



Penrith Town Council

COMMUNITY INFRASTRUCTURE LEVY (CIL) POLICY

1. Introduction

- 1.1 This document details Penrith Town Council's framework, policy and procedure for spending Community Infrastructure Levy (CIL). It is important to emphasise that any monies arising from CIL are one off payments by developers to support development in the Penrith Parish area.
- 1.2 Where adopted, developers pay this levy to the Charging Authority (for Penrith the Charging Authority would be Westmorland & Furness Council) who pass on 15% of CIL receipts to Town and Parish Councils where development is taking place. This rises to 25% should the council have an adopted Neighbourhood Plan.
- 1.3 CIL is difficult to forecast. The CIL policy reflects the uncertainty of forecasting the final sum handed to the Council as well as attempting to ensure that the Council is not overextended or in debt resulting from CIL expenditure.
- 1.4 CIL Projects must be of long term and lasting benefit to the people of the parish area. Longer term housing growth and resulting infrastructure needs within the remit of the Council should be considered when developing plans for the spending of CIL.
- 1.5 The Neighbourhood Plan has a vision that 'By 2032, Penrith will be a successful, vibrant market town providing a sustainable environment for quality of life, attracting investment and tourism whilst enhancing the best of its built and natural character'.

2. Background

- 2.1 The Planning Act 2008 (as amended) and the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) provide the powers for local planning authorities or 'charging authorities' to adopt and charge a CIL on new development in their area.
- 2.2 The Community Infrastructure Levy (CIL) was introduced by the Planning Act 2008 as a method for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010.

- 2.3 CIL is a levy that local authorities can choose to charge on new developments in the area. The money spreads the cost of funding infrastructure over more developers and provides certainty as to how much developers have to pay. CIL should be used to support development 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.
- 2.4 The formula for charging CIL is determined by the principal authority. Generally a set percentage of CIL receipts are passed to Parish/Town Councils from development in their area, however, this increases where there is an adopted Neighbourhood Plan. Town and Parish Councils without a Neighbourhood Development Plan receive 15% of all CIL funds collected whilst those with an adopted Neighbourhood Development Plan receive 25%.
- 2.5 CIL contributions can be in addition to S106 agreements. This is an obligation that must directly benefit and be relevant to the area in which the new development is situated, for example schools, play facilities or contributions to highways costs, and be evidenced. Education and NHS contributions can only fund physical infrastructure not the cost of employing staff. Unlike CIL money, it must be used to meet the needs of the development in question.
- 2.6 As well as CIL, S106 Agreements can be applied to developments to mitigate their impact on the area and to secure on-site developer requirements such as the provision of affordable housing.

3. What can CIL be spent on?

- 3.1 According to Regulation 59C of the Planning Act 2008, CIL can only be spent to support the development of the Town Council's 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 gives communities freedom and power to spend the money on a wide range of things in consultation with the community.
- 3.2 Examples of expenditure for Town and Parish Councils include:
- a. Social infrastructure – eg art and culture, sports halls, education, health, social care, emergency services, community centres, village halls.
 - b. Physical infrastructure – eg pavements, cycleways, flood defences, highways, transport links, bus stops, signage, benches.
 - c. Green infrastructure – eg play areas, public open space, woodlands.

Parish funds can also be used to support the development of affordable housing where it would support the development of the area by addressing the demands that development places on the area.

- 3.3 Where community priorities for infrastructure are the same as those of the local charging authority, for example if they agreed a new school was needed, the community can agree that the local charging authority will keep the community funding element to ensure maximum funding is available.
- 3.4 The Town Council should spend its CIL monies within five years of receipt. Where money is not used to support the development of the area within five years or it is used for other purposes, the CIL Regulations give the Local Authority the power to recover those funds. This is to ensure that money is spent effectively to the benefit of the local community.

