

Annual Infrastructure Funding Statement 2022/2023

Published November 2023

Bassetlaw District Council

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1. Introduction

Welcome to the Bassetlaw Infrastructure Funding Statement (IFS). This sets out the year's income and expenditure relating to the Community Infrastructure Levy (CIL) and Section 106 (S106) agreements for 2022/23.

District Councils, such as Bassetlaw, are now required to produce an IFS on an annual basis, as required by [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#).

Infrastructure is paid for in several different ways direct to the local authority, for example via:

- Site specific requirements – through legal agreements with developers of specific sites (known as Section 106 agreements).
- Community Infrastructure Levy – a levy on certain types of new development.
- Other funding sources (S278 Agreements / other external funding).

It is common for different funding sources to be combined to pay for new infrastructure.

This IFS sets out how the money collected to provide supporting infrastructure through CIL and Section 106 agreements within the Bassetlaw area has and will be used over the coming years. The IFS contains the information on CIL and the S106 funding secured, monies allocated and spent in addition to non-financial contributions.

Bassetlaw District Council has been collecting payments for infrastructure through the Community Infrastructure Levy since September 2013 when the Council first adopted the Levy¹.

As set out in national planning guidance, CIL will be used to contribute towards but not to fully deliver infrastructure. Other funding mechanisms including S106 agreements will be used appropriately. It will also be necessary for the Council and infrastructure partners to work with government bodies Local Enterprise Partnerships (LEP), Homes England etc to secure other funding to deliver infrastructure in the District. Parish / Town Councils will also have the ability to use their own CIL receipts (known as Neighbourhood Portion) in accordance with the CIL Regulations on infrastructure projects that are a priority for them.

Key 2022/2023 Headlines from the Statement

Bassetlaw Community Infrastructure Levy:

CIL receipts have increased significantly over the past few financial years, as a result of increasing number of developments commencing construction in the District. Relative to 2022/2023, the following is noted:

£1,990,963.17 is the total value of CIL issued in demand notices.

£3,949,675.45 is the total value of income collected.

£691,675.28 of income was collected from Bassetlaw's CIL towards local community projects known as the 'neighbourhood portion' (formerly known as Local Monies).

£3,166,321.90 of the total income collected from Bassetlaw's CIL receipts will be directed towards Strategic Infrastructure²

¹ <https://www.bassetlaw.gov.uk/planning-and-building/planning-services/planning-policy/community-infrastructure-levy-cil-draft-charging-schedule/>

² This final figure excludes the neighbourhood portion.

Bassetlaw Section 106 Agreements

Relative to 2022/2023, the following is noted:

£1,809,883.49 opening balance: has been allocated to specific projects carried forward from previous years.

£1,285,693.24 has been received in S106 income.

£450,213.16 has been spent on mitigating the impact of developments.

£2,645,363.57 remaining as the closing balance at 31/03/2023.

In 2023/2024 strategic CIL expenditure will be focused on contributing to the following strategic priorities as established on the Strategic Infrastructure List (formerly known as the Regulation 123 List)³.

- Strategic Highways improvement projects
- Secondary school provision in Worksop
- Secondary school provision in Harworth & Bircotes
- Priory Centre regeneration in Worksop
- Heritage Infrastructure (listed buildings) that are identified as being 'at risk' where a relinquishment of the CIL contribution minus fees is reimbursed.

2. What are the Sources of Income?

Community Infrastructure Levy

CIL is a tariff-based charge on the development of new floorspace (per square metre) in the District. The money can be used across Bassetlaw to fund a wide range of strategic infrastructure (e.g., new roads, junction improvements and secondary school provision) that is needed to meet the future growth needs of the District.

Please note: A charging authority may accept one or two land payments in lieu of the whole or part of the CIL due in respect of a chargeable development. Where CIL is paid by way of a land payment the amount of CIL paid is an amount equal to the value of the land acquired, known as "payment in kind".

Section 106 Agreements

Section 106 (S106) Agreements are legal agreements between Local Authorities and developers; these are linked to planning permissions and can also be known as planning obligations or developer contributions.

Section 106 agreements are drafted when it is considered that a development will have significant impact on the local area that cannot be mitigated by means of conditions attached to a planning decision. They are used to make development acceptable in planning terms.

For example, a new residential development can place extra pressure on the social, physical and green infrastructure which already exists in a certain area. A planning obligation will aim to balance the pressure created by the new development with improvements to the surrounding area ensuring that where possible the development would make a positive contribution to the local area and community.

³ As agreed on the Strategic Infrastructure List (former Regulation 123 List)

What the Section 106 Agreement may cover

When a planning application is submitted to the Council, we will assess the application to understand if the development would cause a significant impact to the area and community.

