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Binfield Parish Community Infrastructure Levy (CIL) Policy & Procedure

1.0 Scope of the Document

1.1 This document lays out an overall framework, policy and procedure for spending the Community Infrastructure Levy (CIL) that Binfield Parish Council (the Council) expects to receive from Bracknell Forest Borough Council (the Borough).

1.2 The Council believes that there will be approximately £5 million from CIL to spend within the parish to help mitigate the effects of development over the next ten years.

It is important to emphasize that the monies arising from CIL are one-off payments by developers for mitigating the impact of development in the parish.

1.3 CIL revenue forecasts are not easily available and development phasing may be changed at short notice which could mean expected CIL receipts may be lower or delayed further than first expected. This CIL policy will reflect the uncertainty of forecasting the final sum handed to the Council as well as attempting to ensure that the Council is not overextended or in debt resulting from CIL expenditure.

2.0 Background

2.1 The Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a tool for local authorities in England and Wales to support infrastructure requirements arising from development in the area. It is a charge on any new housing development with an internal floor space over 100 m². CIL can be used for:

- Infrastructure provision
- Infrastructure improvements
- Infrastructure operation and maintenance
- Anything else that is concerned with addressing the demands that development places on an area

The amount of CIL per development depends on the “charging schedule”, a document created by Bracknell Forest Council which means that developers know beforehand the amount that will be charged for their development.

Bracknell Forest Council must allocate at least 15% of levy receipts to spend on priorities that should be agreed with the local community in areas where development is taking place. The levy receipt can increase to a maximum of 25% in certain circumstances, such as if a town or parish has a Neighbourhood Plan. This is known as the Neighbourhood Portion. The Binfield Neighbourhood Plan was made in April 2016 following a referendum and, therefore, Binfield Parish Council receives 25% of any CIL received by Bracknell Forest Council from development within the parish.

CIL is paid to the Parish Council twice a year, in April and October. The Parish MUST spend or allocate it to a project within five years of receipt, otherwise it will be returned to BFC unless BPC has notified BFC in advance and formal agreement for extension has been granted.
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An annual report on CIL expenditure must be produced by the Parish Council, which is posted on the parish website as well as being sent to the Borough.

2.2 The 123 List

Regulation 123 of the Community Infrastructure Levy (CIL) Regulations 2010 requires that Bracknell Forest Council publishes a list of the infrastructure projects or types of infrastructure that is needed to support planned development contained within the approved Bracknell Forest Local Plan. These infrastructure needs are costed, and a CIL rate established with the objective of meeting those costs. In no particular order, the list includes:

- Provision of and/or enhancement of land to SANG standard (Suitable Alternative Natural Greenspace)
- Road network capacity improvements within the borough boundary
- Contributions towards strategic road network improvements outside the borough boundary
- Footpath and cycleway improvements
- Bus service subsidies
- Education needs – usually schools
- Improvements to and provision of new library facilities
- Improvements to existing and provision of new sports facilities
- Funding of police facilities and equipment

In Binfield, this means that Bracknell Forest Council may use their portion of CIL towards funding:

- Improvements to the junction with Forest Road and Binfield Road
- Provision of a footpath/cycleway from the Beehive Road/London Road junction to the Berkshire Way roundabout
- Provision of a footpath/cycleway along the length of Turnpike Road
- Primary school at Blue Mountain including SEN provision (completed)
- Secondary school at Blue Mountain including SEN provision (completed)

The 123 list also includes infrastructure improvements that are not provided from CIL monies. One of the other ways that Bracknell Forest Council can mitigate the impact of development is through section 106 agreements (so called because they are agreed according to section 106 of the Town and Country Planning Act 1990.) Section 106 agreements are planning obligations, legally enforceable, which are tied to, and usually relate to, the development area.

The following has been, or is thought about to be provided, from section 106 funding:

- SANG at the Amen Corner North, Amen Corner South and the Blue Mountain development
- Community facilities at Blue Mountain
- Extensions to community facilities at Farley Wood

2.3 Parish Council Strategy Plan

Following a piece of work with Locality to carry out community engagement, the Council has agreed a strategy for the role it wishes to play in the parish in the four-year term 2019 to 2023. This is as follows:
Binfield Parish Community Infrastructure Levy (CIL) Policy & Procedure

“Binfield Parish Council aims to **inspire the local community with assets, activities and opportunities** to promote people’s **health, happiness and well-being.**”

In order to achieve against this strategy statement, there were a number of clear themes to organise the list of projects and ideas that residents and local community groups had put forward. These are as follows:

1. **Planning & Transportation** – encompassing how we move around the parish and how the parish develops.
2. **Natural Environment** – how we protect, enhance, and use our open spaces
3. **Community Wellbeing** – events & activities to support mental and physical wellbeing across all sections of the community
4. **Facilities** - improve the range of spaces available to support the widest range of activities

This strategy is based on more than 300 pieces of feedback received via both the Locality survey and separate “Knock and Drop” survey carried out in 2020.

