

## **REPORT TO EXECUTIVE**

Date of Meeting: 28 February 2022

Report of: Deputy Chief Executive

Title: Annual Infrastructure Funding Statement 2021

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Executive

#### **1. What is the report about?**

1.1 This report brings the Annual Infrastructure Funding Statement for 2021 to the attention of Members for information. It was published in December 2021. The statement sets out information relating to funding secured, received, committed and spent from the Community Infrastructure Levy (CIL) and well as Section 106 monies. It also includes an Infrastructure List identifying a series of projects which could benefit from Community Infrastructure Funding in future. It does not however provide financial commitments to any project set out in the Statement.

#### **2. Recommendations:**

2.1 That the Executive notes the content and publication of the Annual Infrastructure Statement for 2021.

#### **3. Reasons for the recommendation:**

3.1 The Community Infrastructure Levy Regulations, as amended in 2019, require Councils to publish an Annual Infrastructure Funding Statement including information about CIL and Section 106 funding and infrastructure projects which could be funded from CIL.

3.2 The 2021 Infrastructure Funding Statement includes factual information regarding CIL and Section 106 obligations and identifies potential infrastructure projects without making financial commitments. On this basis, the Infrastructure Funding Statement has been approved under the scheme of delegation by the acting Service Lead for City Development with agreement from the Leader of the Council and the Portfolio Holder for City Development. Its preparation was also considered by the CIL/Section 106 Member Working Party. The Statement is available online ([Annual Infrastructure Funding Statement](#)) and has been attached for reference to this report at Appendix A.

3.3 This report provides a summary of the key content of the 2021 Infrastructure Funding Statement and provides Members with an opportunity to discuss the information it contains.

#### **4. What are the resource implications including non financial resources?**

4.1 The 2021 Annual Infrastructure Funding Statement (covering financial year 2020/21) sets out factual information regarding CIL and Section 106 receipts and expenditure. It also includes an 'Infrastructure List' of projects which could benefit from CIL funding in future. It should be noted that decisions on the non-neighbourhood element of CIL spend (the larger projects) will continue to be made through Executive and Full Council. On this basis, the Statement does not make commitments over future CIL expenditure.

#### **5. Section 151 Officer comments:**

5.1 There are no specific financial implications contained within this report for Council to consider. Any allocation of CIL funding to support any of the projects identified in the 'Infrastructure List' would require Council approval either through a dedicated report or via an amendment or addition to the Council's Capital Programme.

#### **6. What are the legal aspects?**

6.1 The preparation of an Annual Infrastructure Funding Statement is a requirement of the Community Infrastructure Levy Regulations, as amended in 2019. The publication of the 2021 Statement meets these requirements.

#### **7. Monitoring Officer's comments:**

The CIL funding list will enable members to consider projects in a planned and structured way where competing interest/priorities can be evaluated.

#### **8. Report details:**

##### Community Infrastructure Levy report

8.1 The Annual Infrastructure Funding Statement includes a report (section of the Statement) which provides financial information regarding the amount of CIL secured, received and committed in 2020/21, together with CIL expenditure.

8.2 Some of the key details are summarised below:

- Total CIL received at the end of March 2021 (since first implemented): £20.15m
- Total CIL committed to infrastructure projects at the end of 2020/21: £10.67m
- Total CIL received and not yet committed at the end of 2020/21: £5.09m
  
- Total value of CIL receipts for 2020/21: £4.87m
- Total value of CIL monies allocated to projects in 2020/21: £3.47m
- Total value of CIL expenditure for 2020/21: £1.99m

8.3 The CIL expenditure was on the following projects:

- Sandy Park Junction: £838,000
- Toilets/Play Areas: £133,000
- Neighbourhood funding £813,000
- Habitat mitigation: £80,000
- Administration: £127,000

##### Section 106 report (planning obligations)

8.4 The Annual Infrastructure Funding Statement includes a report which provides financial information regarding the planning obligations secured through the Section 106 process, together with monies received, committed and spent on specific projects.

8.5 Some of the key details are summarised below:

- The total funding to be provided under planning obligations which were entered into in 2020/21: £635,000
- The total funding under planning obligations which was received during 2020/21: £587,000
- The total number of affordable homes secured by Section 106 Agreements signed in 2020/21: 168
- The total funding from planning obligations which was spent by the authority in 2020/21: £4.99m

8.6 The Section 106 expenditure was on the following projects:

- Affordable housing: £4,785,000
- Outdoor Sport/Play Areas/Sports Pitches: £112,000
- Commuted sums: £57,000
- Topsham Adventure Centre: £42,000

#### Infrastructure list

8.7 Finally, the Annual Infrastructure Funding Statement identifies a series of infrastructure projects which, in future, could be funded wholly, or in part, by the Community Infrastructure Levy. This is the 'Infrastructure List'. Due to the uncertain nature of future CIL receipts, this list should be regarded as a statement of the direction of travel. It does not identify specific funding commitments.

8.8 The Infrastructure List details a range of projects relating to strategic priorities such as supporting development of the Liveable Exeter programme, green infrastructure, net zero ambitions, cultural projects, environmental enhancements and key maintenance. The list is not exhaustive.

8.9 Further projects would be funded from the neighbourhood proportion of CIL which is a slice of receipts for community projects. This funding is considered through the Grants Programme and Exeter Grants Panel.

#### Future work

8.10 As set out above, there is a statutory requirement to produce an Infrastructure Funding Statement annually to cover the associated financial year. This statement covers 2020/21. Later in 2022 the Council will publish a subsequent Infrastructure Funding Statement for 2021/22 including a reviewed Infrastructure List of the potential CIL funding priorities. This will be supported by future work on a Community Infrastructure Levy funding programme setting out key financial commitments to future infrastructure projects. These documents will be brought to Executive later in 2022.

## **9. How does the decision contribute to the Council's Corporate Plan?**

9.1 The Infrastructure List within the Annual Infrastructure Funding Statement includes a series of projects which, if funded, could support the following key priorities in the Corporate Plan:

- Delivering Net Zero Exeter 2030;
- Promoting active and healthy lifestyles; and
- Building great neighbourhoods.

The projects would also support the key programme of tackling congestion and accessibility.

## **10. What risks are there and how can they be reduced?**

10.1 The Annual Infrastructure Funding Statement provides factual information regarding the Community Infrastructure Levy, planning obligations and sets out projects which could be funded from CIL receipts. It does not make formal financial commitments. The Infrastructure Funding Statement is also subject to annual review which mitigates any residual risks. There are therefore no specific risks to consider.

## **11. Equality Act 2010 (The Act)**

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending that Executive notes the content of the 2021 Annual Infrastructure Funding Statement no potential negative impact has been identified on people with protected characteristics as determined by the Act.

## **12. Carbon Footprint (Environmental) Implications:**

12.1. There are no direct carbon/environmental impacts arising from the recommendation to note the content of the 2021 Annual Infrastructure Funding Statement as the document does not set Council policy nor make financial commitments. The Infrastructure List within the Infrastructure Funding Statement does however specifically set out the potential for

using CIL monies to support net zero carbon infrastructure (subject to formal agreement through separate processes).

### **13. Are there any other options?**

13.1. The preparation of an Annual Infrastructure Funding Statement is a statutory requirement. There are no appropriate alternatives to noting the content of the document.

**Deputy Chief Executive, Bindu Arjoon**

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### **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

None

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