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RECEIPT OF COMMUNITY INFRASTRUCTURE (CIL) PAYMENTS POLICY

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

Introduction

Some of the monies for the Parish Council come from planning obligations placed on developers. These are generally either from Section 106 (S.106) or Community Infrastructure Levy (CIL) Regulations, which are collected by Wealden District Council and passed to the Parish Council to administer on behalf of the community. This document outlines the Parish Council's policy for the administration and allocation of funds received from S.106 and CIL sources.

Section 106 (S.106).

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as S.106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site-specific mitigation of the potential impact of development. S.106 agreements are often referred to as 'developer contributions' along with Highway contributions and the Community Infrastructure Levy. S106 funding is available for capital projects only. Revenue funding towards on-going running costs is not available. The types of project that might be eligible will be dependent primarily upon evidence that an assessment has been made of local community needs and that the project provides new or improved community or social infrastructure, the need for which has at least arisen in part as a result of new development in the community. Some examples of the types of projects that might be appropriate are listed below:

- Community Centre/Village Halls
- Multi-purpose sports and leisure centres which serve the general public
- Play facilities
- Open Spaces Monies passed to the Parish Council under S.106 must be spent within 5 years of their allocation.

Community Infrastructure Levy (CIL)

The Community Infrastructure Levy 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 development in their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. Most new development that creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy. Some developments may be eligible for relief or exemption from the Community Infrastructure Levy. Detailed CIL guidance is available on the Planning Practice Guidance website.

CIL must be spent on infrastructure to support the development of the area. CIL can be spent on the provision, improvement, replacement, operation or maintenance of infrastructure. It does not have to be used to fund capital investment. Unlike planning obligations, there is no requirement that there is a functional link between the development paying and the infrastructure that it is funding. There is no requirement that CIL funds are spent on the infrastructure identified in the evidence to support the preparation of the Charging Schedule. Amongst other things, infrastructure includes: roads and transport facilities, flood defences, schools and educational facilities, medical facilities, sporting and recreational facilities, and open spaces. Currently, affordable housing is specifically excluded. A proportion of CIL can also be spent on the administrative costs of operating the system. There is no time limit for spending CIL monies.

Willingdon & Jevington Parish Council Policy

On the basis that CIL and S.106 monies received by the Parish are directly linked to development within the Parish, there is no guarantee that funds will be received year on year. It is important therefore that the Council has a process in place to ensure that monies received are spent in a timely manner and on local schemes, projects and infrastructure improvements that support the strategic objectives of the Council and provide maximum benefit to the community.

The Council has a Business Plan that has links to the annual budget setting process for the Parish through the earmarked reserves. The Plan contains capital projects associated with strategic objectives underpinning the Parish's vision for the future. A process that includes consultation with and feedback from the community and is the means which the Parish Council converts priorities into action plan items. The Plan contains a detailed Action Plan that shows how projects are managed and funded. Whenever practical and possible, the Parish will seek to obtain grants and funds from other sources in order to help deliver its objectives. In accordance with CIL Regulations, the charging authority is permitted to retain a proportion of the monies passed to it for administrative purposes, up to a maximum of 5%. In keeping with that Regulatory principle, the Parish Council will retain 5% of all CIL/S.106 monies received from the District Council to cover its own administrative costs.

The Parish Council policy for the application of S.106 and CIL monies is divided into two areas: the first being projects that are led and administered by the Parish Council itself using the above process to determine priorities and allocate funds, referred to as a Community Infrastructure Allocation. The second process seeks to support community-led projects, managed by the representative group or organisation making application to the Parish Council for funding, which is referred to as the Community Support Grant. Both processes are detailed below. The Parish Council has determined that, in any given financial year, a total of 25% of the CIL/S.106 monies received from the District Council will be made available for Community Support Grant applications that meet the required criteria. Any monies awarded by the Parish Council for this purpose that are not used within the specified time period shall be vired to the Community Infrastructure Grant allocation.