### 2.4 The Binfield Neighbourhood Plan Objectives

The Parish Council is required to take account of the Neighbourhood Plan objectives when determining which projects be funded by CIL. These objectives are:

**Transport and Connectivity**

1. To improve connections between existing parts of Binfield village and to the new strategic developments, in particular the schools and community facilities
2. To improve all non-car connections (walking, cycling, public transport) from all parts of Binfield parish to Bracknell Town Centre, including Bracknell railway station
3. To ensure that the road system minimises unacceptable levels of congestion and addresses pinch points

**Services**

4. To seek adequate primary healthcare services to address the needs of a growing and ageing population
5. The provision of improved community facilities to ensure better wellbeing of residents and vulnerable groups in particular

**Environment**

6. To enable and enhance wildlife corridors in order to improve biodiversity
7. Ensure that air pollution does not reach unacceptable levels
8. Protect and enhance local green areas and their biodiversity value to ensure local people continue to have access to nature
9. Ensure that development sustains or enhances the historic rural quality of the Parish’s landscape and makes areas of rural character and historic parkland accessible to residents for their health and enjoyments as a result of development
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Communications

10. Ensure that adequate superfast broadband and mobile phone connectivity can be provided as part of new developments

Built Form

11. Ensure that the character of the area is retained through appropriate development that is set appropriately in its surroundings
12. Ensure that development is well designed so that it does not have adverse impact on the amenity of neighbours and protects heritage assets

3.0 What Can the Parish Council Spend its Proportion of CIL on?

3.1 According to regulation 59C of the Planning Act 2008, the Parish Council must use CIL receipts to mitigate the effects of development within the parish area, by funding:
   1. The provision, improvement, replacement, operation or maintenance of infrastructure, or
   2. Anything else that is concerned with addressing the demands that development places on an area

3.2 Binfield Parish Council is not limited by the provisions in the 123 List when determining what projects to fund. Any matter or item that is relevant to the needs of the Parish and can be linked to the consequences of development will be considered.

4.0 Framework Principles

4.1 CIL projects will be of long-term and lasting benefit to the people of the parish. The Council should consider the long-term housing growth and resulting infrastructure needs, that is within the remit of the Council, when developing plans for the spending of CIL.

4.2 CIL income will be divided between large and small projects in the ratio 80:20 with 80% of CIL being reserved for large projects and 20% for smaller ones. A large project is defined in the CIL policy as one that costs in excess of £100,000 to deliver.

   It may take some time for sufficient funds to accumulate for more strategic infrastructure or there may be other funding opportunities which will allow the delivery of more significant infrastructure projects which would benefit the local community. Matched Funding opportunities should be explored by either the Council or the third-party group applying for funds.

4.3 At least 10% of smaller project money should be allocated to projects every year for the next ten years. This means that the Parish should be allocating approximately £100,000 per annum towards smaller projects.

4.4 In March and September, CIL should be reserved in the ratio 80:20 so that:
**Binfield Parish Community Infrastructure Levy (CIL) Policy & Procedure**

1. A report to Council will inform members of the amount of CIL available to spend on large and small projects

2. The Council will not overextend itself on projects that are not fully funded

4.5 The annual parish (or Electors) meeting should have a standing item reporting CIL projects.

4.6 A working group consisting of at least four councillors will be set up by the Council to assess projects for suitability as they come forward. The working group will analyse each project and provide a report to Full Council with their assessment and recommendations for proceeding.

4.7 Each project will be assessed according to the following weighted scoring procedure:

<table>
<thead>
<tr>
<th>Project Criteria</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Compliance with Parish Council strategies and the Binfield Neighbourhood Plan</td>
<td>15</td>
</tr>
<tr>
<td>2 Project potential – one-off or lasting benefit</td>
<td>15</td>
</tr>
<tr>
<td>3 Number of people benefitting</td>
<td>10</td>
</tr>
<tr>
<td>4 Usability – does the facility/service have more than one use?</td>
<td>15</td>
</tr>
<tr>
<td>5 Target group(s) by age</td>
<td>20</td>
</tr>
<tr>
<td>6 Physical outcomes (increased community space/physical space etc.)</td>
<td>20</td>
</tr>
<tr>
<td>7 Ongoing support needs – does the Council have a continued involvement?</td>
<td>5</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

The higher percentage value scored, the greater the chance of CIL funding being granted for a project.

5.0 **Delivering Projects**

5.1 Projects are separated into two kinds: straightforward and complex. Project is not an issue as all projects fall naturally into one of these two categories.

5.2 A complex project may require joint funding from other sources such as the Borough Council, other parish councils, sports bodies, the national lottery etc. These usually have an increased level of complexity associated with their delivery such as requiring planning permission or the use of external contractors and/or consultants.

A complex project may also require continued input from the Council or necessitate the formation of a working group to oversee the project to completion.
5.3 A straightforward project can often be completed in a timeframe of less than one year, will include those where CIL monies are provided to community groups to manage and complete and do not require Parish Council resources to complete.

