

CARLISLE CITY COUNCIL

INFRASTRUCTURE FUNDING STATEMENT
2019/20

Introduction

The Infrastructure Funding Statement (IFS) is an annual report which provides a summary of all developer contributions relating to Section 106 agreements (S106) and the Community Infrastructure Levy (CIL) for a given financial year. **The Infrastructure Funding Statement replaces the Regulation 123 statement.**

Section 106 agreements are legal agreements which can be attached to a planning permission to mitigate the impact of development. Planning obligations within these agreements can only be sought where they are directly related to the development and necessary to make the development acceptable in planning terms.

Contributions can either be provided on-site, for example by the provision of Affordable Housing, or off-site in the form of financial payments.

The Community Infrastructure Levy (CIL) is intended to fund more generalised, strategic infrastructure requirements across the District in order to support new development. It is a mechanism to secure financial contributions from developers on certain viable developments and CIL monies can be used to fund the provision, improvement, replacement operation and maintenance of infrastructure to support the development of the area.

At the current time, the Council has not adopted a CIL Charging Schedule.

Funding for the delivery of infrastructure will be sought by the Council in several ways such as through planning conditions, Section 106 Agreements and through the Community Infrastructure Levy.

On the 1st September 2019 the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 came into force.

Under these regulations Local Authorities are required to produce an Infrastructure Funding Statement annually that sets out details about planning obligation receipts and anticipated expenditure. This is to provide clarity and transparency to local communities and developers on the infrastructure and expenditure and in aligning this to planned development, as envisaged in the Local Plan

The full details which the Council is required to published as set out in the Regulations is attached at the schedule in Appendix 1 of this report.

Definitions used with this statement are: -

Agreed – Contributions that have been agreed within a signed legal document. These contributions have not been collected/ delivered and if the planning applications are not implemented, they will never be received.

Received – Contributions received, either non-monetary or monetary, that have been transferred to Carlisle City Council

Allocated – Contributions that have been received and allocated to specific projects.

Spent/ Delivered – Monetary or non-monetary contributions that have been spent/ delivered.

This Financial Year - refers to the period between 1.4.19 and 31.3.20.

1. S106 Obligations • necessary to make the development acceptable in planning terms

- directly related to the development
- fairly and reasonably related in scale and kind to the development

Once a S106 agreement has been signed it becomes an obligation but will only be required if the planning permission is implemented and the trigger for payment has been reached. The agreement is also registered on the Local Land Charges Register as a land charge and will remain as such with that land – this means that the obligation will be required to be met in full by the owner of the land, whether that is the landowner at the time of permission or and future land owner.

Planning obligations assist in mitigating the impact of development to make it acceptable in planning terms. Obligations may only constitute a reason for granting planning permission if they meet tests that show they are necessary to make the development acceptable in planning terms.

The tests, as detailed below, are set out as statutory tests in Regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework

It is not possible to provide a priority list of obligations or contributions which may be sought as these are dependant of the development proposal, but both S106 and CIL contributions can be placed on the same development.

As a District Council we may also monitor and collect contributions on behalf of the County Council. Where these are passed onto the County Council to be used as detailed in the agreements.

For the purposes of this report, where these are passed onto the County Council to be used for infrastructure provision which falls under the County Council remit, such as education and highways, details will be provided by the County Council in their own Infrastructure Funding Statement. This report will also not report on Section 278 Highways Agreements.

S106 Obligations – summary

In 2019/20 the Council received a total of £744,328.18 in S106 contributions.

This consists of: -

- Affordable Housing - £200,300.04
- Green Infrastructure - £52,508.01
- Off -site Recreational Open Space and Leisure - £461,441.04
- Transport and Travel - £17,423.09
- Other- CCTV and Security measures - £12,657.00

Of these, £200,300.04 (Affordable Housing) and £236,133.66 (Off-site recreational open space) has been received but the purposes for which they have been received are subject to either 'pooling' of funds or further detail of the scheme needs to be drawn up before the funds can be drawn upon within the timeframe as specified within the individual S106 Agreement.

Fourteen new S106 agreements have been signed in this reporting year along with one Unilateral agreement and three Deeds of Variation.

The following was achieved during the reporting year (see annex 1-H-i)

Affordable Housing - 73 on-site units were provided during the year.

Green Infrastructure – This was transferred/paid to Cumbria Wildlife Trust who undertook the obligations on behalf of the Council on projects at Gosling Sykes and Rockcliffe

Highways – This was transferred/paid to Cumbria County Council who undertook the obligations on behalf of the Council for cycleways

Open space and leisure – Improvements and repairs to Melbourne Park, Chances Park, St James Park, Windsor Way play area, Briar Bank play area and Tribune play area

Transport and Travel – paid to Stagecoach for subsidised bus routes

2. CIL

The Council has not adopted a Community Infrastructure Levy.

The Council has an up to date Carlisle District Local Plan Local Plan (CDLP) for which an Infrastructure Delivery Plan (IDP) was produced. This identified the infrastructure required to support the growth identified through the Plan. The Plan is due to be reviewed in line with current legislation in 2021.

Policy SP3 of the CDLP identified a broad area for Growth known as Carlisle South which is now being progressed as St Cuthbert's Garden Village as part of the government's Garden Communities programme. The St Cuthbert's Local Plan (SCLP) will have a dedicated IDP which will reflect the Garden Community aspirations for the area within the SCLP. Adoption of the SCLP is expected to be Summer 2022.

Annex 1 - Infrastructure Funding Statement Schedule 2019/20

SCHEDULE 2 Matters to be included in the annual infrastructure funding statement (Regulation 121 Schedule 2)

The reporting year covered by this report is 1st April 2019 to 31st March 2020

S106 Obligations Report			
Requirement		Amount	Comment
3	The matters to be included in the section 106 report for each reported year are—		
a	the total amount of money to be provided under any planning obligations which were entered into during the reported year;	823,890.00	
b	the total amount of money under any planning obligations which was received during the reported year;	744,329.18	
c	the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	1,483,894.29	
d	summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—		
i	in relation to affordable housing, the total number of units which will be provided;	145	
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;		
e	the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;		
f	the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	252,379.10	
g	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;		
h	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;	50,400.00 63,868.15 24,800.00	Affordable housing Green infrastructure Highways – transferred

S106 Obligations Report				
Requirement			Amount	Comment
			70,887.86	Open space and leisure
			17,423.09	Transport and travel
	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);	25,000.00	transport-and-travel – expected road closures that did not occur
	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;		
i		the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.	1,975,844.37	Amount held at 31/03/2019
			245,789.39	Which includes Longer Term Maintenance
4		The matters which may be included in the section 106 report for each reported year are—		
a		summary details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year,		
b		summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.		
5		For the purposes of paragraph 3—		
a		where the amount of money to be provided under any planning obligations is not known, an authority must provide an estimate;		
b		a non-monetary contribution includes any land or item of infrastructure provided pursuant to a planning obligation;		
c		where the amount of money spent in respect of monitoring in relation to delivery of planning obligations is not known, an authority must provide an estimate.”		