

# COMMUNITY INFRASTRUCTURE POLICY

Approved  
Review by  
Version

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1.0

## 1.0 Scope

- 1.1 This policy outlines how Warfield Parish Council will manage Community Infrastructure Levy (CIL) receipts and make decisions on investment in Community Infrastructure.

## 2.0 The Community Infrastructure Levy

- 2.1 The Community Infrastructure Levy (the 'levy') is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area. Bracknell Forest Council is responsible for the charging and collecting of the levy in this area. Local authorities 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. This can increase to a minimum of 25% in certain circumstances, such as a town or parish has a neighbourhood plan. This is known as the neighbourhood portion.
- 2.2 Bracknell Forest Council is required to pass the neighbourhood portion directly to parish and town councils where the development has taken place. Warfield Parish Council is responsible for spending the meaningful proportion of CIL receipts within 5 years of their receipt. Bracknell Forest Council has powers to recover this amount if the meaningful proportion is not spent within 5 years, unless the parish council has notified Bracknell Forest in advance and formal agreement has been granted.
- 2.3 If Warfield Parish Council does not wish to receive some or all of its CIL funding it must write to Bracknell Forest Council informing them of their position. At any time, the parish council can resume their right to receive funding by writing again to Bracknell Forest.

## 3.0 Using CIL receipts

- 3.1 The CIL Regulations state that a Town/Parish Council must use CIL receipts passed to it in accordance with Regulation 59A or 59B to support the development of the parish council area, or any part of that 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.
- 3.2 This gives the parish council considerable freedom to spend their proportion of CIL on the things that address the impact of development on their area.

Notwithstanding this freedom there are a number of factors that must be considered when developing a CIL spending plan.

### *3.3 What are the Infrastructure Needs?*

- 3.3.1 The parish council should carefully consider whether the expenditure addresses the extra demand on infrastructure and services that are caused by development within their area and be clear on the links between infrastructure and growth.
- 3.3.2 CIL cannot be used as a replacement for everyday parish council expenditure and misspent CIL can be claimed back by Bracknell Forest Council.
- 3.3.3 The parish council will produce a Parish Infrastructure Delivery Plan (IDP) as a starting point for the prioritisation of infrastructure projects and this could be used to input into the Bracknell Forest wider Infrastructure Delivery Plan as a local IDP will assist in understanding how the needs of the parish fit with the wider programme for infrastructure works.

### *3.4 What are our responsibilities?*

- 3.4.1 Warfield Parish Council should understand the wider 'strategic' infrastructure requirements within Bracknell Forest, and how this impacts on the potential scope for 'local' infrastructure. Neighbourhood expenditure should be agreed in the full knowledge of both the needs of a local area and, in so far as it is possible, an understanding of where other strategic investment will be made in the area by the Bracknell Forest Council.
- 3.4.2 The parish council should be clear that there may be on going operational and maintenance costs associated with the provision of new infrastructure and will need to be clear how such costs will be met for the life of the infrastructure.

### *3.5 Engage with the local community to determine their infrastructure needs?*

- 3.5.1 The parish council will need to consider the capacity of existing groups and local residents to engage in the CIL process and to ensure that such processes are inclusive, that all members of the community have the opportunity to contribute to determining how local CIL may be spent, including those who are least vocal and most vulnerable.
- 3.5.2 The parish council should take into account the requirements of Neighbourhood plan and the consultation work undertaken.

### *3.6 How can CIL funds be maximised?*

- 3.6.1 There may be a temptation to spend CIL receipts quickly on short term/quick win infrastructure projects, however the parish council should consider the long term housing growth and resulting infrastructure needs, that is within the remit of the parish council, when developing plans for the spending of CIL.

3.6.2 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.

3.6.4 While the Parish Council is not required to spend their neighbourhood funds in accordance with Bracknell Forest's priorities, there are likely to be common infrastructure projects. It would be good practice to discuss the expenditure of CIL funds with Bracknell Forest as early discussions will ensure that projects are in line with the CIL Regulations and will also allow other funding sources to be explored and whether any CIL funding managed by Bracknell Forest can go towards the project.

#### **4.0 Other Community Infrastructure activity**

4.1 There may be opportunities to develop or improve community infrastructure that may not require funding from CIL such as asset transfers from Bracknell Forest Council. In these circumstances, the parish council will follow and principles and processes outlined in this document.

#### **5.0 The process**

5.1 Warfield Parish Council has created a Community Infrastructure Working Group. The working group shall:

- a. Consider the strategic objectives of community infrastructure in Warfield
- b. Consider the requirements for the development of local employment and business and the requirements of the local economy.
- c. Consider the requirements for facilities, services and leisure activities to enhance the community.
- d. Consider and recommend potential community infrastructure projects
- e. Consult with interested parties within the parish on their requirements and timescales.
- f. Engage and seek the input of relevant professionals.
- g. Consider the appropriate consultation to ensure the council engages with all the local community, particularly the least vocal and most vulnerable.

5.2 The terms of reference of the working group will be reviewed by council in March every year.

5.3 The working group will make recommendations to council which will decide on the final Infrastructure Delivery Plan.

5.4 The Infrastructure Delivery Plan will be reviewed regularly by council to ensure it remains appropriate. It may delegate this task to the working group, but council itself is the only body that can approve changes.

5.5 The parish council may delegate responsibility to individual committees or to the Clerk to implement the Infrastructure Delivery Plan and the Finance & General Purposes Committee will provide oversight and monitoring of projects and report back to council.

## **6.0 Financial Control**

6.1 Warfield Parish Council must make proper arrangements for the proper administration of its financial affairs as set out in Section 151 of the Local Government Act 1972. The council must have systems in place to ensure effective financial control in accordance with the Accounts and Audit (England) Regulations 2011. These requirements also apply when dealing with the meaningful proportion payments given to parish council under the Community Infrastructure Levy (CIL).

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

## **7.0 Reporting CIL**

7.1 Warfield Parish Council is required under Regulation 62A of the CIL Regulations to prepare and publish an annual report detailing funds received and spent. Parish and Town Councils that have received a proportion of CIL funds have a duty to produce an annual report that details the amount of CIL funds received and spent. The report must set out the following:

- a. The total amount of CIL received for 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 on each item;
- d. Any CIL that has been handed back to the Bracknell Forest Council due to failure to spend or applying CIL funds to inappropriate items;
- e. The total amount of CIL from the financial year unspent and the total amount of CIL from previous years unspent.

7.2 The report must be published by 31 December following the reported year (e.g. for the financial year 2016/17 the report must be published by 31 December 2017). The report must be published on the Warfield Parish Council website. The report must also be sent to the S106/CIL Monitoring Officer at Bracknell Forest Council by 31 December.

7.3 There is no prescribed format for reporting on CIL, although a template is included in appendix 1. The income received from the CIL should also be included in the overall published accounts but is not required to be identified separately therein.

