

Cheltenham Borough Council

Cabinet 17 March 2026

Notification of decisions made by the Community Infrastructure Levy Joint Committee

Accountable member:

Cllr Rowena Hay – Leader

Accountable officer:

Tracey Birkinshaw – Director Planning & Building Control

Ward(s) affected:

All

Key Decision: No

Executive summary:

The Community Infrastructure Levy (CIL) Joint Committee (CIL Joint Committee) met on 4 February 2026 to consider and make decisions on the allocation of funding for infrastructure projects and to consider opening a CIL Infrastructure Fund Projects bid round and the supporting documents required for such.

This report fulfils the requirements of the CIL Joint Committee Terms of Reference (ToRs) in respect of scrutiny provisions.

The decisions made by CIL Joint Committee on 4 February 2026 are set out in full at Appendix 3 with more detail contained in section 2 of this report.

Recommendations: That Cabinet

- 1. notes the decisions of the Community Infrastructure Levy (CIL) Joint Committee made on 4 February 2026 (see Appendix 3)**
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1. Implications

1.1 Financial, Property and Asset implications

The CIL Joint Committee allocation decisions relate to the CIL Infrastructure Fund receipts of all the member councils; however, Cheltenham Borough Council's financial commitments only relate to the CIL payments received by it that are held by Cheltenham Borough Council relating to the CIL Reg 59(1) Infrastructure Fund portion of CIL receipts it receives.

The CIL Infrastructure Fund contains the CIL receipts that remain following the deduction of the split of a paid receipt into up to 15% capped for Parish Councils or up to 15% capped for the for unparished areas, and up to 5% towards administration cost of collecting the levy, neither of these two elements being affected by CIL Infrastructure Fund allocation decisions.

Gloucestershire County Council has already indicated that it will require the additional £4,054,141 (and thus the £1,445,955 that is Cheltenham Borough Council's proportion) to be transferred to it as soon as practicable after the associated funding agreement is signed. That transfer likely to be early in 2026/27 financial year. Cheltenham Borough Council will need to ensure that it has the funds available to meet the payment date committed too in the completed funding agreement.

The CIL Joint Committee can only make decisions on the allocation of CIL receipts that have been paid to its member councils, therefore future CIL Joint Committee meetings will need to consider future funding allocations.

The decision of the CIL Joint Committee on 4 February 2026 will now leave Cheltenham Borough Council with £0.00 in the 75% strategic infrastructure fund share of CIL receipts paid to 12 December 2025 and £1,924,482 unallocated in the 25% local strategic infrastructure fund projects share paid up to the same date. (see Table 5 in Appendix 1 of the Item 5 report 4 February 2026 CIL Joint Committee), plus any other CIL receipts paid since the date of the data in the CIL Joint Committee report, that will subsequently be allocated to the CIL Reg 59(1) Infrastructure Fund and potentially split 75% / 25% for consideration at a future date for allocation to projects.

CIL 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 should be no impact on the revenue or capital budget unless a situation occurs where the funds are not available to be paid at the required time, and thus the Council may need to borrow to cover any agreed payment dates set out in signed funding agreements.

There are no implications for the property portfolio associated with funding decisions

made at this CIL Joint Committee meeting.

Signed off by: Andrew Sherbourne, Treasury Accountant
andrew.sherbourne@cheltenham.gov.uk

1.2 Legal implications

The “strategic” element of CIL receipts (being otherwise than up to 5% for administration and the up to 15% (capped) or up 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.

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

As set out in the agreed Terms of Reference for the Joint Committee (See background papers item 2) any 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 4 February 2026 CIL Joint Committee report.

Signed off by: OneLegal (legalservices@onelegal.org.uk)

1.3 Environmental and climate change implications

The environmental and climate impacts and associated detailed mitigations for this scheme are explained in the Development Consent Order. This includes a variety of sustainable transport network improvements and flood mitigation measures. For the enabling works stage of the project, these funds will contribute towards archaeological and ecological investigations that are required prior to the full construction phase commencing.

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

1.4 Corporate Plan Priorities

This report contributes to the following [Corporate Plan Priorities](#):

Key priority 1: Securing our future

Key priority 3: Reducing carbon, achieving council net zero, creating biodiversity

Key priority 4: Reducing inequalities, supporting better outcomes

Key priority 5: Taking care of your money

1.5 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. Any CIL Funding bid round will be open for submission of relevant projects that would meet the required criteria by any relevant company or organisation.

1.6 Performance management – monitoring and review

Schemes that have been allocated funding will be awarded funding via a grant agreement. These agreements will be monitored via the CIL Officer Working Group and the Strategic Infrastructure Planning Manager and reported to the CIL Joint Committee.

