

16 June 2021

Agenda Item: 7

REPORT OF CORPORATE DIRECTOR, PLACE**COMMUNITY INFRASTRUCTURE LEVY – FUNDING PRIORITIES****Purpose of the Report**

1. To consider the current position with regard to receipts of the Community Infrastructure Levy (CIL) in Nottinghamshire and to confirm the County Council's support for the projects as identified in the report to be funded through CIL as a priority.

Information

2. The Community Infrastructure Levy (CIL) is a charge which can be levied by local planning authorities on new development in their area in order to fund projects of strategic or district wide significance. New development which creates net additional floor space of 100 square metres, or more, is potentially liable for the Levy. S106 or planning obligations, continue to be collected for site specific infrastructure and included in a legally binding agreement which forms part of a planning permission.
3. CIL only applies in areas where a local authority has an approved charging schedule which sets out its levy rates. There are presently four authorities in Nottinghamshire operating a CIL. In chronological order of adoption these are Newark & Sherwood District Council (adopted in 2011), Bassetlaw District Council (2013), Gedling Borough Council (2015) and Rushcliffe Borough Council (2019).
4. The Government has proposed through its "Planning for the Future" White Paper, to replace the Community Infrastructure Levy and Section 106 system with a new Consolidated Infrastructure Levy. Details of how the Levy would operate, including how this would be set and collected, are yet to be published, but it is anticipated that this will have an impact on the County Council's approach to securing developer contributions in the future. Details of these proposed changes will be brought to the Committee when known.
5. Developer contributions collected through the CIL are intended to fund strategic infrastructure that is required to meet the future growth needs of the area rather than site specific mitigation that would usually be secured through a planning obligation (i.e. Section 106 Agreement).
6. A proportion of CIL receipts are passed to parish councils to fund local infrastructure and is set at 15% of receipts (or 25% where there is a Neighbourhood Plan in place). This funding is known as the neighbourhood portion and cannot be used towards strategic infrastructure.
7. Details of the strategic infrastructure items that the charging authority intends to fund either partly or wholly through the CIL are set out in its annual Infrastructure Funding Statement

(which replaced the Regulation 123 List in December 2020). In Nottinghamshire, this has mainly comprised strategic highway schemes and secondary education provision.

8. The total amount of funding retained at the end of the year for strategic infrastructure is detailed in the District/Borough Infrastructure Funding Statement (IFS) for 2019/20.

Bassetlaw

9. The list of projects which may be funded wholly or partly through CIL is set out in the District Council's IFS and includes improvements to key junctions / roundabouts in Worksop, Retford, Tuxford and Harworth, as well as expansion of secondary education provision in both Worksop and Harworth & Bircotes. The full list of highways schemes is available at Appendix A.
10. The total amount of CIL receipts held at the end of the 2019/20 financial year was £5,492,715.
11. The County Council has already drawn down funding towards the completed scheme at the A57/B6041 Gateford Road roundabout in Worksop. Design works are also underway with respect to schemes at the A57/Claylands Avenue and A60/A619 roundabouts in Worksop.
12. To date, no funding has been committed to secondary education projects in the District. The County Council is seeking to address school place sufficiency issues at Outwood Portland Academy in Worksop where a feasibility study has been conducted to identify the potential of delivering an additional two forms of entry (300 places).
13. The County Council is also conducting a feasibility study with regards to a proposed expansion of primary and secondary provision at Serlby Park Academy in Harworth, however the additional secondary places (which would be CIL funded) are not expected to be required for several years, and will depend on the delivery rate of recently permitted housing developments.

Gedling

14. The list of projects which may be funded wholly or partly through CIL is set out in the Borough Council's IFS and includes the following three items: construction of the Gedling Access Road (GAR), additional secondary school provision associated with the Gedling Colliery / Chase Farm and Top Wighay Farm developments, and the Gedling Country Park Visitors Centre.
15. The total amount of CIL receipts held at the end of the 2019/20 financial year was £1,276,677.
16. Since Gedling Borough Council first adopted the CIL, the strategic portion of CIL receipts have been ring-fenced for the construction of the Gedling Access Road (GAR). CIL receipts for the strategic element will continue to be ring-fenced for this piece of infrastructure whilst there is a continued need for the funding. The Borough Council has agreed to contribute up to £4.48 million as stated in its December 2020 Infrastructure Funding Statement.
17. The Borough Council's Statement also confirms that, once the funding gap for the GAR has been addressed, the following priority will be the delivery of secondary school facilities associated with the Gedling Colliery / Chase Farm development. The County Council has invested approximately £3m in providing additional places at the Carlton Academy and would seek to recover this expenditure through CIL, if future CIL receipts allow. However, it is acknowledged that the current proposals to reform CIL / S.106 may impact on future reliability of this revenue.

