

NOTICE OF MEETING

Meeting:	PLACE AND SUSTAINABILITY OVERVIEW AND SCRUTINY PANEL
Date and Time:	THURSDAY, 14 SEPTEMBER 2023, AT 6.00 PM
Place:	COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA
Enquiries to:	Email: joe.tyler@nfdc.gov.uk Joe Tyler Tel: 023 8028 5982

PUBLIC PARTICIPATION:

Members of the public may watch this meeting live on the [Council's website](#).

Members of the public may speak in accordance with the Council's public participation scheme:

- (a) on items within the Place and Sustainability Overview and Scrutiny Panel's terms of reference which are not on the public agenda; and/or
- (b) on individual items on the public agenda, when the Chairman calls that item. Speeches may not exceed three minutes.

Anyone wishing to speak should contact the name and number shown above no later than 12.00 noon on Monday, 11 September 2023.

Kate Ryan
Chief Executive

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This agenda can be viewed online (<https://democracy.newforest.gov.uk>).

It can also be made available on audio tape, in Braille and large print.

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 15 June as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To receive any public participation in accordance with the Council's public participation scheme.

4. DISCUSSION OF MOTION SUBMITTED TO COUNCIL SEEKING NEW FOREST DISTRICT COUNCILS SUPPORT FOR THE PROPOSED CLIMATE AND ECOLOGY BILL (Pages 3 - 8)

To consider a motion, proposed by Cllr Osbourne at Council July 2023 and subsequently referred to the Place and Environment O&S Panel. Members must consider the resolutions contained within the Motion.

5. ANNUAL FEES AND CHARGES FOR 2024 - CAR PARKING AND KEYHAVEN MOORINGS (Pages 9 - 18)

To consider the proposed parking and Keyhaven Fees and Charges.

6. COMMUNITY INFRASTRUCTURE LEVY (CIL) - FRAMEWORK FOR CIL EXPENDITURE (Pages 19 - 62)

To consider a proposed framework for the expenditure of the CIL for the Council.

7. PORTFOLIO HOLDER'S UPDATE

An opportunity for the Portfolio Holder's to provide an update to the Panel on developments within their portfolio.

8. WORK PROGRAMME (Pages 63 - 64)

To agree the work programme to guide the Panel's activities over the coming months.

9. DATES OF FUTURE MEETINGS

To agree the following dates of meeting for 2024/2025 (Thursdays at 18:00)

20 June 2024

12 September 2024

16 January 2025

13 March 2025

To: **Councillors**

Steve Rippon-Swaine (Chairman)
Alvin Reid (Vice-Chairman)
Peter Armstrong
Keith Craze
Allan Glass

Councillors

Matthew Hartmann
Stephanie Osborne
Adam Parker
Malcolm Wade

PORTFOLIO – ENVIRONMENT & SUSTAINABILITY

PLACE & SUSTAINABILITY OVERVIEW & SCRUTINY PANEL – SEPTEMBER 2023

DISCUSSION OF MOTION SUBMITTED TO COUNCIL SEEKING NEW FOREST DISTRICT COUNCILS SUPPORT FOR THE PROPOSED CLIMATE AND ECOLOGY BILL

1. RECOMMENDATIONS

- 1.1 That the Panel discuss the motion presented to Council in July 2023 seeking New Forest District Council's Support for the proposed Climate and Ecology Bill.
- 1.2 That the Panel provide comments to Cabinet to inform a decision as to whether to support the proposed motion.

2. INTRODUCTION

- 2.1 A motion seeking the Councils support for the proposed Climate and Ecology Bill (CE Bill) was presented to New Forest District Council on Monday 10th July 2023 – the motion and minutes of the meeting can be read [here](#), the motion can be seen at Appendix 1.
- 2.2 The motion proposed that the Council:
 - i. Support the Climate and Ecology Bill;
 - ii. Inform local residents and local press/media of this decision;
 - iii. Write to MPs Sir Julian Lewis and Desmond Swayne to inform them that this motion has been passed, urging them to sign up to support the CE Bill, or thanking them for already doing so;
 - iv. Write to Zero Hour, the organisers of the cross-party campaign for the CE Bill, expressing its support (campaign@zerohour.uk).
- 2.3 It was resolved that the motion be referred to the Place and Sustainability Overview and Scrutiny Panel for consideration, and to inform the decision.

3. BACKGROUND

- 3.1 The proposed Climate and Ecology Bill can be read [here](#). It is a Private Members Bill reintroduced in the House of Commons by Olivia Blake MP (Labour, Sheffield Hallam) on 10 May 2023. The CE Bill is scheduled to have its second reading in parliament on 24 November 2023, however there are no guarantees that this proposed Bill advances in this parliamentary term.
- 3.2 Zero Hour have produced this [briefing paper](#) which provides their view of the key purposes, targets and benefits of the Climate and Ecology Bill. In general, it sets more inclusive and ambitious environmental targets to drive faster and more effective behaviour change, enabling the UK to meet its objectives around net zero carbon, climate change adaptation and nature recovery.
- 3.3 As noted in the motion at Appendix 1, the CE Bill is backed by 168 cross-party MPs and Peers, 237 local authorities, alongside the support of eminent scientists, such as Sir David King; environmental NGOs, such as The Wildlife Trusts and CPRE; businesses, such as The Co-operative Bank; and 30,000 members of the public
- 3.4 If passed, the Government would be required to publish within 12 months a strategy to achieve the agreed objectives (Section 2 of the CE Bill sets out what will be included).

Until such time that the strategy is drafted however, we do not know what impacts the proposed CE Bill will have at a local level or what it will achieve in practice (i.e. how actions will be implemented, enforced and monitored; when changes will take effect; what the costs will be; if this changes the physical and/or financial risk for the council).

