

INFRASTRUCTURE FUNDING STATEMENT

December 2021



DUDLEY COUNCIL'S REGENERATION & ENTERPRISE SERVICE

REGENERATING

Dudley
Metropolitan Borough Council

What is the Infrastructure Statement?

The Infrastructure Funding Statement (IFS) is a report published annually in December, which provides a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) and the Community Infrastructure Levy (CIL), Section 287 Agreements within Dudley Council for a given financial year.

It also includes a statement of infrastructure projects that Dudley Council intends to be, or may be, wholly or partly funded by CIL, along with the CIL spending protocol, which sets out the process that the Council will undertake for allocating CIL receipts.

Throughout the IFS there will be references to the following definitions:

- Agreed – Contributions that have been agreed within a signed legal document. These contributions yet to be collected/delivered and if the planning applications are not implemented, they will never be received.
- Received – Contributions received, either non-monetary or monetary, that have been transferred to Dudley Metropolitan Borough Council (DMBC).
- Allocated – Contributions that have been received and allocated to specific projects.
- Spent/Delivered – Monetary or non-monetary contributions that have been spent/delivered.
- This Financial Year - unless stated otherwise, this refers to the period 01/04/2020 – 31/03/2021.

GENERAL INFORMATION

This and other documents are or will be made available on request in alternative formats. If you require the document in one of these formats, please contact:

Planning & Regeneration, Dudley Council, Council House, Priory Road, Dudley DY1 1HF or telephone 01384 814136 or email development.control@dudley.gov.uk

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INTRODUCTION

1. Infrastructure Funding Statement

1.1 As a result of changes to the Regulations implemented through the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019¹ (which came into force on 1 September 2019), authorities now need to increase transparency for communities, by reporting on what they have received and spent through CIL and developer contributions and include information for the following year on CIL allocation. Changes to the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019):

- removed the restriction on pooling more than 5 planning obligations towards a single piece of infrastructure;
- deleted the Regulation 123 List; and
- allows authorities to choose to pool funding from different routes to fund the same infrastructure, provided that authorities set out in their infrastructure funding statements which infrastructure they expect to fund through the levy and through planning obligations.

1.2 Each calendar year (by 31st December) the Council is required to publish an Infrastructure Funding Statement in relation to the next calendar year detailing the infrastructure projects or types of infrastructure which it intends will be wholly or partly funded by CIL.

1.3 This Statement (IFS) identifies the infrastructure projects or types of infrastructure which Dudley Council intends will be, or may be, wholly or partly funded by the Community Infrastructure Levy; whilst other sources of funding that can be pooled to fund the same infrastructure projects shown (see Table 9).

1.4 Funding for the delivery of infrastructure will be sought by the Council from multiple sources over several years. Developer contributions can be provided in several ways:

- through planning conditions – to make development acceptable that would otherwise be unacceptable.
- through planning obligations in the form of Section 106 agreements – where it is not possible to address unacceptable impacts through a planning condition.
- through the Community Infrastructure (CIL) – a fixed charge levied on new development to fund infrastructure.

1.5 It is generally expected that Developer Contributions: CIL and Planning Obligation (Section 106) will only provide a contribution to funding infrastructure costs. Alongside this funding there are mainstream sources of funding available to support delivery including sources of funding for education, transport, and utilities infrastructure.

2. Developer Contributions

Section 106 Planning Obligations

2.1 Under section 106 (s106) of the Town and Country Planning Act 1990 a Local Planning Authority (LPA) can seek obligations, both physically on-site and contributions for off-site provision, when it is considered that a development will have negative impacts that cannot be dealt with through conditions in the planning permission.

2.2 For example, new residential developments place additional pressure on existing social, physical and economic infrastructure in the surrounding area. Planning obligations aim to

¹ <http://www.legislation.gov.uk/ukdsi/2019/9780111187449>

balance this extra pressure with improvements to the surrounding area to ensure that a development makes a positive contribution to the local area.

2.3 The obligations may be provided by the developers “in kind” – that is, where the developer builds or provides directly the matters necessary to fulfil the obligation. This might be to build a certain number of affordable homes on-site, for example. Alternatively, planning obligations can be met in the form of financial payments to the Council to provide off-site infrastructure works or contributions towards providing affordable housing elsewhere in the Borough. In some cases, it can be a combination of both on-site provision and off-site financial contributions.

2.4 Dudley MBC has historically sought financial contributions for the following areas:

- Nature Conservation Enhancements;
- Public Open Space Improvements;
- Transport Infrastructure Improvements;
- Public Realm Improvements.

2.5 Regulations state that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation 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.

S106 contributions have also been sought for Public Open Space Maintenance, however this is ring-fenced and incorporated within the Council’s greenspace maintenance budget each year.

2.6 Dudley Council’s requirements for s106 planning obligations are set out in the Council’s adopted Dudley Borough Development Strategy (2017)². Additional guidance is available in the Planning Obligations Supplementary Planning Document³.

