

## Test Valley Borough Council Overview & Scrutiny Committee

### Review of Section 106 and Community Infrastructure Levy (CIL) Funds

#### **1. Funding received from 1<sup>st</sup> January 2016 – 31<sup>st</sup> May 2022**

1.1 The following table shows the annual CIL and Section 106 receipts from 2016-2022.

Year	CIL	Section 106
2016	£166,689.59	£1,683,884.88
2017	£226,082.50	£1,404,404.72
2018	£1,047,892.18	£1,275,291.69
2019	£1,209,491.59	£1,763,438.59
2020	£950,317.68	£354,529.64
2021	£1,429,332.45	£5,207,206.32
2022*	£401,654.58*	£8,789.14*
<b>Total</b>	<b>£5,431,460.57</b>	<b>£11,697,544.98</b>

\*Up to 31<sup>st</sup> May 2022

- 1.2 CIL was adopted on 1<sup>st</sup> August 2016 so receipts prior to 2018 were limited by the lag time between planning permission and commencement of development.
- 1.3 It is likely that we will see a drop in CIL receipts in 2022 and 2023 as a number of sites have awaited resolutions to nitrate neutrality requirements.
- 1.4 2020 saw a drop in Section 106 receipts due to the Covid-19 outbreak, this caused delays in the trigger points being reached. 2021 included a number of contributions from our strategic allocations as they reached key occupation triggers within their respective legal agreements.
- 1.5 The introduction of the Community Infrastructure Levy in 2016 means that there are no longer any tariff based contributions secured under Section 106. The majority of Section 106 receipts in future years will be from strategic sites and from mitigation schemes such as the New Forest Special Protection Area (New Forest SPA) and the Solent Recreation Mitigation Partnership (Solent RMP).

- 1.6 The level of any years Section 106 and CIL receipts is heavily dependent on the permissions implemented. A site such as Picket Twenty hitting occupation triggers will naturally result in a number of high value Section 106 receipts being received. Likewise any large windfall sites commencing development will result in an increase in CIL receipts.

## **2. What funds have been spent and on what?**

- 2.1 The following tables show the total expenditure between 2016 and 2022 broken down by category

### **CIL**

CIL Spending Protocol	£827,167.66
Neighbourhood Portion	£774,666.91
Administration	£260,211.41

- 2.2 The amount listed under Spending Protocol includes the partial or complete delivery of 14 projects by Parish Councils, Community Groups, Hampshire County Council, the Environment Agency and TVBC's own services.
- 2.3 A total of £2,719,502 has been allocated to projects under the Spending Protocol so £1,892,334.34 is awaiting delivery. Covid-19 has had an effect on the timescales for delivery on a number of approved schemes.
- 2.4 The neighbourhood portion of CIL is 15% (or 25% with an adopted Neighbourhood Development Plan) of the total receipt within an area that is passed directly on to the local Town/Parish Council.
- 2.5 Administration is 5% of total receipts which is applied to the Council's costs in connection with the collection of CIL.

### **Section 106**

Public Open Space	£1,899,153
Footpaths	£20,000
Public Art	£183,300
Access to the countryside	£541,581

Fishlake Meadows	£190,193
Community Facilities	£35,673.73
Solent RMP	£11,359.97
SANG	£300,228

- 2.6 Public Open Space includes Sports Ground/Formal Recreation, Children's Play Space, Parkland and Informal recreation amounts. Up until 2016 these were taken as tariff based contributions on residential development. This money is available to Members and Town/Parish Council's.
- 2.7 Community Facilities contributions are secured on larger sites, often strategic allocations. Most developers will deliver on-site mitigation but occasionally an existing facility will receive a financial contribution to enable an extension or rebuild.
- 2.8 Solent RMP contributions are secured and transferred to Portsmouth City Council for the monitoring and protection of wading birds within the Solent Special Protection Area. The catchment for this contribution only covers a small area at the south of the Borough.
- 2.9 New Forest SPA contributions are secured on developments within a 13.8 kilometre radius of the New Forest. They are secured to help reduce the burden of residential development on the National Park.

