

Report to Cabinet

Subject: Infrastructure Funding Statement 2022/23
Date: 14th December 2023
Author: Community Infrastructure Levy and Section 106 Monitoring Officer

Wards Affected

Borough-wide

Purpose

To provide Members with information on the monies collected through the Community Infrastructure Levy (CIL) and Section 106 Planning Obligations, how they are administrated and future expenditure priorities in relation to the monies collected.

To seek approval for the publication of the Infrastructure Funding Statement for 2022/23 attached in Appendix A.

Key Decision

This is a Key Decision as it is likely to be significant in terms of its effect on the communities living or working in an area comprising of two or more wards in the Borough.

Recommendation(s)

THAT:

- 1) Cabinet notes the report.**
- 2) Cabinet agrees to the publication of the Infrastructure Funding Statement for 2022/23 as detailed in Appendix A.**

1 Background

- 1.1 Members will be aware that the Council can secure financial contributions and non-monetary contributions from developments through Section 106 Planning Obligations and the Community Infrastructure Levy (CIL). These contributions are to be expended on infrastructure within the Borough to mitigate against the impacts of local development.
- 1.2 On the 1st September 2019, the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 were published which introduced a new requirement into the Community Infrastructure Levy Regulations 2010 (“the Regulations”) for all Charging Authorities to publish an annual document, known as the “Infrastructure Funding Statement”, before the 31st December each calendar year. This document must include an “Infrastructure List” listing the infrastructure or types of infrastructure the authority intends will be or may be wholly or partly funded by CIL, a “CIL Report” in relation to the previous financial year, and a “Section 106 Report” about planning obligations in relation to the previous financial year. The document must be published on the Council’s website.
- 1.3 The attached Infrastructure Funding Statement 2021/22 at Appendix A includes details of the amount of CIL receipts received, expended and retained for the financial year 2022/23 (“the reported year”), a breakdown of cumulative CIL receipts since its adoption in 2015 and details of demand notices issued during the reported year. It also provides detail of CIL passed to parish councils.

- 1.4 The Infrastructure Funding Statement 2022/23 in Appendix A also provides an update on financial contributions collected through Section 106 Planning Obligations, including details of new planning obligations which were agreed upon during the reported year, the amount of money which was received during the reported year, the monies which has either been allocated or expended within the reported year and the amount of monies retained at the end of the reported year. The report also gives a breakdown of any non-monetary obligations.
- 1.5 In accordance with the Regulations an Infrastructure List is included at the end of the report to detail future infrastructure projects and how they will likely be funded through Planning Obligations. This Infrastructure List supersedes the Regulation 123 List which was adopted as part of the Charging Schedule by Gedling Borough Council on the 16th October 2015.

2 Proposals

- 2.1 The Infrastructure Funding Statement 2022/23 in Appendix A has been prepared taking into account the requirements of the Regulations. It is proposed that members note the Infrastructure Funding Statement 2022/23 in Appendix A and approve publication of the Statement on the Council's website in accordance with the Regulations.

3 Alternative Options

- 3.1 The Council is required to prepare and publish an Infrastructure Funding Statement under Regulation 121A of the Regulations before the end of the calendar year. The content of the Statement in Appendix A is accurate and is as prescribed within the Regulations. If Members did not approve the publication of the Statement, this would be contrary to the Regulations.

4 Financial Implications

- 4.1 Failure to correctly identify and deliver on the S106 schemes would mean that contributions including any indexation may have to be paid back to the developer.
- 4.2 This report does not alter the amount of money that can be collected from developments through the use of the Community Infrastructure Levy (CIL) or Section 106 Planning Obligations.

5 Legal Implications

- 5.1 To comply with the requirements of The Community Infrastructure Levy Regulations 2010 an Infrastructure Funding Statement for the annual year 2022/23 must be published before 31st December 2023. The Statement must include the information set out in Regulation 121A and the relevant schedules detailed therein.

6 Equalities Implications

- 6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/sustainability implications arising from this report.

8 Appendices

- 8.1 Appendix A: Infrastructure Funding Statement 2022/23 Annual Report

9 Background Papers

- 9.1 Gedling Borough Council CIL Charging Schedule - [http://www.gedling.gov.uk/media/Charging%20Schedule%20\(Adoption%20July%202015\).pdf](http://www.gedling.gov.uk/media/Charging%20Schedule%20(Adoption%20July%202015).pdf)

10 Reasons for Recommendations

10.1 To provide information and make Cabinet aware of monies generated through the Community Infrastructure Levy and collected through Section 106 Planning Obligations.

10. To ensure an up to date Infrastructure Funding Statement is published in accordance with The Community Infrastructure Levy Regulations 2010.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer