

Swindon Borough Council

Annual Infrastructure Funding Statement for Community Infrastructure Levy (CIL) and Section 106 Contributions (S106)

Reporting Period: 01 April 2023 to 31 March 2024

Prepared in accordance with

The Town & Country Planning Community Infrastructure Levy Regulations (England) 2010
(as amended) and specifically the requirements of the Community Infrastructure Levy
(Amendment) (England)
(No. 2) Regulations 2019, Regulation 121A, Schedule 2, Section 1

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(Please refer to above to further information about the content of this report)

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1 Introduction and Background

- 1.1 Infrastructure Funding Statements are a legal requirement which Councils who charge the Community Infrastructure Levy (CIL) and/or secure developer contributions by way of Section 106 (S106) agreement are required to produce annually since the 2019/20 financial year. CIL and S106 (collectively known as 'planning obligations' or 'developer contributions') income is used to help mitigate the impact on, and fund the provision of, infrastructure required as a result of development.
- 1.2 The infrastructure funding statement should, as a minimum, include the information set out in Regulation 121A, Schedule 2, Section 1 to the Community Infrastructure Levy Regulations 2010 (as inserted by the 2019 No. 2 CIL Amendment Regulations).
- 1.3 In compliance with Regulation 121A the annual infrastructure statement includes:
 - (a) An infrastructure list setting out the infrastructure projects or types of infrastructure that the CIL Charging Authority intends will be, or may be, wholly or partly funded by CIL;
 - (b) A CIL report providing details of income and expenditure of CIL during the previous financial year (April to March);
 - (c) A Section 106 (S106) report also providing details of income and expenditure of S106 contributions during the previous financial year.
- 1.4 Throughout the IFS there will be references to the following definitions:
 - 1.4.1 'Secured' – Contributions that have been included within a signed legal document for a planning application. These contributions have not been collected / delivered and if the planning application is not implemented, they will never be received.
 - 1.4.2 'Received' – Contributions received, either monetary or non-monetary (in kind), that have been transferred to the Council
 - 1.4.3 'Allocated' – Contributions that have been received and allocated to specific projects.
 - 1.4.4 'Spent / Delivered' – Monetary or non-monetary contributions that have been spent or delivered.
 - 1.4.5 'This Financial or Reported Year' - unless stated otherwise, this refers to the period 01/04/2023 – 31/03/2024.
 - 1.4.6 'CIL Neighbourhood Proportion (CIL NP)' – this is the percentage of the CIL receipt the relevant Parish or Town Council is required be given for us from CIL amount paid under each payment. It will either be 15% of the payment made where there is no Neighbourhood Plan made at the relevant time for the area in which the development and chargeable floorspace is located or

25% where there is a made Neighbourhood Plan in place at the relevant time. In some cases, it will be slightly different percentage, as where CIL surcharges are applied and demanded for payment, they aren't to be treated as if they are CIL for local council purposes so a local council doesn't get a proportion of these if paid.

1.4.7 'local council' – for SBCs administrative area this can be read as Parish and Town Councils, except Inglesham Parish which does not meet the criteria for being a local council for CIL purposes as it is not fully constituted.

1.5 Please note that data on developer contributions is not definitive as it represents information at a given point in time. This can be subject to change. However, the data reported within this document is the most robust available at the time of publication.

Developer Contributions: Section 106 Planning Obligations (s106 obligations)

1.6 Planning Obligations are legal agreements which can be attached to a planning permission to mitigate the impact of an otherwise unacceptable development to make it acceptable in planning terms. They can also be entered into independently to bind land and don't have to be associated with a specific planning permission. Where entered into to support the issue of planning decisions, the obligations can only be sought where they are

- a) directly related to the development;
- b) fairly and reasonably related in scale and kind to the development, and
- c) necessary to make the development acceptable in planning terms.

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.

Community Infrastructure Levy (CIL)

1.7 In contrast to S106 obligations, CIL is intended to fund more generalised infrastructure requirements in order to support new development. It is a mechanism to secure financial contributions from developers associated with relevant CIL liable developments in accordance with the CIL CA's adopted CIL Charging Schedule. CIL monies can be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area. CIL rates must be set out via a published charging schedule.

