



RECEIPT OF COMMUNITY INFRASTRUCTURE (CIL) PAYMENTS POLICY

Willingdon & Jevington Parish Council Policy Community Infrastructure Levy and Section 106 Grants and Allocations

What is CIL?

The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area.

What is infrastructure?

The Planning Act 2008 (as amended) states that infrastructure includes:

- roads and other transport facilities
- flood defences
- schools and other education facilities
- medical facilities, sporting and recreational facilities
- open spaces.

What is a CIL Charging Schedule?

A CIL Charging Schedule sets out the CIL rates for a charging authority area. The Charging Schedule should be consistent with and support the implementation of the Local Plan. Wealden District Council adopted its CIL Charging Schedule and associated policies on 31 October 2018 at a meeting of Full Council. The CIL Charging Schedule was implemented and came into effect from 1 March 2019.

Who is liable to pay CIL?

All planning applications determined on or after 1 March 2019 may be liable to pay CIL, in accordance with the Wealden CIL Charging Schedule. This includes all planning applications that are undetermined on this date, including those that were approved via a resolution to grant subject to the signing of a legal agreement. The levy will also apply to any appeal decisions allowed after the implementation date.

CIL is non-negotiable and captures a wide range of development as it is charged on most new developments which contain one or more new self-contained residential units or involve

100 square metres, or more, (gross internal area) of new build floor area.

How are the collected CIL funds divided?

In accordance with the CIL Regulations 2020, a proportion of the CIL income will be passed to the community where the CIL is raised.

CIL funds are divided between three sources:

- 70-80% is for 'Strategic CIL' which will be allocated to infrastructure projects by Wealden District Council, in accordance with the approved CIL Governance arrangements.
- 15% is for 'Neighbourhood CIL' which is made available to Parish and Town Councils

(capped at £100 per council tax dwelling), or 25% (uncapped) in areas with a 'made' Neighbourhood Plan.

- 5% is retained by Wealden District Council to fund the administration associated with the operation of the CIL.

The Neighbourhood Portion of CIL

15% of CIL receipts are passed directly to those Town/Parish Councils where development has taken place. Payments will be capped to £100 per Council Tax dwelling per year. For example, a Parish Council with 500 dwellings cannot receive more than £50,000 of CIL receipts per financial year.

Areas with a 'made' Neighbourhood Plan will benefit from 25% of the CIL revenues arising from the development that takes place in their area. This amount will not be subject to an annual limit.

For the 25% to apply, the Neighbourhood Plan must have been 'made' before a relevant planning permission first permits development.

Town/Parish Council Neighbourhood Plan CIL

Town/Parish Council	Neighbourhood Plan	CIL
✓	✓	25% uncapped, paid to Town/Parish Council
✓	X	15% capped at £100/dwelling, paid to Town/Parish Council

When will the Parish Council receive payment of Neighbourhood CIL?

Wealden District Council will pass the proportion of Neighbourhood CIL funds to Town/Parish Councils in line with the CIL Regulations.

Wealden will make payment in respect of the CIL it receives:

- From 1st April to 30th September in any financial years to the town/parish council by 28th October of that financial year.
- From 1st October to 31st March in any financial year to the town/parish council by 28th April of the following financial year.

It should be noted that the CIL is due upon commencement of a development and can in some cases be paid in instalments. Therefore, it may be some time after the grant of planning permission that a Town/Parish Council receives its Neighbourhood CIL.

What can Neighbourhood CIL be spent on?

The CIL regulations (Reg. 59F) require that the Neighbourhood CIL must be spent on:

- a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
- b) anything else that is concerned with addressing the demands that development places on an area.

These spending requirements allow the local community to consider a wide range of infrastructure projects that would help to mitigate the impacts of development in the area. The definition of 'infrastructure' is broad and includes roads and other transport infrastructure, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces.

What items cannot be funded by Neighbourhood CIL receipts?

Ultimately, it will be for the Town/Parish Council itself to be satisfied that all Neighbourhood CIL expenditure either supports the development of its area or addresses the demands that development places on the area. However, Wealden District Council is of the opinion that the following kinds of expenditure may not be funded by CIL receipts and that any such expenditure would be likely to result in a reclaim:

- Provision of fireworks displays
- Provision of carnivals
- Provision of Christmas lighting
- Improvements to Council Offices or other operational buildings
- Provision of improvement to existing allotments sites e.g. locker rooms or toilets
- Ground maintenance, verge mowing or hedge cutting.

