

Babergh Briefing CIL, 6/12/22

I tuned into the Babergh CIL Teams briefing given by Ray Emerson and Richard Kendrew on Tuesday and gleaned the following facts which Councillors may find useful. To save confusion later, let me stress that I could have put quote marks around the statements as they were noted down verbatim from Ray and Richard's presentation.

When is CIL applied?

CIL is charged on commencement of build of a permitted development. The charge is £135 per square metre. CIL is liable on new houses built on planning applications approved after the introduction of CIL. It may also be levied on annexes and extensions greater than 100 sq metres. Exemptions may however be granted before development commences. These might include extensions, self-build, barn conversions where the barn was used within the last 12 months, holiday lodges, site clearance, utilities. CIL is usually agreed in instalments, 25-50% on commencement of the build, the rest within 90-150 days of the build, depends on the value of the house. Babergh have an app which can tell you (a) status of all CIL funds (b) status of CIL in your own village. This data base is updated daily.

How to access a CIL Grant?

Two types of CIL, and they work to different criteria.

CIL 1. District level CIL

- Has more restrictive criteria for a grant
- Two application points per year, May and Oct.
- CIL paid in April (for Oct applications) and Oct (for May applications) – but apply in good time so as not to deadline and be last in the queue. Babergh then has time to assess your bid and prioritise it.
- Start of the application process is a **CIL enquiry form**. After that you get help from Babergh to fill in the rest of the application with the right criteria in mind.
- List of criteria and priorities are in Babergh guidance on-line
- Key Babergh criteria is “additionality”. ie it must add value to the community, not just replace an as product.
- Babergh CIL not allowed for allotments, has in the past been used for car parks
- Amount allocated is max of 75% of project up to a max of £100k
- For project <£10k Babergh officers hold delegated decision power, applications over £10k must go to Cabinet for decision.
- Babergh can help you look for other matching grants, local or national.
- **Babergh would allocate CIL to churches if the allocation is for community use, not just the congregation.** Eg St Peter's Sudbury and Chelsworth. The project would have to evidence how the whole community were involved/service provided
- CIL link is accessed through Babergh's planning page
- Babergh can help PCs reclaim VAT

CIL 2: Parish Council CIL

- In EB's case we receive 25% of total CIL because we have a NP. If we didn't (like most of our neighbouring villages) it would be 15%

- PCs have 5 years to spend the CIL after which the money is returned to Babergh. **BUT** Babergh promised that they will then work with the PC to ensure the money is spent on projects in the village. Typically Babergh would contact the PC before they asked for the money back to establish if there are projects in train.
- **PC's CIL is much more flexible and can be spent on any infrastructure or service within the national guidance.** For instance, a PC can allocate CIL funding to professional advice, feasibility costs, whereas Babergh has demoted that and will only fund capital works.
- Not absolutely clear, but Babergh can't spend CIL on Highways costs, not clear if PC can or cant?
- CIL can be spent on venues/services that are not owned or run by the PC
- CIL monies can be used to fund the NP process/advice, as well as for projects flowing out of it.
- **There is no limit on PC CIL grants, the PC can choose how much to grant.**
- PCs need to report on CIL spend by 30 June each year. This should be published on PC's website.
- PCs may wish to consider a PIIP, not compulsory but could help PCs determine their priorities.
- Babergh will send out guidance on whether PC need a general power of competence (a qualified Clerk, more than 2/3 councilors elected) to spend CIL funds/what can spend CIL on.

Who can apply?

- As long as an organisation has a written constitution, officer appointed, and a bank account they can apply for CIL grants.