the local planning authority, which is used to mitigate the impact of new development. This could include a requirement for a financial contribution to be paid towards the provision or improvement of a piece or pieces of infrastructure, such as schools or leisure facilities.

Infrastructure – In this context, infrastructure includes things like:

- roads and other transport facilities;
- flood defences;
- schools and other educational facilities;
- medical facilities;
- sporting and recreational facilities; and
- open spaces

Summary

The tables below provide a breakdown of income and spending from both CIL and s106 for the year. A summary of each is included here for ease of reference.

CIL

A total of £218,624.75 was collected during the year from three liable developments. This was the first year in which CIL income has been received. No process was in place for allocation and spending of CIL income during the year, so no CIL income was spent during the year. This process is currently being established to allow CIL income to be spent in accordance with the Council's priorities.

£6,198 was retained towards the costs of monitoring and administration of CIL. This equates to 2.83% of the income received during the year. The CIL regulations allow for up to 5% of CIL income to be retained towards administrative costs in any year and for up to 5% of the total income in the first three years to be retained to cover costs associated with the adoption of CIL. Additional income might therefore be retained once the three years have passed and the total income and costs are known.

S106

Agreements were entered into during the year totalling £194,203.00, although £132,803.00 relates to infrastructure that is the responsibility of Staffordshire County Council, such as highways and education.

£296,586.90 was collected during the year from 15 developments. No money was allocated to or spent on infrastructure projects during the year, however £2,638.68 was spent on monitoring compliance with s106 agreements during the year.

£1,757,533.71 was retained at the end of the year, of which £166,645.03 was commuted sums for the longer term maintenance of things such as open space delivered on development sites and subsequently adopted by the Council. A significant proportion of the retained income has also been collected towards large scale projects which will take a number of years to deliver.

Community Infrastructure Levy Report 2019/20

The table below sets out income, allocation and spending of CIL during 2019/20.

	Value	Additional Information
(a) the total value of CIL set out in all demand notices issued in the reported year	£ 218,624.75	This is the amount of CIL that became due during the year and where a demand notice was issued requesting payment.
(b) the total amount of CIL receipts for the reported year	£ 218,624.75	The total amount was collected from three liable developments.
(c) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated	£ Nil	No CIL payments had been collected prior to the start of 2019/20.
(d) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year	£ Nil	No CIL payments had been collected prior to the start of 2019/20.
(e) the total amount of CIL expenditure for the reported year	£ Nil	No CIL income was spent during 2019/20.
(f) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year	£ Nil	No CIL income was collected prior to 2019/20.
(g) in relation to CIL expenditure for the reported year, 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	N/A	No CIL income was spent during 2019/20.
(ii) the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part)	£ Nil	No CIL income was spent during 2019/20.

(iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation	£6,198	This covers the cost of the software used for the monitoring and administration of CIL and equates to 2.83% of CIL income for the year.
(h) in relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item	None	No CIL income was allocated during 2019/20.
(i) the amount of CIL passed to—		
(i) any parish council under regulation 59A or 59B; and	£ Nil	There are no parish councils within the administrative area of Tamworth.
(ii) any person under regulation 59(4)	£ Nil	No CIL income was transferred to any other party during 2019/20.
(j) summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—		
(i) the total CIL receipts that regulations 59E and 59F applied to	£32,793.71	
(ii) 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	None	
(k) summary details of any notices served in accordance with regulation 59E, including—		
(i) the total value of CIL receipts requested from each parish council	N/A	
(ii) any funds not yet recovered from each parish council at the end of the reported year	N/A	
(l) the total amount of—		
(i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied	£185,831.04	

(ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied	£ Nil	
(iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;	£ 32,793.71	
(iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year	£ Nil	

Notes

Demand notices – A demand notice is issued when a development commences and shows the total amount of CIL that is due to be paid in respect of the development. The CIL is usually due within 60 days of commencement of the development, and the Council also has an instalments policy in place with the number of instalments dependent on the total amount of CIL payable. This means that there is a delay between a demand notice being issued and the full payment being received of in some cases over 18 months and so there will be a discrepancy between demand notices issued and income received in any particular year.

Regulation 59(4) – Part of the CIL regulations covering the passing of any CIL income to any other person for that person to use for the provision, improvement, replacement, operation or maintenance of infrastructure.

Regulations 59A and 59B – Part of the CIL regulations relating to the payment of CIL income to local councils (such as town or parish councils). As there are no parish councils in Tamworth, these regulations don't apply.

Regulation 59E – Part of the CIL regulations covering the return of income passed to local councils (see regulations 59A and 59B) where it has not been used or has not been used appropriately.

Regulation 59F – Part of the CIL regulations covering the CIL income that would've been passed to a local council (see regulations 59A and 59B) but where there are no local councils.

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The table below provides details of the income, allocation and spending of money provided under planning obligations during 2019/20. The table also contains information on non-monetary contributions where applicable.

	Value	Additional Information
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year	£ 61,400.00	An additional £132,803 was secured for Staffordshire County Council to be collected by them directly. The total amount to be provided to both councils is £ 194,203.00
(b) the total amount of money under any planning obligations which was received during the reported year	£296,586.90	£296,586.90 was collected from 15 developments.
(c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority	£1,460,946.81	A number of significant sums have been received towards large infrastructure projects which will take a number of years to deliver.
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—		
(i) in relation to affordable housing, the total number of units which will be provided	4	
(ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided	N/A	Staffordshire County Council are party to all agreements where education contributions are required and education related obligations are administered by them directly.
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure	£ Nil	No income was allocated during the reporting period.

(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend)	£ Nil	No money was spent during the reporting period.
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item	N/A	No income was allocated during the reporting period.
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of—		
(i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item	N/A	
(ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part)	£ Nil	
(iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations	£2,638.68	This is a proportion of the sums paid by the developers on a number of the larger developments specifically towards the cost of monitoring compliance with the s106 agreements.
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance (“commuted sums”), also identify separately	£1,757,533.71	Total amount retained attend of year.

the total amount of commuted sums held.	£166,645.03	Amount of retained funds that are commuted sums for longer term maintenance.
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Notes

Staffordshire County Council is a signatory to any s106 agreement that contains obligations for which they have responsibility, such as education and highways.

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CIL spending

The list setting out those infrastructure projects that the Council currently intends may be wholly or partly funded by CIL was originally drawn up when CIL was first introduced in 2018 and the total cost of all of the listed projects significantly exceeded potential CIL income. The list has therefore been reviewed and the Council has determined that the priority for spending the strategic element of CIL will be regeneration projects within Tamworth.

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