

Thursday 15 December 2022

Report of the Portfolio Holder for Skills, Planning, Economy & Waste

Infrastructure Funding Statement 2021/22

Exempt Information

None.

Purpose

The purpose of this report is to seek Cabinet approval for the publication of the Infrastructure Funding Statement for 2021/22. Additionally, approval is sought for the allocation of £20,000 of neighbourhood CIL funds to projects proposed by ward members.

Recommendations

It is recommended that:

1. Regeneration projects within Tamworth remains the priority for spending the strategic element of CIL;
2. The draft Infrastructure Funding Statement at Appendix A be approved for publication on the Council's website subject to confirmation of the final figures; and
3. £20,000 of CIL neighbourhood funds be allocated to the projects proposed by the members for Spital and Wilnecote (£10,000 to each).

Executive Summary

The Council is required to produce an annual Infrastructure Funding Statement (IFS) in order to give communities a better understanding of how developer contributions have been used to deliver infrastructure in their area. A copy of the draft IFS for 2021/22 is included at Appendix A.

It is recommended that the spending priority for the strategic element of Community Infrastructure Levy income remains as 'regeneration projects within Tamworth' and that Cabinet approve the publication of the IFS. It is also recommended that £20,000 of the neighbourhood element of CIL income be allocated to projects in Spital and Wilnecote wards.

Options Considered

Infrastructure Funding Statement

The Council is required to publish an Infrastructure Funding Statement (IFS) by the end of 2022 and the majority of the content is factual and prescribed by guidance published by Government. Therefore, no alternative options have been considered for this element.

Part of the required IFS is a section setting out the Council's priorities for spending the strategic element of CIL income. At the Cabinet meeting of 08 April 2021, which approved the 19/20 IFS, the strategic priority was set as 'regeneration projects within Tamworth'. Alternative priorities could be set, provided that they are within the framework set out in the relevant regulations. No specific projects have been identified within the timeframe that the Infrastructure Funding Statement covers, however a number of projects are being explored currently and an update will be able to be provided within the 2022/23 Infrastructure Funding Statement. It is therefore considered that retaining 'regeneration projects within Tamworth' as the spending priority would allow sufficient flexibility for relevant projects to come forward.

Neighbourhood CIL allocation

Cabinet could determine not to allocate funds from the neighbourhood element of CIL to one or both of the proposed projects and retain the funds for future projects. However, as the applications for funding have been submitted and considered in accordance with the agreed procedure, this is not considered to be the most appropriate option.

Resource Implications

Infrastructure Funding Statement

The draft IFS at Appendix A sets out the income, allocation, and expenditure of planning obligations (both via s106 agreements and CIL) during the period 01 April 2021 to 31 March 2022. There are no resource implications associated with the publication of the Infrastructure Funding Statement.

Neighbourhood CIL allocation

At 01 December 2022, £826,789.44 had been collected through the Community Infrastructure Levy. Of this amount 15% (£124,018.41) forms the neighbourhood element and is to be spent on neighbourhood projects in line with the Cabinet decision of 18 February 2021 and the procedure established at the Cabinet meeting of 30 June 2022.

At the Cabinet meeting of 18 February 2021 it was resolved to form a budget in 2021/22 of £35,000 (from the neighbourhood portion of CIL income at that point) for Cabinet to allocate on a neighbourhood project basis. An additional £6,208.10 was allocated to the neighbourhood project budget at the Cabinet meeting of 02 December 2021. There is therefore sufficient budget and allocated funds to allow for £20,000 to be allocated to the specific projects set out in this report.

Legal/Risk Implications Background

The relevant legal basis for the collecting and spending of CIL is the Planning Act 2008 (the act) and the Community Infrastructure Levy Regulations 2010 (as amended) (the regulations). The regulations allow a charging authority (in this case the Council) to apply CIL to administrative expenses incurred by it in connection with CIL.

As regards the strategic element, the regulations state that a charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area and the act sets out the types of infrastructure to which this element of CIL can be applied. These are:

- (a) roads and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities,
- (f) open spaces

At this point, no specific projects have been identified on which to spend the strategic element of CIL. Any project within the proposed broad strategic priority of regeneration would need to fit within one of the categories listed above in order to comply with the regulations.

Equalities Implications

None.

Environment and Sustainability Implications (including climate change)

The proposals set out relate to the delivery of infrastructure to support the sustainable development of Tamworth in line with the objectives of the Local Plan. There are no additional sustainability implications as a result of the proposals set out in this report.

Background Information

Infrastructure Funding Statement

In 2019 the CIL regulations were amended to include a requirement for councils to produce an annual Infrastructure Funding Statement (IFS) in order to give communities a better understanding of how developer contributions have been used to deliver infrastructure in their area. The statement should include details of the money received through s106 and CIL during the previous financial year and information on what projects that money has been allocated to and/or spent on. The statement should also set out the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly through CIL.

The IFS sets out income and expenditure of both CIL and s106 income each year along with the Council's spending priorities for the strategic element of CIL. At the Cabinet meeting of 08 April 2021, it was resolved that 'regeneration projects within Tamworth' should be set as the Council's spending priority for CIL. As no specific infrastructure projects have been identified at this time, it is recommended that 'regeneration projects within Tamworth' remains the Council's strategic CIL spending priority until such time as specific regeneration projects, or alternative infrastructure projects, are identified.

Neighbourhood CIL allocation

A process for the spending of the neighbourhood element of CIL was established at the Cabinet meeting of 30 June 2022. In accordance with that process, councillors were invited to apply for funding for projects within their wards and two such applications were received as follows:

- Cllr Robert Pritchard (Spital) - £10,000 for the provision of a hard surface footpath between Station Fields rail bridge and Anker Valley Estate.
- Cllr Daniel Maycock (Wilnecote) - £10,000 as a contribution towards a number of projects including replacement of play park in Beauchamp (Hockley), new park Tamar, and Nature Reserve Boards.

The applications have previously been considered by members of Cabinet and it is recommended that £10,000 be allocated to each of the proposals.

Report Author

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List of Background Papers

Report of the Portfolio Holder for Regulatory & Community Safety – CIL Spending – Cabinet – 08 April 2021.

Report of the Portfolio Holder for Skills, Planning and Waste – Neighbourhood Community Infrastructure Levy - Cabinet - 30 June 2022.

Appendices

Appendix A – Draft 2021/22 Infrastructure Funding Statement

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