Newark & Sherwood

18. The list of projects that may be funded wholly or partly through CIL is set out in the District Council's IFS and includes the delivery of major highways schemes such as the widening of the A1 Overbridge at Fernwood and the installation of the Kelham Bypass, as well as improvements to key junctions across the District. The list also includes the delivery of additional secondary education provision within the District. The full list of highways schemes is at Appendix B.
19. The total amount of CIL receipts held at the end of the 2019/20 financial year was £5,146,605.
20. The widening of the A1 Overbridge remains the District Council's highest priority, given its need as part of the Fernwood development highways mitigation strategy. NSDC is therefore working with Highways England to develop a detailed project brief. The estimated cost for the work is expected to be in the region of £5.2 million according to NSDC's IFS.
21. NSDC has also committed £620,000 towards the delivery of a two storey, four classroom expansion of Joseph Whitaker School in Rainworth. The project is being delivered by the East Midlands Education Trust and will help address the projected deficiency of secondary school places in the Rainworth Planning Area. There are currently no other sufficiency issues or plans to increase capacity at other secondary schools in this District.

Rushcliffe

22. The list of projects that may be funded wholly or partly through CIL is set out in the Borough Council's IFS and includes provision of a Park & Ride along the A52 corridor and bus priority measures in West Bridgford, improvements to playing pitches and leisure facilities, and the provision of new/extended secondary education and health facilities across the Borough.
23. Due to the time at which CIL was adopted within the Borough, no developments incurring a CIL charge were commenced during the last financial year. Therefore, the total amount of CIL receipts retained at the end of the 2019/20 financial year was £0.00.
24. The County Council is working with several Academies to progress projects to increase secondary education capacity in the Rushcliffe East and West Bridgford Planning Areas. Further funding may be sought through CIL to supplement existing funding for secondary education provision in the future.
25. As funding accrues, NCC will work with RBC to support delivery of the proposed public transport improvements along the A52 Corridor and in West Bridgford.

County Summary

26. Table 1 summarises the current project proposals in each of the CIL-charging authorities as described in this report and the priorities of the County Council .

District / Borough	CIL Balance at 31st March 2020	County Council Priority Projects for CIL funding
Bassetlaw	£5,492,715	<ul style="list-style-type: none"> • A57/B6041 Gateford Rd Roundabout: £662,742* • A57/Claylands Avenue Roundabout: Amount TBC • A60/A619 Roundabout: Amount TBC • Outwood Portland Academy Expansion: £7,200,000
Gedling	£1,276,677	<ul style="list-style-type: none"> • Gedling Access Road: £4,480,000 • Carlton Academy Expansion: £3,000,000
Newark & Sherwood	£5,146,605	<ul style="list-style-type: none"> • Joseph Whitaker School Expansion: £620,000 • Widening of A1 Overbridge, Fernwood: £5,200,000
Rushcliffe	£0.00	<ul style="list-style-type: none"> • Park and Ride on A52 corridor, bus priority measures in West Bridgford and secondary education projects (to be advised)

**funding drawn down*

Other Options Considered

27. Do nothing. The opportunity to deliver key infrastructure to mitigate the impact of new development in the County would be delayed.

Reason for Recommendations

28. In order for the Committee to endorse the priorities of the County Council for CIL-funded projects in Nottinghamshire.

Statutory and Policy Implications

29. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATIONS

- 1) That the Committee notes the level of receipts accrued from the Community Infrastructure Levy (CIL) in Nottinghamshire;
- 2) That the projects as identified in the report should be prioritised for funding from CIL in its current form; and
- 3) That the Committee indicates whether there are any further actions they wish to take following consideration of this report.

Adrian Smith
Corporate Director Place

For any enquiries about this report please contact: Matthew Neal, Service Director, Investment & Growth, Tel: 0115 9773822

Constitutional Comments (CEH 01/06/2021)

30. The report falls within the remit of Economic Development and Asset Management Committee under its terms of reference.

Financial Comments (RWK 02/06/2021)

31. The report sets out the balance of CIL contributions and the County Council priority projects for CIL funding for the 4 district councils with an approved CIL charging schedule in place. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None.