2 Background

2.1 On 11 December 2023, Council approved the establishment of a Community Infrastructure Levy (CIL) Joint Committee 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. The decision to establish the CIL Joint Committee was also approved by the two other partner authorities of Gloucester City Council (25 January 2024) and Tewkesbury Borough Council (23 January 2024).

2.2 At the same meeting approval was also given for;

- The CIL Joint Committee 'Terms of Reference' (since reviewed in accordance with those original Terms of Reference and other than minor amendments of clarification remaining approved at Cabinet on 18 November 2025 (and Gloucester City Council (12 November 2025) and Tewkesbury Borough Council (9 December 2025)).
- The pooling of strategic infrastructure CIL monies by the three partner Councils of Cheltenham Borough, Gloucester City and Tewkesbury Borough; and
- Engagement with wider infrastructure providers, outside the local

authorities, should be entered into.

- 2.3 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. 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. This is the basis of this report to Cabinet.
- 2.4 The strategic CIL receipts, which the Councils have named the Infrastructure Fund is the CIL receipts that remain, once administration costs and neighbourhood funding amounts have been deducted, that each Council, as an individual CIL Charging and Collection Authority, has collected and pooled together.
- 2.5 At the CIL Joint Committee Meeting [4 March 2025](#) a decision was made to split the CIL Infrastructure Fund so that:
- 25% to be ringfenced for allocation to ‘local strategic infrastructure’ projects - further explanation in respect of what constitutes a local strategic infrastructure project was provided in a report to the [CIL Joint Committee 14 July 2026](#) (at which a total of £804,251 was allocated to local strategic infrastructure fund projects); and
 - allocate the then remaining 75% towards a number of projects including up to £10million towards the M5 Junction 10 scheme against a bid of £40m).
- 2.6 At the CIL Joint Committee Meeting 25 September 2025 a decision was made to allocate a further £4,448,369 as the 75% portion then available and for all future CIL income from that 75% portion to be ringfenced for allocation to delivery of the M5 Junction 10 scheme (up to a maximum of £20m (in addition to the £10m referred to above). At this meeting it was also agreed regular monitoring would be reported to the CIL Joint Committee and should the 75% portion not reach anticipated levels further consideration would be given as regards the portion of the Infrastructure Fund currently ringfenced for allocation to local strategic infrastructure projects.
- 2.7 This paper and the governance provided by the CIL Joint Committee relate to the ‘Infrastructure Fund’ portion of CIL receipts only. Under CIL allocation reports the total unallocated CIL receipts split is reported. This paper reflects the position against the CIL the Infrastructure Fund receipts paid to 12 December 2025 and potential CIL receipts unallocated under the split over all time in the Infrastructure Fund. This split of the Infrastructure Fund is reconsidered every time the CIL Joint Committee has met since and considered

CIL project allocations recommendations.

2.8 The CIL Joint Committee on 4 February 2026 considered two reports that required a decision.

Re-evaluation of CIL Bid for M5 Junction 10 and Reconsideration of the CIL Allocation and Proposed CIL Infrastructure Allocations: This report set out:

- the availability of CIL Regulation 59(1) CIL receipts paid over all time unallocated and specifically received between 26 August 2025 and 12 December 2025.
- consideration of the additional amount available to allocate from the 75% share of the Infrastructure Fund.
- recommendation to continue to commit to allocating up to £20 million of CIL receipts from the pooled CIL Regulation 59(1) Infrastructure fund to support the M5 Junction 10 scheme, and the likelihood of this share generating sufficient income to support this within the required project programme timescale to support the continuance of ringfencing of 25% of the CIL Infrastructure Fund for allocation to what has termed local strategic infrastructure projects.

2.9 The above was informed by CIL Joint Committee 4 February 2026 Item 5 Appendix 1 Table 4 (as repeated below):

Total Pooled CIL Reg 59(1) Infrastructure Fund Received to 26 August 2025 reflecting allocation status under the agreed 75% Strategic Infrastructure Project to 25% Local Strategic Infrastructure Project Split

	Total Pooled CIL Infrastructure Fund Received to 12.12.2025	Total pooled CIL Infrastructure Fund allocated to 26.08.2025	Total Pooled CIL Infrastructure Fund unallocated to 12.12.2025
75% Strategic infrastructure Fund (£)	£22,265,790	£18,211,649	£4,054,141
25% Local Strategic Infrastructure Fund (£)	£7,421,930	£804,250	**£6,617,679
	£29,687,720	£19,015,900	£10,671,820

**The 25% of the CIL Reg 59(1) Infrastructure Fund unallocated to 12 December 2025 date is a larger financial value because a significant amount of this share of the fund from receipts up to 12 December 2025 having not previously been allocated to projects by the CIL Joint Committee.