The S106 will vary depending on the nature of the development and based on the needs of the District. The most common obligations include:

- Public Open Space and Childrens Play Areas
- Affordable Housing
- Education
- Highways
- Public Transport
- Non-financial obligations, including requirements such as employment and skills strategies, construction management plans and travel plans.

The limitations on the use of S106 Agreements are set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

Other Sources of Funding

It's important that the Council and its partners consider all sources of funding to deliver infrastructure across the district. There has been much success in past years in achieving Local Enterprise Partnership (LEP) funding, Local Improvement Scheme Funding, and in the last year the Governments Levelling-Up Fund.

3. Community Infrastructure Levy – Collection and Expenditure

The following information is presented in order to comply with the requirements on the reporting of CIL. It sets out how much CIL has been collected, where it has been allocated to, and how it has been spent⁴.

The amount of CIL payable depends on where the development is located within the District as it is geographically tariff based as per the Bassetlaw CIL Charging Schedule at www.bassetlaw.gov.uk.

Table 1 below provides a breakdown of Bassetlaw CIL income over the last 8 financial years:

Table 1. CIL income since 2013/14	
	Received in Bassetlaw
Year	Amount
2013/14	£5,160
2014/15	£83,824
2015/16	£316,712
2016/17	£900,086
2017/18	£740,493
2018/19	£2,033,400
2019/20	£2,881,621
2020/21	£1,830,080 ⁵
2021/22	£4,694,411
2022/23	£3,949,675

2022/23 saw the receipt of some large amounts of Bassetlaw CIL income. Levies came from the following developments:

- **£360,000.00** – 21/00734/RES– Land at Sunny Nook Farm (Unit 1) Blyth Road
Harworth (Styrrup and Oldcotes parish)
- **£360,000.00** – 21/00735/RES– Land at Sunny Nook Farm (Unit 2) Blyth Road
Harworth (Styrrup and Oldcotes parish)
- **£210,704.31**– 19/01477/RES - Land West of Tiln Lane, Retford
- **£613,549.80** - 18/00695/FUL – Land rear of Kenilworth Nurseries, Retford
- **£304,421.47** - 21/00357/RES – Land west of Longholme Road, Retford

Relevant planning application information on the above developments can be found via the Bassetlaw District Council online planning portal at <http://publicaccess.bassetlaw.gov.uk/online-applications/>.

⁴ The collection and distribution of the Community Infrastructure Levy (CIL) is governed by the Community Infrastructure Levy Regulations 2010 (as amended). Further information can be found at <https://www.bassetlaw.gov.uk/planning-and-building/planning-services/community-infrastructure-levy/>

⁵ In order to keep the economy afloat the Government introduced legislation to defer CIL payment during the Covid pandemic subject to relevant criteria, and this is the likelihood for the dip in CIL income in 2022/23. Regulation 72(A) of the CIL Regulations as amended <https://www.legislation.gov.uk/ukSI/2020/781/contents/made>

Breakdown of CIL income/expenditure in 2022/23

	Amount	Further Information
Total value of CIL issued in Demand Notices	£1,990,963.17	45 Demand Notices issued in 2022/ 23
The total amount of CIL income ⁵	£3,949,675.49	Reflects the amounts received in 2022/23 ⁶
The total amount of CIL expenditure.	£153,063.90	This includes the neighbourhood portion payments made directly to Parish / Town Councils in 2022/23 but excludes the CIL admin monies. Further details in Table 3.
The total amount of CIL income collected since it was introduced in Bassetlaw	£17,435,466.48	CIL was introduced in Sept 2013. No money was collected prior to this date.
Total amount of land given in kind during the year.	£0.00	Nil
Total amount of land given in kind since CIL was introduced	£0.00	Nil

CIL EXPENDITURE IN 2022/23

CIL is drawn down through Cabinet delegated decision making to the Head of Regeneration for all qualifying projects. These being:

- Strategic infrastructure projects (formerly known as the Regulation 123 List)
- Locally led infrastructure projects by Parish/Town Councils
- CIL administrative work (maximum 5% of total CIL income)

Amount	Infrastructure (former Reg 123 List)	Further Information	Type of Expenditure
£91,678.34		Funding CIL Officer (0.6 FTE + F/T Agency)	CIL Admin Monies
£153,063.90		Drawn Down by Parish /Town Councils	Neighbourhood Portion

⁶ this income could be derived from previous years and is payable upon commencement of development

4. CIL ALLOCATED AND UNSPENT IN 2022/23

The following information details a summary of the CIL monies that have been collected, allocated to a project, but not yet spent:

CIL Balance at 31 March 2023	Details
£12,905,043.91	The drawdown of this CIL income will be used to deliver the strategic infrastructure projects in the Strategic Infrastructure List (former Regulation 123 List) identified as necessary to deliver the emerging Bassetlaw Local Plan

Neighbourhood Portion (Formerly known as Local Money)

A 'meaningful proportion' of CIL receipts is passed to the local Town or Parish Council for the area where the development takes place (known as the neighbourhood portion). The meaningful proportion to be passed to the local Parish / Town Councils is set at 15% of the relevant CIL receipts with a maximum cap of £100 per Council tax dwelling in the parish.

