

Neighbourhood portion of CIL

Some of the money gained by CIL will be passed on to local communities where the development is built. This amount is dependent on whether there is an adopted Neighbourhood Plan in place or not, please see below for further details.

CIL payments to local communities will be paid in two annual instalments, in line with CIL Regulation 59D:

- any CIL money that is received from 1 April to 30 September in any financial year will be paid to the local council by 28 October of the same financial year
- any CIL money that is received from 1 October to 31 March in any financial year will be paid to the local council by 28 April of the following financial year.

Parished areas – no Neighbourhood Plan

In those areas that have a parish council, 15% of CIL funds will be passed to the parish council once the local authority has received the money. This is capped at a maximum of £100 per existing council tax dwelling per year. For example, if a parish has 300 existing dwellings, then they could not receive any greater than £30,000 from CIL neighbourhood monies in a year.

Parished areas – adopted Neighbourhood Plan

In those areas that are parished and have an adopted Neighbourhood Plan, 25% of CIL funds will be passed to the parish once the local authority has received the money. This CIL apportionment does not have an annual cap.

Unparished areas

In those areas that do not have parish council the Council will retain the 15% as the neighbourhood portion. We will consult with the local communities to identify the priorities and schemes with which to spend the neighbourhood portion.

How can the local councils spend CIL?

The parish councils must spend their neighbourhood fund on infrastructure in their local area, in consultation with their local community. The neighbourhood portion of the levy can be spent on a broader range of projects than the rest of the levy. Local councils must use CIL money to support the development of the local council's 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.

What is infrastructure?

The following is the definition of 'infrastructure', according to the Town and Country Planning Act 2008.

Typically there are three broad categories of infrastructure:

- Social infrastructure: e.g. art and culture, sports halls, education, health, social care, emergency services, community centres, village halls
- Physical infrastructure: e.g. pavements, cycleways, flood defences, highways, transport links
- Green infrastructure: e.g. play areas, public open space, woodlands

How do Parish Councils identify projects?

It is important for parishes to consult with the local community to develop a list of the infrastructure priorities in the area. Publishing these priorities can help for projects to be delivered in a timely and transparent way.

What happens if a development spans across two parish areas?

Where a development crosses parish boundaries, each Parish Council will receive the relevant proportion of CIL funds based on the extra floor space created in their area.

How long do Parish Councils have to spend the monies?

Parish Councils should spend their local CIL monies within five years of receipt. Where money is not used to support the development of the area within five years of receipt, or is used for other purposes, the CIL Regulations give the Local Authority the power to recover those funds. This is to ensure that money is spent effectively to the benefit of the local community.

Do Parish Councils need to monitor anything?

Parish Councils that receive CIL money will be required to produce a publicly available annual report on how much CIL money they have received and how much has been spent. This will include a list of all the projects funded through CIL and an itemised cost for each one. This report must be published on the parish website or on the Council's website.

<https://www.cheshirewestandchester.gov.uk/residents/planning-and-building-control/community-infrastructure-levy/neighbourhood-portion.aspx>