

Infrastructure Funding Statement

Reporting Period
2022/23

Tamworth
Borough Council

Published 2023

Contents

1.0.	Introduction.....	2
2.0.	Developer Contributions.....	3
3.0.	CIL and S106 Headline Figures 2022/23	4
4.0.	Community Infrastructure Levy Report 2022/23.....	5
5.0.	S106 Report 2022/23.....	9
6.0.	Tamworth Borough Council's Priorities towards Future CIL Expenditure	12

1.0. Introduction

- 1.1. The Infrastructure Funding Statement (IFS) provides an overview of all financial and non-financial developer contributions relating to Section 106 Agreements (S106) and the Community Infrastructure Levy (CIL) within Tamworth Borough for a given year. Such contributions are sought from developers to provide infrastructure which supports the wider economic and social development of the borough.
- 1.2. This report offers a summary of how contributions are collected, allocated and spent by Tamworth Borough, including further reference to the council's future expenditure priorities in relation to CIL income.
- 1.3. In summary, the report provides:
 - an overview of s106 agreements;
 - an overview of CIL;
 - the council's internal process relating to s106 contributions;
 - the s106 contributions paid to the council in the 2022/23 monitoring period;
 - s106 contributions and works estimated for future years; and
 - projects delivered in the borough via s106 agreements in the 2022/23 monitoring period.
- 1.4. To ensure that members of the public and other interested parties have readily available information regarding the amount of developer contributions received and spent, the council will continue to publish an annual report which can be found on the council's website.
- 1.5. At the time of publication, the data herein is the most robust available, however, as it represents estimates at a given point in time the developer contributions are imperfect and can be subject to change.

Regulation Requirements

- 1.6. This IFS has been prepared in accordance with the requirements of The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019. In line with government guidance, the information included in this report will be updated annually and subsequently published on the Tamworth Borough Council website.

Monitoring Period

- 1.7. Unless otherwise specifically stated, the monitoring period for this report is 1st April 2022 to 31st March 2023.

2.0. Developer Contributions

Section 106 Planning Obligations (S106)

- 2.1. A S106 is a legal agreement, typically between an applicant seeking planning permission and the local planning authority, which is used to mitigate the impact of new development upon the local area.
- 2.2. Obligations can only be sought in instances where they are directly related to the development, to which they are reasonably related in both scale and kind, and necessary to ensure an acceptable development in planning terms.
- 2.3. S106 contributions can either be provided on-site, for example through the provision of affordable housing, or off-site in the alternative form of financial payments. Such monies may contribute towards the provision or improvement of infrastructure, such as schools and leisure facilities.
- 2.4. Tamworth Borough Council's requirements for S106 planning obligations are published in the Planning Obligations Supplementary Planning Document (2018), which can be accessed online at <https://www.tamworth.gov.uk/supplementary-planning-documents>.

Community Infrastructure Levy (CIL)

- 2.5. CIL is a levy mechanism used to secure financial contributions from developers on viable developments. Monies levied and collected through CIL charging can be used to fund the provision, enhancement, maintenance or replacement of infrastructure intended to support the growth and development of Tamworth Borough.
- 2.6. Not all development is liable to financially contribute under CIL. Different forms and scales of development may encounter different charging rates.
- 2.7. The borough's CIL rates are set out via a published Charging Schedule, which was adopted in August 2018. Further information regarding both CIL liability and charging rates can be found on the following council webpage: <https://www.tamworth.gov.uk/cil>.

Infrastructure

- 2.8. S106 and CIL can be used to fund a wide range of infrastructure. For the purposes of this report, examples of infrastructure may be defined as:
 - Roads and other transport facilities;
 - Flood defences;
 - Educational, health and social care facilities;
 - Sporting and recreational facilities; and
 - Open spaces

3.0. CIL and S106 Headline Figures 2022/23

The following summaries have been provided in relation to the collection, allocation and expenditure of both CIL and S106 monies during 2022/23. Further detail can be found in the individual reports included in the following section.

CIL Headline Figures 2022/23

- Demand notices to the value of **£490,395.36** were issued.
- A total of **£584,025.97** was collected during the financial year from **four liable developments**.
- **£29,201.30** was retained towards the costs of monitoring and administration of CIL. This equates to **5%** of the income received during the year.
- Regulations 59E (0% money to be claimed back) and 59F (money that Tamworth Borough Council spent) apply to a total of **£87,603.89** (15% of the total amount of CIL collected, that being the neighbourhood proportion). Tamworth Borough does not contain any neighbourhood or parish localities, and as such these monies are to be retained for spending in line with Cabinet priorities.
- CIL income was **allocated** to one infrastructure project (Anker Valley footpath) from the neighbourhood proportion (15% of the CIL income).
- CIL income was **spent** on one infrastructure project (Anker Valley footpath) during the given monitoring period. This project was taken from the 15% neighbourhood portion.