Neighbourhood Funding Guidance – at Appendix 1

Where a Neighbourhood Plan is in place the 'meaningful proportion' will rise to 25% with no maximum cap. At the end of 2022/23 there were 22 Neighbourhood Plans adopted. The Planning Service are working with 32 neighbourhood forums to progress either new or review Neighbourhood Plans across the District.

The higher neighbourhood portion cannot retrospectively be applied to developments granted planning permission prior to the adoption of the Neighbourhood Plan.

Table 4 shows the adopted Neighbourhood Plans in Bassetlaw

Table 4. Neighbourhood Plans Adopted (up to 31.03.2023)	
Parish / Town Council	Adopted / Made Date
Ranskill	23 February 2023
Lound	24 February 2022
Blyth	6 May 2021
Everton	6 May 2021
Hodsock and Langold	6 May 2021
Rampton & Woodbeck	6 May 2021
Walkeringham	6 May 2021
Carlton in Lindrick	21 February 2019
Treswell and Cottam	21 February 2019
Misterton	5 September 2019
Mattersey & Mattersey Thorpe	5 September 2019
Sutton cum Lound	15 February 2018 Review 4 March 2021
East Markham	26 April 2018
Headon, Upton, Grove and Stokeham	6 September 2018
Clarborough & Welham	2 February 2017
Cuckney, Norton, Holbeck and Welbeck	9 March 17 Review 8 September 2022
Misson	7 September 2017
Sturton	11 February 2016 Review adopted 11 Nov 2021
Tuxford	10 November 2016
Shireoaks	17 November 2016
Elkesley	12 November 2015
Harworth & Bircotes	3 December 2015

Table 5 shows the CIL neighbourhood portion available arising from the commencement of development in 2022/23.

Parish / Town Council	Amount received in relation to 2022/23	Cumulative amount available end of 2022/23
Barnby Moor	£8,913.50	£8,913.50
Beckingham	£24,496.33	£24,496.33
Blyth	£37,292.59	£37,292.59
Bothamsall	£1,837.45	£1,837.45
Carlton in Lindrick	£54.97	£68,494.13
Holbeck and Welbeck	£0.00	£2,955.71
Elkesley	£0.00	£2,240.42
Everton	£3,974.33	£53,727.05
East Markham / Bevercotes	£25,645.09	£25,650.09
Gringley on the Hill	£0.00	£0.00
Harworth/Bircotes Town Council *	£32,460.51	£62,221.03
Langold	£25,236.74	£38,549.56
Mattersey	£4,964.58	£25,685.17
Misterton	£243.81	£243.81
Mission	£6,060.72	£6,060.72
Nether Langwith	£1,944.50	£1,944.50
Normanton on Trent with Marnham	£0	£16,615.47
North Leverton	£45,905.36	£45,905.36
North & South Wheatley	£67.50	£67.50
Rampton	£1,956.19	£6,194.22
Ranskill	£21,350.20	£66,986.43
Rhodesia	£19,869.21	£69,863.47
Shireoaks	£16,643.88	£180,814.32
Sutton	£51,486.16	£80,979.90
South Leverton	£4,447.82	£4,447.82
Styrrup and Oldcotes *	£108,318.88	£158,451.08
Sturton le Steeple	£97.39	£97.39
Tuxford	£8,099.47	£27,933.45
Walkeringham	£6,912.84	£8,744.11
West Stockwith	£0.00	£1,817.81

* PC/Town Council adjusted as 2 sites with postal addresses of Harworth are within Styrrup/Oldcotes boundary. Cases references 21/00735/RES and 21/00734/RES – Land at Sunny Nook Farm.

Monies collected in non-Parish/Town Council areas	Amount received in relation to 2022/23	Cumulative amount available end of 2022/23
Worksop	£33,550.30	£733,038.03
Retford	£199,844.96	£465,150.84

Parish and Town Councils have a duty to submit annual monitoring reports if they have drawn down funds in accordance with the CIL Regulations.

