

Cheltenham Borough Council

Cabinet – 08 April 2025

Notification of decisions made by the Community Infrastructure Levy Joint Committee

Accountable member:

Cllr Rowena Hay - Leader

Accountable officer:

Tracey Birkinshaw – Director Communities & Economic Development

Ward(s) affected:

All

Key Decision: No

Executive summary:

The Community Infrastructure Levy (CIL) Joint Committee met on 4th March 2025 to allocate funding for 2025/26. This report fulfils the requirements of the CIL Joint Committee Terms of Reference.

At the point of decision making, the combined Infrastructure Fund had a value of £18,351,039.74 from which to make awards of CIL funding to strategic infrastructure projects.

Recommendations: That Cabinet:

1. notes the decisions of the Community Infrastructure Levy (CIL) Joint Committee.
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1.1 Financial, Property and Asset implications

The Community Infrastructure Levy is allocated for specific purposes, and it is not at

the discretion of this Council to decide to use it for an alternative purpose. Although the inflow will have a positive impact on the Council's cash flow position, there will be no impact on the revenue or capital budget. The implications for the property portfolio will be funding for some projects which have previously paused due to budget shortfalls.

Signed off by: Gemma Bell, Director of Finance & Assets (Deputy Section 151 Officer) gemma.bell@cheltenham.gov.uk

Legal implications

The “strategic” element of CIL receipts (being otherwise than up to 5% for administration and the 15% to 25% neighbourhood portion) must be spent on ‘infrastructure’ (Regulation 59). Charging authorities can choose to pool a proportion of their Community Infrastructure Levy receipts to fund infrastructure including for out of their own area spending. Each of the charging authorities included in the pooling arrangements should be content that funding for infrastructure outside the authority's area will support development of its own area. Under National Planning Policy Guidance (NPPG), charging authorities are encouraged to consider publishing a Memorandum of Understanding detailing the administration, principles, and governance that will be implemented for any pooled fund.

The Joint Committee's Terms of Reference sets out how the pooled levy will be administered and spent.

The authorities have a variety of legislative powers relating to its governance arrangements, including the general power of competence set out in Section 1 of the Localism Act 2011. This includes the setting up of Joint Committees under Section 101(5) and Section 102 of the Local Government Act 1972 and the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012 which enable two or more local authorities to discharge any of their functions (other than those which are the responsibility of an authority's executive under section 13 of the Local Government Act 2000).

As set out in the agreed terms of reference for the Joint Committee any allocation decisions require a full consensus vote of the Committee. Further, the decisions made by the Joint Committee shall be subject to the decisions being reported back through relevant Cabinet/Executive Committee of each of the member Councils. Any decision by the Joint Committee, except those agreed as urgent, shall not be implemented until the member Councils have formally reported back through their own Cabinet/Executive Committee. All decisions of the Joint Committee (unless considered urgent) shall be subject to the “call in” process of each member Council. If not called in during that period any decision shall then be available for implementation.

Further Legal Implications in respect of the decisions made by the Joint Committee are set out in the CIL Joint Committee Allocations Report 2025/26 report at the 4 March 2025 meeting (see Appendix 4).

Signed off by: legalservices@onelegal.org.uk

1.2 Environmental and climate change implications

The Climate Change Impact Tool was a requirement for each CIL scheme submitted for assessment. Some of the projects supported for the allocation of CIL funding will make a contribution towards delivering against the respective councils carbon emergency aspirations. Each submitted scheme was assessed against sustainability criteria through the applied scoring matrix

Signed off by: Maizy McCann, Climate Officer, Maizy.McCann@cheltenham.gov.uk

1.3 Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities:

- Working with residents, communities and businesses to help make Cheltenham #netzero by 2030
- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity
- Being a more modern, efficient and financially sustainable council

1.4 Equality, Diversity and Inclusion Implications

See Appendix 2. Some of the projects are likely to be subject to their own separate Equalities Impact Assessment in due course (where these have not already been completed) and as appropriate this will be considered by the CIL Joint Committee.

1.5 Performance management – monitoring and review

Schemes that have been allocated funding will be monitored via the CIL Officer Working Group and reported to the CIL Joint Committee.

2 Background

2.1 The CIL Joint Committee was established by the partner councils of Cheltenham Borough, Gloucester City and Tewkesbury Borough December 2023/January 2024 under s101(5) and s102 Local Government Act 1972 and under Part 1A Chapter 2 Section 9EB of the Local Government Act 2000 and pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.