S106 Headline Figures 2022/23

- Agreements were entered into during the year totaling **£30,000.00**. These funds relate to a biodiversity contribution.
- A total sum of **£938,911.25** was collected during the year from **three** relevant planning obligations.
- A total of **£269,882.22** was allocated towards one project but was not spent during the reporting period.
- A total of **£168,187.50** from **one** obligation was spent on infrastructural projects.
- A total of **£5,436,389.22** was retained at the end of the year. This includes commuted sums of **£168,154.00**, which are retained for fund longer term maintenance of infrastructure. A significant proportion of retained income has also been collected towards large scale projects which will take several years to deliver.
- A total of **0 affordable dwellings** have been provided.

- **£3,286.68** was spent on monitoring compliance with S106 Agreements.

4.0. Community Infrastructure Levy Report 2022/23

Table 1 below shows the summary of CIL income, allocation, spending, and retained receipts prior to and at the end of the reported period. CIL income, allocation, and spending are further detailed in Tables 2-6.

Table 1 - Summary of CIL for the monitoring period

Detail	Value (£)	Additional Information
CIL receipts retained from before the reported period but not allocated or spent	£377,017.04	Prior to reported period 2022/23.
The total value of CIL set out in all demand notices issued in the reported year.	£490,395.36	CIL demands dated 2022/23. Please see Table 2 below for a breakdown of demand notices by site.
The total amount of CIL receipts for the reported year.	£584,025.97	CIL receipts dated 2022/23. Please see Table 3 below for a breakdown of CIL receipts by site. Table 4 shows the breakdown of CIL into the administration, neighbourhood project and public realm proportions.
The total amount of CIL receipts which were allocated in the reported year.	£10,000	Anker Valley footpath project, the amount was allocated and spent in the same reported year.
The total amount of CIL receipts which were spent in the reported year.	£10,000	Anker Valley footpath project, the amount was allocated and spent in the same reported year.
The total amount of CIL expenditure for the reported year.	£10,000	Anker Valley footpath project.
The total value of CIL retained at the end of the reported year.	£941,737.72	End balance 2022/23 with accrued interest up until 31 st March 2023.

Total value of demand notices issued

The table below shows the total number of demand notices issued this year and the contribution required from each site, totalling £490,395.36.

Table 2 - Summary of total demand notices

Permission Reference	Site of CIL contribution	Description of development	CIL demand notice
0069/2020	Central England Co-operative supermarket, Brent, Wilnecote	Demolition and site clearance to facilitate a mixed-use development	£327,103.80
0090/2022	Land off Bonehill Road	Erection of 9 dwellings with associated off-street parking	£56,607.34
0272/2021	Land at Dosthill Road	Construction of 37 dwellings and associated works	£106,684.22
Total demand notices			£490,395.36

Total CIL receipts

CIL receipts received this financial year are shown in Table 3 which totals £584,025.97. Table 4 shows how this money has been broken down and split between the varying neighbourhood and strategic elements.

Table 3 – CIL receipts

Permission Reference	Site of CIL contribution	Description of development	CIL demand notice
0069/2020	Central England Co-operative supermarket, Brent, Wilnecote	Demolition and site clearance to facilitate a mixed-use development	£327,103.80
0020/2019	Coton House Farm, Coton Lane	Development of land to provide 141 dwellings and for the demolition of Coton House Farm	£93,630.61
0090/2022	Land off Bonehill Road	Erection of 9 dwellings with associated off-street parking	£56,607.34
0272/2021	Land at Dosthill Road	Construction of 37 dwellings and associated works	£106,684.22
Receipt total			£584,025.97

Table 4 – Breakdown of CIL receipts

CIL breakdown	Total
Administration – 5%	£29,201.30
Neighbourhood proportion – 15%	£87,603.89
Public realm works associated with the future high street fund – 80%	£467,220.78
Breakdown total	£584,025.97

Summary details of CIL expenditure for the reported year

Table 5 – Detailed breakdown of how expenditure for CIL was spent

Detail	Value (£)	Additional information
The items of infrastructure on which CIL has been spent	£0	£10,000 was passed to SCC to apply the funding to the provision of the Anker Valley footpath pursuant to Regulation 59(4) ¹ . See Table 6 below (CIL pursuant to Reg 59(4).
The amount of CIL spent on repaying borrowed money, including any interest	£0	
In accordance with Regulation 61 ² , the amount of CIL spent on administrative expenses	£29,201.20	This amount equates to 5% of the overall CIL income for the year. This proportion contributes towards the cost of the software used for CIL monitoring and administration.
Items of infrastructure on which CIL has been allocated but not spent	£0	No CIL income was allocated and not spent.

Table 6 – Summary details of CIL pursuant to Regulation 59(4), 59A, 59B, 59E, and 59F

The amount of CIL passed to:	Value (£)	Additional information
(i) Any parish council under regulation 59A or 59B	£NIL	There are no parish councils within the administrative area of Tamworth.
(ii) Any person under regulation 59(4)	£NIL	No money was passed to any person under regulation 59(4).
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	£87,603.89	15% of CIL income.
(ii) The items of infrastructure to which the CIL receipts have been allocated or spent, and the amount of which has been allocated or spent on each item	£10,000	£10,000 was passed to SCC to apply the funding to the provision of the Anker Valley footpath on request by Spital ward members.
Summary details of any notices service in accordance with Regulation 59E, including:		
(i) The total value of CIL receipts requested from each parish council	£NIL	There are no parish councils within the administrative area of Tamworth.
(ii) any funds not yet recovered from each parish council at the end of the reported year	£NIL	There are no parish councils within the administrative area of Tamworth.

