



# St Ives Town Council

## Twinned with Stadtallendorf

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### CIL Framework for St Ives Town Council

The following document explains how CIL funding is raised and what it can be spent on, it includes guidance from NALC and Huntingdonshire District Council. The information will enable St Ives Town Council to plan appropriately to apply for CIL funding to improve infrastructure in the town and support future development as set out in the SITC CIL Framework.

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### What is CIL?

CIL is a charge on development that came into force in 2010 (and runs in tandem with s.106 contributions). The purpose of the CIL is to fund infrastructure to support local development.

Local Administrations can choose whether or not to charge CIL within their Borough/District and the levy is usually collected by the Local Planning Authority who are known as the “Charging Authorities” (CA).

The rate of CIL is set by the CA after consulting with their communities and developers (and is tested by Independent Examination).

The CA in St Ives’ case is Huntingdon District Council (HDC)

### The Town and Parish Council Share

Town and Parish Councils (TPC) are entitled to a “Neighbourhood proportion” (NP) (sometimes called the “Meaningful Proportion”) of the CIL monies received by HDC.

As per the CIL Regulations and Guidance, CIL is proportioned and allocated by HDC using the following approach:

Up to 5% is retained by HDC to cover administrative costs (including but not limited to consultation on the levy charging schedule, collection of CIL, enforcing CIL, legal costs and reporting on CIL activity).

15%, known as the Neighbourhood Portion, is established for spending within the neighbourhood of the contributing development (up to a maximum of £100 per existing Council Tax dwelling). This allocation can either be transferred to the relevant Parish Council or retained by Huntingdonshire District Council to be spent on neighbourhood projects where the development is not in a Parish. This allocation rises to 25% and is not capped when a Parish has an adopted Neighbourhood Plan in place.

Up to 80%, known as the Strategic Allocation, is retained by HDC to allocate to projects in accordance with the Council's Infrastructure Development Plan.

HDC states that it is very unlikely CIL will generate enough funds to completely cover the cost of new infrastructure needed to fully support planned development and as such there will be competing demands for this funding. It is important, therefore to ensure that there are robust, accountable, and democratic structures in place to ensure the spending of CIL funds are prioritised in the right way.



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### What can the money be spent on?

CIL Regulations set the context for the spending of CIL funds on infrastructure. The regulations encourage the accumulation of CIL funds into a 'pot'. Unlike other obligations or charges, CIL spending does not need to be directly related to the donor development and can address infrastructure needs in general across the Council's administrative area.

The key points set out by CIL Regulations (see Regulation 59 (1)) relating to CIL Funding are:

CIL should be spent on infrastructure including roads and other transport, schools and other education, community facilities, health, sporty/recreation, and open spaces.

The infrastructure funded must support the development of the area.

CIL can be used to increase the capacity of existing infrastructure or to repair failing infrastructure, if needed to support the needs arising from development.

CIL and Section 106 can be used as different funding streams to deliver the same infrastructure project.

To understand how Huntingdonshire District Council makes its decisions on the prioritisation and spend of CIL, for Governance Arrangements and for Monitoring and Review Arrangements see **Appendix A**

### St Ives Town Council CIL Framework

#### Introduction and Decision Making

1.1 The council recognises that while it is the recipient for the neighbourhood portion of CIL it may be the case that the most deserving CIL projects are delivered by partner organisations. This policy sets out the framework through which the council will make decisions on CIL expenditure.

1.2 The council will accept bids or suggestions for funds from organisations delivering services or running community assets in St Ives.

1.3 The council may also prepare its own bids for funds, alone or with partners, which will be appraised through the same framework.

1.4 Organisations will submit a bid by submitting an application form and supporting documents which will provide the council with sufficient detail to be able to appraise the application. The organisation may be invited to meet with the council to provide further information in advance of a decision being made.

1.5 All bids will be considered by Full Council and agreed against budget provision.

1.6 The council may defer an application if it has insufficient information to make a decision.

1.7 Approved bids will be added to the council's CIL Projects List.



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1.8 The council shall give reasons for refusal and shall not consider a resubmitted bid unless the Full Council and Town Clerk consider the reasons for refusal have been sufficiently addressed.

### CIL Funding Priorities

In appraising projects for applications, SITC will prioritise those which meet the criteria set out in this section.

#### Demonstrate value for money

Examples of how to meet this priority:

- a) Using CIL funding to attract grant funding
- b) Minimise the CIL requirement through use of own funds, third party funding and/or community fundraising
- c) Utilise robust tendering processes to ensure contracted services are cost effective.

