

HULLAVINGTON PARISH COUNCIL
COMMUNITY INFRASTRUCTURE LEVY
POLICY

1. Introduction

1.1 For Parish Councils without a Neighbourhood Development Plan in place, they will receive 15% of Community Infrastructure Levy (CIL) collected by Wiltshire Council from relevant developments in the parish.

1.2 Where a Neighbourhood Development Plan is in place, Parish Councils will receive 25% of CIL monies collected by Wiltshire Council from relevant developments in the parish.

1.3 This money needs to be managed separately and carefully by all Parish Councils. Hullavington Parish Council like all councils will be expected to:

- account for its proper use. CIL must be spent on the provision, improvement, replacement, operation, or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area.
- report on its use to Wiltshire Council each year.
- ensure it is spent within 5 years, otherwise Wiltshire Council could ask for it to be returned to them.

1.4 This policy sets out how Hullavington Parish Council CIL Portion will be managed to ensure the Council meets its three responsibilities above.

2. Receiving CIL

2.1 The CIL Regulations state that this proportion of funds must be used *‘to support the development of the local area by funding*

(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.’

2.2 While this is very broad CIL monies can be pre-allocated or restricted to specific purposes on a case-by-case basis. Wiltshire Council pay the neighborhood portion of any CIL they collect at the end of April and at the end of October each year.

3. Maintaining a Project List

3.1 The clerk will maintain a list of existing and future projects that may be suitable for infrastructure funding. These projects may result directly from the work of the Parish Council or from the community or other agencies.

3.2 The project list will contain a description and anticipated cost and ranked according to a number of criteria:

- **Fit.** Does the project/requirement meet the CIL spending requirement?
- **Need.** Is there evidence of need?
- **Impact.** What will the impact of the project be? Who will it benefit? How many will benefit from it?
- **Deliverability.** When will the money be spent? How certain is the project?
- **Achievable.** Are the outcomes sought realistic and achievable?

- **Value.** Does the application provide value?
- **Multiple Funding Streams.** Where there are additional resources required, evidence of additional resources (people or money) available from partners to complement funding from Hullavington Parish Council.

3.3 Given the funding is for infrastructure projects it is unlikely that projects under £1000 would be included.

4. Application Process

4.1. In some cases, it may be appropriate for Hullavington Parish Council to make the CIL monies available to a 3rd party organization to deliver the project, in which case the Grants and Donations Policy will apply subject to any CIL specific requirements.

- All applicants must complete a CIL application form at the foot of this Policy. A Form and a copy of this policy will be made available from the Hullavington Parish Council Clerk (07807 723609) and the website www.hullavingtonparishcouncil.org.uk
- Organisations and Groups seeking funds must provide copies of their latest accounts.
- If the applicant would like any help in completing their CIL application form, they can contact the Hullavington Parish Council Clerk on 07807 723609.

5. Hullavington Parish Council 3rd Party Organisation, Group or Individual Engagement

5.1. The Council will set up a panel of 3 Council Members to engage with the applicant/s of each project to gain a full understanding of the project and make recommendation to Full Council.

5.2. The members of the Liaison Panel will be provided with:

- The completed CIL Neighbourhood Portion Application Form
- A copy of this policy
- A copy of Hullavington Parish Council's CIL Spending agreed – factors for determining applications.

5.3. The Liaison Panel will report their recommendations re: the CIL funding application project in writing to Full Council for a decision.

6. Application Timetable Step Date and Dialogue

<u>Step</u>	<u>Date</u>
Dialogue, Project Scrutiny and Advice	March - April
Application submission window	May - June
Evaluation of proposals including finance	July
Presentation for approval to Full Council	September submission

7. Spending Decision

7.1. The decision to use CIL to fund a project, completely or in part, will be taken by the Hullavington

Parish Council. This includes projects being managed by the Council and by others.

7.2. The Parish Clerk/Responsible Finance Officer must be satisfied that the project has been properly scoped and thought out before putting it on an agenda; and that the applicant's procurement process is proportionate; written quotes are provided with the application; and determine that onward costs are to be funded by the Applicant, 3rd party Organisation or Group.

7.3. Other sources of funding must have been sought and evidence of this will need to be seen before the project is put on an agenda to be considered. When not directly managing a project the Parish Council should still satisfy itself that:

- The project is delivered in accordance with the requirements of the Health and Safety at Work Act 1974
- The contractor has the necessary public liability insurance cover in place
- The parish council will be able to inspect the work when it has been completed.

7.4. These should be a condition of any CIL decision.

7.5. The decisions of the Council will be final.

7.6. The Council reserves the right to reclaim CIL funds if, for whatever reason, the applicant/s do not fulfil their obligation e.g., the project does not proceed or is not completed.

