Committee(s): Policy and Resources Committee - For Decision	Dated: 13/02/2025			
Subject: CIL and OSPR Capital Bids (Quarter 3 - 2024/25)	Public			
This proposal:	The proposals in this report will help to deliver: • Leading sustainable environment • Vibrant thriving destination • Providing excellent services • Flourishing public spaces Providing street cleansing and highways maintenance functions are statutory duties.			
Does this proposal require extra revenue and/or capital spending?	Yes - subject to decisions agreed, ring-fenced monies held will be committed to future approvals			
If so, how much?	£4,004,000 OSPR up to 2028/29; £653,000 per annum in subsequent years,			
What is the source of Funding?	City Fund (OSPR) and			
Has this Funding Source been agreed with the Chamberlain's Department?	Yes			
Report of: Katie Stewart, Executive Director, Environment, and Caroline Al-Beyerty, Chamberlain Report author: Rob McNicol, Assistant Director – planning policy & strategy	For Decision			

Summary

Resource Allocation Sub-Committee and Policy and Resources Committee are asked to consider bids for allocation from the City's On-Street Parking Reserves (OSPR). Bids for the infrastructure projects listed in this report have been received and are put before Members for consideration for funding in financial years 2024/25 to 2028/29.

For OSPR funding within City Fund four bids were received. One bid that was received is to be considered under the non-public section of the meetings. All three bids – for the Moorgate corridor, highways contract funding allocation uplift and street cleansing

resources annual contractual uplift – are recommended to be funded from OSPR. These bids have been considered by the Priorities Board on 14th November 2024 and are all recommended for approval.

Recommendation(s)

Members are asked to:

- Recommend and approve (Policy and Resources Committee (P&R)) the following allocations:
 - £1,500,000 for the Moorgate corridor (OSPR)
 - £300,000 for the highways contract funding allocation uplift (OSPR) in 2025/26 and ongoing on an annual basis
 - £245,000 for the street cleansing resources annual contractual uplift (OSPR) in 2025/26, and £353,000 in 2026/27, continued on an ongoing basis in subsequent years.

Main Report

Background

CIL funding criteria and prioritisation

- 1. The Community Infrastructure Levy (CIL) Regulations 2010 require the City Corporation (as a CIL charging authority) to apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. National Planning Practice Guidance provides that "Local authorities must spend the levy on infrastructure needed to support the development of their area and they will decide what infrastructure is needed. The Levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support the development."
- 2. "Infrastructure" is defined by Section 216 of the Planning Act 2008 to include:
 - roads and other transport facilities.
 - flood defences.
 - schools and other educational facilities.
 - medical facilities.
 - · sporting and recreational facilities; and
 - open spaces.
- 3. To be allocated funding, CIL bids will therefore need to fund projects that are (a) a type of infrastructure, and (b) needed to support the wider development of the Square Mile. Projects are categorised into one of three priorities:

Critical:

Lack of infrastructure is a physical constraint to growth; development cannot come forward if the infrastructure is not provided.

Essential:

Development cannot come forward in a sustainable and acceptable way if the infrastructure is not provided.

Important:

Development can come forward if the infrastructure is not delivered, but some sustainability goals will need to be compromised, and some adverse impacts accepted.

OSPR funding criteria

4. The On Street Parking Reserve (OSPR) has a very limited remit for allocation as set out in Section 55(3A) of the Road Traffic Regulation Act 1984 (as amended) and the London Local Authorities and Transport for London Act 2003 set out in the report.

Quarterly bids received

- Bids for the City CIL and OSPR were invited from departments in October 2024, informed by information held by the Chamberlains' department regarding funding availability. Four bids were received which are detailed in this report and summarised in Table 3 below.
- 6. Members are asked to review the four bids for OSPR funding against the OSPR funding priorities summarised in this report and detailed in Appendix 1.
- 7. The Indicative costs of agreed schemes will then be incorporated into medium term financial forecasts to assess financial impact in the context of each City Corporation fund.
- 8. Any approved bids will be required to go through City of London Corporation's gateway process before progressing to the next stage.