1.8 The Council's charging schedule was adopted in March 2015 with effect from 6 April 2015. Further information can be found [here](#).

Highway Agreements

1.9 Additional legal agreements that can fund infrastructure are Section 278 Agreements (S278). These are legally binding agreements made under the Highways Act 1980 between a Local Highway Authority and Developers / Landowners. S278 agreements are required to ensure that the road network is able to cope with new development, where the works proposed affect existing highway. They can be used to deliver improvements to the existing highway network e.g.

- i. Creating a new roundabout to access a development site;
- ii. Adding a surfaced footpath / cycleway where one had not previously existed;
- iii. Widening an existing footpath; or
- iv. Installing new crossing facilities and all associated works on an existing highway.

2 Community Infrastructure Levy (CIL) Report

2.1 Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 1

- a) The total value of demand notices issued in the reported year is £1,008,078.57 This total excludes the value of demand notices issued in the reported year that have subsequently been superseded in the same reported year, but does include CIL demand that may have been replaced in a subsequent reporting year.
- b) The total amount of CIL receipts for the reported year totals £1,778,370.52 This includes £176,16.96 of CIL that was actually paid in 2021-22 financial year that was miscoded, and only located in 2023-24 financial year. This has been included in 2023-24 CIL receipts because it hasn't previously been reported on.

Table 1: Breakdown of CIL receipts collected 2023-24

CIL Receipt Type	Amount £
Admin CIL	£88,918.53
Neighbourhood CIL	£344,085.61
Strategic Infrastructure Fund	£1,345,366.38
Total Value	£1,778,370.52

Table 2: Breakdown of CIL receipts collected 2023-24 that are available to spend and allocate:

CIL Receipts Type	Amount £	Repayment amount £*	Available to allocate 2023-24
CIL General Fund	£1,345,366.38	£0.00	£1,345,366.38
CIL Admin	£88,918.53	£0.00	£88,918.53
CIL Neighbourhood Proportion	£344,085.61	£0.00	£344,085.61
Total Received £*	£1,778,370.52	£0.00	£1,778,370.52

*There were no CIL refunds issued in 2023-24 financial year

- c) The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated; £0.00
- d) The total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year; £967,767.87 (relating to the CIL Neighbourhood Proportion from 2021-22 and 2022-23)

- e) The total CIL expenditure recorded for the reported year: £88,918.53 (CIL Admin Fee only). There was not allocation of CIL Strategic Fund receipts from 2023-24 financial year and all previous years had been allocated and spent.
- f) The total amount of CIL allocated but not spent during the reported year was £0.00
- g) CIL expenditure during the reported period was:

i) **Table 3: CIL Expenditure in report year from CIL General Fund**

i) Infrastructure items	Amount £
None allocated	0.00

- ii) CIL spent on repaying monies borrowed: £0.00
- iii) CIL spent on administrative expenses in reporting period: £88,918.53 which is 5% of monies collected in accordance with CIL regulation 61.
- h) CIL receipts, whenever collected, that have been allocated to an item of infrastructure but not spent in the reported year, identification of the item of infrastructure, amount allocated and total amount allocated unspent:
- No items of infrastructure and £0.00 allocated unspent.
- i) The amount of CIL passed to others:

Table 4: CIL received for Local Councils transferred to Local Councils in reported year

i) To be applied by local councils to support development of the local council's area under Regulation 59A or 59B.		
Parish/Town Council	Amount	Date
Combined	£967,767.87	paid across Nov 2023

The data below covers the CIL NP proportions for both 2021-22 and 2022-23 which was only transferred in November 2023 due to delays in getting the CIL receipts correctly proportionately split into the correct amount to be moved into the relevant SBC CIL Parish Code to allow the transfer to take place. It also covers 0.47p from 2020-21 financial year relating to a £3.10 CIL overpayment that there was no legal requirement to refund, however was missed for splitting in 2020-21 Financial year for Central Swindon South

**Combined total covering both financial years 2021-22 and 2022-23
combined plus the 0.47p from income in 2020-21 – Local Council receipts**