- 3.5 NFDC declared a Climate Change and Nature Emergency in October 2021 and the principles of the CE Bill align with the operational and behavioural changes that we have committed to and are in the process of delivering through our Climate Change and Nature Emergency Action Plan.
- 3.6 The Resident Insight Survey carried out in early 2023 showed that three quarters of New Forest District residents feel worried about the impact of climate change (45% somewhat worried, 29% very worried). Supporting the Bill presents an opportunity for NFDC to demonstrate corporate leadership and respond visibly to the concerns of the public on these issues.

4. FINANCIAL IMPLICATIONS

- 4.1 No financial implications are associated with supporting or rejecting the motion. As outlined in 3.4, the potential financial implications of the CE Bill are unknown at this stage. It is not possible at this stage for the Council to clearly understand the financial implications of the Bill as proposed, and therefore there is some unquantifiable financial risk in the absence of clarity of how any additional burdens would be funded.

5. CRIME & DISORDER IMPLICATIONS

- 5.1 No crime and disorder implications have been identified.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 The main purpose of the Climate and Ecology Bill is to drive faster and more effective environmental improvements. Supporting the motion will not have direct environmental implications but could add weight to the endorsements of other local authorities and stakeholders identified in 3.3, showing sector support for the changes within the Bill.
- 6.2 As a local authority, NFDC is in a leadership position and is uniquely placed locally to influence residents, businesses and visitors. Supporting the motion demonstrates corporate social responsibility for environmental action; and conversely, rejecting the motion could discourage engagement in environmental activities.

7. EQUALITY & DIVERSITY IMPLICATIONS

- 7.1 Climate change and environmental quality issues can affect everyone and in a variety of ways, but tend to have a greater impact on vulnerable citizens. Elderly and juvenile residents, those with health conditions, or those in any form of poverty (e.g. financial, food, energy) are less able to manage and adapt to extreme weather conditions and climate change impacts. These impacts could include extremes in temperatures, energy availability and cost, home adaptations, disease prevalence etc.
- 7.2 Taking quicker and more effective climate action could better support residents adversely affected by climate and environmental quality issues and reduce inequalities between groups of people.
- 7.3 Equality Impact Analysis (EIA) completed on 30 August 2023.

8. DATA PROTECTION IMPLICATIONS

8.1 No data or privacy implications have been identified.

For further information contact:

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Background Papers:

[Climate and Ecology Bill](#)
[Zero Hour CE Bill Briefing Paper](#)

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK, and around the world. The global temperature has already increased by 1.2°C above pre-industrial levels and—alongside this—the natural world has reached crisis point, with 28% of plants and animals threatened with extinction. In fact, the UK is one of the most nature-depleted countries in the world as more than one in seven of our plants and animals face extinction, and more than 40% are in decline.

Climate change remains a major concern for voters with 66% of people (according to YouGov) expressing they are ‘worried about climate change and its effects’. Alongside this, the popularity of Sir David Attenborough’s Save Our Wild Isles initiative demonstrates public concern that UK wildlife is being destroyed at terrifying speed.

Climate & Ecology Bill

The Climate & Ecology Bill, a private member’s bill currently before the House of Commons, seeks to address the challenges that this situation poses by creating a whole-of-government approach to deliver a net zero and nature positive future.

Based on the latest science, the Bill aims to align current UK environmental policy with the need to halt and reverse nature loss by 2030, which was goal agreed to at COP15, via the Kunming-Montreal Framework (22 December 2022); and reduce greenhouse gas emissions in line with a fair share of the remaining global carbon budget to give the strongest chance of limiting global heating to 1.5C, which was the goal agreed to at COP21, via the Paris Agreement (12 December 2015).

By bridging the gap between the UK Government’s current delivery, and what has been agreed at international levels, Britain has a chance to be a world leader on the environment; seizing the opportunities of the clean energy transition, including green jobs and reduced energy bills; and boosting the UK’s food and energy security.

This Council notes that:

The Climate and Ecology Bill, which has been introduced in the UK Parliament on four occasions since 2020, including most recently in the House of Commons 10 May 2023. The Bill is backed by 168 cross-party MPs and Peers, 237 local authorities, alongside the support of eminent scientists, such as Sir David King; environmental NGOs, such as The Wildlife Trusts and CPRE; businesses, such as The Co-operative Bank; and 30,000 members of the public.

The Bill would require the UK Government to develop and deliver a new environmental strategy, which would include:

1. Delivering a joined-up environmental plan, as the crises in climate and nature are deeply intertwined, requiring a plan that considers both together;
2. Reducing emissions in line with 1.5°C, ensure emissions are reduced rapidly, for the best chance of limiting warming to 1.5°C;
3. Not only halting, but also reversing the decline in nature, setting nature measurably on the path to recovery by 2030;
4. Taking responsibility for our overseas footprint, both emissions and ecological;
5. Prioritising nature in decision-making, and ending fossil fuel production and imports as rapidly as possible;
6. Ensuring that no-one is left behind, by providing for retraining for people currently working in fossil fuel industries; and
7. Giving people a say in finding a fair way forward through an independent and temporary Climate & Nature Assembly, representative of the UK population, an

essential tool for bringing public opinion along with the unprecedented pace of change required.

8. This council has already passed a Climate and Nature Emergency motion and is now taking tackling climate change locally as an important strand of its strategy going forward. Therefore supporting the bill is aligned with local, national and international recognition we must act decisively and timely to deal with the climate crisis.

New Forest District Council therefore resolves to:

1. Support the Climate and Ecology Bill;
2. Inform local residents, and local press/media of this decision;
3. Write to MP's Sir Julian Lewis and Desmond Swayne to inform them that this motion has been passed, urging them to sign up to support the CE Bill, or thanking them for already doing so;
4. Write to Zero Hour, the organisers of the cross-party campaign for the CE Bill, expressing its support (campaign@zerohour.uk)."