Community Infrastructure Levy

2.7 Unlike s106 obligations, CIL is intended to fund more generalised, strategic infrastructure requirements across the Borough in order to support new development. It is a mechanism to secure financial contributions from developers on certain viable developments and CIL monies can be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area.

2.8 CIL Rates must be set out via a published charging schedule and the Council’s latest charging schedule was adopted in July 2015 with effect from 1 October 2015. Further information can be found on the Council’s webpage⁴:

Section 278 Highway Agreements

² <https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/dudley-borough-development-strategy/>

³ <https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/planning-obligations-supplementary-planning-document/>

⁴ <https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/community-infrastructure-levy/>

2.9 Section 278 agreements (s278) under the Highways Act 1980 are legally binding agreements between the Local Highway Authority (Dudley Council) and the developer to ensure delivery of necessary highway works as a result of new development.

2.10 It may allow for items such as:

- Roundabouts;
- Priority junctions;
- Junctions with traffic lights
- Right turn lanes;
- Improved facilities for pedestrians and cyclists;
- Improvements to existing junctions;
- Traffic calming measures.

3. S106 Contributions

3.1 The total amount of s106 monies held by the Council on 31st March 2021 was £3,398,817.09.

3.2 Table 1 shows the unspent monies held by the Council.

Table 1: Total unspent S106 monies held by the Council at 31st March 2021

Money held 31 st March by allocation	Amount Held
Open Space	£ 655,082.81
Open Space Maintenance	£ 405,511.38
Nature Conservation	£ 62,559.68
Public Realm	£ 169,201.96
Transportation	£ 134,226.71
Affordable Housing	£ 266,728.55
Education	£1,705,506.00
Total	£3,398,817.09

3.3 As at 31st March 2021, there were no monies transferred to external bodies.

Financial contributions agreed in 2020/21 through s106 Agreements

3.4 There were three s106 agreements made in 2020-2021 which was for the provision of 372 on-site affordable housing units (25% or 100% of total provision) see section 3.9 below.

Monies received in 2020/2021 to be spent by the Council

3.5 There was £1,707,506.00 s106 income received by the Council in 2020/2021.

S106 monies spent in 2020/2021 by the Council

3.6 A total of £331,003.00 was spent by the Council during the 2020-2021 financial year as shown in Table 2.

Table 2: Total S106 monies spent in 2020-2021

Monies agreed in 2019/20	Amount
Open Space	£278,301.15
Open Space Maintenance	£ 48,671.48
Public Realm	£ 4,030.50
Total	£331,003.13

Monies allocated in 2020-2021 which has not been spent

3.7 Table 3 shows the amount of s106 monies that were allocated to specific projects but not yet spent. This refers to s106 monies received historically and not just in 2020-21. At the end of the 2020/21 financial year there was £1,599,536.86 of s106 monies allocated to specific projects but had not yet been spent.

Table 3: S106 monies allocated to specific projects in 2020-2021 but not yet spent

Monies agreed in 2019/20	Amount
Open Space / Open Space Maintenance	£ 412,340.50
Nature Conservation	£ 56,209.39
Public Realm	£ 226.50
Transportation	£ 143,226.71
Affordable Housing	£ 266,728.55
Education	£1,705,506.00 (allocation of funds under consideration)
Total	£2,584,237.65

- 3.8 Moving forward, subsequent Infrastructure Funding Statements will report on any monies that have been transferred to other external bodies.

Non-Monetary contributions agreed in 2020-21 through s106 Agreements

- 3.9 The Council agreed three s106 agreements in 2020-21 which involved a non-monetary agreement. This was for the provision of 372 on-site affordable housing units (either 25% or 100% of total provision), as part of the overall provision of units in connection with planning application(s) P20/0653 – vacant land at 280 Stourbridge Road, Dudley, P19/1625 – vacant car park at Waterfront Way, Brierley Hill and P20/0448 – former industrial site at St Peter’s Road, Dudley.

4. Section 278 Projects in 2020/21

4.1 The following table sets out the works carried in the Borough under s278 agreements in the 2020/21 monitoring year.

Table 4: S278 Projects in 2020/21

Development Site	Summary of s278 works	Amount
Cakemore Road / Nimmings Road, Halesowen	Construction new arm off existing roundabout to facilitate new housing estate	£220,888.45
Darkhouse Lane, Coseley	Implementation of local safety scheme as part of the new housing estate	£104,266.15
Tansey Green Road, Pensnett	Construction of new roundabout to facilitate entrance to new housing estate	£329,429.24
Bean Road / Birmingham New Road, Dudley	Implementation of new traffic signals at this junction to facilitate new housing estate	£150,000.00
Cochrane Road / Vine Street, Brierley Hill	Construction of carriageway build-outs adjacent to new housing estate	£400,908.75
Sandvik, Manor Way, Halesowen	The creation of new entrances for business and residential premises	£335,445.11
Birmingham New Road junction with Priory Road, Dudley	Extension of right-hand turn lane into Priory Road	£65,067.17
Ridge Hill, off Brierley Hill Road, Wordsley	Amendment to existing entrance to create a bell mouth to new housing estate	£69,225.01

4.2 Table 5 below sets out the s278 highway works to be delivered as part of future developments in the Borough which will be implemented should development progress as planned.

