



Rutland
County Council

**Rutland County Council
Annual Infrastructure
Funding Statement
for
Community Infrastructure
Levy and Section 106**

Reporting Period:

**01 April 2019
to
31 March 2020**



Summary of document

This Infrastructure Funding Statement is an annual report required to be published by 31st December each year on the Council's website. It provides a summary of the planning obligations both financial and non-financial relating to Section 106 Legal Agreements (S106) and a financial overview of the Community Infrastructure Levy (CIL) for the reporting period.

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1.0 INTRODUCTION

- 1.1 This Infrastructure Funding Statement (IFS) is an annual report required to be published on the Council's website by December 31st each year, to provide a summary of the financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) and the Community Infrastructure Levy (CIL) within Rutland County Council for a given financial year. In addition we have also included information relating to highway works completed as part of new developments through Section 278 agreements (S278).
- 1.2 The list at Appendix A shows the infrastructure that was approved on 11 January 2016 by regulation 123 as part of the RCC CIL charging schedule. This list of infrastructure will be reviewed as part of the process for adoption of a new local plan. An updated list of infrastructure projects will therefore be included in a future IFS.
- 1.3 A Local Plan has been published for statutory consultation and has been accompanied by a draft Infrastructure Delivery Plan – both of these documents have been published on the Council's website. The Council is at a key point with its new Local Plan, which will set out its strategy for development in the County up to 2036. As such, it is logical to defer any spending of CIL until the Infrastructure Development Plan, which will support the new Local Plan, has been completed. This will enable any spending to be focused on key infrastructure needs that will support proposed growth. However where an urgent infrastructure need is identified this may take precedence.
- 1.4 CIL annual monitoring reports for the previous financial years are published on the Council's website.
- 1.5 Please note that data on developer contributions represents estimates at a given point in time and can be subject to change. However the data reported within this document is the most robust available at the time of publication.
- 1.6 Throughout the IFS there will be references to the follow definitions:
 - **Agreed** – Contributions that have been agreed with a signed legal document. Contributions may not have been collected/delivered and if the planning applications are not implemented, they will never be received.
 - **Received** – Contributions received, either non-monetary or monetary.

- **Allocated** – Contributions that have been assigned to specific projects.
- **Spent/Delivered** – Monetary or non-monetary contributions that have been used as intended, either by spending the allocated funds or completing the contribution as agreed.
- **The reported year** – unless stated otherwise, this refers to the period 01/04/2019 – 31/03/2020

2.0 DEVELOPER CONTRIBUTIONS

Section 106 Planning Obligations

- 2.1 Section 106 Agreements (S106) are legal agreements containing planning obligations which can be attached to a planning permission to mitigate the impact of a development.
- 2.2 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms.
- They must be:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 2.3 For residential development CIL will largely replace off-site S106 financial obligations e.g. contributions towards off-site infrastructure such as sports provision or school places. The Council will continue to use S106 agreements to secure affordable housing from residential development and essential site specific mitigation from residential and other types of development to make them acceptable in planning terms. The Council's requirements for S106 planning obligations are set out in the Council's adopted [Core Strategy DPD](#) with additional guidance in the [Planning Obligations SPD and Cabinet Report No. 119/2016 \(21 June 2016\)](#)
- 2.4 S106 contributions can either be provided on-site, for example through the provision of affordable housing, or off-site in the form of financial payments or provision off-site.

Community Infrastructure Levy (CIL)

- 2.5 Rutland County Council formally adopted the Community Infrastructure Levy (CIL) Charging Schedule at its Full Council meeting on 11th January 2016. The Charging Schedule came into effect from 1st March 2016.
- 2.6 The amount of CIL payable is determined by the scale and type of development. Indexation is applied to the CIL rates on 1 January each year and published [Council's website](#).
- 2.7 As required by the CIL regulations 121C CIL Rutland County Council will use CIL income to help deliver strategic infrastructure projects across the county - please refer to Annex A. CIL payments received by RCC are proportioned in accordance with the CIL regulations as follows;
- Administration – 5% of all CIL income is retained by RCC to pay for the systems and salaries of staff that manage CIL collection and spend processes
 - 15% of the CIL receipts collected as a result of development within a given town or parish area will be passed to the relevant Town or Parish Council (Neighbourhood CIL). Payments will be capped at £100 (indexed) per council tax dwelling per year.
 - For areas with an adopted Neighbourhood Development Plan the proportion to be passed to the Town/Parish Council (Neighbourhood CIL) is increased to 25% with no cap.
 - In areas with no Town/Parish Council, the 15% of CIL must be used by the Charging Authority to support development of the relevant area.
 - 80% (or 70% if a neighbourhood plan is in place) of CIL is to be applied to strategic infrastructure.
- 2.8 A Town/Parish Council must use the CIL receipts passed to it to support the development of the Town/Parish area, or any part of that area as required by CIL regulation 59C, by funding:-
- “The provision, improvement, replacement, operation or maintenance of infrastructure; or
 - Anything else that is concerned with addressing the demands that development places on an area.