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PLACE & SUSTAINABILITY OVERVIEW & SCRUTINY PANEL – 14 SEPTEMBER 2023

PORTFOLIO: ENVIRONMENT AND SUSTAINABILITY

ANNUAL FEES AND CHARGES FOR 2024 – CAR PARKING AND KEYHAVEN MOORINGS

1. RECOMMENDATIONS

1.1 That the Panel recommend to Cabinet the following:

- i. that the 2024 town & village and amenity car park tariffs be increased by £1.00 per tariff, except for the 1-hour tariff which will remain at £1.00, and the “up to 20 hours” triff which will increase by £3.
- ii. that the 1-hour tariff is applicable in all car parks throughout the year.
- iii. that the increase in charges for NFDC parking clocks be agreed; namely;
 - Short stay annual clocks from £30.00 to £40.00
 - Long stay annual clocks from £140.00 to £220.00
 - Long stay quarterly clocks from £40.00 to £65.00
- iv. that the Council allocate 4 days of free parking in town centre car parks to support local businesses during December 2023, as detailed in section 7.
- v. that the Keyhaven fees and charges as detailed at Appendix A to this report be approved.
- vi. that the intention to develop a Parking Strategy is noted.

2. INTRODUCTION

- 2.1 New Forest District Council’s parking and Keyhaven river fees and charges are set annually in early Autumn. This is in order that they can be advertised and implemented for the start of the calendar year.
- 2.2 At the same time, the parking arrangements in support of local businesses for the Christmas period have historically been considered and published each autumn to allow time for those towns who benefit from this to plan for us to make the necessary suspension arrangements.
- 2.3 Members will note that the setting of fees and charges, because of the likely budgetary implications, will ultimately be a decision for Full Council as defined by the Council’s financial regulations.

3. BACKGROUND – CAR PARKS

- 3.1 NFDC has 44 pay and display car parks in the district. A total of 30 of these are known as “town and village” car parks, and these car parks have the same charges

all year round. Car Park charges in the in these car parks have not increased since 2018.

- 3.2 Fourteen pay and display car parks are in coastal areas and are known as “amenity” car parks. These car parks have a different charging structure in summer (April-September) compared to winter. These car parks are also split into Higher (4 car parks) and Lower (10 car parks) Amenity Tariffs, depending on the usage levels of each car park. Our summer amenity charges were increased by £1.00 per tariff in 2021 and at the same time the summer charging period in these car parks was reduced by 2 months to give a more reasonable winter/summer tariff split that more accurately reflected the usage of these car parks, thus also allowing the ‘cheaper’ winter tariff to apply for 2 more months each year. Winter charges in the amenity car parks have not increased since 2018.
- 3.3 There are also 4 free small car parks at Ashurst, Eling Cemetery (Totton), Bransgore and Pennington Bank (Lymington).
- 3.4 As well as pay and display, the council offers both short (town and village up to 3 hour) and long stay (district-wide up to 20 hrs) parking clocks. These have not increased in price since 2022. These were used by over 32,000 people last year and represent incredibly good value for local car parking.
- 3.5 The Council has not historically raised car parking fees and charges consistently, nor as a minimum in line with inflation. In some cases, fees have not risen since 2018. Based on CPI, charges that have not been increased with inflation since 2018 are already nearly 40 per cent behind where they would have been if an inflationary increase had been applied annually.
- 3.6 As part of our annual review of our parking charges, we benchmark our charges against similar local authorities. This is shown in the tables below.
- 3.7 NFDC manage the Keyhaven river where we have 250 swinging and fore and aft moorings, 114 wall moorings, 123 dinghy park and 21 grass bank spaces. We offer a 10% discount to annual mooring holders who pay by direct debit, and it is planned to continue this in 2024.
- 3.8 Keyhaven fees and charges are used to provide our river warden services plus cover our administration team costs and mooring maintenance. We have reduced our maintenance costs over the past 2 years as a result of replacing the river moorings in 2021. In the next year we will look to conduct a full survey of moorings and use contractors to replace risers, shackles and swivels where required.

4. CAR PARK CHARGES

- 4.1 Following a comprehensive review, the following changes are proposed to come into force from 1st January 2024. These increases will address the rising costs of providing and maintaining car parks in light of inflation over the last 6 years and brings the charges more in line with comparable authorities.
- 4.2 Town and Village Centre Car Parks
 - These tariffs have been frozen since 2018.
 - It is proposed to increase charges by £1.00 across all tariffs except:
 - the 1-hour tariff which will remain at £1.

- The “up to 20 hours” tariff which will increase by £3, which is more in line with benchmarked councils.

4.3 Amenity Car Parks

- The winter tariff has been frozen since 2018, and the summer tariff since 2021.
- In comparison with other coastal car park areas on the South Coast, our short and long-term parking charges are low, and it is suggested that a £1.00 increase across all tariffs is applied throughout the year, except:
 - the 1-hour tariff which will remain at £1.
 - The “up to 20 hours” tariff which will increase by £3, which is more in line with benchmarked councils.
- It is also recommended that the £1.00 for 1-hour parking charge be allowed 12 months of the year so short-term parking of an hour is allowed in the summer months as well as winter.

4.4 These proposals retain the cap on the first hour at £1.00 as a way of continuing to support local businesses and high streets. Whilst there is no conclusive evidence of economic benefit, it is understood to be valued as an initiative by local businesses.

4.5 Current tariffs, proposed charges and benchmarking information are all shown below. Benchmarked prices are applicable to the current year and may increase next year in line with respective budget setting.