Table 5: S278 Committed Projects in future years

Development Site	Summary of s278 works	Amount
Zoar Street, Gornal	Implementation of pedestrian crossing facilities to support the new food store	TBC
Old Wharf Road, Stourbridge	Re-configuring of traffic signals and pedestrian facilities at this junction	TBC
Stallings Lane, Pensnett	To construct a new roundabout to facilitate new housing estate and industrial premises	TBC
Bourne Street, Woodsetton	Implementation of traffic calming features in conjunction with new residential estate	TBC
Stourbridge Road / Bull Street, Dudley	Re-alignment of Bull Street and implementation of pedestrian facility on Stourbridge Road	TBC
Balds Lane, Lye	Re-alignment of Balds Lane / Gibbs Road junction and introduction of pedestrian crossing facility	TBC
Bowling Green Road, Stourbridge	Implementation of traffic calming features	TBC

5 Community Infrastructure Levy (CIL) Contributions

5.1 CIL was introduced by Dudley Council on 1st October 2015. The intention was to raise levies from the anticipated housing and retail developments. CIL differs from s106 planning obligations as it addresses infrastructure shortfalls and funds can be combined in a way to address these gaps.

5.2 In accordance with CIL Regulations, Cabinet approved the process for the allocation and spend of CIL monies at its meeting on the 26th October 2016. In relation to the spend of CIL receipts, the CIL Regulations require that they are split into 3 categories, as follows:

Capital and Revenue Infrastructure Funding	80%
Neighbourhood Funding	15% (capped at £100 per dwelling place)
Administrative Expenses	Up to 5%

5.3 By the 31st March 2021 a total of £1,253,331.34 receipts had been received as shown in Table 6 below.

Table 6: Total CIL receipts received by 31st March 2021

Year	CIL Income Received	5% Admin	15% Neighbourhood Funding	80% for Reg 123 funding allocation
2016/17	£75,630.74	£3,781.54	£11,344.61	£60,504.59
2017/18	£78,936.09	£3,946.80	£11,840.41	£63,148.87
2018/19	£442,726.11	£22,136.31	£66,408.92	£354,180.89
2019/20	£193,353.19	£9,667.66	£29,002.98	£154,682.55
2020/21	£462,685.21	£23,134.26	£69,402.78	£370,148.17
Total	£1,253,331.34	£62,666.57	£187,999.70	£1,002,665.07

Unallocated receipts from previous years

5.4 Any Council that implements CIL was previously required to have a Regulation 123 List. This is a list of specific costed projects and types of infrastructure that have been identified by various providers across the Borough as candidates to be funded or part funded by CIL monies. It should be noted that inclusion on the List does not guarantee that CIL monies will, in the future, be allocated to the project; however, CIL monies cannot be allocated to a project that is not included on the List.

5.5 As of 31st March 2021, £580,185.91 had been allocated to seven projects. The total amount of CIL carry forward to 2021-2022 financial year was £422,479.16.

Total value of demand notices issued in 2020-21

5.6 National guidance suggests that Councils should consider reporting on estimated future income where possible. Table 7 shows the number of demand notices issued in the 2020-2021 financial year and the contribution required from each planning application which totalled **£413,319.63**. This provides an indication of how much CIL funding could be paid to the Council in future financial years if development is completed.

Table 7: Summary of total demand notices issued between 2020–2021

Planning Reference	Site of CIL Contribution	CIL Demand Notice
P18/0715	Land Adjacent to Lowndes Rd / Birch Drive, Stourbridge	£300,657.97 + £2,500 surcharge
P20/0182	Land between New House and Brooklands, Wartell Bank, Kingswinford	£995.49
P19/0352	Vacant land at Kingswinford Service Station, Stream Road, Kingswinford	£34,845.00
P18/0854	Unit 1, 49 High Street, Dudley	£11,972.16 + £2,394.43 surcharge
P19/0976	Car park adjacent to Pedmore Road, Merry Hill, Brierley Hill	£16,690.56
P19/1581	Vacant land adjacent to Willow House, Green Lane, Kingswinford	£4,461.32
P20/0578	17 Beaumont Road, Halesowen	£1,596.50
P16/1072	Mount Pleasant Inn, Cot Lane, Kingswinford	£37,206.20
Total		£413,319.63

Total CIL Receipts received in 2020-2021

- 5.7 Table 8a lists the CIL receipts (monies) received in the 2020-2021 financial year with details of how this was broken down into the various components of CIL funding in Table 8b.

