

BABERGH DISTRICT COUNCIL

TO:	BDC Cabinet	REPORT NUMBER:	BCa/18/32
FROM:	Cabinet Member for Planning	DATE OF MEETING:	13 September 2018
OFFICER:	Nicola Parrish, Senior Infrastructure Officer	KEY DECISION REF NO.	CAB76

BABERGH CIL COLLECTION, ALLOCATION AND EXPENDITURE REPORT 2017-18 FINANCIAL YEAR

1. PURPOSE OF REPORT

- 1.1 The CIL Regulations 2010 (as amended) require that the Council, as a CIL Collecting Authority, produces a Regulation 62 Financial Report for each financial year.
- 1.2 This report sets out the latest position regarding the collection, allocation and expenditure of the councils Community Infrastructure Levy (CIL) for the 2017/18 financial year. It provides CIL collection and allocation related information:
 - From 11 April 2016 to 31 July 2018
 - The Babergh CIL Regulation 62 Monitoring Report for 2017/18

2. OPTIONS CONSIDERED

- 2.1 The Council is required under the CIL Regulations to publish a report for the financial year in which it collects CIL or has CIL collected on its behalf and must also report on any money which has not been spent in that year. The CIL Regulations 62 (4) go on to describe the required content of the report.
- 2.2 To not provide a Regulation 62 Report in the required format would mean the Council is in breach of the CIL legislation.

3. RECOMMENDATIONS
3.1 That the CIL report and Babergh CIL Regulation 62 Monitoring Report be noted for information.
REASON FOR DECISION
3.2 There is a statutory requirement to produce a Regulation 62 CIL Monitoring Report and publish this on the Councils website by 31 December of the following financial year.

4. KEY INFORMATION

- 4.1 CIL is charged at a £m² rate and is charged on most new development granted permission. Its purpose is to contribute some funding towards the provision of new infrastructure needed to support growth.
- 4.2 CIL is collected in accordance with the CIL Regulation 2010 (as amended) and is usually paid in instalments as detailed in Table 1:

Table 1

Amount of calculated CIL	Number of Instalments	Payment periods and amounts
Any amount less than £50,000	2	50% of the chargeable amount within 90 days (3 months) of the commencement date, the remaining 50% of the chargeable amount within 150 days (5 months) of the commencement date
Amounts equal to or greater than £50,000 and less than £100,000	3	25% of the chargeable amount within 90 days (3 months) of the commencement date, 25% of the chargeable amount within 270 days (9 months) of the commencement date, and the remaining 50% of the chargeable amount within 360 days (12 months) of the commencement date
Amounts equal to or greater than £100,000	5	20% of the chargeable amount within 90 days (3 months) of the commencement date with the balance payable in four equal instalments within 270 days (9 months), 360 days(12months), 480 days (16 months) and 730 days (24 months) of the commencement date

5. LINKS TO JOINT STRATEGIC PLAN

- 5.1 There is a direct link with the joint strategic priorities of Housing and Strong and Healthy Communities. The purpose of CIL is to provide infrastructure to mitigate the impact of housing growth and to support sustainable development and growth.

6. FINANCIAL IMPLICATIONS

- 6.1 Table 2 below shows the CIL received by year since CIL was adopted on 11 April 2016.

Table 2

CIL received BDC	2016/17	2017/18	1 April 2018 to 31 July 2018
CIL Admin (5%)	4,186.97	25,722.34	31,132.32
Neighbourhood CIL (15% or 25%)	12,560.90	78,738.56	93,396.97
Regulation 123 Fund	66,991.39	409,985.95	498,117.18
TOTAL	83,739.26	514,446.85	622,646.47

CIL ALLOCATIONS

- 6.2 Table 3 below shows the total Neighbourhood CIL payments made to the Town and Parish Councils to date. The two statutory payment dates are as follows:

- Neighbourhood CIL paid 28 October (CIL received between 1 April and 30 September)
- Neighbourhood CIL paid 28 April (CIL received between 1 October and 31 March)

Table 3

Parish Councils	October 2016	April 2017	October 2017	April 2018
Acton Parish Council				85.08
Assington Parish Council		3,221.78		
Bildeston Parish Council			4,332.55	
Brettenham Parish Council				2,199.31
Cockfield Parish Council				2,171.38
Copdock & Washbrook Parish Council				3,928.20
East Bergholt Parish Council			2,236.71	3,928.82
Glemsford Parish Council		4,690.44	5,246.51	
Gt Cornard Parish Council				1,659.47
Gt Waldingfield Parish Council				1,574.94
Hadleigh Town Council		1,152.94	7,834.24	5,553.30
Leavenheath Parish Council			2,782.60	1,235.96
Newton Parish Council			17,373.89	
Polstead Parish Council	2,561.80			
Shimpling Parish Council				5,252.84
Sproughton Parish Council				2,002.84
Stutton Parish Council			304.31	304.31
Sudbury Town Council		933.92	5,984.18	2,747.11
Totals	2,561.80	9,999.08	46,094.99	32,643.56

7. LEGAL IMPLICATIONS

- 7.1 CIL is collected, allocated and reported in accordance with the CIL Regulations 2010 (as amended). The Babergh Regulation 62 Monitoring Report 2017-18 attached as appendix A is reported in compliance with CIL Regulation 62 and will be published on the Councils website by 31 December 2018.

8. RISK MANAGEMENT

- 8.1 This report most closely links with Strategic Risk no. 1d – Housing Delivery: If we do not secure investment in infrastructure (schools, health, broadband, transport etc.), then development is stifled and/or unsustainable

- 8.2 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
If we do not secure investment in infrastructure (schools, health, broadband, transport etc.), then development is stifled and/or unsustainable.	Unlikely (2)	Bad (3)	Adopted Community Infrastructure Levy (CIL), secure investment on infrastructure via planning process (e.g. S106). Creating Strategic Planning and Infrastructure framework (SPIF),

CURRENT RISK SCORE: 6			creating Local Plan, Infrastructure Strategy, New Anglia LEP Economic Strategy, draft created.
Failure to produce a Regulation 62 report would result in non-compliance with the CIL Regulations 2010 (as amended) and may mean that members and the public are not aware of CIL income and expenditure activities.	Highly Unlikely (1)	Noticeable /Minor (2)	The Infrastructure Team produces the report which is checked and verified by Financial services/open to review by External Audit. Reminders are set to ensure the report is published by the statutory date. The format of the Regulation 62 Monitoring report is laid out in the CIL Regulations, so there is no risk in relation to the way the information is presented.

9. CONSULTATIONS

- 9.1 Key Stakeholders are consulted/advised when Neighbourhood CIL Payments are made in April and October and CIL Allocation Reports are published on the Councils website by 28 April and 28 October accordingly in compliance with CIL Regulations.
- 9.2 CIL Regulation 62 (5) provides that the Regulation 62 Monitoring Report is published on the Councils website by 31 December following the financial year it relates to.

10. EQUALITY ANALYSIS

- 10.1 Equality Impact Assessment (EIA) is not required. There are no equality and diversity implications arising directly from the content of this report.

11. ENVIRONMENTAL IMPLICATIONS

- 11.1 There are no environmental implications arising directly from the content of this report.

12. APPENDICES

Title	Location
(A) Babergh CIL Regulation 62 Monitoring Report 2017-18	Attached

13. REPORT AUTHOR

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