

Meeting of General Purposes Committee

Monday 13th July 2020

Agenda item 5.5

TO NOTE THE END OF YEAR STATEMENT OF COMMUNITY INFRASTRUCTURE LEVY FUNDING FOR 2019/20

1.0 Summary

- 1.1 This report provides an update to members of the funds received through Community Infrastructure Levy in the financial year 2019/20.
- 1.2 The Community Infrastructure Levy (CIL) is a charge that local authorities (in this case Wealden District Council as the local planning authority) can set on new development in order to raise funds to help fund the infrastructure, facilities and services - such as schools or transport improvements - which are needed to support new homes and businesses in the areas.
- 1.3 The Town Council is required each year to report on the funds received through these developer contributions and the way in which the funds are being spent. This information then has to be formally provided to Wealden District Council prior to the month of December in the following financial year. So in this instance, by December 2020.
- 1.4 Previously the Town Clerk has sought advice on what the funding could be spent on. It was advised that any funds received should be spent on:

“The meaningful proportion of CIL monies given to the local parish and town councils can be spent on anything which will help to mitigate the impact of the development on the town or parish – considered to be a form of infrastructure.

Specific advice given by the government on the way in which CIL must be used, states:

“The levy can be used to fund a wide range of infrastructure, including transport, flood defences, school and education facilities, hospitals (medical facilities), and other health and social care facilities (as per section 216(2) of the Planning Act 2008.

The definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant Plan.

The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure

provision unless those deficiencies will be made more severe by new development.

The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.

- 1.5 A substantial amount of the funds received had already been committed during the budget setting process for 2019/20, to assist with the replacement of old street lights in Keld Drive, Grange Road and Selby Rise (*total project estimated in the region of £25k*). With this and additional repairs required to streetlights within the town in 2019/20 (including London Road), a total of £13,150 ended up being used from CIL funding, in addition to earmarked reserves already set aside for streetlight replacements and repairs and the Town Council's 2019/20 revenue budget.
- 1.6 The remainder of the CIL funds received in 2019/20 were committed by members of Environment & Leisure Committee on 17th February 2020 to further streetlight replacement and repairs, with works scheduled in to be carried out in 2020/21. Covid-19 has resulted in some delays to these works, but we are hopeful they will be carried out before the autumn/winter months.

2.0 Recommendations

- 2.1 Members are asked to:
- (i) note the income received in 2019/20 through Community Infrastructure Levy Funding;
 - (ii) note the way in which CIL funding has been spent during 2019/20.

Contact Officer: Holly Goring

Appendices:
Appendix A: Community Infrastructure Levy Statement 2019/20

**APPENDIX A -
CIL Monitoring Report (Regulation 121B) 1st April 2019 – 31st March 2020**

Town / Parish Council Uckfield Town Council

(a) CIL receipts received during the reporting year 2019 / 2020	£Sum
April 2019	£9,614.55
October 2019	£14,781.04
Total CIL receipts received for reporting year	£24,395.59

(b) CIL expenditure	
Total CIL Expenditure during reporting year 2019/20	£13,150.00

(c) Summary details of CIL expenditure during the reported year				
Infrastructure expenditure items	Criteria (a) or (b)¹	The total cost of the project (£)	CIL contribution to the project (£)	Details on any additional funding if required to complete the project
Streetlighting repairs and replacements	(a)	£34,003	£13,150	Uckfield Town Council used earmarked reserves specifically for streetlight replacements and repairs and 2019/20 revenue budget for streetlighting.

¹ Please state the item of infrastructure to which the above payment relates in accordance with this criteria:

- 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.

(d) Notices received from the charging authority (Wealden District Council)	
(i) the total value of CIL receipts subject to notices served in accordance with regulation 59E during the reported year;	N/A
(ii) the total value of CIL receipts subject to a notice served in accordance with regulation 59E in any year that has not been paid to the relevant charging authority by the end of the reported year	N/A

(e) CIL receipts retained	
(i) CIL receipts for the reported year retained at the end of the reported year	£11,245.59
(ii) CIL receipts from previous years retained at the end of the reported year.	£20,257.00

Guidance Notes

- Regulation 121B (1) of the Community Infrastructure Regulations 2010 (as amended) requires a Parish / Town council to prepare a report for any financial year ("the reported year") in which it receives CIL receipts.
- Regulation 121B (2) sets out what the report must include. The tables above reflects these requirements. The report must include —

- the total CIL receipts for the reported year;
- the total CIL expenditure for the reported year;
- summary details of CIL expenditure during the reported year including—
 - the items to which CIL has been applied;
 - the amount of CIL expenditure on each item;
- details of any notices received in accordance with regulation 59E, including—
 - the total value of CIL receipts subject to notices served in accordance with regulation 59E² during the reported year;
 - the total value of CIL receipts subject to a notice served in accordance with regulation 59E in any year that has not been paid to the relevant charging authority by the end of the reported year;
- the total amount of—
 - CIL receipts for the reported year retained at the end of the reported year;
 - CIL receipts from previous years retained at the end of the reported year.

² 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^[1] on the Town or 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 Town or Parish council area.