Table 8a: Total CIL receipts received in 2020 – 2021

Planning Reference	Site of CIL Contribution	CIL Demand Notice
P16/1508	81 Narrow Lane, Halesowen	£14,587.46
P17/1496	208-212 Cot Lane, Kingswinford	£33,066.81
P17/0164	The Good Intent, Vale Street, Upper Gornal	£5,544.95
P15/1401	28A Cloister Drive, Halesowen	£9,750.00
P16/1072	Mount Pleasant Inn, Cot Lane, Kingswinford	£37,206.20
P20/0578	17 Beaumont Road, Halesowen	£1,596.50
P19/1581	Vacant land adjacent to Willow House, Green Lane, Kingswinford	£4,671.32
P15/0501	Ashwood Inn, Sandringham Road, Wordsley	£26,601.86
P15/1043	The Summer House, 67 Sedgley Road, Tipton	£454.27
P17/1672	Garages rear of 66 Bowling Green Road, Stourbridge	£23,650.28 (final payments)
P18/0715	Land adjacent Lowndes Road, Wollaston	£200,000.00 (partial payment)
P19/0626	Vacant Longlands School, Bowling Green Road, Stourbridge	£80,000.00 (partial payment)
P19/0976	Car park adjacent to Pedmore Road, Merry Hill, Brierley Hill	£16,960.56
P19/0352	Vacant land at Kingswinford Service Station, Stream Road, Kingswinford	£8,595.00 (partial payment)
Total		£462,685.21

Table 8b: Breakdown of CIL receipts received in 2020-2021

CIL Breakdown	Total
Administration – 5% of total CIL received	£23,134.26
Neighbourhood element of CIL - 15% of total CIL received	£69,402.78
Infrastructure monies – 80% of total CIL received	£370,148.17
Total	£462,685.21

CIL receipts allocated and spent in 2020-2021

- 5.9 There were three CIL receipts spent in 2020-2021 as shown in Table 9. There were two CIL receipts allocated in 2020-2021 as shown in Table 10.

Table 9: CIL receipts spent in 2020-2021

Scheme	Amount Allocated
CIL receipt to Waterfront Media CIC – new digital equipment	£8,367.81
CIL receipt to Canal and River Trust – Blackbrook Junction Bridge improvements	£30,000.00
CIL receipt to Friends of Mary Stevens Park – new play area equipment	£72,318.00
Total	£110,685.81

Table 10: CIL receipts allocated in 2020-2021

Scheme	Amount Allocated
Allocation to Shell Corner Partnership – public realm improvements	£60,000.00
Total	£60,000.00
Previous Allocations	
Allocation to Dudley MBC Borough Artist - erection of the Round Oak Steelworks Memorial (Public Art)	£44,500.00
Allocation to Dudley MBC Project Engineer - flood management and sustainable drainage scheme at Delph Road and Turners Lane	£200,000.00
Allocation to Dudley MBC Design & Delivery- woodland project at Castle Hill and Peggy's Meadow	£165,000.00
Total	£409,500.00

Neighbourhood Funding portion of CIL

- 5.10 The Neighbourhood Funding portion of CIL is required to be spent in consultation with the community using existing community consultation and engagement processes. No monies have been allocated as part of the CIL Neighbourhood Funding process.

Amount of CIL spent on administration costs

5.11 A total of £23,134.26 was received for CIL administration, all of which has been spent on that purpose. It should be noted that this amount does not cover the total cost of delivering the Council's CIL administration service during 2020-2021.

6. Infrastructure Projects 2021-2022

- 6.1 This infrastructure statement is a 'living' document and will be the subject of on-going update and monitoring during 2022. Officers have assessed the projects that were included on the previous Regulation 123 List and those to be taken forward have been transferred. The List was updated in early 2020 and new schemes have been added. However, it should be noted that inclusion of any type of infrastructure in the Infrastructure Funding Statement does not signify a commitment from the Council to deliver or fund, either in whole or in part, this type of infrastructure through CIL. Nor does the order of the table imply any order of preference or weighting of infrastructure. The process of governance for CIL expenditure will be carried out separately whilst having regards to the Infrastructure Funding Statement.
- 6.2 It is generally expected that Developer Contributions: CIL and Planning obligations (s106) will only provide a contribution to funding the infrastructure costs. Alongside this funding, there are mainstream sources of funding available to support delivery, including sources of funding for transport, utilities infrastructure, education and health.
- 6.3 There are several key infrastructure projects which were previously included on the Regulation 123 List with funding gaps of over £1million. These strategic projects form part of the Infrastructure Delivery Plan to support the growth and infrastructure requirements of the Core Strategy and the Area Action Plans for Brierley Hill, Stourbridge, Halesowen and Dudley. It is unlikely that, with the current allocation process and projected CIL receipts, there will be enough funds in the pot at any one time to allow these projects to apply for funding. For this reason, a total of 10% will be taken from the Capital and Revenue Infrastructure Funding budget (currently 80% of total CIL receipts) and kept aside until it reaches £1million – or a significant figure to be reviewed annually - to allow larger strategic infrastructure projects to apply for funding through the CIL process. This will apply to all CIL receipts received by the Council from January 2021. Examples of large projects include:
- Strategic highway corridor enhancements (A4101/A461);
 - Improvements to pedestrian and cycle networks of the River Stour;
 - Library building refurbishments; and
 - Town centre public realm implementation and maintenance – Halesowen, Stourbridge, Dudley & Brierley Hill.
- 6.4 Moving forward, the Council will review the Infrastructure List on an annual basis. A consultation will be undertaken with key infrastructure providers requesting project submission forms to be completed (See Appendix One). The submitted forms will be assessed against the criteria set out in Table 10 below to determine their suitability. For a project to be added to the Infrastructure List it will be required to satisfy all six criteria. Where a significant number of submissions are received, it may be necessary for the list to be amended to only include projects that enable significant infrastructure delivery to support the borough's growth agenda and support the strategic infrastructure requirements of the emerging Draft Black Country Plan.