### **3. Who decides how receipts are spent?**

#### CIL

- 3.1 The Council adopted a CIL Spending Protocol on the 8<sup>th</sup> November 2017. This provided a mechanism for a competitive bidding process to be undertaken each year. Bids are received between 1<sup>st</sup> April and 30<sup>th</sup> June and then assessed by a panel of Officers. See annex 1 for our adopted assessment criteria.
- 3.2 Recommendations from the annual bidding round are taken to Cabinet. The schemes endorsed by Cabinet are then taken onward for adoption by Council.
- 3.3 On the 26<sup>th</sup> May 2021 Cabinet approved the creation of a Regeneration Reserve. This is 60% of the receipts remaining (rising to 80% by 2023) after the neighbourhood portion and administrative expenses have been deducted. The purpose of the reserve is to enable the delivery of the Romsey and Andover Masterplans.
- 3.4 The remaining 40% (20% by 2023) is retained as a Community Projects Reserve. This provides funding up to 50% of total project cost and can be combined with Section 106 contributions, the Community Asset Fund and the

neighbourhood portion to ensure that local communities can still deliver the infrastructure their communities require.

- 3.5 The Regeneration Reserve currently stands at £1,163,692.86 and the Community Projects Reserve at £461,973.58
- 3.6 The neighbourhood portion of CIL (15% or 25%) is passed to local Town and Parish Councils in April and October each year.

### Section 106

- 3.7 Section 106 contributions are secured via legal agreement, an obligation can only be secured if it is–
  - 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
- 3.8 Our approach to securing contributions is outlined in our adopted Infrastructure and Developer Contributions SPD. Contributions are secured in agreement with the developer and must not be set at levels that impact on the viability of development within the Borough.
- 3.9 Contributions must be used towards the specific purpose prescribed within the legal agreement, prior to 2010 these contributions could be more broad and only related to ‘playspace within Andover’ as an example. Further restrictions were introduced in 2015 through a pooling restriction. This meant that a maximum of 5 contributions could be taken per item of infrastructure. This restriction was removed in 2019.
- 3.10 Our Infrastructure and Developer Contributions SPD sets out the procedure for Members and Town/Parish Councils to draw down on available contributions (see annex 2). Work is ongoing to produce an amended SPD which will make alterations to the current process. Currently funding requests under £25,000 are authorised by local Ward Members and the Head of Planning and Building. Releases of £25,000 or more are determined by Cabinet. See annex 2 for an extract of the SPD.
- 3.11 Certain contributions are taken with the intention of TVBC’s Community and Leisure service delivering the on or off site infrastructure for larger scale developments. Things like MUGA’s and Public Art on strategic allocations are typical examples.

## **4. Annual Report of Expenditure**

- 4.1 The tables below show the annual expenditure under both CIL and Section 106. They show the party in receipt of funding, a description of what the funds were applied to and the total amount released for that item.

CIL

2016

4.2 There was no CIL expenditure in 2016 as the Council's Charging Schedule was adopted on 1<sup>st</sup> August 2016. The first expenditure occurred at the end of the 2016/17 financial year.

2017

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Andover Town Council	Neighbourhood Portion	£4,782.75
Awbridge Parish Council	Neighbourhood Portion	£5,085.94
Chilworth Parish Council	Neighbourhood Portion	£1,701
Houghton Parish Council	Neighbourhood Portion	£18,700
Romsey Town Council	Neighbourhood Portion	£1,176
Sherfield English Parish Council	Neighbourhood Portion	£4,698.75
Vernham Dean Parish Council	Neighbourhood Portion	£2,417.62
Test Valley Borough Council	Administrative Expenses	£9,044.98

2018

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Abbots Ann Parish Council	Neighbourhood Portion	£2,709
Andover Town Council	Neighbourhood Portion	£11,100.60
Awbridge Parish Council	Neighbourhood Portion	£15,257.81
Barton Stacey Parish Council	Neighbourhood Portion	£84.42
Chilworth Parish Council	Neighbourhood Portion	£3,627.41
East Dean Parish Council	Neighbourhood Portion	£3,858.75