Current Position

- 9. At the start of financial year 2024/25, the City Corporation held an opening balance of £17.9m in General City CIL (excluding Neighbourhood CIL 15% and Admin CIL 5%).
- 10. Further CIL income of £58.6m is projected up to 2028/29 as shown in Table 1 below. Currently for 2024/25 onwards a further £57.5m has been committed to several approved schemes leaving an unallocated balance of £19m. These allocations mean that available funding is at its lowest in 2026/27, with up to £5.085m available up to the end of that year, once the contingency has been factored in. (This includes assumed allocation of funding for two CIL-funded projects Golden Lane Leisure Centre and de-installation of Sculpture in the City which have been recommended for approval by RASC and approved by Policy & Resources Committee on 12th December 2024.)

Table 1 - General CIL Financial Summary:

	Prior Years Actual/A pproved	2024/25 Forecast	2025/26 Forecast	2026/27 Forecast	2027/28 Forecast	2028/29 / Later Years	TOTAL
_	£'000	£'000	£'000	£'000	£'000	£'000	£'000
TOTAL INCOME (80% CIL - General Pot)	(78,121)	(13,302)	(10,738)	(11,123)	(11,521)	(11,934)	(136,739)

TOTAL OF CAPITAL, SRP	60,199	18,174	13,237	11,589	4,300	5,200	112,699
Contingency	0	0	2,500	2,500	0	0	5,000
DEFICIT/(SURPLUS) Brought Forward @1st April		(17,922)	(13,050)	(8,051)	(5,085)	(12,306)	(19,040)
DEFICIT/(SURPLUS) Carried Forward @ 31st March	(17,922)	(13,050)	(8,051)	(5,085)	(12,306)	(19,040)	
() = income or in hand balance							

11. As of 6th November 2024, the City held an opening balance for 2024/25 of £58.6m in OSPR. Further OSPR surplus monies of £51.6m are projected up to 2028/29, as shown in Table 2 below. Currently for 2024/25 onwards, £97.4m has been committed to approved schemes, therefore unallocated funding of £12.8m (forecast until 2028/29) is still available to be allocated to new schemes.

Table 2 - OSPR Financial Summary:

	2023/24 Actual £'000	2024/25 Forecast £'000	2025/26 Forecast £'000	2026/27 Forecast £'000	2027/28 Forecast £'000	2028/29 Forecast £'000	TOTAL
Expenditure - salaries, enforcement contract, other running expenses	2,771	4,022	4,095	4,218	4,344	4,475	23,925
Income - PCN's, parking meters, suspended bays, dispensations NET REVENUE SURPLUS GENERATED IN YEAR	(12,991) (10,220)	(13,987) (9,965)	(14,037) (9,942)	(14,458) (10,240)	(14,892) (10,547)	(15,339) (10,864)	(85,704) (61,779)
TOTAL OF CAPITAL, SRP & REVENUE COMMITMENTS	7,085	14,233	13,280	5,440	2,766	2,783	45,588
TOTAL BIDS (AGREED BY PRIORITIES BOARD)	725	15,084	11,827	8,276	3,602	4,221	43,734
TOTAL CAPITAL BIDS & MAJOR SCHEME DEPENDENCIES AND ON- HOLD	0	2,638	5,145	2,300	5,797	0	15,880
DEFICIT/(SURPLUS) Brought Forward @1st April	(56,218)	(58,628)	(36,639)	(16,329)	(10,553)	(8,936)	
DEFICIT/(SURPLUS) Carried Forward @ 31st March	(58,628)	(36,639)	(16,329)	(10,553)	(8,936)	(12,796)	

12. It should be noted that these figures are based on projected future income levels and will need to be reviewed regularly. Additionally, the CIL and OSPR ring-fenced funds cannot move into a deficit position in any one financial year. Phasing of schemes will be crucial to avoid this happening. Officers are of the view that a sufficient contingency is retained unallocated across all years to minimise the risk of a deficit position. A contingency in CIL funds of approximately £5m would be roughly equivalent to a 25% reduction in forecast CIL income for the next two consecutive years.

