

Report to Cabinet

Subject: Community Infrastructure Levy Strategic Review
Date: 12th December 2024
Author: Community Infrastructure Levy and Section 106 Monitoring Officer

Wards Affected

Borough-wide

Purpose

To seek approval for to commence a 6-week public consultation on revised Strategic Infrastructure Projects to be funded through the Strategic receipts of the Community Infrastructure Levy (CIL).

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 approves a 6-week public consultation on the review of Strategic projects set out in the Infrastructure List (formerly Regulation 123 List).**

1 Policy Background

- 1.1 The Planning Act 2008 introduced the Community Infrastructure Levy (“CIL”) as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. CIL came into force on 6th April 2010 through the Community Infrastructure Levy Regulations 2010.
- 1.2 Gedling Borough Council introduced CIL in October 2015. Following an independent examination in March 2015 and approval at full council on 15th July that year, the Gedling Borough Council Community Infrastructure Levy Charging Schedule was adopted on 16th October 2015.
- 1.3 On 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 31st December each calendar year.
- 1.4 Included within the annual Infrastructure Funding Statement is the Infrastructure List which is a list of future infrastructure projects to be funded through Developer Contributions such as Section 106 and the CIL. 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.

- 1.5 In accordance with the CIL Regulations 2010 (As Amended), and in order to ensure transparency in the way that Gedling Borough Council reviews its Infrastructure List, the Council adopted the Planning Obligations and Community Infrastructure Levy Guidance Note in December 2016 which sets out the processes and due diligence the Council will undertake when reviewing its Infrastructure List.

2 Strategic CIL

- 2.1 On 17th April 2024 a motion was passed at Full Council that *“This Council resolves to undertake a full review of the approach to Strategic and Neighbourhood Community Infrastructure Levy allocation following introduction of the updated regulations, to ensure it is expended effectively in local communities where development has or will take place and in consultation with those local communities and ward members and within the next year will commence a review of the current 123 infrastructure funding list and consult with communities and Councillors on appropriate infrastructure projects.”*
- 2.2 In accordance with the CIL Regulations 2010 (As Amended), up to 80% of all CIL Receipts collected by a Charging Authority must be used to fund Strategic infrastructure projects for the administrative boundary within which it was collected.
- 2.3 Since the adoption of CIL to the end of the last financial year Gedling Borough Council have collected a total of £7,551,924 from CIL Receipts which are to be used towards the provision of its Strategic projects within the Borough.
- 2.4 Gedling Borough Councils Infrastructure List, formerly Regulation 123 List, which was adopted as part of the Councils Charging Schedule in 2015 set out the Council's priorities in relation to its Strategic Infrastructure. The projects identified at the time were as follows:

- The Gedling Access Road (GAR);
- The Gedling Country Park Visitors Centre.
- Secondary School Contributions for Gedling Colliery / Chase Farm and,
- Secondary School Contributions at Top Wighay

2.5 During the 2023/24 financial year Gedling Borough Council fulfilled its commitment to part fund the construction of the Gedling Access Road (GAR) now known as Colliery Way, through £4,448,120 of Strategic CIL. The Council also delivered its commitment to develop a visitor centre at Gedling Country Park through the expenditure of £1,454,360 of CIL receipts to cover the construction costs, in accordance with Regulation 60 of the CIL Regulations 2010 (As Amended).

2.6 In total, £5,902,480 of CIL Receipts have been expended on the delivery of two key strategic pieces of infrastructure identified in the Council's Infrastructure List. At the end of the financial year 23/24 the Council retain a balance of £1,649,444 for allocation to future Strategic Infrastructure within the Borough with further CIL Receipts due to be collected as CIL liable development is commenced.

2.7 As both Colliery Way (GAR) and the construction of the Gedling County Park Visitors Centre have now been completed, the only two remaining strategic projects identified on the Infrastructure List at present are the Secondary School Contributions at Chase Farm and Top Wighay. As such, and in order to ensure that a continuous roster of Strategic projects exist for the Council to fund through the CIL it is considered expedient to commence a review into the Councils Strategic Infrastructure Projects.