S278 Agreements

- 2.9 S278 agreements under the Highways Act 1980 are legally binding agreements between the Local Authority and a third party. S278 agreements are required to make permanent alterations or improvements to a public highway including where works are required on the highway because a planning permission has been granted. As such, when a scheme is deemed to be of benefit to the public, the highway authority is able to enter into an agreement with an applicant.

Forecasting

- 2.10 National guidance suggests that councils should consider reporting on estimated future income where possible. Detailed information was not available at the time of writing this report however the Council will look at incorporating forecasting of developer contributions within future versions of the IFS.

3.0 KEY HEADLINE DATA

3.1

S106 Agreements 2019/2020		Community Infrastructure levy 2019/2020	
Total S106 Contributions collected	£639,921.81	Total CIL collected	£820,261.47
Total S106 contributions spent	£215,450.43	Total CIL expenditure	£77,454.64
Total S106 contributions remaining to be spent on projects	£3,322,940.97* <i>*includes £394,066.00 maintenance sum</i>	Total CIL remaining to be spent on strategic projects	£1,504,942.25

4.0 COMMUNITY INFRASTRUCTURE LEVY (CIL) CONTRIBUTIONS

4.1 The total value of demand notices issued in the reported period is **£217,536.92**.

4.2 The total amount of CIL collected within the reported period totals **£820,261.47**.

4.3 The amount of CIL collected prior to the reported period totals **£1,192,430.66**. There has been no land or infrastructure given in kind during the reported year.

Type	Received	Unallocated
Cash	£1,192,430.66	£686,330.12

4.4 The total amount of CIL collected prior to the reported period and which have been allocated in the reported period in relation to cash received is **£266,687.76**. There has been no land or infrastructure in kind collected prior to the reported year.

4.5 The total CIL expenditure recorded for the reported period is as follows:

Type	Expenditure
Admin CIL	£41,013.07
Neighbourhood CIL	£36,441.57
Total Value	£77,454.64

4.6 The total amount of CIL allocated and not spent during the reported period is as follows, this does not include allocations made within the reported year that have been fully spent:

Type	Allocated	Spent	Remaining
Admin CIL	£41,013.07	£41,013.07	£0.00
Neighbourhood CIL	£198,398.71	£14.21	£198,384.50

4.7 The items of infrastructure on which CIL has been spent within the reported year, and the amount of CIL spent on each item is as follows:

In the report year the only Rutland County Council CIL monies spent were those put towards the costs of administration, specifically **£41,013.07**. This was 5% of the total CIL receipts collected (**£820,261.47**) in the reported period. Rutland County Council has set a collection percentage of 5.00%. It should be noted that administrative costs include IT hardware/software, legal costs, training costs and staff salaries. No Council CIL Infrastructure monies were allocated or spent in this period.

- 4.8 The total amount of CIL passed to a Town or Parish Council under Regulation 59A are as follows:

Town/Parish Council	Date	Amount Passed
Ashwell	31 March 2020	£443.93
Caldecott	31 March 2020	£148.72
Edith Weston	31 March 2020	£4,923.53
Great Casterton	31 March 2020	£1,182.82
Langham	30 September 2019	£19,702.06
Langham	31 March 2020	£2,249.27
Oakham	30 September 2019	£1,142.16
Ryhall	31 March 2020	£1,790.66
South Luffenham	30 September 2019	£5,149.63
Uppingham	30 September 2019	£116,997.56
Uppingham	31 March 2020	£44,526.31
Whissendine	30 September 2019	£14.21
Whissendine	31 March 2020	£127.85
	Total	£198,398.71

Payments are transferred to local councils twice a year in April and October. Therefore payments collected between the dates of 1 October to 31 March of each year are passed to local councils in the following financial year. The CIL Regulations provide further information on how Town/Parish Councils should spend and monitor their allocations of CIL. The Regulations state that if Town/Parish Councils have not spent their CIL allocations made to them within five years of receipt, Rutland County Council can ask for the monies to be returned to the strategic pot. Please refer to the Town and Parish Council Annual Monitoring Reports on the Council's website.

