

CIL spending review and funding statement - update

Strategy & Resources Committee Wednesday, 16 December 2020

Report of: Chief Planning Officer and Executive Head of Communities

Purpose: For decision

Publication status: Unrestricted

Wards affected: All

Executive summary:

- This report proposes a revised Infrastructure Funding Statement (IFS) resolved by the Strategy & Resources Committee of 24th November 2020 to be produced as soon as practicable during 2020/21.
 - The revised Infrastructure Funding Statement includes an additional Table 6 which sets out a list of projects which have been put forward for consideration for Community Infrastructure Levy (CIL) funding. The list has been included to provide clarity and transparency over all stages of consideration of future bids.
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This report supports the Council's priority of: Creating the homes, infrastructure and environment we need.

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Recommendation to Committee:

That the Committee agree the revised replacement Infrastructure Funding Statement (IFS) 2020.

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Reason for recommendation:

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 ('Regulations') place a duty on Councils to publish an annual infrastructure funding statement ('IFS') no later than 31st December in each calendar year. This will be the Council's first Infrastructure Statement. The statement is to include projects or types of infrastructure which will be, or may be, wholly or partly funded by the Community Infrastructure Levy ('CIL').

The Council wishes to ensure clarity and transparency for developers and communities on the infrastructure under consideration for CIL to be spent on.

Introduction and background

- 1 The Strategy & Resources Committee of 24th November 2020 considered a report which summarised the requirements of the CIL regime following Regulations which came into force in September 2019.
- 2 The detailed report explained the background to the changes and the consultation on the processes with all Councillors and Parish Councils.
- 3 It was explained that seminars planned for Members had been delayed due to the Covid 19 pandemic and further engagement around governance and prioritisation of projects was required. The Committee resolved the immediate formation of a seven Member politically balanced group (2,2,2,1) to determine a method of evaluating and rating future CIL projects.
- 4 The Member group met on Monday 30th November and agreed that a full list of projects under consideration for CIL funding should be included in the Annual IFS. This is to ensure full clarity and transparency... Members are therefore requested to approve the IFS set out in Appendix A for publication on the Council's website by 31 December 2020.
- 5 The lack of current available CIL to fund all the projects under consideration does leave a gap that is required to be filled by future CIL levies from development. It was acknowledged that this gap would be unlikely to cover all the proposals hence the aim to work early in 2021 to develop the criteria for evaluating and rating all schemes.

Other options considered

- 6 The Council could decide not to agree to the recommendation however to do so would mean that the Council would fail in its statutory duty to publish a Member approved Infrastructure Statement by 31st December 2020.

Consultation

- 7 The proposal has been put forward with support from the newly formed CIL Member Working Group.

Key implications

Comments of the Chief Finance Officer

By introducing an effective monitoring system and publishing an IFS report, will increase transparency and ensure a robust system is in place to monitor the spend, whilst meeting our statutory obligations. Any costs that are funded from revenue to achieve these objectives must be contained within existing resources.

Comments of the Head of Legal Services

The requirement for an authority that receives CIL contributions to prepare an annual infrastructure funding statement is contained in Regulation 121A of the CIL Regulations 2010. Regulation 121A was added to the CIL Regulations 2010 with effect from 1 September 2019. The IFS in Appendix A details anticipated CIL/s106 income and intended infrastructure expenditure.

The first annual infrastructure funding statement must be published by 31 December 2020 and subsequent annual statements must be published thereafter at annual intervals no later than 31 December of the relevant year. The statement must be published on the Council's website.

Equality

It is not foreseen that there are any direct equality implications as a result of the recommendations in this Report as infrastructure is provided for all sections of our communities and each project funded will be rigorously assessed as part of the business case for equalities implications.

Climate change

There are no significant environmental / sustainability implications associated with this report itself. There are, however, marginal environmental/sustainability implications with some of the projects listed in Appendix B (the Infrastructure Funding Statement) which the committee are being asked to support 'in principle' with CIL funding. Overall the package of measures outlined in Appendix B can be considered to be neutral, with the flooding mitigation measures providing a positive contribution to the environment and some of the highways mitigation measures providing a potentially negative contribution if it encourages the use of the car only.

Appendices

Appendix 'A' - Infrastructure Funding Statement 2020

Background papers

None.

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