Finance Code	Parish / Town Council	Total Amount Received £
F3017	Bishopstone Parish Council	£1,392.20
F3016	Blunsdon Parish Council	£145,272.86
F3063	Central Swindon North Parish Council	£6,596.62
F3064	Central Swindon South Parish Council	£237,478.65
F3014	Chiseldon Parish Council	£62,030.30
F3012	Hannington Parish Council	£4,704.92
F3011	Haydon Wick Parish Council	£6,544.26
F3010	Highworth Town Council	£186,484.71
F3004	Liddington Parish Council	£12,815.10
F3061	Nythe Eldene Liden Parish Council	£1,123.10
F3066	St Andrews Parish Council	£5,889.40
F3005	Stratton St. Margaret Parish Council	£137,572.03
F3002	SBC - Inglesham Parish Meeting	£0.00
F3007	Wanborough Parish Council	£12,722.37
F3065	West Swindon Council	£11,582.29
F3006	Wroughton Parish Council	£135,559.06
		£967,767.87

Notes:

1. There may be the odd pennies difference between what was paid across and what is in the main monitoring sheet data where the splitting of the CIL payment into the separate accounts required in some cases a 0.01p to be added and in other case 0.01p to be deducted to balance the internal journals
2. Any Parish Council not listed received no CIL payments from development in these financial years

Table 5: CIL received in reported year to be applied by other persons for use

ii) To be applied to funding infrastructure by other person under Regulation 59(4)		
Third Party	Amount	Date
None	£0.00	NA

- j) (i) The combined total of CIL receipts repaid to the charging authority by
- a) Local councils under Regulation 59E and;
 - b) Received for an area not part of a local council under Regulation 59F
- Total repaid: £0.00

(ii) Items of infrastructure to which CIL receipts recovered from Local Councils or retain where they cannot be passed to another (under Regulations 59E and 59F) have been allocated or spent and the amount of expenditure allocated or spent on each item:

Table 6: Allocation and Spend of Repaid CIL and CIL Neighbourhood Proportion that cannot be transferred

Area	Item of Infrastructure	Amount Allocated	Amount Spent £
None	None	£0.00	£0.00

- k) CIL returned to the Charging Authority under notices served under Regulation 59E that had previously been passed to a Parish Council and had not been applied to infrastructure after a 5-year period, during the reported year.

Number of notices served: None

(i) the total value of CIL receipts requested from each local council (Parish/Town Council): £0.00

(ii) any funds not yet recovered from each local council (Parish/Town Council) at the end of the reported year: £0.00

- l) The total CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied £1,345,366.38

Table 7: Overview CIL Receipts for report year retained at end of reported year

CIL Receipt Type	Amount Retained from current reported year
Strategic CIL	£1 345,366.38
CIL Administration	£0.00
CIL Neighbourhood proportion	£344,085.61
Total	£1,689,451.99

*Inglesham Parish Meeting is CIL is reported in this table

See **Table 8: CIL received for local councils in reported year to be transferred to local Councils** at **Appendix 1** for the Breakdown by local council.

The total CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied £0.00.

Table 9: Overview of CIL Receipts from previous years retained at end of reported year

CIL Receipt Type	Amount Retained from previous reported years
Strategic CIL	£0.00
CIL Administration	£0.00
CIL Neighbourhood proportion	£0.00
Total	£0.00

See **Table 10: CIL received for local councils in previous reported years to be transferred to local Councils** at **Appendix 1** for the Breakdown by local council.

iii) The total CIL receipts for the reported year under Regulations 59E and 59F that has not been spent is £0.00

iv) The total CIL receipts from previous years under Regulations 59E and 59F that has not been spent is £0.00 (Inglesham Parish Meeting 2022-23 income of £3,410.49 was transferred to Inglesham Parish in 2023-24 following Cabinet approval to do so in January 2023.)

Table 11: Overview of CIL Receipts neighbourhood proportion for non-local council areas and recovered from local councils

Non-Local Council Area (59F)	Total CIL NP retained unspent
Inglesham Parish Meeting	£3,742.76

2.2 Proposed future use of CIL receipts (general fund)

The infrastructure projects or types of infrastructure that the charging authority intends will be, or may be, wholly or partly funded by CIL, subject to a further cabinet approval.