4. How will CIL be allocated?

- 4.1 The Town Council must be able to demonstrate that it is using CIL in consultation with residents to develop projects for funding that contribute to the infrastructure priorities in the area.
- 4.2 With reference to the Penrith Neighbourhood Development Plan, the prior Community Plan for Penrith, Borderlands Place Plan, Penrith Parking and Movement Study (PPMS) and Local Walking and Infrastructure Project (LCWIP) which have all been subject to extensive community consultation, a Town Infrastructure Plan (TIP) (Appendix 1) will initially inform the Town Council's spending decisions.
- 4.3 Each project will be assessed according to the following weighted scoring procedure:

| | Project | Weight |
|----|--|---------------|
| 1. | Compliance with Town Infrastructure Plan | 20 |
| 2. | Project potential – one off or lasting benefit | 15 |
| 3. | Number of people benefitting | 10 |
| 4. | Usability – does the facility/service have more than one use? | 15 |
| 5. | Target group(s) by age | 20 |
| 6. | Physical outcomes (increased community space/physical space etc) | 20 |
| | Total | 100% |

The higher percentage value scored, the greater the chance of CIL funding being granted for the project.

- 4.4 The Town Council will work closely with Westmorland and Furness Council and other stakeholders to ensure that delivery of its projects fits into a co-ordinated whole in relation to the parish and adjoining areas to ensure that town projects interrelate with others in the parish area.

- 4.5 Each year the Town Council will present identified infrastructure projects for CIL funding to enable residents to have their say on priorities. Support will also be sought through:
- Social media platforms
 - Feedback through the Town Council website
 - Face to face meetings
 - A report to the Town Council meeting twice a year
 - Annual report on CIL posted on the Town Council website
- 4.6 The Council will also consider projects brought forward on the appropriate application form by individuals and community groups and organisations (Appendix 2) within the parish boundary.
- 4.7 Any application must demonstrate sound financial management and a portion of match funding. Depending on the amount requested, groups may be required to make a presentation to Council.

5. The Application Process

- 5.1 A completed application form should be completed. All community groups and organisations will be required to provide a copy of their organisations previous year's accounts or, for new initiatives, a budget forecast. Failure to provide this financial information may result in the CIL application being delayed.
- 5.2 These applications will be considered initially by the Planning Committee. They will make a recommendation to Council who will determine the application. Where funding is required urgently to carry out repairs or for major strategic projects with implications across the Council, an application will be sent directly to full Council.

6. Receipt of Monies

- 6.1 Any monies due will be transferred to the Town Council by Westmorland and Furness Authority. These monies will be 'ringfenced' by the Town Council and only spent on projects identified in the TIP or approved by Council as they fit in with the overall themes already identified. They will be used in accordance with the council's financial regulations ie following agreed processes for quotations etc.
- 6.2 The Town Council must make proper arrangements for administration of its financial affairs as set out in S151 of the Local Government Act 1972 and the Accounts and Audit (England) Regulations 2011. These requirements also apply when dealing with the meaningful proportion of payments given to the Town Council under CIL.

7. Monitoring

- 7.1 Under Regulation 62A of the CIL regulations, Penrith Town Council is required to produce a publicly available annual report detailing CIL receipts and spend. The report will show:
- a. The total amount of CIL received in the financial year.
 - b. The total amount of CIL spent in the financial year.
 - c. A summary of expenditure including details of what items CIL was spent on and the amount of CIL expenditure per item.
 - d. Any CIL that has been returned to Westmorland and Furness Unitary Authority due to failure to spend or applying CIL funds to inappropriate items.
 - e. The total amount of CIL unspent from previous years broken down into annual amounts.
- 7.2 The report must be published by 31st December following the reported year (ie for the 22/23 financial year the report must be published by 31 December 2023). The report must be published on the Town Council's website and sent to the CIL Monitoring Officer at Westmorland and Furness Council.
- 7.3 Income received from CIL will also be included in the overall published accounts but is not required to be identified separately.

