

West Berkshire District Council

CIL spending advice to local councils

How parish and town councils can spend CIL

What can CIL be spent on?

The [CIL Regulations 2010](#) (as amended) state that the parish or town council must spend the CIL income they receive from us on:

- the provision, improvement, replacement, operation or maintenance of infrastructure; or
- anything else that is concerned with addressing the demands that development places on an area

'Infrastructure' is broadly defined in the [Town and Country Planning Act 2008](#).

There are typically three broad categories of infrastructure:

- physical infrastructure - highways, transport links, cycleways, energy supply, water, flood alleviation, waste management
- social infrastructure - education, health, social care, emergency services, art and culture, sports halls, community halls
- green infrastructure - parks, woodlands, play areas, public open space

For examples of infrastructure items which can be provided or maintained by parish councils, please see the attached infrastructure items document. If you're unsure whether a scheme or project falls within this definition, please contact the CIL Team for advice.

Providing CIL is spent in accordance with the above, CIL monies may be used to provide match funding with other income streams. CIL can be used collaboratively with community interest companies or other providers to make the most efficient use of funding to benefit the community.

The local council can also work closely with their neighbouring councils, and us, to agree on infrastructure spending priorities. If the PC shares our priorities, they may agree that we, the Borough Council, should retain the CIL to spend on specific infrastructure. It may be that this infrastructure (eg, a school) is not in the parish, town or PC's administrative area, but will support the development of the area.

Decisions on how the funds are spent are at the PC's discretion, provided that it's in accordance with the CIL regulations.

Additional information

The parish/town council must notify the WBDC CIL Team as soon as possible if it decides not to receive CIL.

If a PC has not applied the funds in accordance with the regulations, then we can serve a notice on the PC requiring it to repay some or all of the receipts that had been transferred to them. We'll then be required to spend any recovered funds in the PC's area.

If the PC do not spend their CIL within five years of receipt, the CIL Team may send a repayment notice. Exceptions may be made if the PC can show that they've allocated their CIL income to a particular project for which they are accumulating funds before spending.

If the PC receives a repayment notice, they must respond as required, and send the mis/unspent CIL back to us as directed. In this instance we'll spend the returned CIL income on behalf of the PC.

If the PC is unable to repay the amount specified in the repayment notice, the CIL Team will recover the amount from future CIL income the PC are due to receive.

When the PC become aware of development having commenced in their area, they may want to notify the CIL Team to help with monitoring.

Appendix A: Examples of Infrastructure items which can be provided or maintained by local councils (DRAFT)

Infrastructure Type	CIL Uses
Allotments	Provision of allotments
Burial Grounds; cemeteries and crematoria	Maintain monuments and memorials
Bins	Provision of litter bins
Bus Shelters	Provision of bus shelters
Clock	Provide public clock
Commons and Common Pastures	Enclosure, regulation and management and provision of common pasture
Conference Facilities	Provision of conference facilities
Community Centres	Provide and equip building for use of clubs (sport/social/educational); Acquire, provide and furnish community building
Crime Prevention	Spend money on crime prevention
Drainage	Deal with ponds and ditches
Highways	Repair and maintain public footpaths and bridleways Lighting for roads and public places Provide parking places for vehicles, bikes, and motorbikes Provide roadside seats and shelters Provide certain traffic signs and other notices Plant trees and maintain roadside verges Traffic calming – powers to contribute financially to such schemes
Open Space	Acquire and maintain land for open spaces
Public Buildings and Village Hall	Acquire and provide buildings for public meetings and assemblies
Public Toilets	Provide public toilets (does not include employee wages)
Recreation	Acquire land for recreation grounds; public walks; pleasure grounds, manage and control them. Provision of boating pools
War Memorials	Maintain, repair, protect and adopt war memorials

Whilst ultimately, it will be for a Town or Parish Council itself to be satisfied that all CIL expenditure either supports the development of its area or addresses the demands that development places on the area, WBDC CIL Team is of the opinion that the following kinds of expenditure may not be funded by CIL receipts and that any such expenditure may be likely to result in a reclaim:-

- Subsidising the local council Provision of Fireworks Displays
- Provision of Carnivals
- Provision of Christmas Lighting
- Improvements to Council Offices or other operational buildings
- General ground maintenance, verge mowing or hedge cutting.
- Replacement to parish precept

CIL Team 13.03.19