Mitigate detrimental effects of development

Examples of how to meet this priority:

- a) deliver infrastructure identified as being required in the community
- b) Connect developments to town services and assets
- c) Address issues generated by developments

#### Deliver a long-term tangible benefit to the community

Examples of how to meet this priority:

- a) Use CIL to safeguard and increase the viability of community assets for long-term community use
- b) The project to have a lifespan in excess of [20] years
- c) Demonstrate the benefit will be sustained with revenue expenditure
- d) Use CIL to reduce running costs or increase revenue generation

#### Demonstrate community support

Examples of how to meet this priority:

- a) Deliver on aspirations identified in SITC Strategic Plan (and or Neighbourhood Plan when that is finalised)



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- b) Undertake a community consultation on the proposed project
- c) Produce evidence of a need for the project in the community

### Following a Funding Decision

3.1 The council will look to secure long term community access for any projects delivered with CIL funding; this may be in the form of community agreements or legal charges.

3.2 The council may attach any conditions it considers in the interests of the wider St Ives community.

3.3 The inclusion of a project on the CIL Projects List does not commit the Town Council to fund the project and depending on demand there will be worthwhile projects which the CIL money available will not be able to fund.

3.4 Funding will not be awarded on a 'first come first served' basis and the council shall be under no obligation to fund projects just because it has the funds available to do so.

3.5 The council will contact organisations owning projects on the CIL Projects List annually to ensure that the projects remain viable and desired. Organisations are expected to continually be looking for alternative funding to maximise investment within the community.

3.6 The Council may remove a project from the list should there be a material change in the project or the Town which, in its opinion, means it no longer meets the council's funding objectives.



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### Appendix A

#### How HDC makes decisions on the prioritisation and spend of CIL

The majority of CIL funds, the HDC Allocation, will be retained by HDC for spending on infrastructure in accordance with its Infrastructure Delivery Statement (from December 2020).

The allocation of these funds will be made through a twice annual application process, which will ultimately be agreed either by the Corporate Director (Place), Service Manager – Growth in consultation with the Leader and Executive Councillor for Strategic Planning or will be considered by the Council's Cabinet, depending on the amount of funding sought.

Annually, HDC will publicise the amount of CIL funding collected as per statutory requirements. On a twice annual basis, the Council will encourage and consider the submission of application forms, requesting CIL funding for the delivery of infrastructure projects. Proposals may be considered out of these time slots if there are exceptional circumstances to do so and if in agreement with Leader and Executive Councillor for Strategic Planning.

Key internal and external stakeholders responsible for delivering the infrastructure identified in the Infrastructure Delivery Statement will receive direct notification of the opportunity to request CIL funding. Information about the opportunity is also available on HDC's website.

Applications are made using a standard online template issued by HDC and must include key information about the infrastructure project, including:

What is the infrastructure project

How the project relates to the Council's Infrastructure Delivery Statement

Why the project is required (justification)

Cost of the project

Timing for project delivery

Funding from other sources.

Application Forms are reviewed by Council officers, who will ensure that all submitted forms include the key information required, meet the basic criteria and are therefore eligible for consideration for CIL funding.

The Council's Infrastructure Delivery Plan

(<https://www.huntingdonshire.gov.uk/media/2694/infrastructure-delivery-plan.pdf>) and the Infrastructure Funding Statement (<https://www.huntingdonshire.gov.uk/media/4980/infrastructure->



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funding-statement-2019-20.pdf) set out the infrastructure projects that are eligible for Strategic CIL funding. Only infrastructure that supports the growth outlined in the Council's adopted Development Plans are included or other infrastructure projects that have come forward that support growth.

In order for a project to be considered for CIL funding, the following eligibility criteria need to be met:

The application form has been completed satisfactorily

The organisation has the legal right to carry out the proposed project

The project is clearly defined as 'Infrastructure' as per the CIL Regulations

The project is listed in the Council's Infrastructure Delivery Plan / Infrastructure Funding Statement or is for infrastructure that supports growth of the area.

Once the application forms requesting CIL funding have been validated by a Council Officer, initial assessment of the projects will then take place. The projects will be assessed based on the following headings:

The need for the project

The public benefit of the project

The deliverability of the project

The value for money that a scheme provides.

Projects will be viewed favourably if they lever in other funds that would not otherwise be available, particularly where those funds may not be available in future years, or where it makes use of match funding.

The outcome of this review of applications for funding off less than £50,000 will then be reported to the Corporate Director (Place), Service Manager – Growth, Leader and Executive Councillor for Strategic Planning. Decisions on applications seeking funding of £50,000.00 or less will be made at this point and reported for information at the next Strategic bid report to Cabinet. All other applications (more than £50,000.00) will be reported to Cabinet to decide. Cabinet will also be informed of the decisions already made on smaller applications in order to ensure it has the full picture.

The Corporate Director (Place), Service Manager – Growth in consultation with the Leader and Executive Councillor for Strategic Planning, and Cabinet are required to reach a balanced judgement over which projects to fund. They are requested to provide an explanation as to how that decision was reached. Cabinet will be informed of any decisions made since the last reporting period as part of the next



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Strategic bid allocation report. Stakeholders will be informed of decisions reached, and funds will be allocated accordingly.

