

**For General Release**

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| <b>REPORT TO:</b>  | <b>Nick Hibberd, Corporate Director of Sustainable Communities, Regeneration &amp; Economic Recovery<br/>16 December 2022</b> |
| <b>AGENDA ITEM:</b>  | <b>N/A</b>  |
| <b>SUBJECT:</b>  | <b>Annual Infrastructure Funding Statement 2021/22</b>  |
| <b>LEAD OFFICER:</b>   | <b>Heather Cheesbrough, Director of Planning &amp; Sustainable Regeneration</b>   |
| <b>CABINET MEMBER:</b>   | <b>Councillor Jeet Bains Member for Planning and Regeneration</b>   |
| <b>WARDS:</b>  | <b>All</b>  |
| <b>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:</b><br>It is a statutory requirement under s216 of the Planning Act 2008 and Regulation 121A of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 to prepare an Annual Infrastructure Funding Statement for the 2021/22 financial year, and to publish this statement no later than the 31 December 2022.   |   |
| <b>FINANCIAL IMPACT</b><br>There are no direct financial implications arising from this report. This report is a factual account of: <ul style="list-style-type: none"><li>• How much Community Infrastructure Levy has been collected, assigned, spent or retained at the end of the financial year;</li><li>• The amount of financial contributions that have been collected, assigned, spent or retained at the end of the financial year;</li><li>•</li><li>• Details of non-financial contributions secured through planning obligations in 2021/22</li><li>•</li></ul> |   |
| <b>KEY DECISION REFERENCE NO.: Not a key decision</b>  |   |

The Executive Mayor of Croydon has delegated to the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery the decision set out in the recommendation below

**1. RECOMMENDATION**

The Corporate Director of Sustainable Communities, Regeneration & Economic Recovery is recommended to

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| 1.1 | Approve the publication of the Annual Infrastructure Funding Statement 2021/22 in accordance with Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019. |
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## **2. EXECUTIVE SUMMARY**

2.1. The Annual Infrastructure Funding Statement indicates the amount of the borough's Community Infrastructure Levy and financial contributions collected and assigned in 2021/22.

2.2. The Annual Infrastructure Funding Statement highlights the following:

### The Community Infrastructure Levy

- The amount collected for Croydon Borough CIL for the year 2021/22 is £12,283,874
- During 2021/22 a total of £7,208,176 of CIL was spent or allocated

### Financial Contributions (such as Section 106 and Unilateral Undertakings)

- The total of money under any planning obligations which was received prior 2021/22 which has not been allocated is £4,718,322.84
- The total amount of money under any planning obligations which was received during 2021/22 is £1,337,699.50
- The total amount of money (received under any planning obligations) which was spent is £532,011

## **3. DETAIL**

3.1 It is a statutory requirement under s216 of the Planning Act 2008 and Regulation 121A of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 to prepare an Annual Infrastructure Funding Statement for the 2021/22 financial year, and to publish this statement no later than the 31 December 2022. This year's Annual Infrastructure Funding Statement must, therefore, be published no later than 31 December 2022.

3.2 The Annual Infrastructure Statement must include:

- a) A statement ("the infrastructure list") of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than projects or infrastructure funded by the Local Meaningful Proportion);
- b) A report, in relation to the previous financial year (2021/22) that sets out how much CIL was unspent from previous financial years, raised in the last financial year, or spent/allocated in 2021/22;
- c) A report about planning obligations secured under s106 of the Town and Country Planning Act 1990 (as amended) that sets out how much was raised in financial terms through planning obligations in the previous financial year, what infrastructure was funded during the previous financial year, and how much money remains available to support further infrastructure in future years; and

- d) Details of affordable housing and school places secured through planning obligations under s106 of the Town and Country Planning Act 1990 (as amended) during the last financial year.

This year's Annual Infrastructure Funding Statement must, therefore, be published no later than 31 December 2022.