Table 11: Criteria for Assessing Infrastructure Funding Statement Projects

Criteria	Pass/Fail	Evidence
Is the project a Strategic Priority/Local Priority?		Strategic Boroughwide Priority – Local Plan/Corporate Plan Local Plan – Area Action Plan
Is the infrastructure project essential or significant in supporting new development in the Borough?		Is the project consistent with the Development Plan/Referenced in the Dudley Development Strategy or emerging Draft Black Country Plan?
Are there any constraints which will impact on the delivery of the infrastructure?		Projects that have no, major or moderate constraint will be considered for inclusion
Amount of CIL contribution sought		Details of the budget gap and confirmation no other capital funding source can be identified. Details of any S106 funds to be provided
Has the project identified match funding?		Has this been secured and details?
Timeline for delivery (start and end)		Detailed project plan or timeline demonstrating the project is feasible

7. CIL Spending Process

7.1 In accordance with CIL Regulations, Dudley's spend of CIL receipts, is split into 3 categories, as follows:

Capital and Revenue Infrastructure Funding	80% of total receipts with 10% to be retained for major infrastructure projects from 1 st January 2021
Neighbourhood Funding	15% of total receipts (capped at £100 per dwelling place)
Administrative Expenses	Up to 5% of total receipts

7.2 The amount of CIL funds will be reviewed at the start of each financial year and the following process for the allocation of CIL Funds will be applied:

1. At the start of each financial year, the Council will consult infrastructure providers across the Borough and invite infrastructure project submissions (See Appendix One).
2. All submissions will be assessed by officers against the infrastructure Criteria in Table 10, to determine their eligibility for inclusion on the Infrastructure List. All existing projects will be reviewed on an annual basis. (June–July)
3. Following the assessment of eligibility, the Infrastructure Funding Statement and List will be updated. This will be reported to the Regeneration and Enterprise Strategy Group (RESG), who subject to Cabinet Member sign off, will make recommendations to Cabinet on the content of the Infrastructure Funding Statement. Updated Infrastructure Funding Statement and infrastructure list will be submitted to Cabinet for approval (Autumn).
4. Following Cabinet approval, an assessment of projects within the Infrastructure Funding Statement will be undertaken for potential CIL allocation. This process will follow the eligibility criteria as set out in Appendix Two. Where a significant number of projects are considered to meet all the criteria in a particular year it may be necessary to only include those projects that include the most impact and which can be delivered in the short-term.
5. Proposed CIL allocations will be reported to the RESG for consideration, and subject to Cabinet Member sign off, recommendations will be made to Cabinet for any proposed CIL spend. In addition, RESG can may make the decision not to allocate funds in a particular year if it is felt necessary to retain funds for future expenditure on larger infrastructure projects. Recommendations on proposed CIL allocations will be presented to Cabinet for approval each December.

Table 12: Infrastructure List

	Infrastructure Type or Project	Approximate Funding Gap
Transport	Dudley Town Centre Traffic Management Plan	£2,000,000
	Dudley Town Centre Highway Improvements	£7,000,000
	Dudley Interchange / Bus Station	£4,800,000
	Sprint (Quinton – Halesowen)	£3,900,000
	Interchange Information Upgrades	£150,000
	Roadside Bus Infrastructure Investment	£1,900,000
	On street electronic public transport information	£345,000
	Dudley Borough Traffic Signal Upgrade Programme	£2,000,000
	A4101/A461 Strategic Highway Corridor Enhancements	£20,000,000
	A4123 corridor Improvements	£20,000,000 - £30,000,000
	A456 corridor Improvements	£12,000,000
	Walking & Cycling Connectivity Package	£15,000,000
	Dudley Borough Highways Structures Package	£7,000,000
	WBHE Metro sustainable connectivity package	£3,000,000
	Dudley Town Centre Interchange public realm integration package	£8,000,000
	Dudley Local Cycling and Walking Infrastructure Plan (LCWIP) Coseley to Tipton	£1,950,000
	Dudley Integrated Transport Block – to support growth, carbon reduction, productivity and levelling up	£40,000,000 - £50,000,000
Walsall to Stourbridge rapid transit route	£20,000,000	
OZEV ORCS to include the implementation of approximately 200 public electric vehicle charging sockets	£35,000	

