

# Somerset West and Taunton Council

## Corporate Scrutiny Committee – 5 January 2022

### Annual Infrastructure Funding Statement

This matter is the responsibility of Councillor Mike Rigby, Portfolio Holder for Planning and Transportation

Report Author: Rebecca Staddon, CIL/Community Engagement Officer

#### 1 Executive Summary

- 1.1 This report accompanies the Council's Annual Infrastructure Funding Statement (IFS) for 1 April 2020 to 31 March 2021, published on the Council's website in December 2021. The CIL Regulations 2010 (as amended) require the Council to publish the IFS online each year by 31 December.
- 1.2 The IFS provides a summary of all financial and non-financial developer contributions relating to CIL and S106 Agreements within Somerset West and Taunton Council.
- 1.3 The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 came into force on 1 September 2019 and deleted Regulation 123 in its entirety. Regulation 123 lists were replaced by the IFS. Section 2 of the IFS details CIL collection and spending. Section 3 of the IFS details S106 contributions and spending.
- 1.4 Reconciliation is currently taking place between the CIL / S106 administration system and the finance system. An amended statement may need to be issued if required once the reconciliation has been completed.

#### 2 Community Infrastructure Levy (CIL)

- 2.1 CIL was implemented by the Council on 1 April 2014. CIL is a mandatory charge on residential and retail development within the former Taunton Deane part of the district and is calculated per square metre of new gross internal floorspace.
- 2.2 Payment of CIL is triggered by commencement of development and can be made in cash, land or infrastructure subject to the Council's agreement. CIL is payable immediately in cash where planning approval is granted retrospectively.
- 2.3 The Council's CIL Charging zones and Charging Rates Schedule are published on the Council's CIL webpage but can be summarised as:

#### Levy Rates

The rates below will be charged against the gross internal floor area of:

- All new dwellings
- All other development exceeding 100 sq. m in size

<b>Development Uses</b>	<b>Levy (per sq. m)</b>
Residential Development in Taunton, including urban extensions	£70
Residential Development in Taunton town centre	£0
Residential Development within the settlement limit of Wellington	£0
Residential Development outside the settlement limits of Taunton and Wellington	£125
Retail development (classes A1 – A5) outside Taunton and Wellington town centres	£140
All other development	£0

‘Residential development’ excludes Class C2 but includes student housing and similar types of institutional accommodation.

- 2.4 CIL relief can be claimed by self-builders, charitable institutions, for affordable housing and in exceptional circumstances. CIL is index linked to the RICS CIL Index rate. The CIL Regulations require that CIL funds collected must be spent on the provision, improvement, replacement, operation or maintenance of infrastructure e.g. roads, cycle lanes, schools, flood defence, public realm improvements.
- 2.5 15% of the CIL funds collected by the Council must be passed to the relevant Parish/Town Councils in which the CIL funds were collected. This rises to 25% where an adopted Neighbourhood Development Plan is in place. This is referred to as the ‘Meaningful Proportion’ in the CIL regulations.
- 2.6 Parish/Town Councils must spend their CIL funds within 5 years of receipt on the provision, improvement, replacement, operation or maintenance of infrastructure or anything else that is concerned with addressing the demands that development places on an area. The Parish/Town Councils CIL annual returns, showing what has been allocated to them and spent by them in 2020/21 can be found at the end of the IFS.
- 2.7 CIL is not currently charged in the former West Somerset part of the district.

### **3 S106 Planning Obligations**

- 3.1 S106 Agreements are legal agreements that can be attached to a planning permission to mitigate the impact of the development. They can only be sought where they are directly related to the development, fairly and reasonably related in scale and kind and necessary to make the development acceptable in planning terms.
- 3.2 S106 contributions can either be provided on-site or off-site in the form of financial

payments or infrastructure provision. S106 Agreements are used where appropriate for development throughout the whole District – former Taunton Deane and West Somerset areas.

#### 4 CIL Financial Summary

- 4.1 The total amount of CIL collected between 1 April 2020 and 31 March 2021 was £3,653,137.43.
- 4.2 The total amount of CIL funds passed to Parish/Town Councils between 1 April 2020 and 31 March 2021 was £353,825.48.
- 4.3 The total amount of CIL spent by Parish/Town Councils between 1 April 2020 and 31 March 2021 was £184,644.32.
- 4.4 Some examples of CIL expenditure by Parish/Town Councils in 2020/21 are: maintenance and operation of community buildings, improvement of recreational facilities, litter bins, operation of defibrillators, footpath improvements and children’s play equipment. Full details can be found in Schedule 2, Section 1 i) ii) of the IFS.
- 4.5 The total amount of CIL funds currently held in the strategic pot have been allocated to the delivery of infrastructure outlined in the Table 1 below. These allocations were agreed by the Council to support the delivery of infrastructure projects and to support current and future infrastructure funding bids, within the former Taunton Deane area. The current CIL allocations are based on CIL funds collected to date and anticipated future CIL income. These allocations will only be committed provided sufficient CIL funds have been received by the Council and may need to be reviewed as part of the Council’s annual capital budget setting process.

