

**Woldingham Parish Council
Community Infrastructure Levy
Policy Document**

Introduction

The Community Infrastructure Levy (CIL) is a charge that can be levied by local authorities on certain new developments in their area. Its purpose is to provide funding for the development of other infrastructure in the local area where the new development is situated. It is governed by the Community Infrastructure Levy (Amendment) (England) (no 2) Regulations 2019 which came into force on 1/9/2019.

CIL is collected by Tandridge District Council and under the regulations they must pass a proportion of any levy applicable to developments wholly or partly within the Woldingham Parish boundary to the Woldingham Parish Council (WPC). As the WPC has a neighbourhood plan the percentage that must be passed on is 25% of the applicable amount. The WPC then has five years in which to spend the money received after which time TDC can at its discretion request a refund from the WPC.

What can CIL money be spent on?

The levy can be spent on a wide range of infrastructure including transport, flood defences, schools, hospitals and other health and social care facilities. The definition allows the levy to be used to fund a broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, academies and free schools, district heating schemes, police stations and other community safety facilities. It can be used to enhance facilities or to repair existing infrastructure.

When funds are passed to a Parish Council, they must be used to support the provision, improvement, replacement, operation or maintenance of infrastructure or anything else that is concerned with addressing the demands that growth resulting from development places on the area.

These definitions allow discretion to WPC in how it deploys CIL funding to the benefit of the Woldingham residents.

Transparency

It is important that all expenditure of CIL funds is clearly reported, but there is no prescribed method of doing this locally. TDC require that we regularly report CIL receipts and expenditure and this information is displayed on the TDC website. Expenditure needs to be approved by the Council in accordance with its normal control procedures and can be recorded on the Woldingham website, in the minutes of a Council meeting which are

publicly available, via a newsletter or at an annual Parish Meeting. In fact we use all these channels to ensure maximum transparency.

Specific Considerations

As a matter of course, the WPC undertakes projects which potentially could qualify for the application of CIL monies. Details of council projects are agreed via the annual budget approval process however no advance credit of CIL funding is recognised until it is actually received. This ensures that the council does not borrow in advance of receipt of CIL funding as there is always uncertainty over when, or even if, CIL funding will be received.

There are certain types of expenditure that the WPC does not have power to undertake except for under the CIL provisions and therefore only CIL funds can be deployed, i.e. such projects cannot be funded from the general council precept. A good example of this is repairs to privately owned roads.

Before any such CIL expenditure is approved in respect of new infrastructure or repairs to existing infrastructure the Council must consider:

- whether the expenditure should be prioritised over other projects
- whether the expenditure is aligned to the Councils obligations in respect of the environment, preservation of AONB, encouraging biodiversity, reducing greenhouse gas emissions etc.
- whether the expenditure is line with the Neighbourhood plan
- whether there is an appropriate level of funding from other sources
- whether any repair costs might otherwise fall disproportionately on the one group of residents but where usage is benefitting a much wider group of residents or non-residents.
- whether any damage which is being repaired is directly attributable to a specific individual or individuals (which would not normally qualify for CIL funding)

Conclusion

The deployment of CIL funds must be treated with the same rigour as any other expenditure. It should deliver fair value for money, be seen to meet the needs of a reasonably wide cross section of residents and be subject to normal levels of public scrutiny. It will often require judgements to be made on the relative benefits of any particular scheme, so it is vital that any decisions made are taken after thorough consideration and documented accordingly.