Failure to submit Annual Monitoring Reports by the December following the end of the financial year, will result in the prevention of funds being available to draw down until appropriate accounting has occurred. All such annual monitoring reports are available on the Council website at:

<https://www.bassetlaw.gov.uk/planning-and-building/planning-services/community-infrastructure-levy/cil-annual-reports/>

See Appendix for Neighbourhood Funding Guidance on the Administration of the Community Infrastructure Levy.

Strategic Infrastructure Projects

The 2019 changes in CIL legislation removes the requirement for authorities to publish a CIL Regulation 123 Infrastructure List. It is now known as the Strategic Infrastructure List.

The Strategic infrastructure projects, on the whole, remain the same as those on the CIL Regulation 123 Infrastructure List. However, as the Bassetlaw Local Plan Main Modifications has been consulted on and the Local Plan is expected to be adopted by the end of 2023, there is a need to align the strategic infrastructure projects with those identified as necessary to help deliver the Bassetlaw Local Plan. These are outlined in the associated Infrastructure Delivery Plan which can be viewed on the Council's website at www.bassetlaw.gov.uk/thebassetlawplan

The Bassetlaw CIL Charging Schedule is being reviewed alongside the Bassetlaw Local Plan and was independently examined in 2023. It is also expected to be adopted by the end of 2023. The Draft CIL Charging Schedule can be view at www.bassetlaw.gov.uk/thebassetlawplan

Table 7 shows the strategic infrastructure projects

Table 7. Strategic Infrastructure			
Infrastructure Required	Approximate Cost of Improvement £m	Funding already acquired £	Status
A57/B6040 roundabout, Manton Wood	4.3		Not commenced
A57/A614/A1 Five Lane Ends roundabout, Apleyhead	4.3		Not commenced
A57/B6034/Netherton Road roundabout, Worksop	4.3		Not commenced
A57/A60 Sandy Lane roundabout, Worksop	3.2		Not commenced
A57/Claylands Avenue/Shireoaks Common roundabout, Worksop	1.0	19,250	Member DD dated 18/10/19. Project Underway
A60/A619 roundabout, Worksop	3.2		Project Underway - In discussions over design works
A620/B6420 Mansfield Road, Worksop	2.1		Not Commenced
A620 Amcott Way/A638 Arlington Way, Retford	1.0		Not Commenced
London Road/Whitehouses Road, Retford	1.1		Not Commenced
London Road/Whinney Moor Lane/Bracken Lane, Retford	1.1		Not Commenced

A620 Babworth Road / Ordsall Road junction, Retford	1.1		Not commenced
Secondary school provision in Worksop	15.8		Not Commenced ¹
Secondary school provision in Harworth Bircotes	4.40		Not Commenced
Gateford Park Development 14/00213/OUT – Primary School	11.472m total project cost (0.433 from CIL)		Member DD dated 21.04.2015
Gateford Park Development 14/00213/OUT – Public Open Space	0.706		Member DD dated 21.04.2015
Priory Centre Redevelopment, Worksop	20.0 total project cost (2.0 from CIL)	18.0 from Levelling Up Fund - Round 2	Planning application submitted

The total amount of Strategic Infrastructure Project monies (former Regulation 123 List) received in 2022/23 was £3,060,516.47.

Table 7 shows the total cost of each strategic infrastructure project. It is not expected that CIL will solely fund the project. Other funding mechanisms such as S106 agreements and external funding will also be used.

Total Amount of CIL Retained at 31 March 2023

Table 8. CIL Strategic and Local Monies Retained 2022/23		
	Amount	Further Information
The total amount of CIL receipts received at the end of the reported year	£3,166,321.90	Includes any unused Admin Monies at end of 20/21
Total of CIL income available to Parish / Town Councils as part of their neighbourhood portion	£921,245.42	Neighbourhood portion available for drawn down (does not included Retford and Worksop or Admin)

Total Amount of CIL Local Monies Spent/Transferred in 2022/23

The total amount of Local monies drawn down by Parish/Town Council in 2022/2023 was £153,063.90.

¹ This comprises of the satellite sixth form school associated with Local Plan (£11.3 million) delivery and the expansion of Outwood Academy Portland (£4.5 million)

CIL Exceptional Circumstances Relief 2022/23

In some cases, developments may be eligible for relief or exemption from CIL in accordance with Regulations 55-57 as amended by Regulation 7(11) of the levy 2014 Regulations.

The following applications for Exceptional Circumstances Relief were granted in 2022/23

21/00736FUL – Former Magistrates Court, 30 Potter Street, Worksop

Decision issued 26 April 2022 – amount of relief granted = £51,347.41

20/01325/RES – Land North East of Dunelm, Church Street, Beckingham

Decision issued 18 January 2023 – amount of relief granted = £216,100.64

CIL Administration

Up to 5% of CIL funds can be retained annually to cover administration costs in accordance with the CIL Regulations as amended 2010. In 2022/23, 5% receipts total £197,483.77 and of this proportion Table No 3 details the amount spent during the financial year.

