



GUIDANCE FOR PARISH AND TOWN COUNCILS ON RECEIVING AND THE USE OF CIL FUNDS

Summary

Amendments are due to be made to the 2010 Community Infrastructure Levy (CIL) Regulation that will require the District Council to pass a proportion of CIL receipts collected from developments in their areas directly to parish and town councils to be spent on infrastructure or anything else that is concerned with address the demands that development places on an area.

The District Council will pass accumulated funds to the parish every 6 months, and the parish council will be required to report on receipts and expenditure each year.

Introduction

Amendment Regulations have been passed that require charging authorities (the District Council) to pass a proportion of CIL receipts to parish and town councils from developments that take place in their areas. It is now confirmed that Councils will be required to pass 15% of CIL receipts to relevant Parish and Town Councils arising from developments in their areas. This rises to 25% in areas with an adopted Neighbourhood Development Plan. Previously the Government had indicated only that the sum to be transferred would be a “meaningful proportion” of CIL receipts.

To prevent excessive amounts being passed on, the payments to areas without a Neighbourhood Development Plan in place will be capped to £100 per council tax dwelling per year. This means that a parish with 500 dwellings cannot receive over £50,000 of CIL receipts per year. Annex A sets out the maximum amount that can be passed to each parish and town council in the district.

In areas with a Neighbourhood Development Plan the amount to be passed over will be 25% with no cap.

How the funds must be spent

The amended 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.'

This is a wider definition of what the District Council can use CIL funds (restricted to infrastructure to support the development of the area). These wider spending powers allow the local community to decide what they need to help mitigate the impacts of development.

If a parish council has failed to spend CIL funds passed to it within 5 years of receipt, or has applied the funds not in accordance with the Regulations then the District Council can serve a notice on the parish council requiring it to repay some or all of the receipts passed. The District Council will be required to spend any recovered funds in the parish council's area.

Payment periods

The District Council may come to an agreement with a parish council on when CIL funds may be passed to the parish council. Where no agreement is in place the District Council must make payment in respect of CIL it receives from 1st April to 30th September in any financial year to the parish council by 28th October of that financial year and pay the CIL received from 1st October to 31st March in any financial year by the 28th April of the following financial year.

Reporting

To ensure transparency parish councils must publish each year their total CIL receipts; total expenditure; a summary of what the CIL was spent on; and the total amount of receipts retained at the end of the reported year from that year and previous years.

Reports can be combined with reports already produced by parish council and should be placed on their websites and a copy of the report should be sent to the District Council

Further details

Please contact Gerard Coll, Developer Contributions Officer, if there are any queries at gerard.coll@wycombe.gov.uk or 01494 421142.

Annex 1 – Maximum CIL receipts Parish Councils without an adopted Neighbourhood Development Plan can receive annually

Parish	No. of Dwellings	Max CIL/annum
Bledlow-cum-Saunderton	985	£98,500
Bradenham	115	£11,500
Chepping Wycombe	6,072	£607,200
Downley	2,004	£200,400
Ellesborough	347	£34,700
Fawley	110	£11,100
Great Marlow	505	£50,500
Great and Little Hampden	124	£12,400
Great and Little Kimble	438	£43,800
Hambleton	641	£64,100
Hazlemere	3,825	£382,500
Hedsor	45	£4,500
Hughenden	3,426	£342,600
Ibstone	107	£10,700
Lacey Green	1,012	£101,200
Lane End	1,441	£144,100
Little Marlow	623	£62,300
Longwick-cum-Ilmer	560	£56,000
Marlow	6,285	£628,500
Marlow Bottom	1,314	£131,400
Medmenham	360	£36,000
Piddington and Wheeler End	258	£25,800
Princes Risborough	3,613	£361,300
Radnage	294	£29,400
Stokenchurch	2,074	£207,400
Turville	159	£15,900
West Wycombe	608	£60,800
Wooburn	4,866	£486,600