Bid Summary – OSPR Bids

13. Table 3 below summarises the bids received against the criterion set out in Appendix 1 for OSPR funding. Further details in relation to each bid is set out in Appendix 2.

Table 3 – OSPR Project Bids - Quarter 3 (2024/25):

Proposed Bid	OSPR requested £	Funding Priority
Moorgate Corridor	£1,500,000	OSPR - environmental improvements projects
Highways Contract Funding Allocation Uplift	£1,200,000 (up to 2028/29)	OSPR - environmental improvements projects
Street Cleansing Resources Annual Contractual Uplift	£1,304,000 (up to 2028/29)	OSPR - environmental improvements projects
Total	£4,004,000 (up to 2028/29)	

Bid Summary

Moorgate Corridor (north of London Wall)

14. The project will deliver walking, wheeling, and cycling improvements along the Moorgate corridor between London Wall and Ropemaker Street. The design links with planned developer funded works outside 101 Moorgate, the City funded junction improvement works at the junction of Moorgate and Ropemaker Street, the City funded works at Finsbury Circus western arm and a jointly funded signalised pedestrian crossing between Finsbury Circus and Moorgate Station entrance. This bid would tie in the remaining sections of street to give a whole corridor approach look and feel.

- 15. The bid seeks £1,500,000 from OSPR (excluding the section that is covered by 101 Moorgate as a S278 project, fully funded at £380,000, which will go ahead regardless of the outcome of this BID).
- 16. Funding for the project would broadly be required as follows:

Detailed design development stage

2025/26: Q1 £25k, Q2 £25k, Q3 £25k, Q4 25K

Construction package and implementation stage

2026/27: Q1 £75k, Q2 £150k, Q3 £250k, Q4 £350k

2027/28: Q1 £575k

Highways Contract Funding Allocation Uplift

- 17. Funding from OSPR has been used for many years to reinvest back into highway maintenance work. The original £2m per annum was increased to account for rising contract costs and was set at £2.6m for the current year.
- 18. This bid seeks an additional £300,000 pa (from 2025/26 and ongoing in subsequent years) to ensure future best practice and mandatory requirements for the highway, accounting for inflationary pressures in the contract.

Street Cleansing Resources Annual Contractual Uplift

- 19. In 2023/24, it was agreed to apply £1.057M per annum from OSPR towards street cleansing costs, following previous agreed service cuts. This funding did not account for inflationary pressures, particularly relating to staffing costs, and therefore a further bid for OSPR to cover these is being made.
- 20. This bid seeks £245,000 from OSPR for 2025/26 and £353,000 from OSPR for 2026/27, continued on an ongoing basis in subsequent years.

Financial Implications

21. The projects recommended for approval would result in the following expenditure from OSPR:

• 2024/25: £25,000

• 2025/26: £1,070,000

• 2026/27: £1,478,000

• 2027/28: £1,228,000

• 2028/29: £653,000 (continued in subsequent years)

- 22. OSPR currently has forecast available unallocated funds of £12.8m up to 2028/29. If the bids were to receive full funding requested, this would reduce the OSPR available balance to £8.3m for the period up to 2028/29.
- 23. It should be noted that these figures are based on future income levels that are projections and will need to be refined each year. Furthermore, the CIL and OSPR ring-fenced funds cannot move into a deficit position in any one year, so phasing of schemes will be crucial to avoid this happening.
- 24. In relation to the use of capital receipts, whilst any investment property disposal does have a revenue impact on the medium-term financial plan (MTFP), these properties have already been assumed to be disposed of within the MTFP so this approach will not place additional pressure onto the City Fund MTFP than that already built in.

Legal implications

25. The proposed projects have been considered against the criteria for the use of OSPR and are in accordance with the Road Traffic Regulation Act 1984 and the London Local Authorities and Transport for London Act 2003.

Risk Implications

26. None

Equalities Impact

27. There are no direct equalities implications associated with the proposals within this report. Individual projects can have a positive or negative impact on equalities and each project will undertake an Equalities Impact Assessment as part of the project procedure, so that the equalities implications of the decisions to progress the projects are fully understood.