4.6 Town and Village Centre Car Parks (all year round)

Duration (Hours)	Current NFDC tariff	Proposed tariff 2024	Fareham Town centre (low/high)	Christchurch Town tariff
1	£1.00	£1.00 (no increase)	£1.00/£1.50	N/A
2	£2.00	£3.00	£2.00/£3	£1.20
3	£2.50	£3.50	£3/£4.50	£3.00
4	£3.00	£4.00	£4/£6	£4.00
5	£4.00	£5.00	£5/£7.50	
20	£5.00	£8.00	£12/£18	

4.7 Winter (Oct-Mar) - Higher Amenity Tariffs

Duration (Hours)	Current NFDC tariff	Proposed tariff 2024	Fareham Amenity	Christchurch Sea front
1	£1.00	£1.00 (no increase)	£1.10	£2.10
2	£2.00	£3.00	£2.20	£3.70
4	£4.00	£5.00	£4.40	£6.50
6	£6.00	£7.00	£6.60	
20	£8.00	£11.00	£13.20 (max 12 hrs)	£15.10 (12hrs)

4.8 Winter (Oct-Mar) – Lower Amenity Tariffs

Duration (Hours)	Current NFDC tariff	Proposed tariff 2024	Fareham Amenity	Christchurch Sea front
1	£1.00	£1.00 (no increase)	£1.10	£2.10
2	£2.00	£3.00	£2.20	£3.70
4	£3.00	£4.00	£4.40	£6.50
6	£4.50	£5.50	£6.60	
20	£6.00	£9.00	£13.20 (max 12 hrs)	£15.10 (12hrs)

4.9 Summer (Apr-Sep) – Higher Amenity Tariff

Duration (Hours)	Current NFDC tariff	Proposed tariff 2024	Fareham Amenity	Christchurch Sea front
1	Not available	£1.00	£1.10	£2.80
2	£3.00	£4.00	£2.20	£5.50
4	£5.00	£6.00	£4.40	£8.30
6	£7.00	£8.00	£6.60	£12.40
20	£9.00	£12.00	£13.20 (max 12 hrs)	£20.40 (24hrs)

4.10 Summer (Apr-Sep) – Lower Amenity Tariff

Duration (Hours)	Current NFDC tariff	Proposed tariff 2024	Fareham Amenity	Christchurch Sea front
1	Not available	£1.00	£1.10	£2.80
2	£3.00	£4.00	£2.20	£5.50
4	£4.00	£5.00	£4.40	£8.30
6	£5.50	£6.50	£6.60	£12.40
20	£7.00	£10.00	£13.20 (max 12 hrs)	£20.40 (24hrs)

5. PARKING CLOCK CHARGES

5.1 The council sold and issued circa 32,000 car parking clocks in 2023. These are either a short stay car park clock (up to 3 hours) at £30 per year and a long stay car park clock (up to 20 hours). Long stay clocks are available to purchase on both an annual (£140) and a quarterly (£40) basis. Prices of clocks were frozen in 2023.

5.2 Parking clocks are a facility that by comparison most Councils do not offer at all, preferring a “season ticket” style tariff e.g., Chichester annual permit £704, Fareham £520, Test Valley £680. These comparators suggest the parking clocks are currently priced very low. It is therefore not unreasonable, considering this, and the Councils Medium Term Financial Position, to levy an increase to the purchase cost of the clocks.

5.3 Short stay “shoppers” clocks:

- The current annual cost is £30.00. An increase to £40.00 is recommended.

- This would still mean that a resident using a short stay parking pass just once a week to pop into town would be paying less than £1 a week to park.

5.4 Long stay clocks

- Current annual cost for 2023 is £140.00. An increase to £220.00 is recommended.
- Based on usage of a clock on 220 days a year, this new fee still only equates to £1 per day if parking all day in an NFDC car park whilst at work.
- Current cost for a quarterly clock is £40.00. An increase to £65.00 is recommended.

6. FREE PARKING DAYS IN SUPPORT OF LOCAL BUSINESSES

6.1 In addition to the above charges the council would also like to confirm its intention to have 4 days this year (2023) when charges do not apply in town and village centre car parks to assist businesses. These days are:

- Small Business Saturday (this year on the 2nd of December 2023)
- The last weekend before Christmas (16th/17th December 2023)
- An additional day where Town and Parish Councils may request free parking in support of their Christmas events.

7. PARKING STRATEGY

7.1 Car parking is an important council service which impacts upon residents, businesses, visitors, and the environment. A new “Parking Strategy” is needed to guide the long-term development of this service. Such a strategy will consider, as a minimum:

- A strategic review of car park assets including investment and maintenance;
- The policy framework that considers the role of parking in town and village economic vitality, and transport policy and environmental objectives;
- The use of technology to ensure the service is sustainable into the future;
- Future charging policies including assessment of the benefits of the current differential charging policy (for example summer versus winter and higher versus lower amenity fees), versus a uniform charging policy which could rationalise the tariffs overall and simplify our charging regime.

8. KEYHAVEN FEES AND CHARGES FOR 2024

8.1 It is proposed to increase all charges at Keyhaven, as detailed at Appendix A, by 10% in 2024. Our fees and charges are comparable with Lymington and Hamble River mid-stream moorings but unlike these places we do not have long waiting lists.

8.2 Beyond those comparisons, benchmarking is difficult due to key differences between Keyhaven and these other locations. For example, Lymington has walk-on pontoons with fees starting above £4K per annum and good shoreside facilities. NFDC does not provide shore side facilities. In addition, the Keyhaven moorings are very limited by tide and river width constraints meaning most are only accessible a couple of hours either side of High water. Lymington and Hamble River do not have these issues. Like-for-like comparisons of mooring fees must be considered in line with this information, and it is felt that the proposed fee increases are fair and reasonable, allowing for increases in inflation which impact upon operating costs.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 There are now 26 fast (22Kwh) and 15 rapid (50Kwh) Electric Vehicle Charging Points (EVCP's) operating over 15 of our car parks. Each month over 23,000Kwh of green electricity is used to charge vehicles in our car parks, with a reduction of 25,000 Kgs of CO2 emissions. These EVCP's encourage visitors to the area and help support the local economy whilst reducing emissions overall which improves air quality in the district, with plans to install at least 2 rapid charging 'hubs' in 2024.
- 9.2 Our ticket machines are solar powered. All means of parking are accessible to all our car park users including blue badge holders.

