



RUGBY BOROUGH COUNCIL ANNUAL INFRASTRUCTURE FUNDING STATEMENT

Making a difference with Section 106 contributions to enhance infrastructure requirements from new developments by securing contributions across the Borough of Rugby.

APRIL 2021 - MARCH 2022

INTRODUCTION

- 1.1 Under the Community Infrastructure Levy Regulations 2010 (as amended) Regulation 121A requires all local authorities to prepare an annual infrastructure funding statement.
- 1.2 "For the financial year 2019/2020 onwards, any local authority that has received developer contributions (section 106 planning obligations or Community Infrastructure Levy) must publish online an infrastructure funding statement by 31 December 2020 and by the 31 December each year thereafter. Infrastructure funding statements must cover the previous financial year from 1 April to 31 March..." Paragraph 175 Community Infrastructure levy – Planning Guidance
- 1.3 Appendix 1 sets out the details required for an annual infrastructure funding statement, which covers both the Community Infrastructure Levy (CiL) and S106 obligations. A S106 obligation is derived from section 106 of the Town and Country Planning Act 1990. It is a voluntary agreement between the local planning authority and any other body with an interest in land in their area. Its purpose is to restrict and/or regulate the use of land, or to make other such arrangements (such as financial contributions) as the local authority considers to be necessary. The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008, that local authorities can use to help deliver infrastructure to support development in their area.
- 1.4 As Rugby BC has not introduced a CiL during the relevant reporting period, this document will only report on S106 obligations. The authority is in the process of trying to introduce a CiL and if successful the 2022/3 report will include information on CiL contributions. The priorities for CiL expenditure will be education, transport, open space, sport & recreation, environment & biodiversity, health and community facilities.

SECTION 106 OBLIGATIONS

2.1 The regulations require the following items to be reported upon:

- (a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;

	£ 5,071,798.90
--	----------------

- (b) the total amount of money under any planning obligations which was received during the reported year;

	£ 5,071,798.90
--	----------------

- (c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;

	£ 0
--	-----

- (d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—

- (i) in relation to affordable housing, the total number of units which will be provided;

75-79 Bath Street	1
Coton House	30

- ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;

Land S. of Coventry Rd/N. of Lime Tree Village	Early Years – £66,028 Primary & Primary SEN – £477,749 Secondary/SEN/sixth form - £491,292
--	--

- (e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;

	£ 7,721,968.58
--	----------------

- (f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);

	£ 2,317,893.82
--	----------------

- (g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;

Total	£ 7,721,968.58
Open Space	£ 5,152,772.50
Leisure & Sport	£ 2,038,665.75
Community Facilities	£214,176.08
Waste Management	£140,249.81
Cemeteries	£ 102,223.43
Riverside enhancements	£ 50,770.41
Newbold Quarry	£ 15,865.69
Libraries	£7,244.81

- (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—
- (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;

Total	£ 2,317,893.82
Open Space maintenance	£498,691.49 (22%)
Education	£1,034,989.54 (45%)
Leisure	£278,061.95 (12%)
Police Contributions	£272,515.98 (12%)
Library & Youth Facilities	£139,255.93 (6%)
Waste Management	£ 75,456.00
Health Contributions	£ 9,146.27
Quarry Maintenance	£ 6,026.66
Monitoring	£ 3,750.00

Open Space maintenance	£ 498,691.49
Ashlawn Ridgeway	£ 150,366.69
Coton Park	£ 79,572.65
Ashlawn Road West	£ 77,152.89
Cawston Grange	£ 64,876.09
Gateway Site	£ 35,481.07
Coton House	£ 24,731.50
Bilton Road	£ 14,967.30
St Peters Road	£ 9,338.00
Land at Leamington Road	£ 5,817.72
Harris School	£ 5,680.00
Imperial Hotel	£ 5,578.30
Webb Ellis	£ 4,785.00
Parkfield Road	£ 4,143.65
Clifton Links	£ 4,015.85
Willans Works	£ 3,970.00
Land s. of Technology Drive	£ 3,310.00
Warwickshire College	£ 2,500.00
Fmr Church Lawford Garden Centre	£ 1,397.00
Smith Industries Site	£ 570.00
Church Farm	£ 437.78
Education Contributions	£ 1,034,989.54
Land S. of Coventry Rd/N of Lime Tree Ave	£ 1,034,989.54
Leisure Facilities	£ 278,061.95
Ashlawn Rd West	£ 260,220.00
Back Lane South	£ 17,841.95

