



HASLEMERE TOWN COUNCIL

Community Infrastructure Levy (“CIL”) Guide for Councillors and residents

Contents

1. Background	3
2. CIL collection by WBC.....	3
3. Town & Parish Councils: Neighbourhood CIL.....	3
Introduction	3
What is Infrastructure?	4
What cannot be funded through CiL.....	4
4. Haslemere Town Council Infrastructure & CiL committee	4
5. Examples of spending	5
6. Legislation, governance and background reading	6

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1. Background

- a. Planning charge introduced by Planning Act 2008 – tool for local authorities to deliver infrastructure to support development of area
 - i. Infrastructure (physical, social and green)
 - ii. Roads and other transport facilities
 - iii. Flood defences
 - iv. Schools and other education facilities
 - v. Medical facilities, sporting and recreational facilities
 - vi. Open spaces
- b. Non-negotiable and charged on most new developments containing one or more new self-contained residential units or involve 200 sqm + gross internal area (GIA) of new build floor area
- c. Development can attract S106 and CIL but should not be paid against the same infrastructure for the same development
- d. WBC Regulation 123 [list](#) distinguishes what CIL may be spent on against what S106 contributions will be sought for

2. CIL collection by WBC

- a. WBC agreed its Charging Schedule on 31 October 2018 which took effect from 1 March 2019
- b. 70-80% **Strategic CIL** allocated to infrastructure project by WBC in accordance with approved CIL Governance arrangements
- c. Strategic CIL bottom sliced to create **Community CIL Fund** of 10% of Strategic CIL Fund receipts to fund low value projects on application from Town & Parish Councils. Priority given to councils with low Neighbourhood CIL Fund receipts
- d. 15% **Neighbourhood CIL** available to Towns & Parishes (capped at £100 per council tax dwelling per financial year) (£744,900 as at 2019) or 25% uncapped where Neighbourhood Plan (“NP”) made
- e. For 25% to apply the NP must have been made before the relevant planning permission first permits development
- f. 5% retained by WBC to fund administration associated with operation of CIL
- g. Development straddling boundaries of different parishes will result in share of CIL proportionate to GIA of the development which falls within the administrative area
- h. Paid biannually to Town & Parish Councils (April and October)

3. Town & Parish Councils: Neighbourhood CIL

Introduction

- a. Haslemere’s NP was adopted by WBC on 12 November 2021
- b. Waverley Borough Council will make payments in respect of CIL it has received:
 - i. From 1 April – 30 September in any financial year to town council by 28 October that financial year

- ii. From 1 October – 31 March in any financial year to town council by 28 April the following financial year
- c. Councils must report to Waverley no later than 31 December following reporting year (1 April to 31 March) with a copy to be put in newsletters or noticeboards and website.
- d. Infrastructure and CiL committee set up to review applications, monitor payments and report to Full Council and Waverley Borough Council annually.

What is Infrastructure?

- a. Under CiL (Amendment) Regulations 2018, Part 8 (59c), a local council must use CiL receives to support the development of the local area, or any part of that area by funding:-
 - i. The provision, improvement, replacement, operation or maintenance of infrastructure; or
 - ii. Anything else that is concerned with addressing the demands that development places on an area.
- b. At the end of this document is a list of projects that other Town & Parish Councils have undertaken using CiL funds.

What cannot be funded through CiL

- a. Provision of firework displays
- b. Provision of carnivals
- c. Provision of Christmas lights
- d. Improvements to Council offices or other operational buildings
- e. Provision of improvement to existing allotment sites (lockers/toilets)
- f. Grounds maintenance
- g. WBC also suggests that it cannot be used to resolve “historical defects”

This is not an exhaustive list and we are advised to discuss and agree CiL spending priorities with WBC, if in doubt.

4. Haslemere Town Council Infrastructure & CiL committee

- a. Meets up to 6 times per year
- b. Terms of Reference and agreed process
- c. Reporting requirements
- d. Regularly review how it wants to proceed with CiL payments
 - From NP opportunities, Strategic plan
 - Applications from local groups for infrastructure project
 - Consultation with local residents
 - Consultation with SCC, WBC or neighbouring parishes

5. Examples of spending

Definition of infrastructure allows

- play areas
- parks and green spaces
- cultural and sports facilities
- academies and free schools
- district heating schemes
- police stations
- community safety facilities
- Cycleway and footpath provision
- Retail provision?
- fund affordable housing?

Definition of infrastructure **may** allow

- Consultation and engagements with local community (Calne Without PC)
- Donations to community or charity organisation providing services to residents (Calne Without PC)
- Feasibility and evaluation survey (Calne Without PC)
- Professional costs – legal, technical, project management related to a project (Calne Without PC)
- Capital costs of infrastructure projects (Calne Without PC)
- Repair, replacement and on-going maintenance costs associated with or resulting from CIL project? Query with WBC – reading contrary TC/PC policies (Hailsham TC says no, Calne Without PC says yes)
- Signage, interpretation and production of publicity to support and promote infrastructure
- Dropped kerbs or pedestrian crossings
- Bespoke signage
- Defibrillators
- Install water and electricity supplies at council owned recreational sites
- Fitness equipment and play equipment
- Supporting a Town Bus Services (Henley on Thames TC)
- Ultrafast fibre Broadband (Waterstock PC)
- Installing village gates on main road verge to slow traffic (Bix & Assendon PC)
- Refurbishment of the Market Place (£4.2m) (Wokingham TC in conjunction with their CA 50:50 basis)
- Invest CIL in infrastructure that will incentivise future development
- Install and replace “Rights of Way” signage
- “pop up” clinic at community hub
- Set up community hub?

6. Legislation, governance and background reading

1. Planning charge introduced by Planning Act 2008 – tool for local authorities to deliver infrastructure to support development of area
2. CIL Regulations 2010 <https://www.legislation.gov.uk/uksi/2010/948/contents/made>
 - Regulation 59 requirement to spend on infrastructure (provision, improvement, replacement, operation or maintenance of infrastructure; or anything else concerned with addressing the demands that development places on any area
 - Regulation 62 requirement to publish an annual report
3. CIL (Amendment) Regulations 2013
<https://www.legislation.gov.uk/ukdsi/2013/9780111534465/contents>
4. Government Guidance on CIL
<https://www.gov.uk/guidance/community-infrastructure-levy#spending-the-levy>
5. CIL National Planning Practice Guidelines (NPPG) www.gov.uk/guidance/community-infrastructure-levy
6. Planning Portal www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy
7. Locality <https://neighbourhoodplanning.org/toolkits-and-guidance/understanding-community-infrastructure-levy-cil/>

Waverley documentation

1. WBC [CIL Charging schedule](#) approved 31 October 2018 and took effect 1 March 2019
2. WBC guidance for town & parish councils ..\2019-08 WBC CIL Guidance for Town and Parish Councils.pdf
3. WBC Infrastructure Delivery Plan p87 table relating to Haslemere
https://www.waverley.gov.uk/downloads/file/5320/infrastructure_delivery_plan_-_updated_december_2016
4. WBC Regulation 123 [list](#)
5. WBC developer contribution database <http://pfm.exacom.co.uk/waverley/index.php>

Haslemere documentation

HTC NP opportunities

https://www.haslemeretc.org/uploads/1/1/5/9/115942197/final_neighbourhood_plan_ver_2019.10.pdf