Goodworth Clatford Parish Council	Neighbourhood Portion	£5,565
Houghton Parish Council	Neighbourhood Portion	£5,094.63
Monxton Parish Council	Neighbourhood Portion	£3,703.12
North Baddesley Parish Council	Neighbourhood Portion	£4,918.34
Penton Grafton Parish Council	Neighbourhood Portion	£2,709
Romsey Town Council	Neighbourhood Portion	£3,472.16
Romsey Extra Parish Council	Neighbourhood Portion	£72,546.21
Vernham Dean Parish Council	Neighbourhood Portion	£3,441.38
Wellow Parish Council	Neighbourhood Portion	£13,713
Test Valley Borough Council	Administrative Expenses	£21,339.23

2019

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Kings Somborne Parish Council	Community Building	£95,000
Hampshire County Council	Romsey Flood Alleviation Scheme	£25,000
Hurstbourne Tarrant Parish Council	Bourne Valley Flood Alleviation Scheme	£20,526
Barton Stacey Parish Council	Multi Use Games Area	£35,715
Hampshire County Council	Botley Road Pedestrian Crossing	£35,000
Ampfield Parish Council	Neighbourhood Portion	£1,896.99
Andover Town Council	Neighbourhood Portion	£73,907.48
Awbridge Parish Council	Neighbourhood Portion	£1,758.75
Barton Stacey Parish Council	Neighbourhood Portion	£8,168.90
Chilworth Parish Council	Neighbourhood Portion	£11,397.40

East Dean Parish Council	Neighbourhood Portion	£3,858.75
Goodworth Clatford Parish Council	Neighbourhood Portion	£5,565
Grateley Parish Council	Neighbourhood Portion	£4,956
Lockerley Parish Council	Neighbourhood Portion	£2,779.03
Monxton Parish Council	Neighbourhood Portion	£3,703.12
North Baddesley Parish Council	Neighbourhood Portion	£13,216.02
Over Wallop Parish Council	Neighbourhood Portion	£8,736.50
Penton Grafton Parish Council	Neighbourhood Portion	£2,709
Romsey Town Council	Neighbourhood Portion	£3,187.81
Romsey Extra Parish Council	Neighbourhood Portion	£15,331.71
Stockbridge Parish Council	Neighbourhood Portion	£2,403.42
Wellow Parish Council	Neighbourhood Portion	£31,663.33
Test Valley Borough Council	Administrative Expenses	£54,703.83

2020

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Longparish Parish Council	Longparish Playground Improvements	£40,000
Test Valley Borough Council	Access Improvements at Charlton Lakes (Bridge and Footpath)	£100,355
Ampfield Parish Council	Improvements to Ampfield Recreation Ground	£66,432
Valley Park Community Association	Refurbishment of Valley Park Community Centre	£79,525
Over Wallop Parish Council	Protection Measures at Over Wallop War Memorial	£19,970
Braishfield Village Hall Management Committee	Extension to Braishfield Village Hall	£95,813
Ampport Parish Council	Neighbourhood Portion	£3,517.62

Andover Town Council	Neighbourhood Portion	£13,346.06
Awbridge Parish Council	Neighbourhood Portion	£38,268.49
Barton Stacey Parish Council	Neighbourhood Portion	£8,168.89
Broughton Parish Council	Neighbourhood Portion	£8,450.35
Lockerley Parish Council	Neighbourhood Portion	£2,779.03
North Baddesley Parish Council	Neighbourhood Portion	£1,220.36
Nursling and Rownhams Parish Council	Neighbourhood Portion	£7,926.26
Over Wallop Parish Council	Neighbourhood Portion	£8,010.84
Romsey Town Council	Neighbourhood Portion	£3,102.60
Romsey Extra Parish Council	Neighbourhood Portion	£2,467.50
Wellow Parish Council	Neighbourhood Portion	£2,186.97
Test Valley Borough Council	Administrative Expenses	£58,794.81