There may be occasions where the release of additional CIL funds are required for urgent or unforeseen infrastructure requirements. In these cases, a decision on an application will be made by either the Corporate Director (Place), Service Manager – Growth in consultation with the Leader and Executive Councillor for Strategic Planning (if for £50,000 or less) or Cabinet (if it is for over £50,000.00) for approval for the release of further funds at the earliest opportunity.

Successful applicants of CIL funding will be expected to maintain communication with Huntingdonshire District Council on the progress of their project after a decision has been made to provide funding. Where funding has been agreed 'in principle' or where staged payments are agreed, the scheme applicant will be expected to provide information to justify funding being transferred.

Applicants should continue to provide information until the scheme has been completed and all CIL funding has been spent. As a minimum, an annual report, providing information on the progress of each scheme that funding has been allocated to, will be needed. A requirement to submit this information forms part of the agreement (Contract) that successful external applicants are required to sign between themselves and Huntingdonshire District Council.

### Governance Arrangements – Neighbourhood Allocations

The CIL Regulations 2010 (as amended) require the 'meaningful proportion' to be used to support the development of the local area by funding:

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.

This provides Town/Parish Councils with a much more flexible approach for spending their CIL receipts in comparison to the powers of the District Council.

Such wider spending powers for the Town/Parish Council allow the local community to decide what they need to help mitigate the impacts of development in their area.

This may be for a local project, or the Parish may decide to contribute their proportion of the funding to the more strategic projects which are being supported by the District Council, such as an education expansion project required that will support their locality – Town and Parish Councils will need to decide what their infrastructure priorities are. They will need to consider that if they do not put forward potential support to strategic projects, that could result in not enough funding being available. Therefore, there will be difficult decisions for them to make.



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Any spend of CIL funding must fit within the usual powers of the Town/Parish Council and their Powers of Competence.

Where the infrastructure to be supported is not permissible due to the responsibilities of the Parish / Town Council then this may still happen by agreeing for the money to remain / be passed back to the District Council for them to have spent in accordance with the wishes of the local community.

Decisions on the expenditure of the 'meaningful proportion' funds are at the Parish Council's discretion, if it is in accordance with the CIL regulations.

If a Town/Parish Council has failed to spend CIL funds transferred to them within a period of 5 years from the date of initial receipt, or has not applied the funds in accordance with the Regulations then the District Council can serve a notice on the Town/Parish Council requiring it to repay some or all of the receipts that had been transferred to them.

The District Council is required to make payment in respect of CIL it receives from 1 April to 30 September to the Town/Parish Council by 28 October of that financial year, and pay the CIL received from 1 October to 31 March by 28 April of the following financial year.

To ensure transparency Town/Parish Councils must publish each year by December 31st, in line with regulatory requirements, the previous financial years information on:

Total CIL receipts.

Total expenditure.

A summary of what the CIL was spent on.

The total amount of receipts retained at the end of the reported year from that year and previous years.

Reports should be placed on Town/Parish Council's website and a copy of the report is required to be sent to the District Council. Where a Parish/Town does not have a website the District Council can, upon request, publish this information on its website on the Town/Parish Council's behalf – for transparency, the District Council will publish all annual reports on its website. The CIL report must be published and sent to the District Council no later than 31st December following the reported year (the financial year). Town and Parish Councils are encouraged to use the reporting template provided by Huntingdonshire District Council.

### Monitoring and Review Arrangements

To ensure the use of CIL is open and transparent Huntingdonshire District Council will, as required by the CIL Regulations, publish an Infrastructure Funding Statement (IFS), replacing the CIL Annual Monitoring Report. These will set out, as a minimum:



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A report relating to the previous financial year on the Community Infrastructure Levy.

A report relating to the previous financial year on section 106 planning obligations.

A report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy (excluding the neighbourhood portion).

The IFS will be published by Huntingdonshire District Council no later than 31 December each year starting in 2020.

Once the Funding Decision has been made Huntingdonshire District Council will continue to monitor the operation and implementation of CIL. The Council may periodically review of the Charging Schedule, which includes the CIL rates applicable at the time.

As noted, above, Parish Councils are also required to report on their CIL spending. The report must include—

the total CIL receipts for the reported year.

the total CIL expenditure for the reported year.

summary details of CIL expenditure during the reported year including—

- (i) (i) the items to which CIL has been applied.
- (ii) (ii) the amount of CIL expenditure on each item.

details of any notices received in accordance with regulation 59E, including —

(iii) (i) the total value of CIL receipts subject to notices served in accordance with regulation 59E during the reported year.

(iv) (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

• the total amount of—

(v) CIL receipts for the reported year retained at the end of the reported year.

(vi) CIL receipts from previous years retained at the end of the reported year.

The Parish or Town Councils must publish online their CIL annual report, unless they request that the report is published on the District Council's website, and a copy of the report must be sent to the Huntingdonshire District Council, no later than 31st December following the reported year.



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