10. CRIME AND DISORDER AND DATA PROTECTION IMPLICATIONS

- 10.1 There are none.

11. EQUALITY IMPLICATIONS

- 11.1 All our ticket machines are DDA compliant with coin and card slots at the correct height and flush mounted (e.g., not on plinths) to allow Wheelchair users to access them with a sufficient clearance to allow wheelchair users to manoeuvre in the vicinity of the ticket machine.
- 11.2 To support Blue Badge holders, we will continue to provide free parking to valid Blue Badge holders.

12. FINANCIAL IMPLICATIONS

- 12.1 Assuming that car park usage and parking clock purchases remain consistent in 2024, the proposals within this report will lead to the following in 2023-24 and 2024-25 financial years:

	23/24 budget (no price increase), £000s	23/24 budget (with price increase), £000s	24/25 budget (no price increase), £000s	24/25 budget (with price increase), £000s
Meter income from pay and display car parks	2,263	2,375	2,263	2,866
Income from parking clocks	1,320	1,471	1,320	1,995

- 12.2 The proposed charges for Keyhaven will result in an increase of up to £18k pa.
- 12.3 The additional revenue that will be generated as a result of these fee increases will support the delivery of the Council's Medium Term Financial Plan and will seek to provide capacity funding for corporate plan delivery.

13. CONCLUSION

- 13.1 The setting of fees and charges will necessarily consider the current economic climate, not least recent inflationary pressures, and cost of living, as well as the desire to support the economic viability of our town centres and supporting the journey towards net zero.
- 13.2 Increasing fees for 2024 is nevertheless a reasonable step in the context of many charges being frozen, for up to 6 years, and our position in relation to comparable Councils which demonstrate our current good value for money, in particular in relation to parking clocks.
- 13.3 There are many further themes for future consideration that it is important to put on the table, and which currently make up our holistic approach. In a large part, as described above, their review is best served through the development of an evidentially based district wide parking strategy. This strategy will be supported by a Member task and Finish Group.

For further information contact:

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Background Papers:

None

Appendices:

- A. Proposed annual fees and charges Keyhaven River for 2024

Appendix A

ENVIRONMENT & SUSTAINABILITY PORTFOLIO								% CHANGE		
PROPOSED SCALE OF FEES AND CHARGES FOR 2024								10%		
				Current	Proposed	Charges including VAT at 20%				
				Charge	Charge	Increase	Increase			
				2023	2024	£	%			
				£	£	£	%			
With effect from 1st January to 31st December 2024										
All prices shown excluding VAT.										
KEYHAVEN RIVER								Non NFDC Council tax payers 50% Surcharge		
Waiting Lists										
Note: Waiting list fee will be discounted off first years mooring fees once offer of annual mooring accepted.										
Waiting List Fee	Moorings		45.00	49.50	4.50	10.0	54.00	59.40	59.40	
	Dinghy Park		45.00	49.50	4.50	10.0	54.00	59.40	59.40	
	Annual Admin Fee		9.00	9.90	0.90	10.0	10.80	11.90	11.90	
Licence Fees - Private Moorings (12 months)				135.00	148.50	13.50	10.0	162.00	178.20	N/A
Mooring Fees (including licence Fee and River dues)										
	Small (M2)		405.00	445.50	40.50	10.0	486.00	534.60	801.90	
	Medium (M3)		450.00	495.00	45.00	10.0	540.00	594.00	891.00	
	Medium + (M4)		540.00	594.00	54.00	10.0	648.00	712.80	1,069.20	
	Large (M5)		810.00	891.00	81.00	10.0	972.00	1,069.20	1,603.80	
	Large + (M6)		990.00	1,089.00	99.00	10.0	1,188.00	1,306.80	1,960.20	
Wall Moorings										
	Suitable for less than 12 feet and/or less than 15 hp (M1)		315.00	346.50	31.50	10.0	378.00	415.80	623.70	
	Suitable for 12 feet or more and/or 15 hp or more (M3)		450.00	495.00	45.00	10.0	540.00	594.00	891.00	
Dinghy Park										
	Dinghy Park	per space per annum	270.00	297.00	27.00	10.0	324.00	356.40	534.60	
	Seasonal Let	Per week (October to March)	13.50	14.85	1.35	10.0	16.20	17.80		
		Per week (April, May & Sep)	22.50	24.75	2.25	10.0	27.00	29.70		
		Per week (June, July & August)	36.00	39.60	3.60	10.0	43.20	47.50		
	Grass Bank	Per annum	180.00	198.00	18.00	10.0	216.00	237.60	356.40	
Specific Groups										
	Fisherman Association	Wall mooring	45.00	49.50	4.50	10.0	54.00	59.40		
	Keyhaven Sea Scouts	Seasons launching	0.00	0.00	-	0.0	0.00	0.00		