Library & Youth Contributions	£ 139,255.93
Ashlawn Road West	£ 102,746.87
Land S. of Coventry Rd/N of Lime Tree Ave	£ 36,509.06
Waste Management	£ 75,456.00
Rugby radio station	£ 75,456.00
Health Contributions	£ 9,146.27
Imperial Hotel, Oxford Road	£ 9,146.27
Quarry maintenance	£ 6,026.66
Churchover Motorway Service Area	£ 6,026.66
Monitoring	£ 3,750.00
Rugby Radio Station	£ 3,750.00

H (ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);

	£ 0
--	-----

H (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;

Rugby Radio Station Site	£ 3,750.00
--------------------------	------------

- (l) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held;

Total	£ 7,721,968.58
Open Space Maintenance	£ 5,152,772.50 (67%)
Leisure Centre & Sports facilities	£ 2,038,665.75 (26%)
Community facilities	£214,176.08 (3%)
Waste Management	£140,249.91 (2%)
Cemetery Maintenance	£102,223.43 (1%)
River Enhancements	£ 50,770.41
Quarry maintenance	£15,865.69
Library maintenance	£ 7,244.81
Open Space Maintenance	£ 5,152,772.50
Ashlawn Rd West – off site natural space	£92,158.21 - £1,475,789.19
Ashlawn Rd West – parks & gardens	£ 1,279,260.23
Ashlawn Rd West - allotments	£104,370.75
Ashlawn Ridgeway	£770,534.66
Wharf Farm – off site outdoor sports	£399,008.95 - £506,438.82
Wharf Farm - maintenance	£107,429.87
Coton House – land acquisition	£112,947.90 - £450,415.58
Coton House – maintenance	£281,636.23
Coton House – Balancing pond	£50,301.04
Coton House – off site play	£5,530.41
Cawston Lane Helical – Outdoor sports	£261,845.12 - £333,776.59
Cawston Lane Helical - Maintenance	£70,557.09
Cawston Lane Helical – Parks	£1,374.38
Williams Fields – Green gym equip	£10,442.56 - £286,739.28
Williams Fields - footpaths	£6,265.54
Williams Fields – off site open space	£160,386.83
Williams Fields – off site natural space	£80,922.38
Williams Fields – off site allotments	£ 28,721.97

Land S of Coventry Rd/N of Lime Tree Ave – offsite natural space	£80,457.71 - £241,252.22
Land S of Coventry Rd/N of Lime Tree Ave – offsite parks	£96,548.83
Land S of Coventry Rd/N of Lime Tree Ave – natural maintenance	£46,831.24
Land S of Coventry Rd/N of Lime Tree Ave – parks maintenance	£ 5,363.71
Land S of Coventry Rd/N of Lime Tree Ave – green space maintenance	£12,050.73
Rugby Gateway R1 – play equip	£82,308.74 - £142,308.27
Rugby Gateway R1 - allotments	£ 43,755.08
Rugby Gateway R1 - maintenance	£16,244.45
Bilton Rd/Johnson Ave – maintenance	£ 103,088.02
Webb Ellis BP – open space	£25,161.76 - £81,099.58
Webb Ellis BP – natural space	£ 20,725.84
Webb Ellis BP – sport & rec	£35,211.98
Lower Street Frmr sidings	£80,207.49
Willans Works - maintenance	£15,405.24 - £77,440.98
Willans Works - allotments	£43,113.46
Willans Works – play equipment	£18,922.28
Rugby Gateway - allotments	£2,559.74 - £46,764.31
Rugby Gateway - ecology	£ 44,204.57
Cawston extension	£ 45,557.79
Newbold Farm	£41,098.49
Warwickshire College	£ 37,631.82
Bell House – off site park	£37,135.47
Coalyard at Ryton	£ 32,020.76