	Infrastructure Type or Project	Approximate Funding Gap
Transport Exclusions	Transport related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Nature Conservation Exclusions	Nature Conservation related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Public Realm	District and local centres public realm improvement projects	Approximately £600,000 per location
	Tree planting and public realm improvements in Lower High Street and Coventry Street, Stourbridge	£70,000
	Pedestrian and public realm improvements in High Street and Market Street, Stourbridge	£7,000,000
	Environment improvements including laneway development, streetscape improvements and tactical urbanism in local centres	£500,000
	Stourbridge pocket parks – new public open space/plaza at Lower High Street, Ryemarket and linking the bus station to the town centre	£100,000 per location
	Castle Hill Vision – restoration of Dudley Castle, Zoo, woodland, and connection to the town centre	£20,000,000
	Leasowes Vision – develop and deliver restoration of The Leasowes	£5,000,000
Public Realm Exclusions	Public Realm related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Public Realm Maintenance Exclusions	Public Realm maintenance related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Dudley Group NHS Foundation Trust	Additional bed base at Russells Hall Hospital (RHH)	£4,000,000
	Hybrid theatre at RHH	£5,000,000
	Additional day case facilities at RHH	£1,000,000
	Maternity at RHH	£2,000,000

Infrastructure Type or Project		Approximate Funding Gap
	Additional CT & MRI Scanning and facilities at RHH	£4,000,000
	Outpatient expansion	£3,500,000
	Mortuary facilities at RHH	£750,000
	Paediatrics at RHH	£2,500,000
	Pharmacy at RHH	£1,000,000
Air Quality Exclusions	Air Quality related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Canals and Rivers	SC1 Brierley Hill Strategic Centre: <u>Access Enhancements:</u> - There is potential for a new access to be created at Pedmore Road Bridge (Dudley No1 Canal) on the west side of the bridge to create a DDA compliant access. Currently there is poor access off dual carriageway which is only on one side of the road. This connects to NCN54.	£100,000-£150,000
	Regeneration Corridor 11a: Dudley Town Centre <u>Towpath Enhancements:</u> - Full refurbishment of towpath which carries NCN 54 using high quality materials at Delph Locks to Level Street (Dudley No1 canal) approximately 760m	£190,000
	Full refurbishment using high quality materials at Pear Tree Lane, northwards to former railway viaduct, and adjacent to Parkhead Locks (Dudley No1 Canal) and which carries NCN 54.	£100,000
	Full refurbishment of towpath at Blowers Green, to the section at Bumble Hole.	£1,045,000
	<u>Access Enhancements:</u> - There is potential for a new access at Ninelock Bridge/Delph Lock 1, Mill Street Brierley Hill on the north side of the bridge. There is currently very poor access from major road in the town. This connects to NCN54	£100,000+
<u>Bridge/Lock Enhancements:</u> - Painting and refurbishment of iconic cast Grade II cast iron bridge, Woodside Junction Bridge (Dudley No1 Canal)	£15,000-£30,000	

Infrastructure Type or Project	Approximate Funding Gap
<p>Painting and refurbishment of historic bridge, Pear Tree Roving Bridge, off Pear Tree Lane, (Dudley No1 Canal) Re-paving of lock quadrants at Delph Locks, Brierley Hill. All Grade II listed</p> <p>Stabilisation/repair of former bridge brickwork / stonework abutments, off Narrowboat Way, (Dudley No2 Canal)</p>	<p>£15,000-£30,000</p> <p>£15,000-£30,000</p>
<p>Regeneration Corridor 11b – Brierley Hill to Stourbridge</p> <p><u>Access Enhancements:</u> - Longboat Lane (Stourbridge Town Arm Canal) - Improvements needed to existing canal access on west side of the bridge and potential to make DDA compliant</p> <p>Wollaston Road (Stourbridge Town Arm Canal) - Improvements need to existing canal accesses both side of the road.</p> <p>Masterplan to identify the extent and magnitude of works required to Canal Street, Stourbridge.</p> <p><u>Bridge/Lock Enhancements:</u> - Refurbishment to the listed stable block at Delph Locks.</p>	<p>£100,000-£200,000</p> <p>£100,000-£200,000</p> <p>£20,000</p> <p>£100,000 - £200,00</p>
<p>Regeneration Corridor 14 – Coombeswood to Halesowen</p> <p><u>Towpath Enhancements:</u> - Dudley No2 Canal, full refurbishment of towpath and access from Coombes Road southwards to Chancel Way, Halesowen, using high quality materials approximately 840m. Provision of a ramp from Coombeswood Way to Gosty Hill.</p>	<p>£400,000 - £430,000</p>
<p>Regeneration Corridor 16 –Coseley-Tipton-Princes End</p> <p><u>Bridge/Tunnel Enhancements:</u> - Feasibility study to assess works to re-lay and improve historic paving, improve balustrade in Coseley Tunnel which carries NCN 81</p>	<p>£50,000</p>