8. Review

- 8.1 This policy and list will be reviewed annually.

Chair..... Date.....

Review Date: March 2024

Town Infrastructure Plan (TIP)

Identified infrastructure projects for financing through CIL monies (in no particular order)

Identified through consultations on the following: Neighbourhood Plan, Penrith Partnership Community Plan, Penrith Parking and Movement Study, Local Cycling and Walking Infrastructure Project, Penrith BID, Penrith Industrial BID and the Borderland Place Plan

| Project |
|---|
| Town Centre Enhancements |
| Install litter bins where problems are identified |
| Renovate and clean alleyways |
| Improved interpretation and signposting |
| Improve public toilet facilities |
| Renovate and increase number of benches |
| Repair and maintenance of pavements in town centre |
| Promote a clean managed environment through increased and improved street cleaning and weed control |
| Improve and maintain flower beds |
| Repair and improve greening in town centre |
| Consider and improve landscaping, native trees, wild flower planting, floral schemes etc |
| Improve rundown shop fronts |
| Improve wheelchair accessibility in the town centre including dropped kerbs and tactile paving |
| Install some public art within the centre |
| Bring empty shops back into use – pop ups |
| |
| Town Centre Environment |
| Look at the creation of safer walking and cycling routes including crossing points |
| Increased provision of EV charging points inc on street |
| Consider provision of additional and safer pedestrian crossing points |
| Provision of traffic calming measures where appropriate |
| Look at use of school parking out of term time |
| Look at park and cycle provision / hire |
| Reconfiguration of parking on King Street |
| Reconfiguration of Great Dockray into greenspace area |
| Make Middlegate pedestrian friendly |
| Reconfigure the layout Corney Square |
| Create a safe and secure trading environment |
| Improve wheelchair accessibility in the town centre including dropped kerbs and tactile paving |
| Create a more accessible trading environment |
| |
| Tourism |
| Produce a leaflet of walks round Penrith linking green spaces (also in Health & Wellbeing) |
| Improve signage for drivers (also in Town Centre Improvements) |
| Consider utilising parking for overnight campers (also in Town Centre Improvements) |
| Car parking initiatives |
| Develop an off street long stay car park on Old London Rd |
| Improved cycle storage across town |
| Better promotion of bus and train services |
| Create a transport interchange near the railway |
| Change car park payment method to allow cash, card, phone |

| |
|--|
| Health and Wellbeing |
| Repair and improve play areas |
| Consider installing an open air gym |
| Ensure that opens spaces are accessible for all |
| Produce a leaflet of walks round Penrith linking green spaces (Town Centre Improvements) |
| Assist with maintenance of PROW, bridleways and green lanes |
| Maintain and extend network of Defibrillators |
| |



PROPOSAL FOR CIL FUNDING

Neighbourhood Portion of Community Infrastructure Levy (CIL)

APPENDIX 2

This application form is designed in Microsoft Word. The document is unprotected, allowing you to add rows to tables if necessary. Please do not alter the format.

Section 1 – Your Organisation

This helps us understand the type of organisation you are.

Contact Information

Please provide details for two senior contacts. Please enter below the details of the best person and a second contact to discuss this application.

| | | PTC only | |
|---|--|----------|--|
| Full Name of Main Contact: | | 1. | |
| Position in the Organisation: | | 2. | |
| Email: We will use this email address to contact you throughout the assessment process, so please ensure that you provide a suitable address. Telephone: This is the telephone number we will use if we have any questions regarding your application. | | 3. | |
| Address: We will use this address for all letter correspondence. | | 4. | |
| Full Name of second contact: | | 5. | |
| Position in the Organisation: | | 6. | |
| Email: | | 7. | |
| Address: | | 8. | |