ENVIRONMENT & SUSTAINABILITY PORTFOLIO

PROPOSED SCALE OF FEES AND CHARGES FOR 2024

		Current Charge	Proposed Charge	Increase	Increase	Charges including VAT	
		2023	2024	£	%	Current	Proposed
		£	£				
With effect from 1st January to 31st December 2024							
All prices shown excluding VAT.							
KEYHAVEN RIVER							
River Dues (includes launching fees)							
Single launch							
Kayaks Canoes and paddleboards		9.00	9.90	0.90	10.0	10.80	11.90
Sailing vessels and/or engine size 5hp or less		9.00	9.90	0.90	10.0	10.80	11.90
Boats with engine size over 5hp to 10 hp		13.50	14.85	1.35	10.0	16.20	17.80
Boats with engine size over 10hp to 50 hp		22.50	24.75	2.25	10.0	27.00	29.70
Boats with engine size over 50 hp		45.00	49.50	4.50	10.0	54.00	59.40
Personal water craft (Jet Skis)		83.33	91.66	8.33	10.0	100.00	110.00
Season launch							
Kayaks Canoes and paddleboards		27.00	29.70	2.70	10.0	32.40	35.60
Sail boats and/or engine 5hp or less		27.00	29.70	2.70	10.0	32.40	35.60
Boats with engine size over 5hp to 10 hp		45.00	49.50	4.50	10.0	54.00	59.40
Boats with engine size over 10hp to 50 hp		90.00	99.00	9.00	10.0	108.00	118.80
Boats with engine size over 50 hp		180.00	198.00	18.00	10.0	216.00	237.60
Moving boat to allow for mooring maintenance		36.00	39.60	3.60	10.0	43.20	47.50
Anchorage/Visitor Moorings							
Per night							
Anchorage		9.00	9.90	0.90	10.0	10.80	11.90
Large Mooring (for over 27ft)		18.00	19.80	1.80	10.0	21.60	23.80
Medium/small Mooring (up to 27ft)		13.50	14.85	1.35	10.0	16.20	17.80
Quayside		27.00	29.70	2.70	10.0	32.40	35.60
Per week							
Anchorage		45.00	49.50	4.50	10.0	54.00	59.40
Large Mooring (for over 27ft)		72.00	79.20	7.20	10.0	86.40	95.04
Medium/small Mooring (up to 27ft)		63.00	69.30	6.30	10.0	75.60	83.20
Quayside		See note	See note				
Note: Only in exceptional circumstances - speak to river warden first							
Short stay (less than 4 hours)							
Anchorage		5.40	5.94	0.54	10.0	6.48	7.10
Moorings		9.00	9.90	0.90	10.0	10.80	11.90
Quayside		10.80	11.88	1.08	10.0	12.96	14.30

NOTE: VAT. Charges are exclusive of VAT.

Charges which are zero rated or not subject to VAT are marked * either individually or by service.

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PORTFOLIO: PLANNING AND ECONOMY

PLACE AND SUSTAINABILITY OVERVIEW AND SCRUTINY PANEL – 14 SEPTEMBER

COMMUNITY INFRASTRUCTURE LEVY (CIL) - FRAMEWORK FOR CIL EXPENDITURE

1. RECOMMENDATIONS

1.1 That the Scrutiny Panel considers the report and recommends to Cabinet that they:

- Agree to the proposed introduction of a framework for CIL expenditure to align funds to identified infrastructure needs.
- Agree to release £1m of CIL in 2023/2024 to fund local infrastructure in the short term.
- Agree to the publication of the parish council CIL information note at Appendix C.
- Agree to the proposal to report back to Cabinet by the end of the calendar year 2024 with a review of the allocation of the £1m and to finalise the framework for future years.
- Agree to establishing a Task and Finish Group to review the proposed CIL allocations so that they may directly advise the Portfolio Holder for Planning and Economy. The terms of reference and composition of the Group will be agreed by the Leader of the Council in consultation with Portfolio Holder for Planning and Economy, as an Executive Advisory Task and Finish Group.

2. INTRODUCTION

2.1 A summary paper on CIL was presented to Cabinet in November 2022. The key points from this paper were:

- the Council introduced a CIL charging schedule in April 2015.
- On 1 October 2014 Cabinet agreed that, to comply with the Conservation of Habitats and Species Regulations 2010, the first call on any CIL funds would be projects to mitigate the recreational impacts of new residential development on the New Forest National Park.
- There would likely be an increase in CIL monies with the increased levels of development that will be delivered through the Local Plan 2016- 2036 Part 1: Planning Strategy
- There is a need for a mechanism for how the Council will decide which infrastructure projects those receipts will be allocated to.

2.2 This paper sets out a proposed framework for the expenditure of the CIL for the Council.

3. BACKGROUND

- 3.1 New development needs to be supported by physical, social and green infrastructure. Developer contributions are collected to make new developments acceptable in planning terms, providing mitigation that serves to minimise the impacts on the local community and infrastructure.
- 3.2 CIL provides a funding stream for this infrastructure. The finance generated from CIL is intended to be used to secure strategic and local infrastructure in the District which is required to accommodate the level of housing and employment growth proposed within the Local Development Framework. CIL provides a mechanism for ensuring that new development bears a proportion of the cost of new infrastructure.
- 3.3 CIL can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. This definition allows the levy to be used to fund a very broad range of facilities.
- 3.4 Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed.
- 3.5 The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development.
- 3.6 The Council adopted a CIL charging schedule in April 2014 and began charging CIL on new residential development in April 2015. A paper was presented to Cabinet in October 2014 which set out the likely levels of CIL income and a broad mechanism for the allocation of CIL funds. To date, CIL funds have only been used to deliver recreational habitat mitigation projects, with ongoing work being undertaken to ensure that all projects are fully funded for ongoing maintenance.
- 3.7 As of the end of 2022/23, the Council has received £6,891,502 of CIL funds for use on infrastructure projects, having issued Demand Notices totalling £8,377,805 for this element since the Council began charging. This figure is solely for the infrastructure element of CIL and does not include the 5% retained to administer CIL nor that passed to the town and parish councils (as a requirements of the Regulations).