Table 12: Proposed CIL General Fund Project allocation at end 2023-24 financial year

Proposed Projects
Fleming Way Bus Interchange
M4 Junction 15
New Eastern Villages Southern Connector Road
M4 Junction 16

3 Section 106 Planning Obligations Report

THIS SECTION IS SUBJECT TO FINAL INFORMATION

3.1 Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 3

- a) The total amount of money to be provided under any planning obligations which were entered during the reported year is Not able to be provided for 2023-24 as the detailed content of all the s106 deeds entered into has yet to be extracted in full. Any figure does not consider indexation (inflation/deflation) that may be applied when the money becomes due and does not include financial contributions which can only be calculated at a later date once housing number and type is approved at reserved matters stage.
- b) The total amount of money received from planning obligations during the reported year was £2,189,167.78. This does not include any Late Payment Interest paid however in 2023-24 no S106 LPI was demanded for payment.
- c) The total amount of money received prior to the reported year that has not been allocated is unable to be provided for 2023-24. There is no requirement to provide a breakdown of the split in a table.
- d) During the reported year the following non-monetary contributions have been agreed under planning obligations:
- Summary details of all non-monetary contributions agreed within the reported year are as follows: See **Appendix B Table 13 – *subject to final information***
- i.* With respect to the affordable housing listed within **Appendix B Table 13**, the total number of affordable housing units which will be provided: ***subject to final information***
- ii.* With respect to the education provision listed within **Appendix B Table 13** the total number of school places for pupils which will be provided and the category of school at which they will be provided. ***subject to final information***
- In the event there were non-monetary education contributions secured in the reported year ***subject to final information***
- e) The total amount of money from planning obligations which was allocated in the reported year but not spent during the reported year for funding infrastructure: ***subject to final information*** this is reported under (g).

- f) The total amount of money received under any planning obligations which was spent during the reported year is **subject to final information** was spent by a third party on behalf of the Council.
- g) The following items have had money allocated towards them during the reported year with unspent allocations: **See Appendix B Table 14. subject to final information**
- 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 the following as reported under (f):
- i. The items of infrastructure that planning obligation money has been spent on and the amount spent are as follows: **See Appendix B Table 15 subject to final information**
 - ii. The amount of money received under planning obligations that was spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide is: £0.00
 - iii. The amount of money received under planning obligations spent in respect of monitoring and administration of planning obligations in relation to the delivery of planning obligations during the reported year was £3,409.08.
- i) The total amount of money (received under any planning obligations during any year) which was retained at the end of the reported year: **subject to final information**
- j) Of this combined total, there is a total amount of money retained that has been allocated for the purposes of longer-term maintenance ("commuted sums") of: **subject to final information**

4 Section 278 Matters

- 4.1 Community Infrastructure Levy Regulations (2019 Amendment) Regulation 121A Schedule 2 Section 4.
- 4.2 The CIL Regulations provide an option to report on matters that are secured under s278 of the Highways Act 1980 (as amended), most commonly known as highway agreements. The Council as Local Highway Authority is not currently reporting on such matters, unless they are secured as an alternative to a s106 deed obligation associated with one of the strategic development sites within the Borough, towards strategic highway infrastructure.
- 4.3 For this reporting period there were no relevant s278 highway agreements signed.

Appendix 1 CIL Receipts Additional Tables

Table 8: CIL received for local councils in reported year yet to be transferred to local councils

All CIL Neighbourhood Proportion for local councils from 2023-24 was retained at the end of the reported year but transferred to them by August 2024 in the 2024-25 financial year

Total Combined Received in 2023/24 Parish	Batch 1	Batch 2	Combined Total
Bishopstone & Hinton Parva PC	£2,121.19	£0.00	£2,121.19
Blunsdon PC	£24,523.81	£40,263.15	£64,786.96
Central Swindon North PC	£4,248.54	£0.00	£4,248.54
Central Swindon South PC (Now South Swindon PC)	£18,301.24	£17,573.86	£35,875.10
Chiseldon PC	£0.00	£0.00	£0.00
Hannington PC	£0.00	£0.00	£0.00
Haydon Wick PC	£0.00	£0.00	£0.00
Highworth TC	£0.00	£0.00	£0.00
<i>Inglesham Parish Meeting</i>	<i>£3,742.76</i>	<i>£0.00</i>	<i>£3,742.76</i>
Liddington PC	£0.00	£17,941.14	£17,941.14
Nythe Eldene Liden PC	£0.00	£0.00	£0.00
South Marston PC	£0.00	£7,696.15	£7,696.15
St Andrews PC	£0.00	£0.00	£0.00
Stratton St Margaret PC	£8,321.39	£53,040.09	£61,361.48
Wanborough PC	£1,254.57	£0.00	£1,254.57
West Swindon PC	£5,104.05	£0.00	£5,104.05
Wroughton PC	£97,440.27	£42,513.40	£139,953.67
Combined Total	£165,057.82	£179,027.79	£344,085.61