3 Proposals

- 3.1 Gedling Borough Council, along with Broxtowe Borough Council, Nottingham City Council and Rushcliffe Borough Council, are currently consulting on the draft Greater Nottingham Strategic Plan (GNSP) which will replace the Aligned Core Strategy (ACS). To support the GNSP the Council are also progressing an Infrastructure Delivery Plan (IDP) which will aim to ensure sufficient infrastructure and services are in place to meet the needs of development within the Borough.
- 3.2 Some of the key priorities which have been identified through existing evidence bases within Gedling so far include, a requirement for improved Active Travel Links, and Blue / Green Infrastructure Improvement Works.
- 3.3 Nottingham City Council and Nottinghamshire County Council, in partnership with Derby City Council and Derbyshire County Council are working to develop the D2N2 Local Cycling and Walking Infrastructure Plan (LCWIP) which will identify priorities for enhancing the walking and cycling networks. Within Gedling Borough, the improvement of Active Travel Links to access Gedling Country Park has been identified as a possible opportunity for improvement.
- 3.4 Commercial bus services within the Greater Nottingham are mostly operated by Nottingham City Transport and Trent Barton. Following the impacts of Covid-19 there are significant threats to bus services. The Transforming Cities funding includes a number of projects relating to bus improvements, one of which was the new bus-based Park and Ride Facility in the vicinity of Leapool Roundabout on the A60, however, feasibility work has shown that this project is not deliverable with the current level of funding available at present. The land identified for the Leapool Park and Ride remains safeguarded and further design work will continue whilst future funding opportunities, such as the strategic CIL, are investigated.

- 3.5 A Blue-Green Infrastructure (BGI) Strategy sets out the strategic approach to enhancing BGI within the Greater Nottingham Area and Gedling Borough. Some of the opportunities identified at this early stage are to improve BGI across the Borough. Specific examples of improvement works which have been identified at this early stage include improving pedestrian and cycle infrastructure along the northern bank of the River Trent within Gedling, the Calverton Mineral Line and Gedling Colliery and Mapperley Plains.
- 3.6 The above projects have been identified in the early stages of the IDP and several topical studies which have been commissioned as part of the wider Strategic Plan will further inform the evidence base for these projects.
- 3.7 In addition to the projects identified above, Gedling Borough Council launched a consultation exercise in 2024 to support a strategic vision for Arnold Town Centre “Ambition Arnold” which is intended to provide a framework for the regeneration and long-term viability and sustainability of the Town. A separate report appears elsewhere on the agenda and seeks approval of the Ambition Arnold visionary masterplan as a strategic framework to shape and drive future interventions in the town centre. The masterplan identifies the following opportunities, which could be delivered through CIL:
- Improve the public realm across the town centre (including soft landscaping opportunities) and connectivity between green spaces to improve the public realm encourage visitors and increase dwell time in the town.
 - Create a sense of arrival to both the north and south of the town

As Arnold is the only Town Centre in Gedling Borough, the expenditure of Strategic CIL receipts is considered to be suitable. Initial works have been undertaken and two dilapidated buildings have been purchased, including the former Arnold Working Men’s Club and adjacent retail units with

accommodation above on Front Street, Arnold. Plans to demolish these and replace with a new area of public open space are progressing and a funding award is sought from non-parish neighbourhood CIL funding. Full details are provided in a separate report which also appears elsewhere on this agenda.

3.8 The development of a new Carlton Leisure and Community Wellbeing Centre is expected to require the provision of new and improved infrastructure within the immediate vicinity of the site, to better improve connectivity and accessibility to any such new development. Such infrastructure could include, but would not be limited to, highway improvements, car parking facilities, public realm and green spaces improvement works. Given the significant costs expected to arise from the development of a new Centre it is considered likely that a funding gap will exist in relation to the wider infrastructure works required to deliver a well-integrated and connected facility. Carlton Forum currently acts as the flagship facility in terms of participation. As such it is considered that the application of strategic CIL Receipts could be appropriate to help meet any potential funding gaps in relation to associated infrastructure required for the construction of a new Carlton Leisure and Community Wellbeing Centre.