2.10 The allocation decisions made results in the following split of funding from the relevant member Councils for the M5 Junction 10 project in respect of the allocated £4,054,141, as well as the split of funding remaining (as at 12 December 2025) within the 25% local strategic infrastructure fund as set out in the table below:

Table 1: Pooled CIL Reg 59(1) Infrastructure Fund Receipts Paid Unallocated on 12 December 2025 Split by CIL Authority and agreed 75% Strategic Infrastructure Fund Projects and 25% Local Strategic Infrastructure Fund Project (TOTAL £unallocated on 12 December 2025 = £10,671,820.25)

CIL Charging Authority	75% CIL Strategic Infrastructure Fund (£)	25% CIL Local Strategic Infrastructure Fund (£)
Cheltenham Borough Council	£1,445,955	£1,924,482
Gloucester City Council	£0	£99,504
Tewkesbury Borough Council	£2,608,185	£4,593,692
Totals (£)	£4,054,141	£6,617,679

2.11 There was no allocation to the M5 Junction 10 project from Gloucester City Council as it had no CIL receipts paid within the payment timeframe under consideration.

CIL Infrastructure Fund Bid Round and CIL Infrastructure Funding Project Bid Form and CIL Infrastructure Funding Bid Project Assessment Form Review: This report set proposed timing of a new CIL bid round and updates presented to the documents that would be necessary to support this.

2.12 Cllr Collins, Cabinet Member for Planning and Building Control was the voting Member for Cheltenham Borough Council for this CIL Joint Committee meeting.

2.13 The decisions of CIL Joint Committee are set out in Appendix 3 of this report.

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 decisions made by it, to facilitate the scrutiny provisions.

3.2 The CIL Joint Committee is a fully constituted Committee. The Joint CIL Committee Terms of Reference require the reporting of its decisions to the Executive / Cabinet as relevant for each of the member councils prior to the implementation of decisions it has made. The decisions of the CIL Joint Committee are subject to each member council's scrutiny provisions.

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:

Sarah Screen, Strategic Infrastructure Planning Manager, for the councils of Cheltenham Borough, Gloucester City and Tewkesbury Borough.

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Appendices:

1. Risk Assessment
2. Equality Impact Assessment – Screening
3. CIL Joint Committee 4 February 2026 Decisions

Background information:

1. [Cheltenham Borough Council Corporate Plan Update – Council 21st July 2025](#)
2. Community Infrastructure Levy Joint Committee [Terms of Reference](#)
3. [Community Infrastructure Joint Committee, 14 July 2025 – Agenda Papers](#)
4. CIL Joint Committee [25 September 2025](#) Agenda Reports pack
5. Gloucestershire County Council [Cabinet 17 September 2025](#) Item 8 page 161 (specific p 173)
6. CIL Joint Committee [04 February 2026](#) Agenda Reports Pack
7. M5 Junction 10 Scheme [Development Consent Order](#)

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
1	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 reports the decisions as required through its own constitutional arrangements	Director Planning & Building Control	Cabinet meeting 17 March 2026 <i>(11 March 2026 Cabinet for Gloucester City Council and 18 March 2026 Executive for Tewkesbury Borough Council)</i>

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: Sarah Screen	Service Area: Planning
Title: Strategic Infrastructure Planning Manager (on behalf of Director Communities and Economic Development)	Date of assessment: 18 February 2026
Signature: <i>Sarah Screen</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 Levy Regulations 2010 (as amended)

Is this new or existing?

Other

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

No change. The report facilitates compliance with 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:	To comply with the CIL Joint Committee Terms of Reference
Objectives:	To allocate CIL Strategic Infrastructure funding through a full and transparent assessment and ensure consistency and transparency for CIL Infrastructure Fund Project bid submissions and the review of bids received.
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.
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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
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Do you expect the impacts to be positive or negative?	Positive
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Please provide an explanation for your answer:

CIL monies are collected under the CIL Regulations to help support development through funding relevant infrastructure. The decision of the CIL Joint Committee to date to ringfence 25% of the CIL Infrastructure Fund to potentially support what it has termed 'local strategic infrastructure projects' and currently holds unallocated CIL Infrastructure Fund receipts against this share means that a CIL funding bid round needs to be opened to allow the submission of funding bid applications across the whole Infrastructure Fund. To provide equity and fairness CIL it is proposed to use an improved project bid application form and an improved bid assessment form. All 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	