Your Organisation

| | | PTC only | |
|--|--|----------|--|
| Legal name of your organisation: This must be as shown on your governing document. Your governing document could be called one of several things, depending on the type of organisation you're applying on behalf of. It might be called a constitution, trust deed, memorandum and articles of association, or something else entirely. | | 9. | |
| Organisation E-mail Address: Please enter the general email address for your organisation. Unless necessary, this will not be the email address we will use to contact you about your application. | | 10. | |
| Website Address if applicable: | | 11. | |
| Does your organisation use a different name in its day-to-day work? Yes, or no? This is how you might be known if you're not just known by your legal name (the legal name is on your governing document): What is the name your organisation uses in its day-to-day work?: | | 12. | |
| When was your organisation set up? This is the date your organisation took on its current legal status. It should be on your governing document. If you do not know the exact date, it can be an approximate date. | | 13. | |
| Base of operations if different from postal address: | | 14. | |

PTC
only

Please indicate with a tick if you are a



| | | | |
|--|--|-----|--|
| Penrith Community Group - Unregistered voluntary or community organisation | | 15. | |
| Not-for-profit company | | 16. | |
| Registered charity (unincorporated) number: | | 17. | |
| Charitable Incorporated Organisation (CIO or SCIO) number: | | 18. | |
| Community Interest Company (CIC) | | 19. | |
| School | | 20. | |
| An individual on Penrith electoral role or working in Penrith | | 21. | |

If you are neither a Charity nor a constituted local group, please provide details of your structure or who you are. (30 words)

| | |
|--|----------|
| | PTC only |
| | 22. |

What is the postcode of where your proposal will take place?

If your proposal will take place across different locations, please use the postcode of the building or address where most of the proposal will take place. You must provide the full postcode. If you do not know the postcode, you can use the [Royal Mail Postcode Finder](#) to try and find it.

Organisation Governance

Do you have a constitution or similar governing document?

| | |
|--|----------|
| | PTC only |
| | 23. |

Give a brief description of your organisation - 300 words.

Briefly describe the range of services your organisation provides and what you do on a daily basis.

| | |
|--|----------|
| | PTC only |
| | 24. |

How is your organisation managed and what governance have you in place?

Describe the frequency of your meetings, how you record your meetings, who attends meetings, who decides your activities, how you promote your group, share its achievements and monitor finances - **300 words**

| | |
|--|----------|
| | PTC only |
| | 25. |

What is the purpose or charitable objectives of your organisation?

Who is your work designed to support and what are their needs? (500 words)

Describe the circumstances or protected characteristics of the people you are supporting and the issues and challenges they face. **-200 words**

| | |
|--|----------|
| | PTC only |
| | 26. |

Please describe the membership of your organisation.

This must include the number of either/and officers, trustees, directors, staff, volunteers, and the geographical area your membership is drawn from. **- 200 words**

| | |
|--|----------|
| | PTC only |
| | 27. |

Section 2 Your Proposal

When is the CIL funding required by and what is the timescale? You have up to 60 months after award to spend the money.

Record your date below

| | PTC only | |
|--|----------|--|
| | 28. | |

What would you like to do or what do you feel Penrith residents would benefit from?

It is a condition of CIL funding that the group or proposal must bring direct benefit to the residents of Penrith.

Please describe the proposal. This should explain the objectives of the proposal and benefits to the Penrith community.

You can write between **50 and 300 words** for this section.

Describe how the scheme benefits your local area by funding either the provision, improvement, replacement, operation, or maintenance of infrastructure or anything else that is concerned with addressing the demands that new development places on the area. For example traffic calming measures, facilities or support for young people, school improvements, new playground etc.

| | PTC only | |
|--|----------|--|
| | 29. | |

What changes do you expect to see because of this funding? -300 words

What changes or benefits will there be to the lives of people you help as a result of this funding?

| | PTC only | |
|--|----------|--|
| | 30. | |

If CIL funding could not be allocated to the proposal what would be the impact? -300 words for example, would your service not be able to reach all of your beneficiaries?

