



Bothenhampton & Walditch

Parish Council since 1886

# **BOTHENHAMPTON & WALDITCH PARISH COUNCIL**

## **COMMUNITY INFRASTRUCTURE LEVY POLICY**

**nalc**  
National Association  
of Local Councils

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Adopted 8<sup>th</sup> June 2020

Parish Council Chairman

## **WHAT IS THE COMMUNITY INFRASTRUCTURE LEVY?**

The Community Infrastructure Levy (CIL) is a new planning charge introduced by the government via the Planning Act 2008 that local authorities can set on new development in order to raise funds to help fund the infrastructure, facilities and services - such as education, transport, flood defences, green infrastructure and healthcare which are needed to support new homes and businesses in the area.

## **WHAT TYPES OF DEVELOPMENT REQUIRE A CIL PAYMENT?**

The adopted charging schedules only apply a CIL rate on proposals that create a dwelling and/or a dwelling with restricted holiday use. Affordable dwellings and essential rural workers' dwellings are excluded from a CIL charge. All other development types are therefore set a £0 per square metre CIL rate.

## **HOW DOES CIL DIFFER FROM SECTION 106**

Section 106 (S106) agreement, which are also known as planning obligations are legal agreements made between local authorities and developers. They are obligations secured pursuant to Section 106 of the Town and Country Planning Act 1990. They are entered into as legal agreements between local planning authorities, landowners, developers and potentially other affected third parties. They can impose financial and non-financial obligations on a person or persons with an interest in the land and become binding on that parcel of land. Planning obligations are used to make acceptable development which would otherwise be unacceptable in planning. They are negotiated on a case by case basis and vary depending on the nature of the development.

CIL is intended to provide infrastructure to support a development, rather than make an application acceptable in planning terms. There may therefore be some site-specific impact mitigation requirements without which a site will not be granted planning permission, for example a requirement to include a certain proportion of affordable housing, a requirement to fund an access road to the site. A S106 planning obligation may therefore be imposed to ensure that the consequences of a development can be mitigated.

## **WHEN A “MADE” NEIGHBOURHOOD PLAN EXISTS**

When a Parish Council's neighbourhood plan is brought into force the Parish can expect to receive 25% (uncapped) of CIL from new development within their boundary, from the date that a chargeable development is commenced.

“Where new development happens in a Parish, within a wider neighbourhood area, the relevant Parish will receive 25% (uncapped) of the CIL contribution as the CIL is paid to the Parish in which the development takes place. The fact that the Parish is part of a wider neighbourhood plan area will not make any difference.

In the case where a development site straddles two or more Parishes the CIL money would be allocated to each Parish based on the number of dwellings built in their area from the overall development site.”

Source: WDDC 31/01/2018

## **SPENDING CIL**

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. See links below for further details:

### **WHAT CAN CIL MONIES BE SPENT ON BY BOTHENHAMPTON & WALDITCH PARISH COUNCIL?**

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 the Parish. (see regulation 59C in link below).

This gives the Bothenhampton and Walditch Community freedom and power to spend the money on a wide range of projects, based upon the support of the community through past and future consultations.

The Guidelines (see link below) propose that “money raised from developer contributions should be spent in a way that developers feel is worthwhile.”

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 Parish funding entitlement to ensure maximum funding is enabled.

Where community priorities for infrastructure are the same as those of Bridport Area Neighbourhood Plan (BANP) of which Bothenhampton & Walditch Parish is a partner, Parish Councillors may agree that the additional 10% of CIL, receivable by Bothenhampton & Walditch Parish Council, by reason of being part of a “MADE” plan area, may be transferred to the BANP “pot”.

Other community groups can apply to the Parish Council for consideration of funding of an infrastructure project (in a similar way to a S137 grant application) at any time. Such an application will be considered by Parish Councillors, but it must be for an ‘infrastructure’ project and be for the benefit of the Bothenhampton & Walditch Civil Parish community.

### **WHAT IS INFRASTRUCTURE?**

‘Infrastructure’ is broadly defined in the Town and Country Planning Act 2008 (see link below).

There are typically 3 broad categories of infrastructure:

- I. physical infrastructure: e.g. highways, new or safer road schemes, transport links, cycleways, energy supply, water, flood alleviation, waste management;
- II. social infrastructure: e.g. education, health and social care facilities, emergency services, art and culture, sports halls, community halls; and
- III. green infrastructure: e.g. parks, woodlands, play areas, public open green spaces.

### **RECEIPT OF MONIES**

Monies will be regularly transferred to Bothenhampton & Walditch Parish Council by Dorset County Council. Upon receipt, these monies will be ‘ringfenced’ by the Parish Council and will only be spent on projects already identified in the council’s ‘infrastructure projects list’ (see appendix 1), subject to full council approval and in accordance with Bothenhampton & Walditch Council’s Financial Regulations, i.e. following process for quotations etc.

**MONITORING AND REVIEW**

Just like the charging authority, Bothenhampton & Walditch Parish Council will produce a publicly available annual report on the use of their share of the CIL receipts. This will include:

- I. the total receipts for the reported year;
- II. the projects CIL has been applied to; and
- III. the amount of expenditure on each item.

The report will be publicly available and published on the Parish Council website. This CIL policy, including Appendix 1, will be reviewed annually by Bothenhampton & Walditch Parish Council and at such time that changes occur that impact upon this policy.

## **BOTHENHAMPTON & WALDITCH PARISH COUNCIL COMMUNITY INFRASTRUCTURE LEVY POLICY**

### **APPENDIX 1**

#### **IDENTIFIED INFRASTRUCTURE PROJECTS FOR FINANCING THROUGH CIL MONIES**

Project priority would be determined by circumstances and the amount of CIL funding made available at any time. A number of projects may involve working with other agencies, Highways, Environment etc.

#### **GREEN INFRASTRUCTURE:**

- Install & replace “Rights of Way” signage with the new Parish Council logo
- Redress degraded “Rights of Way”
- Create green amenity areas on redundant sites

#### **PHYSICAL INFRASTRUCTURE:**

- Repair of Walditch Road including better drainage and stabilisation of the edges where the verge has been eroded at passing points
- Safer roads infrastructure including existing problem areas which have been created by recent development
- Provision of dropped kerbs to meet local needs and other connectivity issues such as pedestrian crossings
- Bespoke signage at entrance to and within the various settlement areas.
- Install defibrillators at community hubs
- Install and replace bespoke village noticeboards
- Install access paths at parish council owned recreational sites
- Install fitness equipment and play equipment (Inc. For disabled persons) at parish council owned recreational sites
- Flood mitigation, upgrading of existing infrastructure
- Any other infrastructure project that would benefit the parish

#### **SOCIAL INFRASTRUCTURE:**

- Local “character” installations & signage to reflect the culture, heritage and identity of the parish
- Champion better connectivity to the parish

Links:

<https://www.bothenhamptonwalditchparishcouncil.com>

<https://www.gov.uk/guidance/community-infrastructure-levy>

<http://www.legislation.gov.uk/ukxi/2013/982/regulation/8/made>