

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>7 December 2022</b>
<b>Subject:</b>	<b>Infrastructure Funding Statement (IFS) 2021/2022 and Annual Community Infrastructure Levy (CIL) Rate Summary Statement</b>		
<b>Report Of:</b>	<b>Cabinet Member for Planning and Housing Strategy</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
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<b>Appendices:</b>	<b>1. Draft Infrastructure Funding Statement for the City of Gloucester</b>		
	<b>2. Draft Annual CIL Rate Summary Statement for the City of Gloucester</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To approve for publication the Community Infrastructure Levy and S106 reports for 2021/22 and the Infrastructure List.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that:
  - (1) the publication of the Infrastructure Funding Statement (IFS) relating to the financial year ending 31<sup>st</sup> March 2022 be approved; and
  - (2) it be noted that the Annual CIL Rate Summary Statement will be published alongside the IFS by 31<sup>st</sup> December 2022.

### 3.0 Background and Key Issues

- 3.1 All “contribution receiving authorities” are required, under the Community Infrastructure Levy Regulations 2010 (as amended), to produce an Infrastructure Funding Statement (IFS) at least annually. The IFS sets out details about Section 106 planning obligations (S106) and Community Infrastructure Levy (CIL) receipts, actual and anticipated expenditure and an “Infrastructure List” [Regulation 121A] of projects that may wholly or partly be funded from CIL. They must also produce an Annual CIL Rate Summary Statement [Regulation 121C].
- 3.2 The format for these Reports is prescribed in the CIL Regulations and are included at Appendices 1 and 2. Both need to be published on the Council’s website by 31<sup>st</sup> December 2022.

3.3 The Infrastructure Funding Statement (Appendix 1) comprises 3 sections as follows:

- (i) The CIL Report which identifies receipts for 2021/22 of **£362,772.92** and the only expenditure, of **£23,239.64**, on administration:
  - a. **£14,219.32** of the remaining receipts are held by the City Council for the benefit of non-parished areas which, when added to the **£71,374.53** from previous years, gives a Neighbourhood Pot of **£85,593.85** (31/03/2022);
  - b. **£20,098.31** was passed to Quedgeley Town Council along with **£4,466.29** raised in the second half of the previous financial year and **£20,098.31** from the same period in this year will be paid in April 2022; and
  - c. **£290,218.33** is held for infrastructure which, when added to the **£404,484.18** from previous years, gives an Infrastructure Pot of **£694,702.51** (31/03/2022) required to deliver planned development.
- (ii) The S106 Report which identifies:
  - a. an opening balance at the beginning of the reporting year of **£1,323,444.75**
  - b. receipts for 2021/2022 of **£637,992.47**
  - c. expenditure for 2021/2022 of **£324,910.38**
  - d. a closing balance at 31<sup>st</sup> March 2022 of **£1,636,526.84**
  - e. **48** affordable homes secured via s106 agreements
  - f. A total of **£96,600.00** secured in agreements signed in 2021/2022
- (iii) The 'Infrastructure List', which was first approved for publication in December 2020 and an update approved last year (2021). The Infrastructure List is a list of the infrastructure projects which "the charging authority intends may be, wholly or partly funded by CIL".
  - a. Work being undertaken to review the CIL Charging Schedules of the City Council and it's JCS partners has provided an update to the Infrastructure Delivery Plans (IDPs) of the JCS and District Level Plans. This update allowed a review of the existing Infrastructure List and the removal of further schemes which no longer require CIL funding as they have been completed, sufficient funds have been secured or an alternative solution has been found to the problem.
  - b. The remaining list has been reviewed by the County Council who have provided an update including, in some cases, the merging and renaming of existing schemes but they have not indicated any order of priority for the remaining schemes.

### 3.4 The Annual CIL Rate Summary Statement

3.4.1 The Annual CIL Rate Summary Statement is included as Appendix 2 to this report. Regulation 121C(1) requires it to be published "no earlier than 2<sup>nd</sup> December and no later than 31<sup>st</sup> December" as it must be based on the CIL Index published by the Royal Institute of Chartered Surveyors (RICS) in November each year.

## 4.0 **Social Value Considerations**

4.1 None directly, though targeting funding to the delivery of strategic infrastructure in the Infrastructure List will support planned growth in, and for, the City.

## **5.0 Environmental Implications**

- 5.1 None as a result of meeting our statutory reporting obligations, though the effective use of CIL receipts themselves has the potential to have a positive impact on all 3 dimensions of sustainable development.

## **6.0 Alternative Options Considered**

- 6.1 None, as the production of these reports are statutory requirements of the Council.

## **7.0 Future Work and Conclusions**

- 7.1 The IFS and Annual CIL Rates Summary Statement will be published on our website and submission and notification of the location of data sent to the Department of Levelling Up, Housing and Communities in December 2022.

## **8.0 Financial Implications**

- 8.1 None directly.

(Financial Services have been consulted in the preparation of this report.)

## **9.0 Legal Implications**

- 9.1 The production of an IFS, including a Regulation 121A Infrastructure List, is a statutory obligation as a result of amendments to the Community Infrastructure Levy Regulations 2010 (the Regulation) by the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019. The publication of the Annual CIL Rate Summary Statement is also a statutory obligation.

(Legal Services have been consulted in the preparation of this report.)

## **1. Risk & Opportunity Management Implications**

- 12.1. Failure to publish the required statements would be a breach of Regulations.
- 12.2. Though the Infrastructure List will not dictate how funds must be spent, it does set out the Council's intentions and its publication as part of the IFS provides clarity and transparency for communities and developers on the infrastructure that is expected to be delivered.
- 12.3. Not having a clear prioritisation of infrastructure projects may risk that CIL receipts are not targeted towards the most critical infrastructure needed to deliver development.

## **13. People Impact Assessment (PIA) and Safeguarding:**

- 13.1 The reasons behind the original adoption of the Community Infrastructure Levy, by Gloucester City Council as a JCS partner authority in October 2018, was to raise additional funding from some development to help to pay for infrastructure supporting development of the area to ensure the City grows sufficiently and sustainably. Whilst not identifying any negative impact on protected groups potential positive impacts

were identified as a result of this new income stream for the City Council in particular in relation to improvements to physical infrastructure for those with special mobility needs and for building community cohesion not only within existing communities but also between existing and new residents as a result of new development.

- 12.1. The PIA Screening Stage was completed and did not identify any potential or actual negative impacts therefore a full PIA was not required.

#### **14. Community Safety Implications**

- 14.1. None directly, though potential positive implications are anticipated as a result of the delivery of new infrastructure for the City.

#### **15. Staffing & Trade Union Implications**

- 15.1. None reported.

#### **16. Background Documents: None**