Infrastructure Type or Project		Approximate Funding Gap
	<u>Access Enhancements:</u> - New access ramp from Henne Drive to canal level	£200,000-£300,000
Canals and Rivers Exclusions	Canal and River related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Libraries, Archives and Adult Learning Exclusions	Library, Archives and Adult Learning related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Public Art	Covid-19 community pandemic memorial in two locations (Halesowen and Brierley Hill)	£120,000
	Stour Bridge Project – parapet enhancement with associated celebration of Monarchs Way	£60,000
	Saltwells Local Nature Reserve – new public art entrance gateway for pedestrians and cyclists from Pedmore Road	£80,000
	10 walls murals programme – providing environment improvement with contemporary public art	£200,000
Public Art Exclusions	Public Art related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Flood Management & Sustainable Drainage Exclusions	Flood Management and Sustainable Drainage related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Open Space, Sport and Recreation Exclusions	Open Space, Sport and Recreation related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	

	Infrastructure Type or Project	Approximate Funding Gap
Leisure Exclusions	Leisure related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Education	As and when borough-wide specific education infrastructure projects are identified and costed, they will be added to this Infrastructure Funding Statement. Any projects listed would thus not be funded through Planning Obligations.	
Education Exclusions	All other site-specific Education requirements as identified in a site-specific assessment as part of an individual planning application.	
Other Community Infrastructure Exclusions	Community Infrastructure related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	
Heritage Infrastructure	Wollaston Hall walled garden restoration and repair (final section)	£170,000
Heritage Infrastructure Exclusions	Heritage related mitigation measures required to make a development proposal satisfactory in planning terms will be excluded	

New comparison retail development at Merry Hill and Waterfront that would trigger infrastructure requirements as set out within Core Strategy policy CEN3 is to be delivered primarily through the use of Legal Agreements and not through CIL.

Where site-specific exclusions are identified, they will be subject to statutory tests set out under Regulation 122 of the Community Infrastructure Regulations 2010 (as amended), which stipulates the following:

A Planning Obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- a) Necessary to make the development acceptable in planning terms;*
- b) Directly related to the development; and*
- c) Fairly and reasonably related in scale and kind to the development.*



Infrastructure Project Submission Form

Section 1 – Your organisation	
Name of organisation:	
Name of principal contact:	
Address:	
Postcode:	
Telephone:	
Email:	
Section 2: - About your Infrastructure Project	
Details of Project Title	
Please provide brief description of the infrastructure project and the scale of the proposal	
Please provide details of the project location and provide a relevant location plan	
Section 3: Benefits of the Infrastructure Project	
Is the infrastructure/project consistent with strategic/local plans? For example, would the project meet the priorities of the Black Country Plan, Area Actions Plans, Dudley Borough Development Strategy? If yes, please provide full details	
Is the project essential to support new development within Dudley?	
Has the project been subject to any consultation and/or endorsement?	
Section 4: Costs	
What is the total capital cost of the infrastructure/project (to include VAT)? Please include details of costing plans and associated phasing	

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What is the amount of funding that you are requesting (to include VAT)?

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Please could you provide evidence to justify the amount requested, please see Section 8.

Does the infrastructure/project attract match funding? If yes, please provide full details

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What is the capital funding gap?

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Have you applied for/or received any funding for this infrastructure/project from elsewhere? If yes, please provide full details

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Is there any additional funding requirement for maintenance of the infrastructure/project? If yes, please provide full details

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Section 3 - Delivery

Please can you provide a timescale for the delivery of the infrastructure/project? For example, details of when the infrastructure/project will commence and finish or if work has already started on the project?

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Would the funding request result in completion of the infrastructure/project?

Yes No

Are there any significant issues that could impact delivery? For example, land ownership, remediation, reliance on other organisations/projects?

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Does the project assist in unlocking future development? For example, does the project help bring forward a development site?

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Section 4 - Wider Benefits and implications

Has the project already benefited from stakeholder engagement? If yes, please provide full details

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Is there evidence to show that the project is meeting a local need or demand in the community? If yes, please provide full details

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Will the implementation of the project benefit the wider community? For example, create jobs, enhance community facilities?

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Would the project improve equality within the wider community? For example, would the proposal help to tackle discrimination, advance equality of opportunity or foster good relations between different protected groups? (i.e. age, disability, gender, pregnancy & maternity, race, religion or belief, sex or sexual orientation)

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Section 6 – Do you have the necessary permission to undertake this project?

