Community Infrastructure Levy:

A Guide for Parish and Town Councils and Community Committees

Leeds CITY COUNCIL

What is the Community Infrastructure Levy (CIL)?

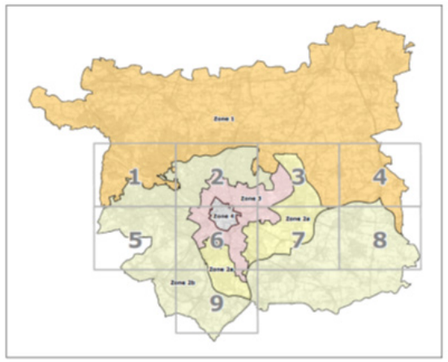
The Community Infrastructure Levy is a planning charge, introduced by the Government through the Planning Act 2008, to provide a fair and transparent means for ensuring that development contributes to the cost of the infrastructure that it will rely upon, such as schools and roads. The levy applies to most new buildings and extensions over 100m2 and charges are based on the size and type of new floorspace and where the development is located in the Leeds district.

Some types of development are exempt from CIL, these include self-build dwellings and extensions and affordable housing. Charities are also exempt from paying CIL if the development directly relates to their charitable purposes.

What are the charging rates for the Community Infrastructure Levy?

CIL is charged per square metre depending on the type and location of the development. The table and map below show the amount of CIL charged and the different zones in the district.

Type of development in Leeds	CIL Charge per square metre
Residential – Zone 1	£90
Residential – Zone 2a	£23
Residential – Zone 2b	£45
Residential – Zone 3	£5
Residential – Zone 4	£5
Supermarkets* ≥ 500 sqm in City Centre	£110
Supermarkets* ≥ 500 sqm outside of City Centre	£175
Comparison Retail ≥ 1,000 sqm in City Centre	£35
Comparison Retail ≥ 1,000 sqm outside of City Centre	£55
Offices in City Centre	£35
Development by a predominantly publicly funded or not for profit organisation, including sports and leisure centres, medical or health services, community facilities, and education	Zero
All other uses not cited above	£5



The adopted Charging Schedule can be accessed on the **Leeds City Council website**

CIL is only payable if the planning permission is implemented and when works commence on site. Therefore there is a time lag between planning applications being granted and subsequent payment. Payment is made either in full or in equal instalments depending on the CIL charge.

#1 How can the Levy be spent?

- ✓ Leeds City Council's Executive Board made a number of key decisions around spending future CIL income in February 2015, directing it into two main funding streams: a Strategic Fund (70 - 80%) and a Neighbourhood Fund (15-25%), whilst retaining up to 5% for administration costs.

#A The Strategic Fund

- ✓ The decision on how and where the funds are spent is made as part of the City Council's budget setting process in accordance with the Regulation 123 list. Local authorities must spend the levy on infrastructure needed to support the development of their administrative area.
- ✓ CIL Regulation 123 requires the Council to set out a list of projects or types of infrastructure that may be wholly or partly funded through CIL revenue.

In Leeds the Regulation 123 list covers:

Sustainable transport schemes:
• New Generation Transport (NGT)
• Leeds Core Cycle Network
• The Public Right of Way network
Leeds Flood Alleviation Scheme (FAS)
Secondary education
Primary education, except for large scale residential development identified in the Site Allocations Plan, which will be expected to provide primary schools either as an integral part of the development or as the result of no more than 5 separate planning obligations
Green infrastructure and public greenspace, except for on-site provision required by Core Strategy policies (this may be included as part of the Section 106 agreement)
Community sports facilities
Cemeteries
Public realm improvements, except for on-site provision or where this is required as a direct result of an adjacent development
District heating networks
Public health facilities

- ✓ The Strategic Fund can be invested in strategic infrastructure throughout Leeds and is not restricted geographically to the area or ward where the development is located. This may mean that CIL funds generated from a development in an area may not be necessarily spent in that same area.
- ✓ The Council has adopted a strategic approach to spending the CIL funds in Leeds which includes infrastructure such as schools, public transport etc. In July 2017 the Council agreed to spend the Strategic Fund collected in 2015/16 to contribute to the learning places deficit for schools.

