

Cabinet
8 July 2021

Title: Amendment to Community Infrastructure Levy (CIL) Projects List for 2021/22

Lead Officer: Chris Elliott, Chief Executive

Portfolio Holder: John Cooke

Public report

Wards of the District directly affected: Brunswick, Clarendon, Milverton, All Saints & Woodloes, Myton & Heathcote, Saltisford

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: Yes

Included within the Forward Plan: No

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: None

Final Decision: Yes

Accessibility Checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive	28.06.21	Chris Elliott
Head of Service	28.06.21	Phillip Clarke/Rose Winship
CMT	28.06.21	Chris Elliott/Andy Jones/Dave Barber
Section 151 Officer	28.06.21	Mike Snow
Monitoring Officer	28.06.21	Andrew Jones
Finance	28.06.21	Mike Snow
Portfolio Holder(s)	28.06.21	Cllrs John Cooke and Liam Bartlett

1. Summary

- 1.1. The report sets out a revision to the CIL Projects list for 2021/22 from that approved by Executive on 18th March 2021. This introduces a new project - the Leamington Spa station forecourt enhancement project – and reallocates CIL funding from another project to fund this.

2. Recommendation

That Cabinet: -

- 2.1. Approves the addition of a new project, the Leamington Spa Station Forecourt enhancement project, to the existing CIL Projects List for 2021/22
- 2.2. Approves that the approach set out in section 3 below, and in particular in table 2, is used as the basis for distributing CIL receipts collected during 2021/22 and, where stated in table 2, 2022/23.
- 2.3. Notes the intention that this scheme represents but phase 1 of a much more ambitious proposal for the creation of a transport interchange.

3. Reasons for the Recommendation

- 3.1 In March 2021, Executive approved a CIL Projects List for 2021/22. It also approved the allocation of anticipated CIL funding in 2021/22 (and in some cases 2022/23) to these projects in accordance with table 1 below.

Table 1: Distribution of CIL contributions in 2021/22 and partial distribution in 2022/23 as approved in Executive report of March 2021		
Infrastructure Project	21/22	22/23 (*)
Bath Street improvement scheme	95,000	
Emscote Road corridor (cycleway improvements)	626,043	1,365,957
Kenilworth Leisure (Phase 2): Castle Farm Recreation Centre	3,000,000	3,000,000
Medical facilities - N Leamington (Cubbington/ Lillington)	840,000	1,900,000
Wayfinding in Warwick town centre	35,000	
Europa Way bridge link	Nil	
St Mary's Land, Warwick	8,000	
Newbold Comyn	425,000	
Warwick Gates Community Centre	150,600	
Europa way spine road cycleway/ footpath link	Nil	
Relocation of athletics facility and creation of Commonwealth Park	Nil	
Commonwealth Park bridge	Nil	
Relocation of Kenilworth Wardens	Nil	
PLUS CIL Admin charge	73,000	73,000
Total	5,252,643	6,338,957

Table 1: Distribution of CIL contributions in 2021/22 and partial distribution in 2022/23 as approved in Executive report of March 2021		
Infrastructure Project	21/22	22/23 (*)
* It should be noted that those projects for which funding in 2022/23 is being confirmed now are those for which contracts of work may be let in 2021/22 which will run over two financial years. Where there is no money allocated against a project in 22/23, this does not mean that no CIL funding will be given during 22/23, only that the Executive is not being asked to commit to this at the present time.		

