Meeting of the General Purposes Committee

Monday 10 June 2024

Agenda item 5.5

TO NOTE THE END OF YEAR STATEMENT OF COMMUNITY INFRASTRUCTURE LEVY FUNDING FOR 2023/24

1.0 Summary

1.1 This report provides an update to members of the funds received through Community Infrastructure Levy receipts in the financial year 2023/24.

1.2 The Community Infrastructure Levy (CIL) is a charge that local authorities (in this case Wealden District Council as the local planning authority) can set on new development in order to raise funds to help fund the infrastructure, facilities and services - such as schools or transport improvements - which are needed to support new homes and businesses in the areas.

1.3 The Town Council is required each year to report on the funds received through these developer contributions and the way in which the funds are being spent. This information then has to be formally provided to Wealden District Council.

1.4 Previously the Town Clerk has sought advice on what the funding could be spent on. It was advised that any funds received should be spent on:

"The meaningful proportion of CIL monies given to the local parish and town councils can be spent on anything which will help to mitigate the impact of the development on the town or parish – considered to be a form of infrastructure.

Specific advice given by the government on the way in which CIL must be used, states:

"The levy can be used to fund a wide range of infrastructure, including transport, flood defences, school and education facilities, hospitals (medical facilities), and other health and social care facilities (as per section 216(2) of the Planning Act 2008.

The definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant Plan.

The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development

The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.

1.5 We had anticipated that some of the funds received during 2023/24 would be used to cover the cost of streetlighting repairs, but as a result of the change in East Sussex Highways contract in May 2023, from Costain to Balfour Beatty, the streetlighting replacements and repairs were delayed, during this transition period. Therefore the backlog has only started to clear in the last six months and as a result the revenue funding we set aside each year for streetlighting repairs was able to cover the costs of the work during 2023/24.

Uckfield Town Council owns a number of streetlights within the town, which East Sussex Highways maintain on our behalf. The cost of repairs, replacements, associated surveys and health and safety lighting surveys has increased substantially, and we have a number ordered for replacement and repair which are due to be completed in 2024.

2.0 `Recommendations

2.1 `Members are asked to:
`(i) note the income received in 2023/24 through Community Infrastructure `Levy Funding;
`(ii) note that no Community Infrastructure Levy funding was utilised during `2023/24.

Contact Officer: Holly Goring

Appendices:

Appendix A: Community Infrastructure Levy Statement 2023/24

APPENDIX A

CIL Monitoring Report (Regulation 121B) 1st April 2023 – 31st March 2024

Uckfield Town Council

(a) CIL receipts retained

	£Sum
CIL receipts from previous years kept at the beginning of the reported year.	£20,248.24

(b) CIL receipts received during the reporting year 2023/2024

	£Sum
April 2023	£8,371.85
October 2023	£8,371.88
Total CIL receipts received for reporting year.	£16,743.73

(c) Summary details of CIL expenditure during the reported year

Infrastructure expenditure items	**Criteria (A) or (B)** [1]	**The total cost of the project (£)**	**CIL contribution to the project (£)**	**Details on any additional funding if required to complete the project**
No funding was utilised from Community Infrastructure Levy receipts during 2023/24.				

(d) CIL expenditure

	£Sum
Total CIL Expenditure during reporting year 2023/2024	£0.00

(e) CIL receipts retained

	£Sum
CIL receipts for the previous year's kept at the end of the reported year.	£20,248.24
CIL receipts for the reported year kept at the end of the reported year.	£16,743.73

[1] Please state the item of infrastructure to which the above payment relates in accordance with this criteria;

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.

(f) Notices received from the charging authority (Wealden District Council)

	£Sum
(i) The total value of CIL receipts subject to notices served in accordance with regulation 59E during the reported year.	£
(ii) The total value of CIL receipts subject to a notice served in accordance with regulation 59E in any year that has not been paid to the relevant charging authority by the end of the reported year.	£

Guidance Notes

Regulation 121B (1) of the Community Infrastructure Regulations 2010 (as amended) requires a Parish / Town council to prepare a report for any financial year ("the reported year") in which it receives CIL receipts.

Regulation 121B (2) sets out what the report must include. The tables above reflect these requirements. The report must include:

(a) CIL receipts retained - CIL receipts from previous years retained at the beginning of the reported year.
(b) CIL receipts received during the reporting year -The total CIL receipts for the reported year.
(c) Summary details of CIL expenditure during the reported year - Summary details of CIL expenditure during the reported year.
(d) CIL expenditure - The total CIL expenditure for the reported year;
(e) CIL receipts retained
    (i) CIL receipts for the previous year's kept at the end of the reported year.
    (ii) CIL receipts for the reported year kept at the end of the reported year.
(f) Notices received from the charging authority (Wealden District Council)
    (i) Details of any notices received in accordance with regulation 59E, including the total value of CIL receipts subject to notices served in accordance with regulation 59E[2] during the reported year.
    (ii) The total value of CIL receipts subject to a notice served in accordance with regulation 59E in any year that has not been paid to the relevant charging authority by the end of the reported year.

[2] If a parish council has failed to spend CIL funds passed to it within 5 years of receipt, or has applied the funds not in accordance with the Regulations then the District Council can serve a notice on the Town or Parish Council requiring it to repay some or all of the receipts passed. The District Council will be required to spend any recovered funds in the Town or Parish council area.