Conclusion

- 28. The requests for OSPR meet the funding priorities and are in accordance with the applicable legislation.
- Members are requested to approve the allocation of OSPR to the three bids in this report and the reallocation of existing and future capital receipts.

Rob McNicol

Assistant Director – planning policy & strategy

Email: rob.mcnicol@cityoflondon.gov.uk

Appendices

Appendix 1 – Funding Criteria

Appendix 2 – Detailed Bid Criteria

Appendix 1 - Funding Criteria

For all bids irrespective of funding sources, the Priorities Board will take account
of the extent to which projects support delivery of the Corporation's strategies and
initiatives, including the 'Climate Action Strategy - City of London' and 'Destination
City'. Bids should set out how the project would support the relevant strategic
objectives.

CIL

- 2. The Community Infrastructure Levy Regulations 2010 require the City Corporation (as a CIL charging authority) to apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. National Planning Practice Guidance provides that "Local authorities must spend the levy on infrastructure needed to support the development of their area and they will decide what infrastructure is needed. The Levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support the development." "Infrastructure" is defined by Section 216 of the Planning Act 2008 to include (a) roads and other transport facilities; (b) flood defences; (c) schools and other educational facilities; (d) medical facilities; (e) sporting and recreational facilities; and (f) open spaces.
- 3. Priorities for CIL allocations are set out in the City Corporation's Infrastructure Delivery Plan March 2024 (IDP) and are to be applied by the Priorities Board when recommending infrastructure projects.

The **CIL** funding priorities are categorised as follows:

Critical:

Lack of infrastructure is a physical constraint to growth; development cannot come forward if the infrastructure is not provided.

Essential:

Development cannot come forward in a sustainable and acceptable way if the infrastructure is not provided.

Important:

Development can come forward if the infrastructure is not delivered, but some sustainability goals will need to be compromised, and some adverse impacts accepted.

4. There are therefore two main tests that any project needs to meet to be eligible for CIL.

Test 1: Is the project a type of infrastructure?

The national Planning Practice Guidance states that:

"The levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities (for further details, see section 216(2) of the Planning Act 2008, and CIL Regulation 59, as amended by the 2012 and 2013 Regulations). This definition allows the levy to be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities."

Infrastructure of the sort envisaged by the legislation would normally serve a clear public benefit rather than being a purely private concern. Commercial ventures – such as shopping centres or offices – would not normally be considered infrastructure (for the purposes of CIL). Private housing does not fall within the definition of infrastructure. The CIL legislation also prevents the use of CIL for affordable housing.

Test 2: Is the infrastructure needed to support the development of the area?

The national Planning Practice Guidance states that:

"Local authorities must spend the levy on infrastructure needed to support the development of their area."

CIL-funded projects must therefore be necessary to support development of the area. This is a crucial test; CIL funding cannot be used to fund schemes that would not be necessary to support development. It is unlikely that projects that are seeking to maintain or repair existing infrastructure would meet this test.

This second test is reflected in the CIL funding priorities (see "CIL funding priorities", above).

Note: both Test 1 and Test 2 must be met for any project that is seeking CIL funding.

OSPR

5. On Street Parking Reserve has a very limited remit for allocation as set out in Section 55(3A) of the Road Traffic Regulation Act 1984 (as amended) and the London Local Authorities and Transport for London Act 2003 set out in the report.

The **OSPR** funding priorities are identified in legislation, which provides that any surplus not applied in the financial year may be carried forward. If it is not to be carried forward, it may be applied by the City for one or more of the following purposes: -

- a. making good to the City Fund any deficit charged to that Fund in the 4 years immediately preceding the financial year in question;
- b. meeting all or any part of the cost of the provision and maintenance by the City of off-street parking accommodation whether in the open or under cover;
- c. the making to other local authorities, or to other persons, of contributions towards the cost of the provision and maintenance by them, in the area of the local authority or elsewhere, of off-street parking accommodation whether in the open or under cover;
- d. if it appears to the City that provision in the City of further off-street parking accommodation is for the time being unnecessary or undesirable, for the following purposes, namely: -
 - meeting costs incurred, whether by the City or by some other person, in the provision or operation of, or of facilities for, public passenger transport services;
 - the purposes of a highway improvement project in the City;
 - meeting the costs incurred by the City in respect of the maintenance of roads at the public expense; and
 - for an "environmental improvement" in the City;
- e. Meeting all or any part of the cost of the doing by the City in its area of anything which facilitates the implementation of the Mayor's Transport Strategy, being specified in that strategy as a purpose for which a surplus can be applied; and
- f. making contributions to other authorities, i.e. the other London Borough Councils and Transport for London, towards the cost of their doing things upon which the City in its area could incur expenditure upon under (a)-(e) above.