¹ [The Community Infrastructure Levy Regulations 2010 \(legislation.gov.uk\)](https://legislation.gov.uk)

² [The Community Infrastructure Levy Regulations 2010 \(legislation.gov.uk\)](https://legislation.gov.uk)

Notes

Demand Notices

A demand notice is issued when a development commences, showing the total amount of CIL that is due to be paid in respect of a liable development. The payment of CIL is typically due within 60 days of commencement. Tamworth Borough Council have an installments policy, which means that CIL can be paid across a number of stages, with the number of installments dependent on the total amount of CIL payable. As such, there is a delay between a demand notice being issued and the full payment being received in some cases over 18 months.

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.

5.0.S106 Report 2022/23

Table 7 below provides details of the income, allocation and spending of money provided under planning obligations during 2022/23. The table also contains information on non-monetary contributions where applicable.

Table 7: S106 summary table 2022/23

Detail	Value (£)	Additional Information
The total amount of money under any planning obligations which were received before the reported year which were not allocated by the authority.	£4,668,952.15	Several significant sums have been received towards large infrastructure projects which will take several years to deliver.
The total amount of money to be provided under any planning obligations which were entered into during the reported year.	£30,000.00	Please see Table 8 below for further details.
The total amount of money under any planning obligations which were received during the reported year.	£938,911.25	£938,911.25 was collected from three obligations (see Table 9 for further details).
In relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year.	£ 269,882.22	Please see Table 10 below for further detail.
The total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend)	£171,474.18	Please see Table 11 below for further details
Retained money which has been allocated for the purposes of longer-term maintenance (commuted sums).	£168,154.00	Amount of retained funds that are commuted sums for longer term maintenance.
The total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year	£5,436,389.22	Total amount retained at the end of the year includes the commuted sum detailed above

Table 8: S106 funds provided under any planning obligation in 2022/23

Permission Reference	Details of item	S106 Funds
The total amount of money to be provided under any planning obligations which were entered into during the reported year.	Funds secured for biodiversity contributions from application 0272/2021	£30,000.00
(i) 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	Staffordshire County Council are party to all agreements where education related obligations are administered by them directly.	£NIL
(ii) in relation to affordable housing, the total number of units which will be provided	No obligations were entered into which would provide affordable dwellings in this financial year.	£NIL
Total S106 money to be provided		£30,000.00

Table 9: S106 funds received in 2022/23

Permission Reference	Description	S106 Funds
0105/2014	Sports facilities contribution towards the provision of sports facilities	£144,980.00
0308/2016	Sports facilities contribution towards the provision of sports facilities	£394,756.25
0308/2016	Broadmeadow pedestrian bridge	£183,750.00
0308/2016	Canal towpath improvements	£214,375.00
0020/2019	Agreement monitoring	£1,050.00
Total S106 funds received		£938,911.25

Table 10: S106 funds allocated but not Spent in 2022/23

Permission Reference	Infrastructure Description	S106 Funds
0088/2015	Anker Valley 3G AGP and changing room refurbishment at Anker Valley sports complex	£88,171.00
0308/2016	Anker Valley 3G AGP and changing room refurbishment at Anker Valley sports complex	£170,348.63
0149/2015	Anker Valley 3G AGP and changing room refurbishment at Anker Valley sports complex	£11,362.59
Total S106 Allocated but not spent		£269,882.22

Table 11: S106 funds spent in 2022/23

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:	Details of items	S106 Funds
(i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item	Castle grounds tennis court refurbishment	£168,187.50
(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)	No money was spent on repaying money borrowed during 2022/23	£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	This is a proportion of the sums paid by the developers on several the larger developments specifically towards the cost of monitoring compliance with S106 agreements.	£3,286.68
Total S106 Spent		£171,474.18

Table 12: S106 balance summary 2022/23

Balance summary	S106 Funds
Opening balance	£4,668,952.15
Received	£938,911.25
Spent	£171,474.18
End balance	£5,436,389.22

Further Notes

Staffordshire County Council is a signatory to any S106 Agreement that contains obligations for which they have responsibility, such as education and highways.

6.0. Tamworth Borough Council's Priorities towards Future CIL Expenditure

- 6.1. The borough's Regulation 123 List was published in 2018 and details a series of infrastructure projects which the council currently intends to be wholly or partly funded by CIL. This document can be found on our website at <https://www.tamworth.gov.uk/cil>.
- 6.2. Following a review of this list, it has been determined that Tamworth Borough Council's priorities towards future CIL spending remains unchanged from the previous IFS publication (2022/23). As such, regeneration projects will continue to form the priority for future strategic CIL expenditure, in order to support growth and development across the borough.