5.4 Binfield Parish Council is a major partner of Bracknell Forest Council in the provision of projects arising from CIL. The Parish Council will work closely with the Borough to ensure that delivery of its projects fits into a co-ordinated whole in relation to the parish and adjoining areas to ensure that parish projects do not cause problems elsewhere in the borough and vice-versa.

6.0 Community Engagement

6.1 The Council will seek community support for its CIL projects by the use of:
- Social media websites such as Facebook and Twitter
- Requesting feedback through the parish website
- Evidence from the locality project conducted in 2019
- Face-to-face meetings
- A report to the Parish Council meeting twice a year
- An annual report on CIL posted to the Parish website (see section 10)

6.2 The Council will also consider projects brought forward by individuals and community groups within the parish.

6.3 All projects will be processed in the same way to ensure that they comply with the principles outlined in sections 4 and 5.

7.0 The Project Application Process

7.1 An application form containing the following initiates the request for funding:
- Total expected cost of the project
- The requested CIL amount
- Project details including:
  - Description
  - Expected timescales to completion
  - Other sources of funding such as lottery funding or from sports bodies
  - What the monies received will be spent on
  - Key stakeholders
  - Current users’ views and comments (if the project already exists in some form)
  - Future users
- Benefit(s) to Binfield parish community
- Details of any work already done towards the project
- Risk assessment

7.2 All third party applicants (community groups and organisations) will be required to provide a copy of their organisation’s previous year’s accounts or, for new initiatives, a budget
Binfield Parish Community Infrastructure Levy (CIL) Policy & Procedure

forecast. Please note: Failure to provide this financial information may result in the Grant Application being delayed or refused.

7.3 All applications requiring CIL funding will be considered by a working party of the Full Council meeting as required. Projects will be considered and graded in order or their positive impact on the parish and a report with recommendations then presented to the Full Council.

7.4 CIL applications can only be approved by the Full Council. Regard will be given to previous allocations to ensure the widest range of infrastructure is provided/supported.

8.0 Financial Control

8.1 The Council must make proper arrangements for administration of its financial affairs as set out in Section 151 of the Local Government act 1972 and the Accounts and Audit (England) Regulations 2011. These requirements also apply when dealing with the meaningful proportion payments given to BPC under CIL.

8.2 The Council will ensure, on an annual basis, that its practices for recording CIL are correct as part of the internal audit exercise. The Council will ensure that statutory and/or regulatory guidance is followed and that best practice is maintained.

9.0 Reporting CIL

9.1 Under Regulation 62A of the CIL regulations, BPC is required to produce an annual report detailing CIL receipts and spend. The report must set out the following:

   a. The total amount of CIL received in the financial year
   b. The total amount of CIL spent in the financial year
   c. A summary of expenditure including details of what items CIL was spent on and the amount of CIL expenditure per item
   d. Any CIL that has been returned to BFC due to failure to spend or applying CIL funds to inappropriate items
   e. The total amount of CIL unspent from previous years broken down into annual amounts

9.2 The report must be published by 31st December following the reported year (e.g. for the financial year 2018/2019, the report must be published by 31st December 2019.) The report must be published on the BPC website and sent to the S106/CIL Monitoring Officer at BFC by 31st December.

A template for this report is included in Appendix I.

9.3 Income received from CIL will also be included in the overall published accounts but is not required to be identified separately therein.
Appendix I – Annual CIL Report Template

Binfield Parish Council

Community Infrastructure Levy (CIL)

Reporting year 1 April 2016 to 31 March 2017

<table>
<thead>
<tr>
<th></th>
<th>Total CIL income carried over from previous years</th>
<th>£0.00</th>
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<tbody>
<tr>
<td>B</td>
<td>Total CIL income received</td>
<td>£0.00</td>
</tr>
<tr>
<td>C</td>
<td>Total CIL spent</td>
<td>£0.00</td>
</tr>
<tr>
<td>D</td>
<td>Total CIL repaid following a repayment notice</td>
<td>£0.00</td>
</tr>
<tr>
<td>E</td>
<td>Total CIL retained at year end (A+B-C-D)</td>
<td>£0.00</td>
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CIL expenditure

<table>
<thead>
<tr>
<th>Item/Purpose</th>
<th>Amount spent</th>
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<td></td>
<td></td>
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<tr>
<td>Total spent</td>
<td>£0.00</td>
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</tbody>
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Signed: ________________________________ Parish Clerk

Verified: ______________________________ Chairman
Appendix II – Documents Associated with This Policy

Binfield Parish Neighbourhood Plan
Town and Country Planning Act 1990
Community Infrastructure Levy (CIL) Regulations 2010
BFC Charging Level
BFC 123 List
Regulation 59C of the Planning Act 2008
Appendix III – Versions

This policy was adopted by the Parish Council on: 12th November 2019

Revision Dates

<table>
<thead>
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<th>Revision Date</th>
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<th>Adoption Date</th>
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