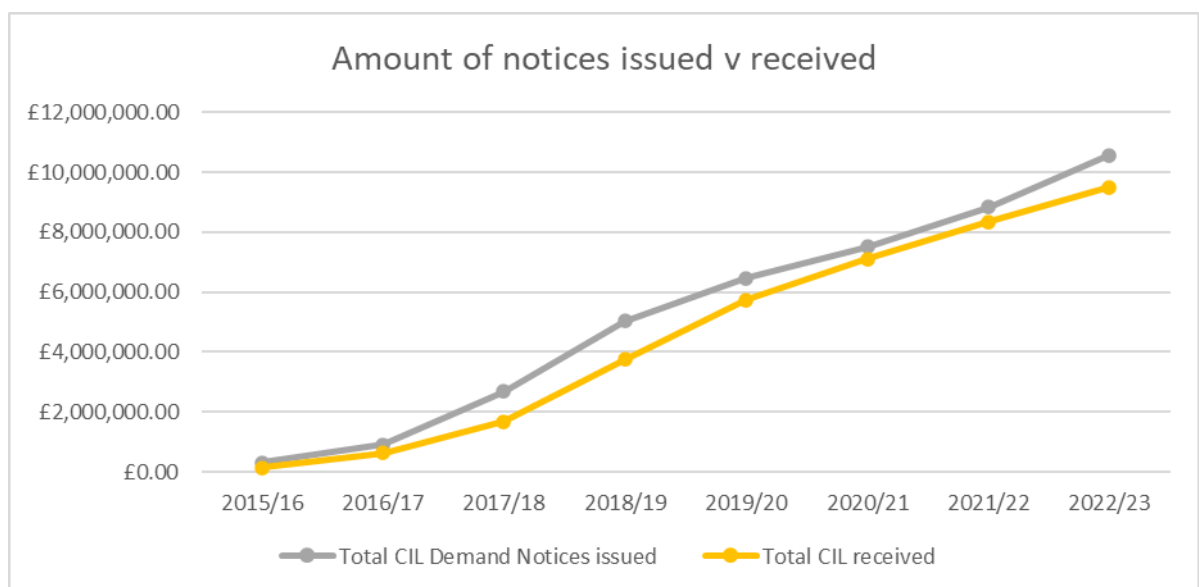


Figure 1 CIL Demand Notices issued and income received

- 3.8 The Government has recently undertaken a technical consultation on a reform to the existing system of developer contributions which the Council engaged in. This would introduce a national ‘infrastructure levy’ to replace CIL (and most existing planning obligations currently secured through the provisions of Section 106 of the Town and Country Planning Act). A further consultation on the drafting of future regulations for this reform will be published in due course. Until this time, the Council will continue to receive monies from CIL, and it is important to ensure that it is spent appropriately. The Government has recognised that the Infrastructure Levy will be a significant change so it will be introduced through ‘test and learn’ over a 10-year period.

4. OPTIONS FOR CIL EXPENDITURE

- 4.1 The October 2014 Cabinet report set out a broad mechanism for the allocation of CIL funds. Until recent years the level of CIL income has only been sufficient to cover the anticipated costs of implementing those projects identified for delivery in the first phase of delivery of the recreational mitigation projects. There is now a steady level of CIL, and this level of income is forecast to continue. Therefore, it is appropriate to consider all the options for CIL expenditure based on the current amounts held and those forecast.

- **Option 1** – Development of a framework for expenditure of CIL on a range of infrastructure. This will enable offsite infrastructure, over and above any on site requirements secured via a S106, to be delivered. The legally required recreational habitat mitigation will still be implemented across the District and this approach would enable the Council to work proactively with infrastructure providers to successfully deliver key infrastructure to support the District in a strategic and joined up way. The framework would set out who could bid and how to bid to the Council for allocation of CIL funds and establish parameters and deadlines for spend.
- **Option 2** – Transfer all receipts to the parishes where they have been collected, in addition to the 15/25% (see paragraph 8.1) already received via the regulations. This would enable a range of local infrastructure to be delivered but would remove the District Council’s ability to direct where funds should be spent. It is also important for members to be aware that, as of the end of 2021/22 (the latest period for which statutory monitoring reports are required), over £820k was retained by Parishes across the District. However, due to reporting timeframes it is unknown if these monies are committed to projects for which the Parishes may be implementing at a later date.
- **Option 3** – transfer all receipts to the County Council to deliver on strategic infrastructure across the District. The County Council has not expressed a desire to receive CIL funds and continues to seek S106 contributions for obligations directly related to new development. It is important to note that the County Council are statutorily only responsible for certain infrastructure. In addition, transferring the monies to the County Council would reduce the amount of local democratic scrutiny available.
- **Option 4** – Continue as per current regime with CIL funds solely focussed on recreational habitat mitigation projects. As spend on these is likely to be in the order of £800k per annum, the CIL pot would continue to grow each year with excess funding available for other infrastructure.

- 4.2 Whilst all these options are legally sound, officers consider that option 1 is the most robust choice to allow the Council to focus on strategic infrastructure and giving more democratic accountability. As the Council are the charging authority, it is the

responsibility of this Council to ensure funds are spent appropriately. By ensuring the Council is responsible for final allocations this gives more flexibility to direct funds to the most appropriate infrastructure, be it local and/or strategic.

- 4.3 It is essential that the Council retains control of the CIL funds to ensure that monies are directed to the infrastructure identified as being required to deliver the objectives and vision of the Council's Development Plan.

5. DEVELOPING A CIL EXPENDITURE APPROACH

- 5.1 Based on the current housing trajectory, it is forecast the Council will receive a further £14m in CIL receipts specifically towards infrastructure funding in the next five years.