This is not an exhaustive list and Town/Parish Councils are strongly advised to discuss and agree CIL related spending priorities with Wealden District Council.

What are infrastructure needs?

Town or Parish Councils should carefully consider whether the expenditure addresses the extra demand on infrastructure and services that are caused by development within their area and be clear on the links between infrastructure and growth. CIL cannot be used as a replacement for every day Town or Parish Council expenditure and misspent CIL can be claimed back by the District Council.

Infrastructure Expenditure

The Town or Parish Council should understand the wider 'strategic' infrastructure requirements of the borough, and how this impacts on the potential scope for 'local' infrastructure. Neighbourhood expenditure should be agreed in the full knowledge of both the needs of a local area and, in so far as it is possible, an understanding of where other strategic investment will be made in the area by the Council and its partners. Town and Parish Councils should be clear that there may be on going operational and maintenance costs associated with the provision of new infrastructure and will need to be clear how such costs will be met for the life of the infrastructure.

Link to the Parish Council's Business Plan

Willingdon and Jevington Parish Council's current Business Plan has a lifespan 2019 – 2023 and is subject to an annual review.

Created through community consultation, the Willingdon and Jevington Parish Council Business Plan sets out the vision for Willingdon and Jevington to make the village a vibrant place to live, work and play.

Willingdon and Jevington Parish Council will work closely with the local community and infrastructure providers to progress the priorities of the Parish Council's Business Plan through the use of Neighbourhood CIL.

Neighbourhood CIL funds will be used to match fund other funding opportunities to deliver the significant infrastructure projects of the Parish Council's Business Plan.

Review of Willingdon and Jevington Cranleigh Parish Council's Business Plan

The Business plan term is four years in line with the life of the Parish Council. In May the year preceding Parish Council ordinary elections, the Parish Council will commence the full review of the Business Plan in consultation with the local community. Community and voluntary organisations and other stakeholders in the community will be invited through workshops and online consultation to share their aspirations to shape the future of Willingdon and Jevington over the next four years and beyond. Full use will be made of social media, websites and noticeboards to promote the inclusion of Willingdon and Jevington's community in the Business Plan review.

Young people will especially be invited to participate to help shape the future of facilities and services for young people. During the life of the Business Plan, community and voluntary organisations will be encouraged to put forward projects for consideration in the annual review of the Business Plan by the Council.

How can CIL funds be maximised?

The Parish Council will consider the long term housing growth and resulting infrastructure needs when developing plans for the spending of the CIL, avoiding the temptation to select quick win projects. It may take some time for sufficient funds to accumulate for more strategic infrastructure or there may be other funding opportunities which will allow the delivery of more significant infrastructure projects which would have wider benefits for the local community.

How can the community help?

The Parish Council would welcome the opportunity to work in partnership with local community and voluntary organisations to secure matched funding through other funding opportunities to meet the strategic objectives of the Parish Council's Business Plan.

How long do we have to spend Neighbourhood CIL Funds?

The Parish Council must spend Neighbourhood CIL funds within five years from the time they are received. If they are not spent, or CIL has been spent on anything that does not meet the definition as set out within the CIL Regulations, the Parish Council may be required to repay some or all of the CIL receipt to Wealden District Council.

Reporting CIL

The Parish Council is required under Regulation 62A of the CIL Regulations to produce and publish an annual report for any financial year in which it receives CIL receipts. The report must set out the following:

- The total CIL receipts for the reported year
 - The total CIL expenditure for the reported year
 - A summary of the CIL expenditure during the reported year including the items to which CIL has been applied and the amount of CIL expenditure on each item
 - Details of any requirements to repay CIL to the District Council
 - Total amount of CIL retained at the end of the reported year
 - Total amount of CIL receipts from previous years retained at the end of the reported year.
- The report must be placed on the Council's website by no later than the 31st December following the reporting year (1st April to 31st March). A copy of this report must also be sent to the Wealden District Council.