5. SECTION 106 LEGAL AGREEMENTS

The following information is presented in order to comply with the requirements for the reporting of Section 106 Agreements (S106). It sets out how much S106 has been collected, where it has been allocated and how it has been spent. It includes monetary as well as non- monetary contributions.

S106 agreements and other relevant documentations from each planning application (7 in total during the reporting period) can be viewed online on our the Bassetlaw District Council planning portal at <http://publicaccess.bassetlaw.gov.uk/online-applications/>

In 2022/23 a total of £1,293,356.69 was received in S106 contributions for a variety of mitigation measures.

Table 9. Balances as at year end 2022/23	
Opening Balance 01/04/2022	£1,809,883.49
Obligation Monies Received during 2022/23	£1,273,703.85
Payments made in 2022/23	£469,567.66
Closing Balance 31/03/2023	£2,614,019.68

Breakdown of invoices raised, and income collected in 2022/23 across 13 sites:

Table 10. Invoices Raised in 2022/23		
Site	Amount	Status
Land at North Road, Retford - 15/00493/OUT	£100.00	Option Sum – Option Land
Land at Common Lane, Harworth - 19/01280/FUL	£3,524.31	Off-site Public Open Space Contribution - Paid
Land East of Doncaster Road, Langold - 17/01462/OUT	£114,549.61	Public Open Space Contribution - Paid
Land West Of Queen Elizabeth Cres, Rhodesia - 19/00852/FUL	£54,916.77	Off-site Public Open Space Contribution - Paid
Land rear of 1 to 29 Vicarage Lane, Beckingham 16/00877/FUL	£18,484.10	Off-site Public Open Space Contribution - Paid
Land South of Ranskill Churchyard, Great North Road, Ranskill – 19/01653/FUL	£10,623.86	Off-site Public Open Space Contribution- Paid
Former Vesuvius Works, Sandy Lane, Worksop – 13/01324/OUT	£127,514.35	Bus Service Contribution – Paid (1 st Instalment)

Land Southwest of Orchard Lodge, Southgore Lane, North Leverton - 15/00514/OUT	£4,485.25	Highways Contribution Paid
Land off Essex Road, Bircotes – 20/00051/FUL	£4,764.87 £28,174.47 £34,936.34 £563,454.88 £8,400.00	Library Contribution – Paid Footpath Contribution – Paid Highways Contribution – Paid Education Contribution – Paid Public Transport Contribution – Part Paid £8,400.00 – indexation outstanding
Land South of Woodend Farm, East of Shireoaks Common, Shireoaks – 19/01642/FUL	£11,093.26 £13,415.02 £110,575.89	Off-Site Open Space – Paid Highways Contribution – Paid Education Contribution – Paid
Former Poultry Factory Site, Mark Lane, East Markham - 16/10/00047	£19,084.90 £131,170.53 £3,180.82	Open Space Contribution – Paid Education Contribution – Paid Viability Costs – Paid
Former Magistrates Court, 30 Potter Street, Worksop – 21/00736/FUL	£11,254.62	Off site Open Space Contribution – Paid
Land South of Station Road, Walkeringham – 15/01611/RSB	£19,652.84	Off Site Open Space - unpaid
Total Invoiced in 2022/23	£1,293,356.69	
Total Receipts in 2022/23	£1,273,703.85	

Total S106 Agreement funds drawn down in 2022/23

Table 11. S106 funds drawn down in 2022/23		
Site	Amount	Project
Commuted Sums sites: St Annes, Worksop Gala Way, Retford Cavendish Park, Worksop Birchcroft Road/Oakdale Road, Retford Burleigh Court Tuxford	£3,979.00	Various POS sites across the District - maintenance
Transfer to NCC – Bus stop improvements	£13,415.02	Highway Contribution – P.A. 19/01642/FUL
Transfer to East Markham Parish Council	£19,084.90	Sports Pavilion Contribution P.A. 16/10/00047 and 19/01664/VPO8
Transfer to NCC – Classroom accommodation at East Markham Primary School	£131,170.53	Education Contribution – P.A. 16/10/00047 and 19/01664/VPO8
Transfer to NCC – Expansion of St Luke's C of E Primary School	£110,575.89	Education Contribution - 19/01642/FUL
Transfer to NCC – Procure Bus Service Worksop 5 – provision of bus service from Asda, Sandy Lane to Worksop bus station	£127,514.35	Bus Service Contribution – P.A. 13/01324/OUT
Transfer to NCC – Bus stop improvements – upgrade of two bus stops in vicinity of the former Portland school site	£30,800.00	Public Transport Contribution – P.A. 02/11/00040
Transfer to NCC – Worksop Library	£17,652.47	Library Contribution - P.A. 14/00431/OUT
Townscape Heritage Funding – shop frontages upper Bridge Street, Worksop	£7,200.00	Town Centre Contribution – P.A. 02/11/00288
Worksop Creative Village – redevelopment of Phase II of Creative Village.	£8,175.50	Town Centre Contribution – P.A. 02/11/00288
Total	£469,567.66	