Appendix 2 – Details of Bids OSPR Bids

2. Moorgate Corridor

Moorgate (north of London Wall)

The project will deliver walking, wheeling, and cycling improvements along the Moorgate corridor between London Wall and Ropemaker Street. The design links with planned developer funded works outside 101 Moorgate, the City funded junction improvement works at the junction of Moorgate / Ropemaker Street, the City funded works at Finsbury Circus western arm and a jointly funded signalised pedestrian crossing between Finsbury Circus and Moorgate Station entrance. This bid would tie in the remaining sections of street to give a whole corridor approach look and feel.

The footways along Moorgate will accommodate increased footfall from the Elizabeth Line and is part of the key walking and wheeling routes from Moorgate station towards the City Cluster and Bank. Moorgate is part of the core cycle network proposed in the Transport Strategy, linking Cycleways 1 and 4. The footway widening outside 101 Moorgate is funded by the developer and will be starting on site in Q1 2025.

Project outcomes:

- Improved accessibility with wider pavements improving the comfort of people walking and wheeling, new crossings and shorter crossing distances
- Enhanced cycle infrastructure with continuous cycle lanes
 Project commencement May 2025
 Project completion June 2027

The project supports the following priorities:

This project will support the following Transport Strategy outcomes:

- 1) The square Mile's streets are great places to walk, wheel and spend time
- 2) Street Space is used more efficiently and effectively
- 3) The Square Mile is accessible to all
- 4) People using our streets and public spaces are safe and feel safe
- 5) improve the experience of riding cycles and scooters in the City

The proposals will provide wider pavements improving accessibility, rebalancing carriageway space to provide for this and for safer cycling contributing to all of the above outcomes.

Supports Destination City by improving the arrival experience of visitors from the station, and Crossrail station exits, improving access to the City institutions such as the Barbican Centre and to Finsbury Circus Gardens. It will improve the quality of the public realm on

one of the City's primary streets and help link with the other improvements in the area that we are making.

Supports the Climate Action Strategy by improving the infrastructure that supports sustainable modes of transport

Supports SME's by improving the public realm on Moorgate, allowing for greater footfall in the area.

Residents as well as workers and visitors will enjoy the benefits of wider pavements on Moorgate as it will improve the experience of walking, wheeling and cycling on this street.

This project would complete the corridor and link the other planned and active projects on Moorfield's, Finsbury Circus Western arm, Finsbury Circus Gardens, Finsbury Circus access improvements and Ropemaker Street Junction improvements together as a whole, which contribute to the Vibrant Thriving Destination and Flourishing Public Spaces Corporate Plan outcomes

The project is at Gateway 4

Project budget - £1,500,000 Spend Profile:

2025/26 - Detailed Design Development Stage Q1 25k, Q2 25k, Q3 25k, Q4 25k

2026/27 - Construction Package and Implementation Stage Q1 75k, Q2 150k Q3 250k Q4 350k

2027/28 - Q1 575k

3. Highways Contract Funding Allocation Uplift

For many years, funding from parking tickets and parking bays has been reinvested back into in highway maintenance to underpin that service via the OSPR. Originally set at £2m pa, that contribution was increased to account for the new term contract costs, rising to £2.6m pa for this current year. In order to maintain the City's streets and footways to a consistently high standard, a further uplift must now be considered to account for additional inflationary pressures in that contract. In particular, the data suggests the number of highway defects are starting to rise as insufficient funding is available to address them, and electrical costs, particularly in the vicinity of the Barbican Estate are similarly rising beyond existing budgets. An additional funding bid is therefore requested to address this issue and to meet our statutory obligations.

