

# Infrastructure Funding Statement

**Tamworth**  
Borough Council

Reporting Period  
**2019/20**

Published December  
2021

## Contents

1.0.	Introduction.....	2
2.0.	Developer Contributions .....	2
3.0.	CIL and S106 Headline Figures 2019/20.....	4
4.0.	Community Infrastructure Levy Report 2019/20.....	5
5.0.	S106 Report 2019/20 .....	8
6.0.	Tamworth Borough Council’s Priorities towards Future CIL Expenditure .....	10

## 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.

### Regulation Requirements

- 1.3. 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

- 1.4. Unless otherwise specifically stated, the monitoring period for this report is 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.

## 2.0. Developer Contributions

### Section 106 Planning Obligations (S106)

- 2.1. A Section 106 Agreement (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 2019/20

The following summaries have been provided in relation to the collection, allocation and expenditure of both CIL and S106 monies during 2019/20. Further detail can be found in the individual reports included in the following section.

#### CIL Headline Figures 2019/20

- A total of **£218,624.75** was collected during the financial year from **three liable developments**.
- **£6,198** was retained towards the costs of monitoring and administration of CIL. This equates to **2.38%** of the income received during the year. The CIL regulations allow for up to 5% of CIL income to be retained towards administrative costs in any year and for up to 5% of the total income in the first three years to be retained to cover costs associated with the adoption of CIL. Additional income might therefore be retained once the three years have passed and the total income and costs are known.
- Regulations 59E and 59F apply to a total of **£32,793.71**. 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.
- This was the first year in which CIL income was received in the Borough. As such, no process was in place for allocation and spending of CIL income during the year, so no CIL income was spent during the year. This process is currently being established to allow CIL income to be spent in accordance with the Council's priorities.

#### S106 Headline Figures 2019/20

- Agreements were entered into during the year totaling **£194,203.00**. This includes **£132,803.00** which relates to infrastructure that is the responsibility of Staffordshire County Council, such as highways and education.
- A total sum of **£296,586.90** was collected during the year from **15** liable developments.
- **No money was allocated to or spent** on infrastructure projects during the year, however **£2,638.68** was spent on monitoring compliance with S106 agreements during the year.
- A total of **£1,757,533.71** was retained at the end of the year. This includes commuted sums of **£166,645.03**, which are intended to fund long term maintenance of infrastructure. A significant proportion of retained income has also been collected towards large scale projects which will take a number of years to deliver.
- A total of **4 affordable dwellings** have been provided.

## 4.0. Community Infrastructure Levy Report 2019/20

The table below sets out CIL income, allocation and spending during the period 2019/20.

Detail	Value (£)	Additional Information
The total value of CIL set out in all demand notices issued in the reported year.	<b>£218,624.75</b>	This is the amount of CIL that became due during the year and where a demand notice was issued requesting payment.
The total amount of CIL receipts for the reported year.	<b>£218,624.75</b>	The total amount was collected from three liable developments.
The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated.	<b>£ Nil</b>	No CIL payments had been collected prior to the start of 2019/20.
The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year.	<b>£ Nil</b>	No CIL payments had been collected prior to the start of 2019/20.
The total amount of CIL expenditure for the reported year.	<b>£ Nil</b>	No CIL income was spent during 2019/20.
The total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year.	<b>£ Nil</b>	No CIL income was collected prior to 2019/20.
<b>In relation to CIL expenditure for the reported year, summary details of:</b>		
(i) The items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item.	<b>N/A</b>	No CIL income was spent during 2019/20.
(ii) The amount of CIL 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).	<b>£ Nil</b>	No CIL income was spent during 2019/20.
(iii) The amount of CIL spent on administrative expenses pursuant to Regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation.	<b>£10,932.14</b>	This contributes towards the cost of the software used for the CIL monitoring and administration, equating to 5% of CIL income for the year.

Detail	Value (£)	Additional Information
In relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item.	£ Nil	No CIL income was allocated during 2019/20.
<b>The amount of CIL passed to:</b>		
(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 CIL income was transferred to any other party during 2019/20.
<b>Summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including:</b>		
(i) the total CIL receipts that regulations 59E and 59F applied to	£32,793.71	
(ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item	None	
<b>Summary details of any notices served in accordance with regulation 59E, including:</b>		
(i) the total value of CIL receipts requested from each parish council	N/A	
(ii) any funds not yet recovered from each parish council at the end of the reported year	N/A	
<b>The total amount of:</b>		
(i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied	£185,831.04	
(ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied	£Nil	
(iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;	£32,793.71	
(iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year	£ Nil	

Table 1 Community Infrastructure Levy Report 2019/20

## 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 2019/20

The table below provides details of the income, allocation and spending of money provided under planning obligations during 2019/20. The table also contains information on non-monetary contributions where applicable.

Detail	Value (£)	Additional Information
The total amount of money to be provided under any planning obligations which were entered into during the reported year.	<b>£61,400.00</b>	An additional £132,803 was secured for Staffordshire County Council to be collected by them directly. The total amount to be provided to both councils is £ 194,203.00
The total amount of money under any planning obligations which was received during the reported year.	<b>£296,586.90</b>	£296,586.90 was collected from 15 developments.
The total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority.	<b>£1,460,946.81</b>	A number of significant sums have been received towards large infrastructure projects which will take a number of years to deliver.
<b>Summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of:</b>		
(ii) 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	<b>4</b>	
(i) in relation to affordable housing, the total number of units which will be provided	<b>N/A</b>	Staffordshire County Council are party to all agreements where education related obligations are administered by them directly.
The total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure.	<b>£ Nil</b>	No income was allocated during the reporting period.
The total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend)	<b>£ Nil</b>	No money was spent during the reporting period.

Detail	Value (£)	Additional Information
In relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item.	<b>N/A</b>	No income was allocated during the reporting period.
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:		
(i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item	<b>N/A</b>	
(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)	<b>£ Nil</b>	
(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	<b>£2,638.68</b>	This is a proportion of the sums paid by the developers on a number of the larger developments specifically towards the cost of monitoring compliance with S106 agreements.
The total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year	<b>£1,757,533.71</b>	Total amount retained at the end of the year.
Retained money which has been allocated for the purposes of longer term maintenance (commuted sums).	<b>£166,645.03</b>	Amount of retained funds that are commuted sums for longer term maintenance.

Table 2 S106 Report 2019/20

### 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 list setting out those infrastructure projects that the Council currently intends may be wholly or partly funded by CIL was originally drawn up when CIL was first introduced in 2018 and the total cost of all of the listed projects significantly exceeded potential CIL income. The list has therefore been reviewed and the Council has determined that the priority for spending the strategic element of CIL will be regeneration projects within Tamworth.