- 3.2 Members will also be aware that there is a project to improve the forecourt of Leamington Spa station. This is being funded in large part by the Government's Local Growth Fund through Coventry and Warwickshire Local Enterprise Partnership (CWLEP) to support the successful delivery of the 2022 Commonwealth Games. The Commonwealth Games organisers are keen that as many people as possible travel to Games venues by public transport, and as such grant funding through the CWLEP was given to support measures to enable this – by supporting improvements to Leamington station and also other wayfinding and other measures to assist visitors to navigate the town when they arrive. These improvements will have lasting benefit for town well beyond the Games themselves.
- 3.3 The station forecourt proposals are progressing with a scheme designed and public consultation undertaken on it. This project is being led by Warwickshire County Council. It has become apparent, however, that increasing construction cost pressures and the requirements of Network Rail are impacting on the total cost of the scheme which is exceeding the funding that is available from other sources, even with some scheme revisions. It is therefore proposed to increase the funding by £500,000 to enable the scheme to progress and deliver an enhanced environment for the station forecourt area and underpass. If delivery of the scheme is to be guaranteed in time for the Commonwealth Games and to meet the grant requirements of the CWLEP, it is essential that a source for this funding is found and that this is available this financial year.
- 3.4 Officers have been in discussion with colleagues at Warwickshire County Council about this matter. The County Council considers that it would be possible to re-profile work on another CIL funded project, the Emscote Road corridor improvements, and to re-profile the total cost of that project by £500,000, allowing this funding to be re-allocated to the Leamington Station Forecourt Enhancement project. This would therefore see the previous amount of CIL funding allocated the Emscote road project in 2021/22 of £626,043 reduced to £126,043.
- 3.5 The revised allocation of CIL funding for 2021/22 would therefore be as set out in table 2 below. It should be noted that there is no overall change to the total level of CIL contributions. It should also be made clear that there is no change to the funding of any other projects which were agreed by Executive in March 2021.

Table 2: PROPOSED REVISED distribution of CIL contributions in 2021/22 and partial distribution in 2022/23		
Infrastructure Project	21/22	22/23 (*)
Bath Street improvement scheme	95,000	
Emscote Road corridor (cycleway improvements)	126,043	1,365,957
NEW PROJECT: Leamington Spa station forecourt enhancements	500,000	
Kenilworth Leisure (Phase 2): Castle Farm Recreation Centre	3,000,000	3,000,000
Medical facilities - N Leamington (Cubbington/ Lillington)	840,000	1,900,000
Wayfinding in Warwick town centre	35,000	
Europa Way bridge link	Nil	
St Mary's Land, Warwick	8,000	
Newbold Comyn	425,000	
Warwick Gates Community Centre	150,600	
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* It should be noted that those projects for which funding in 2022/23 is being confirmed now are those for which contracts of work may be let in 2021/22 which will run over two financial years. Where there is no money allocated against a project in 22/23, this does not mean that no CIL funding will be given during 22/23, only that the Cabinet is not being asked to commit to this at the present time.		

3.6 In assessing all CIL Projects, the Council has asked how these impact on climate change. The enhancement of the station forecourt area can be argued to support and complement other climate change initiatives by providing an improved and more welcoming sense of arrival in the town for those visiting by train, thereby enhancing and promoting use of public transport. As noted earlier, the enhancement to the station forecourt area is part of a wider package of measures at and near to this important public transport hub which will support pedestrians, cyclists and those arriving by bus.

3.7 Cabinet is also asked to note the comments made in paragraph 3.18 of the March Executive report. This stated:

"It needs to be recognised that it is possible that actual CIL income during 2021/22 will be less than that projected. This occurred during 2020/21, in part owing to a slow-down in development (commencements on site) arising from the pandemic. Whilst it is hoped that development rates will bounce back, this cannot be guaranteed. The latest housing trajectory for Warwick District

(prepared in discussion with major developers) does suggest that over the next five years Warwick District will continue to see the level of development (and therefore CIL income) that has previously been expected. It does suggest, however, that this housing growth will be re-profiled. In the event that our income in 2021/22 does not meet our best estimates, it is recommended that the amount given to the Kenilworth Leisure (Phase 2) project in 2021/22 is given first priority for funding, and that other projects are supported only once sufficient CIL contribution to support the Kenilworth Leisure project has been received. If this happens, however, any shortfall in payments in 21/22 for these other projects will be rolled over to 2022/23 (and, where relevant, added to the amount awarded to these projects in that year)."