Project Commencement – Apr 2025

Project Completion – Ongoing (month/year)

Highway maintenance function to ensure future best practice and mandatory requirements for the highway. Ensuring the footways and carriageway remain accessible to all. Parking reserve monies can be used for highway maintenance and management purposes.

Ensure compliance and alignment with the Transport strategy and mandatory highway requirements.

Ensure we provide well maintained and well-lit spaces to promote walking and sustainable travel for all.

The infrastructure would support all the elements mentioned including transport strategy, wayfinding, designation city and climate action strategy.

Lighting and transport strategies would be supported.

Project budget – £300,000pa (OSPR)

Spend Profile:

£300,000pa (annual revenue cost – ongoing)

4. Street Cleansing Resources Annual Contractual Uplift (OSPR)

In FY 21/22 PHES Committee agreed service cuts to the value of £1.025M mainly focussed on street cleansing resources and loss-making public conveniences. These savings were made during covid, and it was anticipated and accepted that some erosion in the levels of service would result from this reduced budget envelope.

Members subsequently raised concerns that without additional resource, the service could not deliver the quality required to support the City's strong recovery from the pandemic, particularly at evenings and weekends.

In 223/24 Environment were successful with a funding bid resource support totalling £1.057m per annum which included the delivery of enhanced staffing and resource levels (£950k per annum) and focussed primarily on the areas which were subject to the largest reduction in resources following previous service cuts - evenings and weekends. These resources were aimed at improving street cleanliness standards to support the City's ambitions around Destination City. The funding also provided a dedicated internal

staffing resource (£62k per annum) to lead on data analysis, communications and business engagement.

The funding was also be used to operate and maintain 4 uri-lifts in the City (£45k per annum) which specifically looked to address issues around ASB related to the nighttime economy.

In addition to the service reintroduction, this previous year's bid provided £356k towards the gap between centrally funded inflationary uplift of 3% and contractually required full inflationary uplift paid to Veolia, linked to RPI.

The reintroduction of this resource has been a success, performance has been monitored and reports provided to the relevant committees to demonstrate its impact. The previous funding allocation did not allow for ongoing inflationary uplifts as these are calculated on an annual basis as they are affected by City of London staff pay rises and RPI. In order to meet this inflationary uplift and continue to deliver the high levels of expected service delivery, an uplift of £245k is required for 2025/26 and a further £108k (making £353k in total) for 2026/27. This consolidated allocation would create funding certainty for the contract through to the expiry of the initial contract term with Veolia in 2027.

This figure is a maximum amount based on a 5% uplift to City of London A to C staff salaries. It should be noted that this figure has been used to estimate what the most significant funding impact on the OSPR could be. It is our understanding that the City of London have offered a 3% increase and Unions are requesting a 5.6% increase. The exact amount to be drawn down will be dependent on this figure and will be calculated once this has been agreed.

This fits under Environmental Improvements, specifically:

"Improving or maintaining the appearance or amenity of roads, land in the vicinity of roads or open land or water to which the general public has access".

Revenue funding for highway and cleansing maintenance operations.

This revenue funding will seek to maintain and enhance the appearance of streets and the cleansing standards within the City of London.

This will support Proposal 37 of the Transport Strategy:

"Ensure street cleansing regimes support the provision of a world-class public realm".

This approach was endorsed by Port Health & Environmental Services Committee on 14th November 2023.

In addition to this it supports priorities in the following way:

- Destination City - Ensuring the City has clean, well-maintained streets is essential to

creating and an Environment and place which people want to visit

- Green City/CAS Sustainably managing street litter
- Tech City The cleansing service is data rich and uses technology to ensure the services are optimised
- Residents & SME's Providing clean streets for residents and SMEs is an essential function of the City of London

Corporate Plan Priorities:

- * We have clear air, land and water and a thriving sustainable natural environment
- * Our spaces are secure resilient and well maintained

Project Commencement – Apr 2025

Project Completion - Ongoing

Gateway - None

Project Budget – £598,000

Spend Profile – 2025/26 - £245k, 2026/27 - £343k (and continued each year thereafter)