3.4 The statement sets out that the following projects may be funded by Community Infrastructure Levy in Croydon through the provision, improvement, replacement, operation or maintenance:

- Education Facilities
- Health Care Facilities
- Public Open Space
- Public Sports and Leisure
- Highways
- Community Facilities (as defined by the Croydon Local Plan 2018)

3.5 The statement sets out the following in terms of the Community Infrastructure Levy:

- a) A total of £12,283,873.61 was received from April 2021- March 2022.
- b) A total of £9,827,098.89 of CIL (not including the Local Meaningful Proportion) was unspent at the start of 2021/22.
- c) During 2021/22 £6,511,122 of CIL was spent on the projects and infrastructure types on the Council's Infrastructure List and borough's capital programme, which reduces the council's borrowing to support the borough's capital programme. Further details are set out in paragraph 3.6 below.
- d) At the close of 2021/22 a total of £13,067,277 (excluding the Local Meaningful Proportion) was unspent.
- e) A total of £349,825 was spent under the CIL Local Meaningful Proportion.
- f) At the close of 2021/22 a total of £4,312,225 of CIL applied to the Local Meaningful Proportion was unspent.
- g) During 2021/22 a total of £347,229 of CIL was spent on administration of the CIL.

3.6 The Council's Infrastructure Finance Group ensures that CIL and planning obligation income is spent on essential infrastructure needed to support growth in the borough as set out in the Croydon Local Plan, Council's Capital Strategy, Infrastructure Delivery Plan, and Growth Zone Programme. During 2021/22 borough CIL has been allocated to the projects listed in Appendix 1 and 2 totalled £6,511,122

3.7 The statement sets out the following in terms of planning obligations secured under s106 of the Town and Country Planning Act 1990 (as amended):

- a) A total of money under any planning obligations which was received prior 2021/22 which has not been allocated is £4,718,322.84
- b) A total of £1,182,402 of money secured under s106 agreements was allocated to specific projects during 2021/22 but has not yet been spent.

- c) During 2021/22 a total of £532,010 of money secured under s106 agreements was spent on specific projects across the borough.
- d) 180 new affordable homes were secured through s106 agreements in 2021/22.
- e) A total of £1,337,699 was received from developers in 2021/22 who had previously entered into a s106 agreement with the council.

#### **4. CONSULTATION**

- 4.1 The Annual Infrastructure Funding Statement for the 2021/22 financial year is a factual statement of how much borough CIL has been collected and how much money arising from CIL has been spent and on what projects. It does not contain anything that could be consulted upon.

#### **5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 5.1 During 2021/22 a total of ££7,208,054 of CIL was spent or allocated (on infrastructure, the Local Meaningful Proportion or administration costs), and a total of £12,283,873 of CIL was received.

(Approved by Nish Popat Interim Head of Corporate Finance)

#### **6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

- 6.1 The Director of Legal Services comments that there are not additional legal considerations beyond those detailed paragraph 3.1 of this report.  
(Approved on behalf of Stephen Lawrence-Orumwense, Director of Legal Services and Monitoring Officer by Samra Yunas, Borough Solicitor.)

#### **7. HUMAN RESOURCES IMPACT**

- 7.1 There are no human resources implications arising from Annual Infrastructure Funding Statement for the 20221/22 financial year this current time, if any issues arise these will be managed under the appropriate Council's policies and procedures.

(Approved by for and on behalf of, HR Director, by Jennifer Sankar, Head of HR Place)

#### **8. EQUALITIES IMPACT**

- 8.1 The Annual Infrastructure Funding Statement for the 2021/22 financial year – Community Infrastructure is a factual report and therefore has no direct equalities impact arising from the report itself.

#### **9. ENVIRONMENTAL IMPACT**

9.1 The Annual Infrastructure Funding Statement for the 2021/22 financial year – Community Infrastructure is a factual report and therefore has no environmental impact arising from it.

## **10. CRIME AND DISORDER REDUCTION IMPACT**

10.1 The Annual Infrastructure Funding Statement for the 2021/22 financial year – Community Infrastructure Levy is a factual report and therefore has no crime and disorder reduction impact arising from it.

## **11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

11.1 The Annual Infrastructure Funding Statement for the 2021/22 financial year – Community Infrastructure Levy is a factual report and statutory requirement under s216 of the Planning Act 2008 and Regulation 121A of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 and should be published on the Council's website by the 31<sup>st</sup> December 2022.

## **12. OPTIONS CONSIDERED AND REJECTED**

12.1 Publication of the Annual Infrastructure Funding Statement for the 2021/22 financial year is a statutory requirement under s216 of the Planning Act 2008 and Regulation 121A of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 and therefore no options exist.

**CONTACT OFFICER:** Julia Dawe, Plan Making Team Leader – Spatial Planning and Steve Dennington, Head of Spatial Planning and Interim Head of Growth Zone and Regeneration (ext. 28152)

Appendix 1 Annual Infrastructure funding Statement 2021/22

**BACKGROUND PAPERS** - None