| | PTC only | |
|--|----------|--|
| | 31. | |

All proposals must clearly demonstrate how the proposal meets the Town Infrastructure Plan priorities? Each proposal will be assessed according to the following weighted scoring procedure:

| Priority | Weight |
|--|-------------|
| 1. Compliance with Town Infrastructure Plan | 20 |
| 2. Proposal potential – one off or lasting benefit | 15 |
| 3. Number of people benefitting | 10 |
| 4. Usability – does the facility/service have more than one use? | 15 |
| 5. Target group(s) by age | 20 |
| 6. Physical outcomes (increased community space/physical space etc.) | 20 |
| Total | 100% |

The higher percentage value scored, the greater the chance of CIL funding being granted for the proposal. You can write between **50 and 150 words** for this section.

How does the proposal meet the Town Infrastructure Plan priorities?

| | PTC only | |
|--|----------|--|
| | 32. | |

Section 3 How does your proposal involve your community?

What do we mean by community?

- People living in the same area.
- People who have similar interests or life experiences but might not live in the same area.

Tell us how your community came up with the idea for your proposal. We want to know how many people you have spoken to, and how they'll be involved in the development and delivery of the proposal and if any other stakeholders are involved. A stakeholder may be another local group, charity, school etc. Here are some examples of how you could be involving your community:

- Having regular chats with community members, in person or on social media
- Local community membership of your organisation
- Regular surveys
- Running events

You can write between **50 and 200 words** for this section.

| | PTC only | |
|--|----------|--|
| | 33. | |

Equity, Diversity, and Inclusion

We want to hear more about the people who will benefit from your proposal.

Is your proposal aimed at a specific group of people or is it open to everyone? If at least 75% of the people you support share characteristics, then your proposal is for a specific group.

Your specific group may share one or more characteristics. For example, if 80% of the people you work with are female refugees, this means you support a specific group of people. In this example, they share two characteristics — women and refugees.

We know this can only be an estimate. We understand that this may be difficult to work out exactly, especially if this is a new proposal.

Please tick or cross the statement below which applies to your proposal:

| | PTC only | |
|---|----------|--|
| My proposal is aimed at a specific group of people. | 34. | |
| My proposal is open to everyone. | 35. | |

Who is your proposal for?

If 75% or more of the people supported or benefitting from your proposal come from one specific group, tell us who they are. If you select an option, we will ask you to tell us more about that group.

Please tick the statement below which applies to your proposal:

| | <input checked="" type="checkbox"/> | PTC only | |
|--|-------------------------------------|----------|--|
| Communities experiencing ethnic or racial inequity, discrimination, or inequality. | | 36 | |
| Faith communities. | | 37 | |
| People who emigrate | | 38 | |
| People with disabilities or challenges | | 39 | |
| Older people (65 and over) | | 40 | |
| Younger people (under 25) | | 41 | |
| Women and girls | | 42 | |
| LGBTQ+ people | | 43 | |
| People who are educationally or economically disadvantaged | | 44 | |
| Specific groups that are not included already | | 45 | |

Which specific group (that you have not included already) is your proposal for? What additional information would you like to include about the people your proposal supports? Tell us more about who they are. **300 words**

| | |
|--|----------|
| | PTC only |
| | 46. |

Section 4 CIL Proposal Funding Request

List the costs you would like CIL to fund:

| | | |
|---|---|----------|
| | | PTC only |
| Total proposal cost: This is the cost of everything related to the proposal, even things you aren't asking us to fund. | £ | 47. |
| What part of the proposal do you require CIL funding for excl. VAT | £ | 48. |
| *Confirmed total contributions from other sources: | £ | 49. |
| *Unconfirmed total contributions from other sources: | £ | 50. |
| CIL amount requested from Penrith Town Council: | £ | 51. |
| What is your accounting year end date? For example, 31 03 | | 52. |
| What is your total income for the year? Use whole numbers only | | 53. |