2021

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Hampshire County Council	Pedestrian/Cycle Path at Southampton Road, Romsey	£34,368.71
King's Somborne Parish Council	Traffic Calming Measures	£2,057.16
Amport Parish Council	Neighbourhood Portion	£8,947.05
Andover Town Council	Neighbourhood Portion	£14,050.95
Broughton Parish Council	Neighbourhood Portion	£30,395.60
Houghton Parish Council	Neighbourhood Portion	£31,902.64
Hurstbourne Tarrant Parish Council	Neighbourhood Portion	£4,592.32
Nether Wallop Parish Council	Neighbourhood Portion	£22,004.72



North Baddesley Parish Council	Neighbourhood Portion	£4,751.68
Nursling and Rownhams Parish Council	Neighbourhood Portion	£7,902.10
Over Wallop Parish Council	Neighbourhood Portion	£4,997.52
Romsey Town Council	Neighbourhood Portion	£8,329.20
Romsey Extra Parish Council	Neighbourhood Portion	£114,675.59
Wellow Parish Council	Neighbourhood Portion	£2,268
Test Valley Borough Council	Administrative Expenses	£52,795.04

2022

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Hampshire County Council	Pedestrian/Cycle Path at Southampton Road, Romsey	£210,944.42
Awbridge Parish Council	Neighbourhood Portion	£8,639.15
Houghton Parish Council	Neighbourhood Portion	£12,588.69
Romsey Extra Parish Council	Neighbourhood Portion	£13,574.65
Test Valley Borough Council	Administrative Expenses	£63,533.52

Section 106

2016

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Stockbridge Parish Council	Play Equipment	£3,780.33
Chilbolton Parish Council	Pest Fencing	£3,842.00
Chilbolton Parish Council	Benches	£1,224.00
Community and Leisure	Romsey War Memorial Park	£24,537.97
North Baddesley Parish Council	Installation of BBQ's	£1,946.50

Amport Parish Council	Play Equipment	£1,861.20
Nursling & Rownhams Parish Council	Goal Posts	£2,780.00
Penton Mewsey Parish Council	Benches	£1,077.32
Ampfield Parish Council	Dipping Platform	£1,285.60
Portsmouth City Council	Solent RMP	£11,359.97

2017

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Community and Leisure	Anton Lakes	£22,178.10
Community and Leisure	Picket Twenty Public Art	£2,000
Community and Leisure	Saxon Fields Pathway	£20,000
Ampfield Parish Council	Pavilion	£119,384.09
Barton Stacey Parish Council	Playground Surfacing	£3,850
Braishfield Parish Council	Braishfield Hall Cloakrooms	£16,531.70
Chilbolton Parish Council	Basketball/Netball posts	£1,290.13
Hurstbourne Tarrant Parish Council	Playground equipment	£1,653.27
King's Somborne Parish Council	Slide at Up Somborne Playground	£2,560.99
Longparish Parish Council	Climbing frame at Longparish playground	£3,561.90
North Baddesley Parish Council	New playground at Sandy Lane Recreation Ground	£80,297.55
Over Wallop Parish Council	Evans Close playground redevelopment	£41,028.50
Tangley Parish Council	Wildhern Playing Field wicket	£3,236
Wellow Parish Council	Moveable cricket screen	£1,443.48

2018

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Community and Leisure	Andover Fitness Trail	£22,466.65
Community and Leisure	Romsey War Memorial Park	£50,729
Community and Leisure	East Anton Public Art	£20,020
Ampfield Parish Council	Pavilion	£25,517.77
Barton Stacey Parish Council	Playground signage	£105.69
Hurstbourne Tarrant Parish Council	Benches at various locations	£2,368.80
King's Somborne Parish Council	Play equipment	£5,341
Michelmersh and Timsbury Parish Council	Cricket barriers at Mannyngham Way playing fields	£1,537.16
Picket Piece Sports and Social Club	Social Club Extension	£19,142.03
Upper Clatford Parish Council	Height restriction barrier at sports field entrance	£2,355
Valley Park Parish Council	Table tennis at Knightwood Leisure Centre	£2,825.73