#B The Neighbourhood Fund

- ✓ The Neighbourhood Fund is 15% of levy receipts relating to developments taking place in that area and should be spent on priorities that have been agreed with the local community. The total amount of CIL receipts passed to the local community shall not exceed £100 per dwelling (index linked) in that area in each financial year. If the receipts from the 15% exceed this maximum they would be capped so as not breach this restriction.
- ✓ The Neighbourhood Fund is passed on to the relevant Parish or Town Council to spend. Where there isn't a Parish or Town Council, the fund is retained by the City Council and spent by the relevant Community Committee.
- ✓ Where development straddles the boundaries of a Parish or Town Council or Community Committee area, each Council/Committee will receive a proportionate share of the CIL, based on the floorspace within their administrative area.
- ✓ Parish and Town Councils and Community Committees, in consultation with the local community and Ward Councillors, must decide what the priorities in the local area are and how and where the Neighbourhood Fund should be spent.
- ✓ Where there is a Neighbourhood Plan in place, the proportion rises to 25% of total CIL receipts of developments taking place in that area.

- ✓ The Neighbourhood Fund can be spent on a wide range of infrastructure, as long as it meets the requirement to support the development of the area by:
  - funding either the provision, improvement, replacement, operation or maintenance of the infrastructure, or
  - addressing the demands and anything else concerned with what the development places on an area.
- ✓ It is not restricted to items on the City Council's Regulation 123 list
- ✓ Infrastructure can be delivered on a range of scales from small to strategic, for example
  - Environmental improvements such as, landscaping, open space improvements
  - New benches or signage
  - Public art
  - Equipment for a community group
  - Improvements to a community building;
  - Projects affecting more than one village/ community e.g. a cycle path or footpath linking two communities, junction/highways improvements, sports facilities drawing more than local use;
  - Strategic infrastructure affecting a number of communities.
  - The Neighbourhood Fund can be used to fund the preparation of a Neighbourhood Plan.
- ✓ CIL will not be able to fund:
  - Projects that will only benefit individuals (5 or less) or a single household
  - Projects that directly benefit, or can be perceived to benefit individual councillors
  - Projects which relate solely to religious purposes
  - Political activities
  - Retrospective projects i.e. where the spend has already occurred

Further guidance on spending the Neighbourhood Fund can be found on the **Leeds City Council website**

#C Neighbourhood Forums with Neighbourhood Plans in Place

- ✓ Communities that have adopted a Neighbourhood Plan will receive 25% of the CIL revenue arising from the development that takes place in their area.
- ✓ For this to apply the Neighbourhood Plan must have been 'made' or been successful at referendum before a relevant planning permission first permits development.
- ✓ Neighbourhood Planning groups often identify local projects / priorities in their Neighbourhood Plans that can be funded by CIL receipts. These projects / priorities should be agreed through consultation with the local community and other stakeholders.

When will the CIL Neighbourhood Fund be paid? #2

- ✓ The CIL income collected for the Neighbourhood Fund will be transferred to the relevant Town or Parish Council or Community Committee twice each year:
  - Income received between 1st April and 30th September – transferred on **28th October**
  - Income received between 1st October and 31st March – transferred on **28th April**
- ✓ If a Parish/Town Council or Community Committee does not spend its share of the CIL within 5 years of receipt or does not spend it on initiatives that support development in that area, the Council may require it to pay back some or all of the funds.

#3 How will CIL be monitored?

- ✓ Under the Regulations, to ensure that the levy is open and transparent, Leeds City Council will prepare a short report on the levy for the previous financial year which will be placed on the Leeds City Council website by 31st December each year. These reports will set out how much revenue from the levy has been received, what it has been spent on and how much is left.
- ✓ Town and Parish Councils and Community Committees are required to publish the information on their websites with details of the monies received from the Neighbourhood Fund including CIL receipts; total expenditure and a summary of what the CIL was spent on by 31st December.
- ✓ This information should be submitted to Leeds City Council for publication if the Parish/Town Council or Neighbourhood Forum does not have a website.
- ✓ There is no prescribed format for reporting, however the City Council has prepared a template which is available on request.

For further information, please contact the CIL officer at CIL@leeds.gov.uk

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