Electoral Division(s) and Member(s) Affected

- All.

APPENDIX A: BASSETLAW DISTRICT COUNCIL INFRASTRUCTURE LIST

Infrastructure required	Approximate cost of	Funding already acquired £	Status
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	improvement £m		
A614/Scrooby Road/Bawtry Road, Harworth	0.75	0.45m Sheffield City Region 0.45m D2N2 Design fees drawn down 05/04/17 £11,000	Completed
A620/A638 roundabout, Retford	3.00		Not Commenced
B1164/A6075 Junction, Tuxford	0.75		Not Commenced
A57/A60 Sandy Lane roundabout, Worksop A57 arms and Highgrounds arm only	1.50	0.5m Sheffield City Region 1.83m D2N2 Design fees requested drawn down 08/04/15 £12,500	Completed
A57/Claylands Avenue roundabout, Worksop	1.50	Amount requested on draw down form 18/10/19 - £19,250	Project Underway
A60/A619 roundabout, Worksop	3.00	In discussions over design works	Project Underway
A57/B6041 Gateford Road roundabout, Worksop B6041 arm only	1.50	£12,000 on 27/07/17 for design fees £20,000 on 14/08/18 for further design fees £630,742 on 24/08/18 for capital project £662,742 total CIL drawn down £1.15m Sheffield City Region Funding	Completed
Secondary school provision in Worksop	4.50	n/a	Not Commenced
Secondary school provision in Harworth Bircotes	4.40	n/a	Not Commenced
Total cost	23.90		

APPENDIX B: NEWARK & SHERWOOD DISTRICT COUNCIL INFRASTRUCTURE LIST

Highways Projects				
Location	Estimated Cost	CIL /Other Public Contribution	Required works	Status/funding source
Barnby Gate, Sherwood Avenue Junction, Newark	£60,000	£60,000	Signal control	Completed 2018 (Local Transport Plan)
Beacon Hill Road, Northern Road Junction, Newark	£144,000	£144,000	Signal control	Completed 2018 D2N2 – Cycling Strategy
Lincoln Road, Brunel Drive Junction, Newark	£300,000	£300,000	Junction improvements	Completed (Newark Cycle Strategy)
Lincoln Road, Northern Road Junction, Newark	£240,000	£240,000	Signal control	Completed (Local Transport Plan)
A1 Overbridge widening, Fernwood, Newark	£5,200,000	£5,200,000	Widening of A1 overbridge	To be implemented
London Road, Portland Street Junction, Newark	£60,000	£60,000	Signal control	To be implemented
Northern Road / Brunel Drive Junction	£500,000	£500,000	Signal control	To be implemented
Castle Gate, Lombard Street Junction, Newark	£300,000	£300,000	Junction improvements	To be implemented
Sleaford Road / Friary Road Junction, Newark	£300,000	£300,000	Junction improvements	To be implemented
Queens Road / North Gate	£240,000	£240,000	Junction improvements	To be implemented
Kelham Bypass	£15,000,000	£5,000,000	New bridge over River Trent and a bypass to the village	To be implemented Suggested funding split 33% CIL-67% D2N2 LEP
A614, C1 Junction White Post Roundabout	£600,000*	Details remain unclear until NCC's business case is finalised	Junction improvements	MRN funding bid to DfT, part funded by CIL contributions
A6097 / A612 Lowdham Junction	£1,500,000*	Details remain unclear until NCC's business case is finalised	Junction improvements	MRN funding bid to DfT, part funded by CIL contributions
A614 Mickledale Lane Junction	£300,000*	Details remain unclear until NCC's business case is finalised	Junction improvements and signal control	MRN funding bid to DfT, part funded by CIL contributions
A614, C13 Eakring Road Junction	£120,000*	Details remain unclear until NCC's business case is finalised	Speed reduction measures and signal control	MRN funding bid to DfT, part funded by CIL contributions
A614/A6097 Oxton Bypass	£1,500,000*	Details remain unclear until NCC's business case is finalised	Junction improvements	MRN funding bid to DfT, part funded by CIL contributions
Education Projects				
Secondary Education Provision within the District	£11,339,820	£11,339,820	Increase schools capacity	To be implemented
Joseph Whitaker School, Rainworth	£620,000	£620,000		To be implemented

Table 8: NSDC CIL Priority Project Status (* Figures requiring review)