2019

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Community and Leisure	East Anton Public Art	£32,000
Community and Leisure	Fishlake Meadows	£96,700
Community and Leisure	Ganger Farm Sports and Recreation	£4,500
Community and Leisure	Picket Twenty MUGA and Play Area	£240,929.50
Community and Leisure	Romsey War Memorial Park	£6,200
Ampfield Parish Council	Play area at Ampfield Recreation Ground	£58,404.68
Amport Parish Council	Play equipment on Village Green	£3,245.90
Barton Stacey Parish Council	Basketball post	£1,318

Broughton Parish Council	New equipment and benches at Fripps Acre play area	£6,858.78
Chilbolton Parish Council	Replacement swings	£800
North Baddesley Parish Council	Picnic tables, benches and bins at North Baddesley Recreation Ground	£3,382.82
Community and Leisure	Mill Lane SANG	£209,000

2020

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Community and Leisure	Andover Fitness Trail	£7,533.35
Community and Leisure	Adanac Public Art	£30,280
Community and Leisure	Ampfield Recreation Ground	£53,807
Community and Leisure	East Anton Public Art	£24,000
Community and Leisure	Fishlake Meadows	£59,192
Community and Leisure	Ganger Farm Sports and Recreation	£34,340
Community and Leisure	Picket Twenty Play Area	£1,820
Community and Leisure	RSC Skate Park	£165,759
Community and Leisure	Romsey War Memorial Park	£350
Community and Leisure	Abbotswood Pitches	£39,300
Community and Leisure	Mill Lane SANG	£69,197
Lockerley Parish Council	Play equipment on East Dean Road	£5,293.16

2021

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Community and Leisure	Abbotswood Public Art	£10,000
Community and Leisure	Fishlake Meadows	£22,476

Community and Leisure	Ganger Farm Sports and Recreation	£473,200
Property and Asset Management	Town Mills Pocket Park	£41,500
Abbots Ann Parish Council	Benches for Village Green	£2,017.47
Ampfield Parish Council	Dipping platform at Chapel Wood	£928.51
Ampfield Parish Council	Pavilion and Car Park	£1,077.32
Ampport Parish Council	Play area surfacing	£1,472
Ampport Parish Council	Goal post sockets	£92
Ampport Parish Council	Swings at Parish Green	£3,381
Barton Stacey Parish Council	Gate for play area and MUGA	£2,470.04
Braishfield Parish Council	Two footpath maps	£1,167.18
Braishfield Parish Council	Play equipment	£5,008.83
Hurstbourne Tarrant Parish Council	Goal posts	£1,036
Nursling and Rownhams Parish Council	Levelling of playing pitches	£87,740
Penton Mewsey Parish Council	Replacement Fencing	£1,648.55
Community and Leisure	Mill Lane SANG	£17,047.72

2022

<b>Recipient</b>	<b>Description</b>	<b>Amount</b>
Community and Leisure	Abbotswood Public Art	£20,000
Community and Leisure	Bury Hill	£541,581
Community and Leisure	Ganger Farm Sports and Recreation	£106,490.69
Community and Leisure	Picket Twenty Play Area	£69,000
Community and Leisure	Picket Twenty Public Art	£40,000

Community and Leisure	Picket Piece Public Art	£5,000
Property and Asset Management	Town Mills Pocket Park	£3,400
Community and Leisure	Fishlake Meadows	£12,544.91
Abbotts Ann Parish Council	Additions to the Agility Trail	£2,850
Vernham Dean Parish Council	New play equipment at Bury Dene playing field	£3,065.61
Nursling and Rownhams Parish Council	Levelling of playing pitches	£21,700
Community and Leisure	Mill Lane SANG	£4,983.25