**Table 1: Community Infrastructure Levy Infrastructure Allocations**

	2020/21 £	2021/22 £	2022/23 £	2023/24 £	2024/25 £	2025/26 Onwards £	Totals £
Cycle & Pedestrian Improvements	500,000			1,000,000			<b>1,500,000</b>
Education Provision	1,000,000		1,000,000	1,000,000	1,000,000	3,000,000	<b>7,000,000</b>
Taunton Town Centre Regeneration	500,000	1,000,000					<b>1,500,000</b>
Surface Water & Flood Risk Mitigation	2,262,100	2,500,000		1,000,000			<b>5,762,100</b>
Community Development				500,000			<b>500,000</b>
<b>Total Expenditure</b>	<b>4,262,100</b>	<b>3,500,000</b>	<b>1,000,000</b>	<b>3,500,000</b>	<b>1,000,000</b>	<b>3,000,000</b>	<b>16,262,100</b>

- 4.6 The total amount of CIL spent by the Council between 1 April 2020 and 31 March 2021 was £91,518.06. This was spent on the GWR surfacing project at Taunton Station.
- 4.7 The total amount of CIL held by the Council to be used for the provision, improvement, replacement, operation or maintenance of infrastructure as at 31 March 2021 was £7,583,346.01. This funding has been allocated to the delivery of infrastructure outlined in

the Table above (para 4.5).

## **5 S106 Financial Summary**

- 5.1 The total amount of money received from S106 obligations between 1 April 2020 and 31 March 2021 was £1,482,982.27.
- 5.2 The total amount of money to be provided by S106 Agreements signed between 1 April 2020 and 31 March 2021 is £72,083.00.
- 5.3 The total amount of S106 contributions allocated to community projects within the district was £1,682,599.41.
- 5.4 The amount of S106 contributions spent between 1 April 2020 and 31 March 2021 was £2,260,016.83. This included affordable housing contributions of £639,890.63, these were off-site financial contributions for affordable housing but in most cases affordable housing is provided on site. The amount of S106 contributions spent on community facilities was £1,620,126.20.
- 5.5 Some examples of S106 expenditure for community facilities included, MUGA's, allotment improvements, community hall improvements, children's play equipment, playing pitch provision, indoor and outdoor sports facilities. Full details can be found in Schedule 3, Section 3 h) i) of the IFS.
- 5.6 The total amount of S106 contributions held by the Council to be spent on affordable housing, allotments, children's play, community facilities (former West Somerset area), community halls, public art and recreational facilities (former West Somerset area) projects at 31 March 2021 was £2,672,107.13.

## **6 S106 Non-Financial Summary**

- 6.1 The S106 Agreements signed between 1 April 2020 and 31 March 2021 also require the provision of 86 affordable homes, submission of affordable housing schemes, notices of commencement of work, provision of Public Open Space, submission of Public Open Space specifications, protection of children's play areas, protection of visibility splays and regulate the use of developments.

## **7. Links to Corporate Strategy**

- 7.1 Our Environment and Economy: Objective 5: provide and maintain green open spaces and parks, enhanced public spaces, as well as additional opportunities to safely walk or cycle in order to encourage active and healthy lifestyles.
- 7.2 Homes and Communities: Objective 1: Increase the number of affordable and social homes in our urban towns, rural and coastal communities; including those built by the Council. Objective 2: Facilitate the development of the residential blocks at Firepool, Taunton, in order to deliver new homes and public open spaces. Objective 7: Seek additional funding for new strategic infrastructure and regeneration projects from developers, investors, Government and other funders, which support or enable existing or new communities within our district.

**8. Finance / Resource Implications**

This report provides an update only. No decision required that would have financial or resource implications

**9. Legal Implications**

This report provides an update only. No decision required that would have legal implications.

**10. Climate and Sustainability Implications**

This report provides an update only. No decision making that would have climate or sustainability implications.

**11. Safeguarding and/or Community Safety Implications**

This report provides an update only. No decision making that would have safeguarding or community safety implications.

**12. Equality and Diversity Implications**

This report provides an update only. No decision making that would have equality and diversity implications.

**13. Social Value Implications**

This report provides an update only. No decision making that would have social value implications.

**14. Partnership Implications**

This report provides an update only. No decision making that would have partnership implications.

**15. Health and Wellbeing Implications**

This report provides an update only. No decision making that would have health and wellbeing implications.

**16. Asset Management Implications**

This report provides an update only. No decision making that would have asset management implications.

## 17. Data Protection Implications

This report provides an update only. No decision making that would have data protection implications.

## 18. Consultation Implications

This report provides an update only. No decision making that would have consultation implications.

### Democratic Path:

- **Scrutiny - Yes**
- **Cabinet/Executive - No**
- **Full Council - No**

**Reporting Frequency: Once only**

### Contact Officers

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