- 4.9 The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, for the reported year and that had not been spent is **£580,849.69**.

- 4.10 The amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, from 01 March 2016 to the end of the reported year that had not been spent is **£1,504,942.25**.
- 4.11 Regulation 59E relates to CIL monies received by a Town and Parish Councils that has not been spent within 5 years of receipt, or has been spent but not in accordance with the regulations.
- 4.12 Regulation 59F relates to CIL monies received in areas which do not have local councils (i.e. Parish or Town Councils).
- 4.13 There has been no receipts or expenditure where regulations 59E and 59F apply in the reported year.
- 4.14 The Council did not serve any notices in accordance with Regulation 59E of the CIL regulations in the reported year.
- 4.15 The amount of CIL collected from 01 March 2016 to the end of the reported year under Regulations 59E and 59F that has not been spent is as follows:

Type	Retained
Regulation 59E	£0.00
Regulation 59F	£1650.00

5.0 S106 CONTRIBUTIONS

- 5.1 The total amount of money to be provided under any planning obligations which were entered during the reported year is **£10,692.64**. This figure does not consider indexation (inflation/deflation) that may be applied when the money becomes due.
- 5.2 The total amount of money received from planning obligations during the reported year was **£639,921.81**.
- 5.3 The total amount of money received prior to the reported year that has not been allocated is **£1,960,372.07**
- 5.4 During the reported year the following non-monetary contributions have been agreed under planning obligations:
- The total number of affordable housing units to be provided is **10**.

- There have been no education provisions either on-site or off-site agreed during the reported year.

Covenant Type/Service	Deed Signed	Planning Application
Museum & Archive	17/06/2019	2017/1201/FUL
Museum & Archive	17/06/2019	2017/1201/FUL
Planning Restriction	22/10/2019	2017/0008/FUL
Affordable Housing On-Site	04/12/2019	2017/0564/FUL
Public Open Space/Recreation Sport and Leisure	04/12/2019	2017/0564/FUL
Public Open Space/Recreation Sport and Leisure	04/12/2019	2017/0564/FUL
Public Open Space/Recreation Sport and Leisure	04/12/2019	2017/0564/FUL
Planning Restriction	17/06/2019	2017/1201/FUL
Planning Restriction	17/06/2019	2017/1201/FUL

- 5.5 The total amount of money from planning obligations allocated towards infrastructure during the reported year was **£317,581.61**. Of this amount **£102,131.18** was not spent during the reported year.
- 5.6 The total amount of money from planning obligations spent during the reported year was **£215,450.43**. Of this amount no money was spent by a third party on behalf of Rutland County Council.
- 5.7 The following items have had money allocated towards them during the reported year with unspent allocations:

Infrastructure	Allocated	Date Allocated	Unspent
Police Leicestershire Police	£56,470.43	31/03/2020	£56,470.43
Health NHS East Leicestershire and Rutland Clinical Commissioning Group (formerly Leicestershire and Rutland Primary Care Trust	£45,660.75	31/03/2020	£45,660.75

5.8 The items of infrastructure that planning obligation money has been spent on and the amount spent are as follows:

Infrastructure	Spent	Date Spent	Spend Description
Affordable Housing	£155,529.68	31/03/2019 to 31/03/2020	Extension to existing property to provide larger accommodation.
Greetham Community Centre	£10,000.00	31/03/2019 to 31/03/2020	Improvements to Community Centre
Museum	£11,500.00	31/03/2019 to 31/03/2020	Improvements to Oakham museum
Waste Management	£21,269.75	31/03/2020	Provision of new litter bins
Waste Management	£17,151.00	31/03/2020	Equipment for Civic Amenity Sites
Total Spent	£215,450.43		

5.9 There was no S106 money spent on repaying money borrowed in the reported year.

5.10 The Council did not request any S106 monitoring fees in the reported year. Our policy for collecting S106 monitoring fees is currently under review.