Does your project depend on permission (e.g. planning permission/complying with a planning condition) being given by any other person or organisation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If your project involves improvements or enhancements to land or buildings, do you have permission to do this?	Yes <input type="checkbox"/> No <input type="checkbox"/>

If you have answered yes to any of the above, please provide details below: -

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Section 7 - Payment of funding

Payment will depend on you providing a copy of the suppliers/contractor's invoice or receipt to evidence the cost of the infrastructure required.

With most projects payment will be made on completion of the project. Any exceptions to this will be considered on a case-by-case basis. If you require payment prior to the project's commencement/completion, please could you provide details below and justification.

Section 8 - Documents to support your application

Please could you provide the following details of the infrastructure/project:

- Description: indicating scale, nature and formal approval of the project including a location plan.
- Timescale for delivery.
- Detail of match funding or other applications relating to the project.
- Other organisations, development and plans that the project relates to.
- Evidence to justify the amount requested for the infrastructure/project. This could be a quote(s) from a reputable supplier(s) for the items requested.

Note: To comply with the Council's rules and ensure value for money, the following must be provided:

Infrastructure projects requiring up to £500 – at least one verbal quotation recorded in writing.

Infrastructure projects requiring between a value of £500 and £1,500 – at least two verbal quotations, recorded in writing

Infrastructure projects requiring between a value of £1, 500 and £5, 000 – 3 verbal quotations recorded in writing.

Infrastructure projects requiring between a value of £5,000 - £75,000 – 3 written quotations.

Section 9 – Declaration

- To the best of my knowledge, the information provided in this application is correct.
- I have enclosed all the documents requested under Section 8.
- I agree to provide any extra information that the Council may require.
- If a funding allocation is approved, I agree that the organisation will use it only for the purpose stated and understand that Council officers may inspect the goods/equipment.
- I agree to ensure that any goods/equipment funded are sufficiently insured.
- I agree that the Council's internal and external auditors have the right to inspect any related documentation.
- I agree to withdraw, modify or repay part or all of the allocation if funding is not spent in the agreed timescale or has been awarded based on misleading or inaccurate information.

Signature: _____

Position in Organisation: _____ Date: _____

Information that you provide on this form is subject to the provisions of the Data Protection Act 1998. We may share this information with the general public which may include publication on the Council's website as part of the statutory requirements under the Planning and Compulsory Purchase Act 2004 and the Community Infrastructure Regulations 2010 (as amended).

Please return this form by xxxxx together with the other requested documents to:

By email: development.control@dudley.gov.uk

By post: Planning Services, 4 Ednam Road, Dudley, West Midlands, DY1 1HL

Appendix Two

CIL Funding Criteria for assessing infrastructure project funding requests

Category	Criteria	Assessment
Funding	Does the Project attract match funding?	Match Funding is simply leveraging a financial commitment towards the cost of the project from a source other than and in addition to CIL funding. Additional funding can make a project more deliverable and appealing.
	Is there an additional funding requirement for maintenance of the project?	Maintenance costs to maintain a project following completion can be hefty, for instance in public realm instances. If additional on-going maintenance is required, it is unlikely that the Council would be able to fund this out of its own reserves.
	Has it been demonstrated that without CIL funding the infrastructure would not be delivered e.g. have all funding sources been explored	Preference will be given to projects where it can be demonstrated that the only guarantee of delivery is with CIL funding.
Delivery	Can the infrastructure be delivered now?	There would be no issues with land ownership or site restraints, the project would be consistent with policy and ideally have planning consent.
		Minor issues could include any of the above, but they are surmountable and there is a commitment to release the site.
		Significant issues could include; landownership issues, remediation issues, reliant on other projects, reliant on other partners, not consistent with planning policy.
Wider Benefits and implications	Are there specific implications or risks if this project does not come forward?	Strategic risks would be those that would undermine the strategy for the Borough
		A major risk would be one that prevents a specific scheme coming forward
		Minor risks of non-delivery are local and non-widespread
	Has the project already benefited from stakeholder engagement?	Early engagement allows stakeholders to influence the project & iron out potential barriers. It ensures that the potential project is serving the needs of the community and they are aware of how they can input into the project preparation or implementation.
	Will the implementation of project create new local jobs?	Infrastructure projects can provide benefits to communities and help in delivering the objectives of Council and stakeholder plans
	Is there evidence to show that the project is meeting a local need or demand?	It should be demonstrated that the project is fulfilling a need or demand and where possible that this is for the benefit of the wider community and not a select few,
Does the proposal have a positive impact on equality?	Does the proposal help to tackle discrimination or disadvantage, advance equality of opportunity or foster good relations between different protected groups? (i.e. age, disability, gender, pregnancy & maternity, race, religion or belief, sex or sexual orientation)	
Corporate fit	Is the project consistent with strategic and local plans	Non-consistency risks non-approval and resource wastage.