



Community Infrastructure Levy Funding Policy

1. Introduction

1.1 The Community Infrastructure Levy Funding (CIL) is a charge on new developments to help deliver infrastructure to support development in the area. Most new development which creates additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy.

1.2 On 25 October 2017 Maidstone Borough Council (MBC) formally approved the [Community Infrastructure Levy \(CIL\) charging schedule](#) .

1.3 It is implemented on planning permissions permitted on and from Monday 1 October 2018.

2. Staplehurst Parish Council

2.1 Subject to having appropriate governance procedures in place, parish councils can receive 15% of the CIL funds which have been gained from development in their parish, which are capped at £100 per Council Tax paying dwelling per year. Or 25% if they have a 'made' neighbourhood plan in place.

2.2 Staplehurst Parish Council has a "made Neighbourhood Development Plan so receives 25%.

3. Definition of infrastructure in regulations

3.1 The 2010 Community Infrastructure Levy as amended by the 2013 regulations, Part 59A, sets out that CIL must be passed to "local councils in England". All parish councils (which excludes those that are only parish meetings as they are not councils) will be passed the neighbourhood CIL monies received for their area if they meet the appropriate financial governance requirements. Parish councils have the right to say to the borough council that they do not wish to receive CIL and can ask the borough to spend the money on their behalf.

3.2 CIL payments to parishes can be paid up to twice a year for the preceding six months' income.

- CIL income received between 1 April and 30 September in any financial year will be paid by 28 October of that financial year and
- CIL income received between 1 October and 31 March will be paid by 28 April in the next financial year.

These are set out in [Regulation 59 \(d\)](#) of The Community Infrastructure Levy (Amendment) Regulations 2013.

4. What the Parish (neighbourhood) portion of CIL can be spent on

4.1 The Community Infrastructure Levy Regulations 2010 (as amended) state that CIL must be spent 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.

4.2 This gives parish councils considerable freedom to spend the neighbourhood portion of CIL on projects that address the impact of development in their local area.

4.3 Infrastructure is broadly defined in the Planning Act 2008. There are typically three broad categories of infrastructure:

- physical - cycle ways, village halls, benches, fencing
- social - education and health facilities, art and culture, sports halls, community assets
- green - parks, woodlands, play areas, public open space
- Neighbourhood portion ongoing costs

4.4 Where capital assets are purchased such as buildings, computers etc., the asset should remain a benefit to the community for its useful economic life. Parishes or forums who commission such projects will be responsible for all future maintenance and associated costs unless otherwise agreed. When commissioning a project it is expected that due consideration as to how ongoing revenue/maintenance costs for new infrastructure can be secured.

4.5 Only parish councils can spend CIL and they may choose to:

- spend money on a specific project in the parish area in accordance with the regulations
- spend money on a specific project in a neighbouring area
- choose not to receive the CIL and ask MBC to spend on their behalf
- choose not to receive the CIL twice a year but to draw down as and when
- use the CIL to lever in matched funding
- choose to collaborate with another parish or forum where there will be mutual benefits.
- choose to fund an infrastructure project run by MBC or other infrastructure provider such as Kent County Council
- choose to partner with a third party, landowner or organisation.
- Project spend accountability

4.6 If the parish council have chosen to spend the CIL money themselves they will be responsible for its spend, the tendering and commissioning of contractors and their suitability, insurance etc. to undertake the works, paying invoices and managing the whole process. These transactions will be reported in their annual parish CIL report.

4.7 If the parish council chose MBC to spend the money then we will use their procurement and accounting procedures.

4.8 If two parish councils collaborate on a joint project they will each be responsible for ensuring their portion of CIL is spent appropriately and correctly reported.

4.9 If the parish council works in partnership with another organisation or landowner, the parish council will be responsible for accounting for the CIL receipt and its legitimate expenditure.

Adoption

This policy supersedes any former policy and was adopted by Staplehurst Parish Council on9th December 2024.....Minute...2312/6.4.....