- 5.11 The total amount of money retained at the end of the reported year is **£ 3,322,940.97**. Of this amount retained an amount of **£394,066.00** has been retained for long term maintenance e.g. maintaining public open space.

Please refer to the table below for a breakdown of the retained maintenance amount.

Description	Amount
Total collected for long term maintenance in the reported year	£10,692.64
Total allocated towards maintenance	£36,000.00
Total spent on maintenance	£36,000.00

- 5.12 S106 contributions are received for specific infrastructure or service requirements generated by the related development. Please note therefore that S106 monies shown as remaining can normally only be used in line with the agreement entered into. Information on the individual Section 106 agreements entered into with the developer can be found on the [Rutland County Council Planning Public Access](#) using the planning application reference number.

6.0 S278 AGREEMENTS

- 6.1 The following agreements were entered into during the reported year in respect to Highways Agreements under Section 278 of the Highways Act 1980.

Planning Application	Location	Summary of S278 works	Cost
2016/1193/FUL	North Street West, Uppingham	Pedestrian Crossing	£21,547.91
2016/1143/FUL	Belmesthorpe Lane, Ryhall	Footway construction	£19,567.00

- 6.2 The following are summary details of any funding or provision of infrastructure under a S278 highway agreement which was provided during the reported year.

Planning Application	Location	Summary of S278 works	Cost
2016/1193/FUL	North Street West, Uppingham	Pedestrian Crossing <i>Provisional certificate issued 19/12/2019. Scheme currently under 12 month review prior to adoption.</i>	£21,547.91
2016/1143/FUL	Belmesthorpe Lane, Ryhall	Footway construction <i>Provisional certificate issued 26/03/2020. Scheme currently under 12 month review prior to adoption.</i>	£19,567.00

7.0 Projects



S278 highway contribution for footway construction at Belmesthorpe Lane, Ryhall



S278 highway contribution for pedestrian crossing North Street West, Uppingham



Neighbourhood monies passed to Barleythorpe Parish council in the financial year 2017/2018 provided park benches in Linear and Buttercross Parks.

Appendix A

The infrastructure requirements summarised at Table 1 below illustrate Rutland County Council's anticipated infrastructure needs to 2026. It is focused only on the provision of new infrastructure that is required in whole, or in part to meet the needs generated by the development growth being planned for over the remaining plan period to 2026. Account is then taken of whether there is likely to be sufficient funding to meet that need. Where a funding gap is established CIL can potentially be charged to help address the gap.

RUTLAND ESTIMATED INFRASTRUCTURE REQUIREMENTS TO 2026

Infrastructure Element	Required Infrastructure Schemes	Infrastructure Cost (£)	Committed Funding (£)	Funding gap (£)
Highways, Transport and Waste	<ul style="list-style-type: none"> · Oakham Town Centre & other town centre improvements · Car parking · Various public & community transport initiatives · New recycling facility 	7,012,000	2,999,700	4,012,300
Health and Social & Care	<ul style="list-style-type: none"> · Disabled, residential care and youth facilities · New and expanded GP facilities 	971,000	385,800	585,200
Education, Learning and Skills	<ul style="list-style-type: none"> · Additional places for early year/childcare · New build and expansion of existing Primary School facilities · Expansion of existing Secondary School facilities · Building infrastructure for additional post 16 needs 	9,506,100	4,100,000	5,406,100
Emergency Services	<ul style="list-style-type: none"> · Enhanced policing & community safety 	1,077,700	850,000	227,700
Economic Development	<ul style="list-style-type: none"> · Oakham and Uppingham public realm improvements · Improved Broadband Connectivity 	960,000	415,000	545,000
Culture and Leisure	<ul style="list-style-type: none"> · Improvements to library provision outside Oakham · Development of Heritage and Cultural facilities · Indoor and Outdoor Sports and Playing Fields 	5,308,400	4,119,700	1,188,700
Total		24,835,200	12,870,200	11,965,000

**A large print version of this document is
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Rutland County Council
Catmose, Oakham, Rutland LE15 6HP

01572 722 577
enquiries@rutland.gov.uk
www.rutland.gov.uk