***Provide information or evidence of match funding:**

For grants of more than £1,000 you need to demonstrate that you have sought match funding which means that you have applied to other organisations for grants. You need to tell us that this is in the process of being sought or is already committed. Where these requirements are not met, a clear reason should be given in writing with the application.

| | | |
|---|---|----------|
| Have you applied to other grant providers to assist with your proposal? List the organisation you have applied to and for how much and if you have been successful or waiting to hear | | PTC only |
| Name of grant awarding body: | | 54. |
| Amount: | £ | 55. |
| Successful and now much was awarded: | | 56. |
| Yet to hear back: | | 57. |
| | | |
| Name: | | 58. |
| Amount: | £ | 59. |
| Successful and now much was awarded: | | 60. |
| Yet to hear back: | | 61. |

Section 5 Bank details

The Council may pass the CIL money on to your organisation if this is appropriate. Please provide your organisations bank details. Before you submit your CIL proposal, you will need to attach a copy of a bank statement/building society or e-bank statement that is less than three months old.

Is your bank account/building society or e-bank statement in the name of your organisation?

Please tick the statement below which applies:

| | | | |
|-------------------------------------|--|----------|--|
| <input checked="" type="checkbox"/> | | PTC only | |
| YES | | 62. | |
| NO | | 63. | |

Does it require at least two signatories?

Please tick the statement below which applies:

| | | | |
|-------------------------------------|--|----------|--|
| <input checked="" type="checkbox"/> | | PTC only | |
| YES | | 64. | |
| NO | | 65. | |
| Account Name: | | 66. | |
| Sort Code: | | 67. | |
| Account Number: | | 68. | |
| Bank/Building Society Name: | | 69. | |

Please note that CIL grants are paid electronically into your organisations account and it is essential that this information is accurate and that you provide a copy of a recent bank statement or e-statement with this application.

Section 6 Terms and Conditions

In order to submit your proposal, you will need to agree to our terms and conditions.

- ❖ You have been authorised by the governing body of your organisation (the board or committee that runs your organisation) to submit this application and accept the Terms and Conditions on their behalf.
- ❖ If you are an individual you have evidence of consultation with the local community who will benefit from your proposal which you can submit with the proposal.
- ❖ All the information you have provided in your proposal is accurate and complete; and you will notify us of any changes.
- ❖ You understand that we will use any personal information you have provided for the purposes described under our Data Protection and Privacy notice.
- ❖ You accept that if information about this application is requested under the Freedom of Information Act, we **will release it in line with our Freedom of Information policy.**

Full name of person completing this form

Position in organisation

Declaration

When the proposal form has been completed, the authorised Trustee or Official of the applicant organisation must sign the declaration below.

I (BLOCK CAPITALS) _____

am an authorised representative of and to the best of my knowledge the information provided by my organisation and within this proposal is correct. If Penrith Town Council agrees to make a CIL grant or proceed with the proposal, this will be used exclusively for the purposes described in this proposal.

| | | PTC only |
|-------------------|--|----------|
| Signature: | | |
| Date: | | |

All completed forms must be marked "**CIL PROPOSAL**" and sent to:

Penrith Town Council, Unit One, Church House, 19-24 Friargate, Penrith Cumbria, CA11 7XR

Or by Email: office@penrithtowncouncil.gov.uk

Data Protection and GDPR

The information you have provided in the application will be used only for the purposes of considering, determining and processing the application and in connection with any grant that is approved. The information will be retained for 6 years with the Town Council's financial records. All personal data will be held securely and will not be shared with a third party. The lawful bases which the Town Council will rely on to process any personal information are your consent and that the Council has a legitimate interest in processing it and requires to do so to perform a public task.

Checklist

Check all the questions have been answered comprehensively. Where a question is not relevant mark NA.

Provide:

- Copy of a recent bank statements, building society or e-statement – no older than the last three month
- Full contact details for the proposer as well as any registered address for the organisation should be supplied.