15-27 Townsend Lane	£31,912.33
15 Parkfield Rd	£29,309.76
Land at Lawford Lane	£27,193.61
Imperial Hotel – off site parks	£26,828.49
Harris School	£22,332.58
Gorse Farm – children’s play	£7,831.81 - £18,316.30
Gorse Farm – open space	£3,391.81
Gorse Farm – natural open space	£7,092.68
Land off Cosford Lane	£15,481.96
Fmr Wolston School Site	£15,394.91
73 Oxford St – pocket park	£15,026.50
Church Farm	£ 14,802.84
Ambulance Station – off site maintenance	£14,055.11
Clifton Links - Play equipment	£6,880.10 - £ 13,734.84
Clifton Links – Open Space	£6,854.74
Brownsover N&E - maintenance	£11,890.72
Nelson Way garage site	£11,096.92
26 Lawford Lane	£ 11,029.36
59 Avenue Rd	£10,572.42
Land at St Peters Rd	£ 10,416.06
St Peters Rd	£ 9,116.77
Land at Old Hall	£7,611.19
Churchover Transco	£7,571.11
Grange Farm	£7,283.97
Cawston Grange - equipment	£2,102.03 - £7,178.82
Cawston Grange – maintenance	£ 5,076.79
Land S of Technology Drive – off site park	£6,768.17
Land at Leamington Rd	£ 6,639.32
Kilsby Lane	£6,148.96
Fmr Bilton Social Club	£2,424.00
Fmr Church Lawford Garden Centre	£1,389.58
Smith Industries Site	£1,038.05
45 Millfields Avenue	£908.04
Avon WT Works	£ 0.58

Leisure Centre & Sports facilities	£ 2,038,665.75
Ashlawn Rd West – Indoor sports	£510,213.09 - £1,006,970.21
Ashlawn Rd West – Outdoor sports	£496,757.12
Land S of Coventry Rd/N of Lime Tree Ave – Outdoor Sport	£154,007.64 - £278,966.04
Land S of Coventry Rd/N of Lime Tree Ave – Indoor Sport	£83,459.36
Land S of Coventry Rd/N of Lime Tree Ave – Offsite Outdoor Sport	£41,499.04
Rugby Gateway Site – Master	£269,398.67
Back Lane South – Off site sport	£ 135,129.39 - £191,849.46
Back Lane South – Indoor sport	£ 56,720.07
Cawston Lane (Helical) – Indoor sport	£141,898.16
Williams Fields, Cawston – Indoor sport	£ 62,956.24
Ashlawn Ridgeway	£ 60,455.05
Coton House – Indoor sports	£ 20,410.12
Grange Farm Cottage	£ 5,761.80
Community facilities	£214,176.08
Wharf Farm	£141,149.37
Land at Leamington Rd, Ryton	£37,791.65
Rugby Gateway Site – Phase 4	£34,842.62
Cawston Extension	£392.44
Waste Management	£140,249.91
Rugby Radio Station – Management	£128,619.57
Rugby Radio Station – Bin Collection	£11,630.34
Cemetery Maintenance	£102,223.43
Rugby Gateway Site – Phase 1	£41,953.68
Rugby Gateway Site - Master	£39,568.48
Rugby Gateway Site – Phase 4	£20,701.27

Leicester Rd - River Enhancements	£ 50,770.41
Wharf Farm	£50,770.41
Newbold Quarry Maintenance	£15,865.90
Churchover Motorway Service Area	£15,865.90
Library & youth services	£ 7,244.81
Land S of Coventry Rd/N of Lime Tree Ave	£7,244.81

2.2 Warwickshire County Council also spend S106 money on delivering infrastructure. The following link provides information on their expenditure by the relevant year. <https://www.warwickshire.gov.uk/developer-contributions/annual-infrastructure-statement/1>

APPENDIX 1 – RELEVANT REGULATION AND SCHEDULE

ANNUAL INFRASTRUCTURE FUNDING STATEMENTS

121A.—(1) Subject to paragraph (2), no later than 31st December in each calendar year a contribution receiving authority must publish a document (“the annual infrastructure funding statement”) which comprises the following—

