

# Community Infrastructure Levy Policy

for prioritising projects and allocating funds

## Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a **tax that local authorities charge on most new developments** in their area. The levy is not payable on social housing or self-builds, for example.

At present, Battle Town Council(BTC) receives 15% of the CIL for developments taking place within the Parish of Battle (local CIL), with Rother District Council(RDC) receiving the remaining 85% (strategic CIL). When the Neighbourhood Plan is adopted, the local CIL payments to BTC will be increased to 25%.

Local CIL is held by BTC, and is either to be spent by the Council directly, or distributed to other providers of infrastructure projects. The funding is to support infrastructure improvements that the local community will benefit from. **Infrastructure includes social, environmental and communications infrastructure.** Priority for CIL funding will be given to infrastructure that is needed as a result of a development that has generated a CIL payment.

## Use of Local CIL funds

BTC may spend its CIL funds on the **provision, improvement, replacement, operation, or maintenance of infrastructure needed to support the development of the area**, and can also spend it on **anything else that is concerned with addressing the demands that development places on an area**.

It must be noted that no other bodies such as East Sussex County Council(ESCC), Network Rail, Openreach, Southern Water etc. receive CIL money. These bodies could therefore approach the Town Council to fund or part-fund infrastructure improvements from Local CIL money. For example, ESCC could seek funding from BTC for an additional pavement or a pedestrian crossing. (However, Section 106 agreements may still be reached by ESCC for particular projects resulting from planning applications, but this is outside the CIL framework.)

CIL Regulations authorise BTC to spend CIL receipts on infrastructure under their statutory powers. Consequently, if the Council has the General Power of Competence(GPC) it is able to fund wider strategic infrastructure, for example: providing new roads; footways; community facilities; doctors' surgeries; affordable housing etc. (In order to have the GPC, at least two thirds of Councillors must be elected and the Council must employ a qualified Clerk.)

If spending on non-compulsory provision by ESCC and RDC, is reduced or withdrawn, BTC may need to use CIL money to provide services or contribute to repairs. Examples of this are: paying for sympathetic pavement repairs near to heritage buildings, rather than accepting the regular black top finish; taking on the provision of public toilets.

## Council's responsibilities

Failure to account, or plan for the use of Local CIL could result in developers asking for their CIL money to be refunded.

BTC will account for CIL payments by posting a live report which lists income, spending and retention on the website. (If no money is received in any year, a report to that effect should be

included for transparency.) This report will be noted at each Council meeting within the finance item.

BTC will write a plan for the use of CIL funds, which will be posted on the website. **The plan will allow for some flexibility as the community's needs and priorities change.**

If CIL money is not spent within five years of receipt, or is not spent on initiatives that support the development of the area, RDC (as the Charging Authority) may require money to be repaid.

BTC will make an annual Call for Need in order that residents and infrastructure providers have an opportunity each year to offer additional projects for consideration.

### **Prioritising projects**

A list of potential projects will be compiled from the Council 4-year Plan, Standing Committee Action Plans, Neighbourhood Plan and suggestions from the annual Call for Need.

Each project will be listed with:

#### **Cost**

total project cost

Local CIL contribution required

#### **Infrastructure category**

communication

general

energy

services

environmental

social

#### **Benefit classifications**

biodiversity

leisure

carbon reduction

pollution reduction

communication

public services

community engagement

road safety

crime reduction

sport

economic growth

tourism

health

traffic reduction

heritage protection

waste reduction

#### **Beneficiaries**

number of beneficiaries

description (if relevant)

Ward

**Status**

ready to go

in discussion

imminent

not started

in progress

**Partner (if appropriate)**

East Sussex County Council

High Weald Organisation

Rother District Council

Community group

Clinical Commissioning Group

Other

Following the annual Call for Need, the Finance & General Purposes Committee(F&GP) will rank all potential projects, recording their reasoning, though it may be necessary to review the ranking at other times if circumstances change.

For example, a scheme that benefits a large number of residents per GBP of funding is likely to be ranked higher than one that benefits a small number, and a project that will offer several types of benefit could be placed higher.

**Allocation of CIL funds**

RDC's current housing target for Netherfield is 48 dwellings and has to be separate from the current target of 475 dwellings for the remainder of the parish. It is therefore appropriate for **CIL receipts from Netherfield developments to be ringfenced for projects to benefit Netherfield**. These projects will be listed and prioritised separately.

The live CIL Funding report, together with a forecast of future CIL funds, will be used to allocate funds against the ranked projects.

**Projects may be fully funded, part funded, have future receipts ring-fenced or not funded.** Projects that are not funded will remain on the list.

F&GP will agree a 5-year, rolling *Plan for the use of CIL Funds* for recommendation to Council. The plan will include all potential projects and their ranking, together with a recommendation for the allocation of CIL funds.

For transparency, the plan will include the rationale behind the allocations, referencing: cost; project status; the beneficiaries and the input from potential partners.

**The *Plan for the use of CIL Funds* will be reviewed and agreed annually by Council in October.**

Adopted &lt;date&gt;

Review date &lt;date&gt;