Breakdown of financial contributions secured through Section 106 Agreements in 2022/23

Table 12. S106 Contributions secured in Bassetlaw in 2022/23	
Type	Amount
Off-site Public Open Space	£11,857.50
Education	£365,946.00 + 19/0297/OUT
Highways	£37,500
Public Transport	£9,325.00
Travel Plan Management Fee	£7,500.00
Monitoring Fees	£6,000.00

Note: BDC charges a fee of 5% of the total contributions paid, capped at £5000.00, per covenant that requires monitoring in order to recover the costs of the BDC administration of this work. The monitoring fees collected contribute towards the employee resource to monitor the S106 financial contributions.

Financial contributions linked to table No 12 through signed agreements in 2022/23

Table 13. Financial contributions secured through S106 Agreements 2022/23	
Details	Site
£11,857.50 Off Site Public Open Space £7,500.00 Travel Plan £365,946.00 Education Contribution	19/00433/FUL Land off Beverley Road Harworth
£15,000 Highways Contribution £tba Education Contribution – dependent on number of dwellings allowed under Reserved Matters	19/01297/OUT Land off Bramble Way Harworth
£9,325.00 Highways Contribution	22/00646/FUL Former Public Toilets on Corner of Newgate Street and Bridge Street Worksop
£22,500.00 Highways Contribution	22/00295/FUL Plot A4 Lords Wood Road Harworth

Non- Financial contributions linked to table No 12 through signed agreements in 2022/23

Table 14. Non-financial contributions secured through S106 Agreements 2022/23	
Details	Site
15% Affordable Housing – 16 units	19/00433/FUL Land off Beverley Road Harworth
15% Affordable Housing – units to be confirmed at Reserved Matters application stage.	19/01297/OUT Land off Bramble Way Harworth

Historic Accruals linked to table No 15

Table 15. S106 Accruals from previous financial years	
Amount	Site
£46,030.60	09/05/00002 Bevercotes Colliery, Bothamsall Creation and maintenance of a Bird Nesting Area

6. MONITORING AND REVIEW

In accordance with CIL Regulation 121A the Government requires that an Annual Infrastructure Funding Statement (IFS) is published by the 31 December each year. The Bassetlaw District Council Planning Service has adequate controls in place to periodically monitor the demand, receipt and distribution of monies flowing in and out relative to infrastructure support. Information is gathered, across the service area, to understand the impacts of unplanned developments and future strategically planned developments across the District.

The CIL Regulations provide further information on how Parish / Town Councils should spend and monitor their allocations of CIL. The Regulations state that if Parish / Town Councils have not spent their CIL allocations made to them within five years of receipt, Bassetlaw District Council can ask for the monies to be returned to the strategic pot.

Parish / Town Council Annual Monitoring reports are published on the Council website at:

[Community infrastructure levy annual reports | Bassetlaw District Council](#)

7. FURTHER INFORMATION

For further information on the Community Infrastructure Levy visit

[Community infrastructure levy \(CIL\) | Bassetlaw District Council](#)

Appendix

Community Infrastructure Levy

NEIGHBOURHOOD FUNDING GUIDANCE



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Guidance for Parish and Town Councils on

1. Executive Summary

- 1.1 The Community Infrastructure Levy Regulations 2010 (as amended) require local authorities (as Charging Authority) to pass a proportion of CIL receipts collected from developments in their areas directly to parish and town councils to be spent on infrastructure or anything else that is concerned with addressing the demands that development places on an area.
- 1.2 The District Council will pass accumulated funds to the parish every year (at the end of the financial year), and the parish/town council will be required to report on receipts and expenditure each year.