- (a) a statement 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 CIL to which regulation 59E or 59F applies) (“the infrastructure list”);
 - (b) a report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);
 - (c) a report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).
- (2) The first annual infrastructure funding statement must be published by 31st December 2020.
- (3) A contribution receiving authority must publish each annual infrastructure funding statement on its website.
- (4) Nothing in paragraph (1) requires a contribution receiving authority to include in its annual infrastructure funding statement any information in relation to CIL which it collects on behalf of another charging authority.
- (5) In this regulation, “contribution receiving authority” means—
- (a) any charging authority which issues a liability notice during the reported year;
 - (b) any local planning authority (within the meaning in section 1 of the TCPA 1990 as that section has effect subject to sections 2 to 9 of that Act) to which a sum is required to be paid under a planning obligation, entered into during the reported year, or which will receive a non-monetary contribution under the obligation.

SCHEDULE 2

1. The matters to be included in the CIL report are—
- (a) the total value of CIL set out in all demand notices issued in the reported year;
 - (b) the total amount of CIL receipts for the reported 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;
 - (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;
 - (e) the total amount of CIL expenditure for the reported year;
 - (f) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;
 - (g) in relation to CIL expenditure for the reported year, summary details of—
 - (i) the items of infrastructure on which CIL (including land payments) has been

- spent, and the amount of CIL spent on each item;
- (ii) the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);
- (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;
- (h) in relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;
 - (i) the amount of CIL passed to—
 - (i) any parish council under regulation 59A or 59B; and
 - (ii) any person under regulation 59(4);
- (j) summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—
 - (i) the total CIL receipts that regulations 59E and 59F applied to;
 - (ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;
- (k) summary details of any notices served in accordance with regulation 59E, including—
 - (i) the total value of CIL receipts requested from each parish council;
 - (ii) any funds not yet recovered from each parish council at the end of the reported year;
- (l) the total amount of—
 - (i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied; (Page 142 of 143)
 - (ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied;
 - (iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;
 - (iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year.

2. For the purposes of paragraph 1—

- (a) CIL collected by an authority includes land payments made in respect of CIL charged by that authority;
- (b) CIL collected by way of a land payment has not been spent if at the end of the reported year—
 - (i) development (within the meaning in TCPA 1990) consistent with a relevant purpose has not commenced on the acquired land; or
 - (ii) the acquired land (in whole or in part) has been used or disposed of for a purpose other than a relevant purpose; and the amount deemed to be CIL by virtue of regulation 73(9) has not been spent;
- (c) CIL collected by an authority includes infrastructure payments made in respect of CIL charged by that authority;
- (d) CIL collected by way of an infrastructure payment has not been spent if at the end of the

reported year the infrastructure to be provided has not been provided;

(e) the value of acquired land is the value stated in the agreement made with the charging authority in respect of that land in accordance with regulation 73(6)(d);

(f) the value of a part of acquired land must be determined by applying the formula in regulation 73(10) as if references to N in that provision were references to the area of the part of the acquired land whose value is being determined;

(g) the value of an infrastructure payment is the CIL cash amount stated in the agreement made with the charging authority in respect of the infrastructure in accordance with regulation 73A(7)(e).

3. The matters to be included in the section 106 report for each reported year are—
- (a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;
 - (b) the total amount of money under any planning obligations which was received during the reported year;
 - (c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;
 - (d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of—
 - (i) in relation to affordable housing, the total number of units which will be provided;
 - (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;
 - (e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;
 - (f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);
 - (g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;
 - (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—
 - (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;
 - (ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);
 - (iii) the amount of money (received under planning obligations) spent in respect of

monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;

(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.

4. The matters which may be included in the section 106 report for each reported year are—
 - (a) summary details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year,
 - (b) summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year.

5. For the purposes of paragraph 3—
 - (a) where the amount of money to be provided under any planning obligations is not known, an authority must provide an estimate;
 - (b) a non-monetary contribution includes any land or item of infrastructure provided pursuant to a planning obligation;
 - (c) where the amount of money spent in respect of monitoring in relation to delivery of planning obligations is not known, an authority must provide an estimate.