- 3.8 The recommendations in this report will need to alter this principle set out above and agreed in March 2021, to give a priority to the Station Forecourt scheme as the works are needed to be complete by next summer. It is not anticipated though that this would jeopardise the funding for the Kenilworth Leisure scheme. However, as a risk mitigating step negotiations will be held with WCC on the issue of forward funding and be reported to the Cabinet at its meeting when considering this issue.
- 3.9 The revised CIL Projects List for 2021/22 will therefore be as set out in appendix 1.
- 3.10 The intention to improve the Station area has long been a community ambition. Recent discussions about what can/should be done have taken on a scale and complexity that necessitates a phased approach to delivery. It should be recognised that this project therefore will take the area someway to realising that ambition but represents but phase 1.

4. Policy Framework

4.1. Fit for the Future (FFF)

- 4.1.1. The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.
- 4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

4.2. FFF Strands

4.2.1 External impacts of proposal(s)

People - Health, Homes, Communities - Will help co-ordinate the timely provision of infrastructure such as community spaces, sports and medical facilities that are essential to enable the growth required in the Local Plan.

Services - Green, Clean, Safe - Will help co-ordinate the timely provision of infrastructure such as new parks, play areas and open spaces that are essential to enable the growth required in the Local Plan. As part of the Council's ambitions for a Carbon Neutral District by 2030, the criteria against which CIL Projects are assessed includes how the project supports the Council's objectives as set out in its declared climate emergency. Where projects support transport improvements, this will be to ensure that priority is given to multi modal/active travel. Where projects support other infrastructure (e.g. leisure facilities) this will seek to make these zero carbons or as close to this as possible.

Money- Infrastructure, Enterprise, Employment - Will help co-ordinate the timely provision of infrastructure that are essential to enable the growth required in the Local Plan.

4.2.2. **Internal impacts of the proposal(s)**

People - Effective Staff – None.

Services - Maintain or Improve Services - Focusing on our customers' needs; Continuously improve our processes.

Money - Firm Financial Footing over the Longer Term - Better return/use of our assets; maximise income earning opportunities; seek best value for money.

4.3. **Supporting Strategies**

- 4.3.1. Each strand of the FFF Strategy has several supporting strategies and the relevant ones for this proposal are explained here. The CIL Project List aligns with the Infrastructure Delivery Plan which formed a key part of the Local Plan evidence base. The CIL scheme ensures the delivery of appropriate infrastructure to enable the growth required through the plan period. It therefore directly supports the Local Plan

4.4. **Changes to Existing Policies**

- 4.4.1. None.

4.5. **Impact Assessments**

- 4.5.1. None. The relevant impact assessments will be carried out on projects funded through CIL contributions.

5. **Budgetary Framework**

- 5.1. The budgetary implications of the CIL Projects list were set out in the relevant section of the March 2021 Executive report. In summary this states that there no direct budgetary implications associated with the recommendations. Nothing in this report changes this advice.

6. Risks

- 6.1. There is no change to the risks identified in the March 2021 Executive report. However, specifically in relation to this amendment to the CIL list the risk is that funding for the station forecourt may be required to be drawn down in advance of receipts being received or sufficient receipts being received or that the receipts received does jeopardise the priority for the Kenilworth Leisure scheme. The intended mitigation action is to negotiate some form of forward funding arrangement with WCC to offset these risks.

7. Alternative Option(s) considered

- 7.1. The Council could choose not to support the addition of this project to the CIL Projects List and not to support the allocation of CIL funding to the project. This option is not supported as it would seriously threaten the ability of the project to be delivered to enhance the station. The grant funding from the CWLEP is predicated on delivering this project within a limited timescale and in time for the Commonwealth Games. There is the very real risk that without this additional funding, the existing grant funding would be lost, and project could not proceed.
- 7.2. The Council could agree to fund this project from other Council resources. This option is not supported as there is no provision for this opportunity within the budget for this year.