2. Introduction

- 2.1 The purpose of this note is to set out what parish and town councils can spend their CIL receipt on. Under Regulation 59A neighbourhoods will now be passed 15% of CIL revenue received by the charging authority where development has taken place. The figure rises to 25% where the town/parish council has an adopted Neighbourhood Plan in place.
- 2.2 The 15% figure is capped to £100 per existing council tax dwelling (multiplied by an index figure) which can be passed on to a parish or town council to be spent on “local priorities”. No cap applies where the Parish Council has an adopted Neighbourhood Plan. A full explanation of how the capping process works is set out in the Department of Communities and Local Government (DCLG) – Community Infrastructure Levy Guidance (February 2014) (see paragraph 72).
- 2.3 Paragraph 78 of the DCLG Guidance indicates that where money is not used to support development of the area within 5 years of receipt, or used for other purposes, the Regulations give Charging Authorities (i.e. Bassetlaw District Council) the power to recover those funds. The District Council will be required to spend any recovered funds in the parish council’s area.

Receiving and The Use of CIL Funds

3. Spending the Neighbourhood Funds

Background

3.1 Paragraph 71 of the above DCLG Guidance indicates that neighbourhood funding can be spent on a wider range of things than general levy funds. It can be spent on supporting the development of the 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.

3.2 Paragraph 78 of the Guidance indicates that “the wider definition means that the neighbourhood funding pot can be spent on things other than infrastructure (as defined in the CIL Regulations). For example the pot could be used to fund affordable housing where it would support the development of the area by addressing the demands that development places on the area.”

3.3 The above guidance would suggest that parishes can potentially spend CIL funds on a wide range of infrastructure, including for example local schools, highway/transport infrastructure and other strategic infrastructure, as well more traditional parish items such as village halls, allotments, play areas; bus shelters; street lighting; provision of public toilets; provision of litter bins etc. (see Appendix B setting out those capital works/infrastructure and maintenance items where the Parish Council has the statutory powers and duties to deliver).

Restrictions on neighbourhood spending

3.4 However, unless the parish or town council has a General Power of Competence (GPC) as outlined in the Localism Act (ss1 - 8) (see Appendix A), then they will not have the statutory powers or duties to spend CIL money

beyond their existing remit (as set out in the various Local Government Acts - see Appendix B). The list of infrastructure, or maintenance of infrastructure, which a parish council has the statutory powers or duties to provide is quite extensive, but without the General Power of Competence (GPC) Parish Councils will not be able to spend their CIL receipt on the wider strategic infrastructure.

Parish Council with GPC – Spending CIL Funds

3.5 Where a Council has a GPC then they will be able to use CIL on those items in Appendix B where they have a statutory power and duty to provide as well as on more strategic/wider infrastructure items, such as providing new or extended schools; new roads; new or extended libraries; Doctors’ surgeries etc.

Parish Councils without GPC - Spending CIL Funds

3.6 Where a parish or town council does not have a GPC, this will restrict them using their CIL funds to those items set out in Appendix B (i.e. where they have a statutory power or duty to provide or maintain the specific infrastructure item).

3.7 The only way that neighbourhood funds from CIL could be used more strategically would involve the Charging Authority (CA) working closely with the parish council to agree infrastructure priorities (i.e. as set out in a Local Investment Plan and Programme), and where agreement can be reached, the CA could “retain” the neighbourhood funding to spend on specific agreed infrastructure item/s. This could include infrastructure outside the parish council’s statutory remit and/or outside the council’s geographic boundary e.g. supporting schools and roads etc.

Other Issues relating to spending CIL

3.8 Parish and town councils do have the ability to spend money widely under Sections 111 and

137 of the Local Government Act 1972. However, under s.111 the Local Authority only have the power to spend on anything which is conducive or incidental to the discharge of any of their functions. This would prevent parish and town council spending beyond their statutory powers and duties (unless they have a GPC).

3.9 Section 137 allows parish councils to incur expenditure for certain purposes not otherwise authorised. However this expenditure is capped (£7.20 per elector 2013/14) and has to be used by the parish council "... In their opinion is in the interests of (and will bring direct benefit to) their area or part of it or all or some of its inhabitants..". It should be noted that the "direct benefit" accruing to their area or any part of it or to all or some of the inhabitants of their area must be commensurate with the expenditure to be incurred.

3.10 Therefore neither s.111 nor s.137 above would allow non GPC parish councils to spend CIL unrestrained.

4. Reporting

4.1 To ensure transparency parish/town councils must publish each year their total CIL receipts; total expenditure; a summary of what the CIL was spent on; and the total amount of receipts retained at the end of the reported year from that year and previous years.

4.2 Reports can be combined with reports already produced by parish/town council and should be placed on their websites and a copy of the report should be sent to the District Council.

5. Summary

5.1 Parish and town councils can spend their CIL receipt on a range of infrastructure and maintenance projects providing they are compliant with their statutory powers and duties. These powers and duties are quite wide ranging and are set out in Appendix B.