3.9 Finally, the construction of Gedling Country Park, followed by the Visitors Centre has been major success and has become a flagship attraction for Gedling which attracts visitors from inside and outside of the Borough all-year round. Works began in 2014 to construct the Country Park and was followed by the construction of a play park and café at the Visitors Centre which also houses changing facilities and outdoor seating areas. Subsequently, Gedling Country Park has been awarded Green Flag status each year since it was opened. There are potential plans for the further expansion of the facilities at the Park to include the construction of a

Heritage Centre to display and educate visitors about the history of the site. This Heritage Centre would again further encourage visitors into the Borough and enhance one of Gedling's key Green Spaces.

3.1
0 In summary, approval is sought by Cabinet to proceed with a 6-week public consultation to review and revise the Council's Infrastructure List and to seek residents and stakeholders' opinions on the potential Strategic projects which have been initially identified above as well as providing an invitation for stakeholders to nominate additional Strategic projects which meet the requirements of the CIL Regulations. A broad definition of 'infrastructure' for the purposes of CIL funding is set out in section 216(2) of the Planning Act 2008 and includes:

- Road and other transport facilities;
- Flood defences;
- Schools and other education facilities;
- Medical facilities;
- Sporting and recreational facilities; and
- Open spaces.

Where stakeholders wish to submit smaller more localised projects, which might not provide a wider strategic benefit to Gedling Borough, they are recommended to follow the guidance of the Neighbourhood Portion of the CIL.

3.1
1 The consultation will include a posting on the Keep Me Posted newsletter, the Community Initiatives page on Gedling's Community and Voluntary E-Newsletter, an article in the Gedling Contacts magazine and direct consultation with Residential Organisation Groups throughout the borough. A link to the consultation will also be publicised on the Council's CIL webpage - <https://www.gedling.gov.uk/cil/>.

4 Alternative Options

- 4.1 Cabinet could not approve the undertaking of a public consultation and could look to determine future strategic projects for inclusion on the Infrastructure List without further dialogue with relevant stakeholders, however, this could result in significant lost opportunity and would not be in compliance with the Planning Obligations and Community Infrastructure Levy Guidance Note 2016 which sets out the Councils approach to reviewing the Infrastructure List.

5 Financial Implications

- 5.1 Failure to ensure that a suitable roster of Strategic projects are identified and included within the Infrastructure List could mean that the Council are unable to expend its Strategic portion of the CIL.
- 5.2 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.

6 Legal Implications

- 6.1 If the Council agrees to undertaking public consultation on the CIL, the legislative requirements for consultation, evidence gathering and administering CIL as set out in the CIL Regulations 2010 (as amended) and the procedures set out within the Planning Obligations and Community Infrastructure Levy Guidance Note 2016 will be followed.

7 Equalities Implications

- 7.1 An Equality Impact Assessment has been completed in respect of this proposal, attached at Appendix 1.
- 7.2 The consultation will be publicised across multiple mediums to ensure the process remains accessible to as many people as possible. All representations received will be fully considered.

8 Carbon Reduction/Environmental Sustainability Implications

- 8.1 A Climate Impact Assessment has been completed in respect of this proposal, attached at Appendix 2.

9 Appendices

- 9.1 Appendix 1: Equality Impact Assessment Community Infrastructure Levy Strategic Review
- 9.2 Appendix 2: Climate Impact Assessment Community Infrastructure Levy Strategic Review

10 Background Papers

10. Gedling Borough Council CIL Charging Schedule -
1 [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. Planning Obligations and Community Infrastructure Levy Guidance Note
2 2016

11 Reasons for Recommendations

- 11.1 To comply with the CIL Regulations 2010 (As Amended) and ensure that a suitable selection of Strategic Infrastructure projects are identified and set out within the Council's Infrastructure List.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer