

Community Infrastructure Levy

CIL Annual Report

Reported year 2015-16

Regulation 62

Monitoring Report 2015/16

Published December 2016

Background

The Community Infrastructure Levy (CIL) is a mechanism to allow local planning authorities to raise funds from new development, in the form of a levy, in order to contribute to the cost of infrastructure projects that are, or will be, needed to support new development.

Chorley Council's Community Infrastructure Levy (CIL) charges took effect on 1 September 2013 and the Council is both a CIL Charging Authority and a CIL Collecting Authority.

To ensure that the levy is open and transparent, Chorley Council is required to prepare a short report on the levy detailing CIL income and expenditure, to be published on our website by 31 December each year, for the previous financial year, under the Community Infrastructure Levy Regulations 2010 (as amended), Regulation 62(5).

The [CIL Charging Schedule](#) sets out the charge per square metre that applies to each category of development that is liable. CIL does not replace S106 Agreements. On particular development sites specific mitigation requirements may still need to be provided through a S106 Agreement in addition to CIL for local infrastructure requirements, such as site specific local provision of open space, habitat protection, access roads etc. The provision of affordable housing lies outside of the remit of CIL.

This report focusses on CIL, not S106 funded projects.

The [Councils Regulation 123](#) list sets out the types of infrastructure and projects which may receive funding from CIL.

This is Chorley Councils annual report for the year 1st April 2015 to 31 March 2016.

Allocation of CIL

CIL income is required to be allocated as follows:

- Up to 5% of CIL can be applied towards its implementation and ongoing administration (years 1-3 are cumulative).
- 15% (25% in areas that have a Neighbourhood Development Plan in place) of CIL is passed to the Civil Parish in whose boundary the development that paid the CIL is located, for the provision of local infrastructure improvements or other measures to support the development of the area (referred to as Local CIL).
- The remainder of the CIL income is to be applied to strategic infrastructure to support the growth of the CIL Charging Authority's area (referred to as Strategic CIL)

Parish Councils / Town Councils

Chorley Council has 23 Civil Parishes across the Town, excluding the Town Centre itself.

Parish, Town and Community Councils must make arrangements for the proper administration of their financial affairs ([Section 151 of the Local Government Act 1972](#)). They must have systems in place to ensure effective financial control ([Accounts and Audit \(England\) Regulations 2011](#))

For each year when they have received funds through the levy, Parish, Town and Community Councils must publish the information specified in [Regulation 62A](#).

They are required to publish this information on their website, or, if they do not have their own website, on the charging authority's website.

There is no prescribed format. Parish, Town and Community Councils may choose to combine reporting on the levy with other reports they already produce.

The Council has taken the decision to devolve the 15% of Local CIL to the relevant Civil Parishes, and this CIL report also covers the devolved funding

The Civil Parish is responsible for spending CIL funds within 5 years of their receipt or run the risk of the Borough Council recovering the charge. In the event of a Civil Parish wishing to hold CIL funds for longer than 5 years the Borough Council should be notified as soon as possible and agreement will be sought from Cabinet.

Areas Without a Parish Council / Town Council

Under the CIL Regulations, Communities without a Parish, Town or Community Council will still benefit from the 15% neighbourhood portion (or 25% portion, if a neighbourhood plan or neighbourhood development order has been made).

If there is no Parish, Town or Community Council, the CIL Regulations require the charging authority to do the following:

- Retain the levy receipts and engage with the communities where development has taken place, and agree with them how best to spend the neighbourhood funding.
- Charging authorities should set out clearly and transparently their approach to engaging with neighbourhoods using their regular communication tools e.g. website, newsletters, etc.
- Use existing community consultation and engagement processes.
- The use of neighbourhood funds should therefore match priorities expressed by local communities, including priorities set out formally in neighbourhood plans.

The Government does not prescribe a specific process for agreeing how the neighbourhood portion should be spent. Where the charging authority retains the neighbourhood funding, they can use those funds on the wider range of spending that are open to local councils, as per Regulation 59C and [Can the levy be used to deliver Suitable Alternative Natural Greenspace?](#)

CIL Income

Total CIL income (including surcharges and interest) in 2015/16 was £588,896.93. Information on CIL receipts and how they are apportioned are set out in Appendix A.

The Council did not receive any land or infrastructure payments (i.e. the provision of land or infrastructure in lieu of paying CIL) during 2015/16.

Total CIL income was generated from various developments:

Parish	No. of Developments	Amount Passed Under Regulations 59A or 59B
Adlington	2	£1,551.92
Charnock Richard	1	£3,758.31
Chorley (Unparished)	1	£3,381.73
Coppull	2	£1,972.39
Croston	1	£4,775.00
Eccleston	1	£2,228.68
Euxton	2	£49,185.33
Mawdesley	3	£3,771.41
Ulnes Walton	1	£814.98
Withnell	1	£1,390.38
Whittle-Le-Woods	3	£14,028.08

CIL Expenditure

There was no Strategic Expenditure in 2015/16.

CIL Administrative Expenses

Administration is calculated at no more than 5% of total CIL income (including surcharges and late payment interest) as per Reg. 88.

The sum of £28,510.00 was applied to the administration of CIL in 2015/16. As years 1 - 3 are cumulative, than currently the remaining unapplied administrative percentage share is retained for administration at present, and not commuted over to the Strategic CIL.

CIL carried forward to 2016/17

The amount of CIL retained (including the unapplied administration allocation), and therefore carried forward to 2016/17 is £473,528.41. Appendix B shows the movement from balance brought forward 01/04/2015 to balance carried forward 31/03/2016.

CIL Income Devolved to Civil Parishes

The Local CIL is calculated as 15% of total CIL income for that Parish / relevant area (including late payment interest but **not** surcharges) as per Reg. 88.

Local CIL income devolved to Civil Parishes in 2015/16 was £83,476.48.

Local CIL income devolved to Non-Parished areas in 2015/16 was £3,381.73.

The Civil Parishes / relevant areas receiving devolved funding from CIL are listed above in 'CIL Income'.

Local CIL Expenditure / Retention / Carried Forward

As per Reg. 62A Local Councils must also produce a report for any financial year in which it receives CIL receipts.

These will be published on their own website detailing CIL receipts, expenditure, and retention.

Appendix A

Receipt and Application of Community Infrastructure Levy 2015/16

Reporting Criteria		Value
Reg 62 (4) (a)	Total CIL receipts for the reported year.	£588,896.93
Reg 62 (4) (b)	Total CIL expenditure for the reported year.	£0
Reg 62 (4) (c)	Summary details of CIL expenditure during the reported year other than in relation to CIL to which regulation 59E or 59F applied:	
Reg 62 (4) (c) (i)	The items of infrastructure to which CIL (including land payments) has been applied.	£0
Reg 62 (4) (c)(ii)	The amount of CIL expenditure on each item.	£0
Reg 62 (4) (c)(iii)	The amount of CIL applied to repay money borrowed, including any interest, with details of the infrastructure items which that money was used to provide including any interest, with details of the infrastructure items which that money was used to provide (wholly or in part)	£0
Reg 62 (4) (c) (iv)	The amount of CIL applied to administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation.	£28,510 4.84%
Reg 62 (4) (ca)	The amount of CIL passed to:	
Reg 62 (4)(ca)(i)	Any local council under regulation 59A or 59B	£83,476.48
Reg 62 (4)(ca)(ii)	Any person under regulation 59(4)	£0
Reg 62 (4)(cb)	Summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year (i.e. funding for local priorities passed to local councils and recovered or funding for unparished areas) including:	
Reg 62 (4) (cb) (i)	The total CIL receipts that regulations 59E and 59F applied to.	£3,381.73
Reg 62 (4) (cb) (ii) &(iii)	The items to which the CIL receipts to which regulations 59E and 59F applied have been applied including the amount of expenditure on each item.	None: £0
Reg 62 (4) (cc)	Summary details of any notices served in accordance with regulation 59E (recovery of funding passed to parishes) , including:	
Reg 62 (4) (cc) (i)	The total value of CIL receipts requested from each local council	£0
Reg 62 (4) (cc) (ii)	Any funds not yet recovered from each local council at the end of the reported year.	£0
Reg 62 (4) (d)	The total amount of:	
Reg 62 (4) (d) (i)	CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied.	£473,528.41
Reg 62 (4) (d) (ii)	CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied.	£469,116.18
Reg 62 (4) (d) (iii)	CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year.	£3,381.73
Reg 62 (4) (d) (iv)	CIL receipts for previous years to which regulation 59E or 59F applied retained at the end of the reported year.	£0
Reg 62 (4) (e)	In relation to any infrastructure payments accepted by the charging authority:	
Reg 62 (4) (e) (i)	The items of infrastructure to which the infrastructure payments relate	£0
Reg 62 (4) (e) (ii)	The amount of CIL to which each item of infrastructure relates	None: £0

Appendix B

Community Infrastructure Levy – Balance Sheet

	Main CIL Pot £	UnParished £	CIL Sub Total £	CIL Admin £	Total £	Appendix A Cell
Balance brought forward 1 April 2015	467,422.21	0.00	467,422.21	4,353.38	471,775.59	
Applied in year			0.00	(2,659.41)	(2,659.41)	
Sub total	467,422.21	0.00	467,422.21	1,693.97	469,116.18	Reg 62(4)(d)(ii)
Added in year - main	472,593.56		472,593.56	934.85	473,528.41	Reg 62(4)(d)(i)
Added in year - UnParished		3,381.73	3,381.73		3,381.73	Reg 62(4)(d)(iii)
Balance carried forward 31 March 2016	940,015.77	3,381.73	943,397.50	2,628.82	946,026.32	