5.2 Reports can be combined with reports already produced by parish/town council and should be placed on their websites and a copy of the report should be sent to the District Council.

Appendix A

General Power of Competence

Background

The GPoC was brought in by the Localism Act 2011 and it allows councils to: carry out any lawful activity; undertake any lawful works; operate any lawful business; and enter into any lawful transaction. This power does not remove any duties from LAs and they will continue to need to comply with duties placed on them. It is a power of first resort.

Criteria for eligibility

Under a statutory instrument the Council must resolve clearly at a full council meeting that “at the time of resolution ” it meets the criteria. This has to be confirmed again at each relevant annual parish council meeting after the ordinary election that normally takes place every four years. The following criteria must be met:

- a. At least 2/3 of councillors must be elected (i.e. elected or stood for election) at the last election;
- b. The clerk must be qualified;
- c. The clerk has completed the GPoC training.

A Council that has adopted the GPoC cannot use S137 .

Appendix B

Infrastructure items which can be provided or maintained by Parish/Town Councils

Please note: the list below is not exhaustive

Infrastructure Type	Power & Duty	Statutory Provision
Allotments	Provision of allotments	Small Holding and Allotments Act 1908 s.23
Burial Grounds; cemeteries and crematoria	Power to acquire and maintain; Power to provide Power to agree to maintain monuments and memorials	Open Spaces Act 1906 ss.9 & 10; Local Government Act (LGA) 1972 s.214 Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1
Bins	Provision of litter bins	Litter Act 1983 ss. 5,6
Bus Shelters	Power to provide	Local Government (Miscellaneous Provision) Act 1953 s.4
Clock	Power to provide public clock	Parish Councils Act 1957, s.2
Closed Church Yards	Power to maintain	LGA 1972, s.215
Commons and common pastures	Power in relation to inclosure, regulation and management and providing common pasture	Inclosure Act 1845; small Holdings and Allotments Act 1908, s.34
Conference facilities	Power to provide	LGA 1972 s.144
Community Centres	Power to provide and equip building for use of clubs (sport/social/educational); Power to acquire, provide and furnish community building	Local Government (Miscellaneous Provisions) Act 1976 s.19 LGA 1972, s.133
Crime Prevention	Power to spend money on crime prevention	Local Government and Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936 s.260
Entertainment and the Arts	Provision of entertainment	LGA 1972 s.145
Highways	Power to repair and maintain public footpaths and bridleways	Highways Act 1980 ss.43 & 50
	Power to light roads and public places	Parish Councils Act 1957 s.3; Highways Act 1980, s.301
	Power to provide parking places for vehicles, bikes, and motor-bikes	Road Traffic Regulations Act 1984 ss.57,63
	Power to enter into agreement as to dedication and widening	Highways Act 1980 ss.30, 72

	Power to enter into agreement as to dedication and widening Highways Act 1980 ss.30 , 72	Highways Act 1980 ss.30 , 72
	Power to provide roadside seats and shelters and bus shelters	Parish Councils Act 1957 s.1
	Power to provide certain traffic signs and other notices	Road Traffic Regulations Act 1984 s.72
	Power to plant trees and maintain roadside verges	Power to plant trees and maintain roadside verges Highways Act 1980 s.96
	Traffic calming – powers to contribute financially to such schemes	Local Government and Rating Act 1997 s.30
	Community Transport – power to spend money on community transport schemes	Local Government and Rating Act 1997 ss.26-29
Land	Power to acquire and dispose of land	LGA 1972 ss.124; 126; 127
Mortuaries and postmortem rooms	Power to provide	Public Health Act 1936 s.198
Open Space	Power to acquire land for public recreation	Public Health Act 1875 s.164
	Power to acquire and maintain land for open spaces	Open Spaces Act 1906 ss.9 and 10
Public Buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	LGA 1972 s.133
Public Toilets	Power to provide	Public Health Act 1936 s.87
Recreation	Power to acquire land for recreation grounds; public walks; pleasure grounds and open space; and to manage and control them.	Public Health Act 1875 s.164; LGA 1972 sch.14 para27; Public Health Acts Amendments Act 1890 s.44; Open Spaces Act 1906 ss.9 and 10
	Power to provide a wide range of recreational facilities	Local Government (Miscellaneous Provisions) Act 1976 s.19
	Provision of boating pools	Public health Act 1961 s.54
War Memorials	Power to maintain, repair, protect and adopt	War Memorial (Local Authorities' Power) Act 1923, s.1; as extended by Local Government Act 1948 s.133
Water Supply	Power to utilise well or spring and to provide facilities for obtaining water from them	Public Health Act 1936 s.125

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