2.2 Alongside the establishment of the CIL Joint Committee, the partner councils also agreed the pooling of strategic CIL monies for which they would provide governance of allocation and spending. The strategic CIL monies are the 70% to 80% of receipts that remain, once administration costs and neighbourhood funding has been deducted, that each Council, as an individual CIL Charging and Collection Authority, have collected

2.3 The CIL Joint Committee operates under an agreed Terms of Reference which can be viewed at appendix 3. The CIL Joint Committee is the decision maker subject to the decisions being reported back through relevant Cabinet/Executive Committee of each of the member Councils.

2.4 As set out in the Terms of Reference, all decisions of the Committee (unless considered urgent) shall be subject to the “call in” process of each member Council. If not called in during that period any decision shall then be available for implementation.

3 Reasons for recommendations

3.1 The purpose of this report is not to debate the decisions of the CIL Joint Committee, but to note the allocation decisions made and facilitate the scrutiny provisions. The CIL Joint Committee on 4th March 2025 made the following decisions (see appendix 4 for the agenda and papers) as regards:

AGREED that:

- 1. 25% of the Infrastructure Fund (25% = £4,587,760), and 25% future CIL income will be ringfenced for allocation to projects which the districts consider of local strategic significance. Schemes for consideration will be brought back to a future meeting of CIL Joint Committee for consideration.**
- 2. 75% of the current Infrastructure Fund (£13,763,280) will be allocated to be applied to, and funding agreements entered into with Gloucestershire County Council in respect of, the following projects:**
 - a. M5 Junction 10 Scheme – up to £10,000,000**
 - b. M5 Junction 9 and A46 (Ashchurch) Transport Scheme – £1,000,000**
 - c. Mass Rapid Transport – £1,000,000**
 - d. Cheltenham Spa Railway Enhancements (Honeybourne Line cycle path extension) £770,424**
 - e. Cheltenham Cycle Spine (Extension to Bishops Cleeve)- £592,856; and**
 - f. Gloucester to Haresfield Cycle Spine Design – £400,000**

Those schemes not in funded in full will be reconsidered by the CIL Joint Committee as part of future CIL Infrastructure Fund allocations.

4 Alternative options considered

4.1 None. The Terms of Reference require each partners council of the CIL Joint Committee to report back through their relevant constitutional arrangements.

5 Consultation and feedback

5.1 Not relevant for the purposes of this report.

6 Key risks

6.1 See Appendix 1

Report author:

Tracey Birkinshaw, Director Communities & Economic Development,
tracey.birkinshaw@cheltenham.gov.uk

Appendices:

1. Risk Assessment
2. Equality Impact Assessment – Screening
3. [Community Infrastructure Levy Joint Committee – Terms of Reference](#)
4. [Community Infrastructure Levy Joint Committee, 4th March 2025 – Agenda and Papers](#)

Background information:

None.

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If the partner councils do not report the decisions of the CIL Joint Committee through their relevant Cabinet/Committee processes, then the funding allocated cannot be drawn down in funding agreements	CIL Joint Committee	4	1	4	Accept	Each partner council report the decisions as required through its own constitutional arrangements	Director Communities and Economic Development	Cabinet meeting 8 April 2025

Appendix 2: Equality Impact Assessment (Screening)

1. Identify the policy, project, function or service change

a. Person responsible for this Equality Impact Assessment

Officer responsible: Tracey Birkinshaw	Service Area: Planning
Title: Director Communities and Economic Development	Date of assessment: 4/3/2025
Signature: <i>Tracey Birkinshaw</i>	

b. Is this a policy, function, strategy, service change or project?

Function

If other, please specify:

c. Name of the policy, function, strategy, service change or project

Community Infrastructure Regulations

Is this new or existing?

Other

Please specify reason for change or development of policy, function, strategy, service change or project

No change. The reports facilitate the CIL Joint Committee Terms of Reference

d. What are the aims, objectives and intended outcomes and who is likely to benefit from it?

Aims:

Objectives:

To allocate CIL Strategic Infrastructure funding through a full and transparent assessment

Outcomes:

Decision making within the context of the CIL Joint Committee Terms of Reference.

Benefits:	The communities, businesses and visitors across Cheltenham, Gloucester and Tewkesbury.

e. What are the expected impacts?	
Are there any aspects, including how it is delivered or accessed, that could have an impact on the lives of people, including employees and customers.	Yes
Do you expect the impacts to be positive or negative?	Positive
Please provide an explanation for your answer:	
CIL monies are collected under the CIL Regulations to help support development through funding relevant infrastructure. CIL awards will be monitored via the CIL Joint Committee.	

If your answer to question e identified potential positive or negative impacts, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

f. Identify next steps as appropriate	
Stage Two required	No
Owner of Stage Two assessment	
Completion date for Stage Two assessment	

Please move on to Stage 2 if required - Not required