Notes on Table 8:

1. Inglesham Parish meeting does not meet the criteria for being a local council for CIL purposes so whilst reported here at £3742.76 received to be comprehensive can't be transferred without Cabinet approval to a project. This has to be retained by SBC to spend on the Parish's behalf. Cabinet approval will be required for any agreement to spend / transfer this
2. Any Parish / Town Council not listed here received no CIL Receipts for its administrative area for the reported year.
3. Blunsdon PC Batch 2 includes a large CIL NP amount paid in 2021 but miscoded and only moved into CIL accounts late 2023-24 once found – so as it hasn't been reported on previously or incorporated into any historic total receipts for previous years it is being reported as if it were a CIL receipt paid in 2023-24

See **Table 10: CIL received for local councils in previous reported years to be transferred to local Councils at Appendix 1**

Financial Year 2021-22 CIL NP Totals

Parish / Town Council	Total Amount Received £
Bishopstone Parish Council	£1,392.20
Blunsdon Parish Council	£96,009.85
Central Swindon North Parish Council	£235.43
Central Swindon South Parish Council	£87,813.64
Chiseldon Parish Council	£48,118.05
Hannington Parish Council	£0.00
Haydon Wick Parish Council	£4,992.27
Highworth Town Council	£73,718.88
Liddington Parish Council	£0.00
Nythe Eldene Liden Parish Council	£0.00
St Andrews Parish Council	£5,889.40
Stratton St. Margaret Parish Council	£85,643.57
SBC - Inglesham Parish Meeting	£0.00
Wanborough Parish Council	£0.00
West Swindon Council	£0.00
Wroughton Parish Council	£39,830.91
	£443,644.20

£443,643.73

0.47 (this 0.47p is from a payment in 2020-21 of total £3.10 paid under 2021-22 transfer total for Central Swindon South)
2021-22 Total excluding the earlier paid 0.47p

Table 10 Continued:
Financial Year 2022-23 CIL NP Totals

Finance Code	Parish / Town Council	Total Amount Received £
F3017	Bishopstone Parish Council	£0.00
F3016	Blunsdon Parish Council	£49,263.01
F3063	Central Swindon North Parish Council	£6,361.19
F3064	Central Swindon South Parish Council	£149,665.01
F3014	Chiseldon Parish Council	£13,912.25
F3012	Hannington Parish Council	£4,704.92
F3011	Haydon Wick Parish Council	£1,551.99
F3010	Highworth Town Council	£112,765.83
F3004	Liddington Parish Council	£12,815.10
F3061	Nythe Eldene Liden Parish Council	£1,123.10
F3066	St Andrews Parish Council	£0.00
F3005	Stratton St. Margaret Parish Council	£51,928.46
F3002	SBC - Inglesham Parish Meeting	£0.00
F3007	Wanborough Parish Council	£12,722.37
F3065	West Swindon Council	£11,582.29
F3006	Wroughton Parish Council	£95,728.15
		£524,123.67

Appendix 2: S106 Obligations additional tables

THIS SECTION IS SUBJECT TO FINAL INFORMATION

Table 13 - Summary details of all s106 non-monetary contributions agreed within the reported year are as follows:

Planning Application	Site Address	Type of non-monetary contribution	Date S106 Deed Signed
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Table 14: Project that have had money allocated towards them during the reported year with unspent allocations

This data may not be comprehensive:

Site Address	Planning Application	Contribution Description	Allocated Purpose	Amount Allocated	Date Allocated	Unspent
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Table 15: The items of infrastructure that planning obligation money has been spent on and the amount spent in reported year

Site Address	Planning Application	Contribution Description	Allocated Purpose	Amount Allocated	Date Allocated	Amount Spent

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