

Tandridge Local Plan

TDC CIL guidance note - 8
Parish and Village Councils

July 2019



Summary

The Community Infrastructure Levy allows local authorities to raise monies from development for the provision of infrastructure in and around their areas or strategic cross boundary infrastructure projects where several local authorities contribute. A CIL charge is non-negotiable; however, there are exemptions for some types of development such as affordable housing, self-build, self-build extension or annex and charitable relief. Tandridge District Council adopted the CIL charge on 24th June 2014 and CIL came into effect from the 1st December 2014.

Regulations require Tandridge District Council to pass a proportion of CIL receipts collected from developments in their areas directly to Parish or Village Councils to be spent on infrastructure or anything else that is concerned which address the demands that development places on an area.

The District Council will pass accumulated funds to the parish twice a year. The Council will continue to monitor CIL income and to make payments to the Parish Councils, this Guidance will be published and Parish Council clerks will be informed. The Parish or Village 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 or Village Councils from developments that take place in their areas. Councils are required to pass 15% of CIL receipts to relevant Parish 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 existing 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, for example the money can be used for open space provision, playgrounds, cycle paths, landscape, planting, etc or they can choose to contribute to larger projects funded by other bodies, such as the District or County Council.

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 or Village Council requiring it to repay some or all of the receipts passed onto it. The District Council will be required to spend any recovered funds in the Parish or Village Council's area.

Payment periods

The District Council may come to an agreement with a Parish or Village 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.

Tandridge District Council must make payments to the Parish Council for CIL payments received from 1st April to 30th September by the 28th October and CIL payment received from 1st October to 31st March by the 28th April of every year. The Council intends to pass CIL payments to the Parish Councils twice a year.

Reporting

To ensure transparency Parish and Village 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. A copy of the report should also be sent to the District Council no later than the end of May of each year. It is our intention to report on CIL through our existing monitoring report AMR, which is produced annually. A reporting template, Appendix 2, has been produced so as to maintain consistency throughout.

Appendix 1 – Maximum CIL receipts for Parish or Village Councils without an adopted Neighbourhood Development Plan can receive annually

Parish or Village Council	No. of dwellings	Max CIL/annum
Bletchingley	1376	£137,600
Burstow	1950	£195,000
Caterham on the Hill	5512	£551,200
Caterham Valley	4009	£400,900
Chaldon	693	£69,300
Chelsham and Farleigh	336	£33,600
Crowhurst	141	£14,100
Dormansland	1424	£142,400
Felbridge	984	£98,400
Godstone	2591	£259,100
Horne	429	£42,900
Limpsfield	25% No cap	25% No cap
Lingfield	2002	£200,200
Nutfield	1144	£114,400
Outwood	289	£28,900
Oxted	4876	£487,600
Tandridge	284	£28,400
Tatsfield	768	£76,800
Titsey parish meeting	Not applicable	Not applicable
Warlingham	3659	£365,900
Whyteleafe	2040	£204,000
Woldingham	25% No cap	25% No cap

Source: 2019 Tandridge District Council Tax Properties

Appendix 2 Spending Form



Community Infrastructure
Levy
Annual Report from Parish
Council

Parish Of:

Year from 1 April ____ to 31 March ____	£
CIL Receipts	
- Expenditure on items listed below	
Total retained	
+ Retained from previous years	
Total in hand	

Summary of CIL expenditure during the year

Purpose	£
Total	

Signed _____ Position _____