7.7. In the event of a large project coming forward and/or an item of significant expenditure that may benefit residents in neighbouring parish/es and/or involve applications for Wiltshire Council CIL reserves, the application will be considered and managed on a case-by-case basis.

8. Reporting

8.1. For any year (April to March) that CIL is received, the Council will prepare a report that details:

- total CIL receipts for the reported year
- total CIL expenditure for the reported year
- summary details of CIL expenditure during the reported year including
 - (i) the items to which CIL has been applied
 - (ii) the amount of CIL expenditure on each item
- details of any notices (Reg 59E) received on the recovery of CIL unspent after 5 years
 - (i) the total value of CIL receipts subject to notices during the reported year
 - (ii) the total value of CIL receipts subject to a notice that has not been paid to the relevant charging authority by the end of the reported year
- the total amount of:
 - (i) CIL receipts for the reported year retained at the end of the reported year
 - (ii) CIL receipts from previous years retained at the end of the reported year.

8.2. The parish council will publish the report on its website and send a copy of the report to Wiltshire Council, no later than 31st December following the reported year.

9. Guidance for CIL Monies Expenditure and Applications

9.1. What can Parish Councils spend the money on?

9.2. CIL monies can be spent on the provision, improvement, replacement, operation or maintenance of infrastructure, or anything else that is concerned with addressing demands that development places on an area. This gives communities freedom and power to spend the money on a wide range of things, in consultation with the community.

9.3. The wider definition means that the neighbourhood funding pot can be spent on things other than infrastructure (as defined in the Community Infrastructure Levy regulations). For example, the pot could be used to fund affordable housing where it would support the development of the area by addressing the demands that development places on the area.

9.4. Where community priorities for infrastructure are the same as those of the local authority, for example if they are agreed a new school or road is needed, the community can agree that the local authority will keep all or part of the 15% funding element to ensure maximum funding is enabled.

9.5. What is infrastructure?

9.6. 'Infrastructure' is a broadly defined in the Town and Country Planning Act 2008.

9.7. There are typically 3 broad categories of infrastructure: -

- Physical infrastructure: e.g. highways, transport links, cycleways, energy supply, water, flood alleviation, waste management
- Social infrastructure: e.g. education, health, social care, emergency services, art and culture, sports halls, community halls
- Green infrastructure: e.g. parks, woodlands, play areas, public open space

9.8. How do Parish Councils identify projects?

9.9. To make clear what they expect CIL money to be spent on, many Parish councils write a list of the infrastructure projects which the community sees as priorities for delivering and would like to see provided with CIL funds. Listing priorities gives clarity and reduces uncertainty as to what the neighbourhood element of CIL will be spent on.

9.10. Parish Councils should work closely with charging authorities and neighbouring Parish Councils to agree infrastructure priorities. If the Parish Council agrees with the charging authority's infrastructure priorities, they can agree that the charging authority should retain the neighbourhood funding to spend on that infrastructure. This prevents money passing between bodies when it is not necessary because priorities are aligned and helps to ensure that all available funding for infrastructure can be used to the greatest effect and to deliver sustainable development.

9.11. How long do Parish Councils have to spend the monies?

9.12. Parish Councils should spend their local CIL monies within 5 years of receipt. Where money is not used to support development of the area within five years of receipt, or is used for other purposes, the regulations give charging authorities the power to recover those funds. This is to ensure that money is spent, and spent effectively, to benefit the local community.

9.13. Do Parish Councils need to monitor anything?

9.14. Just like the charging authority, Parish Councils will have to produce a publicly available annual report on the use of their share of the CIL receipts. This will include the total receipts for the reported year, the projects CIL has been applied to, and the amount of expenditure on each item. The report should be publicly available and published on the Parish Council website.

9.15. Do Parish Councils need to produce a report even if we haven't received anything?

9.16. Reports are only required where a parish council has received CIL revenue.

9.17. Where no monies are received in the reporting year, but monies have been received in previous years, a report will still need to be produced detailing the receipts and expenditure.

HULLAVINGTON PARISH COUNCIL REQUEST FORM FOR COMMUNITY INFRASTRUCTURE LEVY FUNDING	
When applying for CIL monies the following must be considered by the applicant: CIL must be spent on the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area.	
Name of the Organization/Group/Individual:	
Contact details: Position within an Organization/Group: Telephone: e-mail:	
Is your Organization/Group a Registered Charity?	
Describe the project for which CIL monies are requested:	
Cil monies requested, include the total sum: (Quotations must be provided separately with this application form).	
Have any grants been requested from other sources?	
If successful what is the amount of other grants being provided?	
For onward support, Insurance, maintenance, and funding please identify what arrangements will be made to support this request.	

Document Reviewer	Proper Officer Acceptance	Date of Acceptance
Responsible Finance Officer and Clerk, Sharon Neal Graeme Slaymaker Chairman Andrew Maltby Vice Chairman	Sharon Neal	July 2024