- 5.2 The proposed CIL expenditure framework can be seen at Appendix A. However, the main elements around drafting the framework are:

- Establishing the key principles
- Setting the processes for an expenditure framework
- Establishing the assessment criteria and prioritisation for expenditure
- Setting the governance of any such CIL expenditure framework including the scope of Member involvement and/or establishing of any Advisory Groups.
- Setting the timetable for development and implementation of the CIL expenditure framework and any review.

- 5.3 It is proposed that following approval of the framework, that up to £1m of the currently held CIL is made available to bid for by infrastructure providers. Bids would be sought to implement local infrastructure and could include bids from departments within the Council. Following this round of bidding a likely split of future allocations between strategic and local infrastructure could be considered when a final version of the framework is presented to Cabinet, with bids for strategic development likely to come forward after this. Bids will be considered from town and parishes where it is demonstrated that the CIL funds already passed to them has been spent or formally committed to projects with a firm delivery plan.

- 5.4 After the initial round of bids, and their analysis by officers and consideration by a Advisory Group of elected Members, a report would be presented to the Portfolio Holder for Planning and Economy, as set out in the draft Framework, for approval. Approval for future years will be considered when the framework is returned to Cabinet.

- 5.5 To assist Town and Parishes spend the CIL monies passed to them, it is proposed that the Council publish a guidance note setting out information in relation to how they can spend CIL and how they should engage with their residents. It is proposed to publish this at the same time this framework is approved. Officers also propose to provide a briefing to town and parish councils on the various aspects of the framework.

6. SUMMARY

- 6.1 The implementation of a framework for CIL expenditure for consideration and adoption is required as there is no approach for CIL expenditure prescribed either by Central Government or through the CIL Regulations 2010 (as amended). As such, all Councils

across the country where a CIL charging regime has been adopted and is being implemented have brought in their own schemes for how CIL monies are spent.

- 6.2 The CIL Regulations stipulate however that CIL monies which are collected must be spent on infrastructure. Each Council is required to publish a list of infrastructure that they will put the CIL towards annually as part of an Infrastructure Funding Statement (IFS)
- 6.3 The development and adoption of a CIL expenditure framework is therefore critical to support inclusive growth and sustainable development.
- 6.4 Any framework for CIL expenditure will need to be legally sound and robust and thereby not at risk of challenge. It is therefore important that any CIL framework be endorsed as being sound and legally compliant prior to its consideration and adoption.

7. RISKS

- 7.1 There are a number of risks in relation to the spending of CIL. The risks identified closely align with Strategic Risk No.1 – Supporting Communities of the Strategic Risk Register 2020-2024.
- 7.2 The key risks are set out below:

Risk Description	Likelihood	Impact	Risk	Mitigation Measures
Failure to allocate expenditure such that if we do not secure investment in infrastructure (schools, health, broadband, transport etc.), then development is stifled and/or unsustainable.	Unlikely (2)	Major (3)	Medium (6)	Adopted Community Infrastructure Levy (CIL) in 2014 to secure investment on infrastructure via planning process (e.g. S106). Production of Infrastructure Delivery Plan as part of the Local Planning processes, with an associated Infrastructure delivery Strategy will ensure that infrastructure across the Council is addressed.
Failure to produce a Regulation 121A report (Infrastructure Funding Statement) 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)	Moderate (2)	Low (2)	The Implementation and Monitoring Team Leader produces the required report which is checked and verified by Senior Management. Reminders are set to ensure the report is published by the statutory date. The format of the Regulation IFS is laid out in the CIL Regulations, so there is no risk in relation to the way the information is

				presented
Failure to monitor expenditure such that CIL expenditure is not effective.	Unlikely (2)	Major (3)	Medium (6)	The software which supports CIL collection will be used to support CIL expenditure. In addition, the Council's CCB will received details of all allocated and proposed CIL expenditure and this together with the software will be used for effective monitoring.

8. FINANCIAL IMPLICATIONS

- 8.1 CIL is collected and allocated in accordance with the CIL Regulations 2010 (as amended). The Council retains 5% of the total CIL income for administration of CIL. From the remainder, 15% is allocated to Parish or Town Councils but where there is a Neighbourhood Plan in place this figure rises to 25%. At the time of this report there are two neighbourhood plans in place, with both New Milton Town Council and Hythe and Dibden Parish council having adopted plans.
- 8.2 One of the key aspects when reviewing allocations for CIL spend is that it is based on actual monies held, therefore avoiding any direct cost to the Council. Whilst it is possible to project further than this, with the unknown position with regards to a replacement for CIL then at this time the 5 year position is prudent.

9. CRIME & DISORDER IMPLICATIONS, EQUALITY & DIVERSITY IMPLICATIONS

- 9.1 None

10. ENVIRONMENTAL IMPLICATIONS

- 10.1 The introduction of a framework for CIL expenditure will bring forward proposals environmental benefits as well as health and well-being and climate change benefits through the provision of new public open space, improving and enabling greater use of existing open space and the creation of new of sustainable walking routes

11. DATA PROTECTION IMPLICATIONS

- 11.1 None

12. PORTFOLIO HOLDER COMMENTS

- 12.1

For further information contact:

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Background Papers:

Appendix A: CIL Expenditure Framework
Appendix B: CIL Expenditure Framework
Communication Strategy

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Appendix C: Information for Parish Councils
on CIL expenditure

[Cabinet Paper 2 November 2022 - Update
on Community Infrastructure Levy](#)

[Cabinet Paper 1 October 2014 - Community
Infrastructure Levy](#)

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Community Infrastructure Levy

Expenditure Framework

Draft Version

September 2023

New Forest District (outside the National Park)



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1. Background

- 1.1. The development of a detailed framework for Community Infrastructure Levy (CIL) expenditure for consideration and adoption is required as there is no set approach for CIL expenditure prescribed either by Central Government or through the CIL Regulations 2010 (as amended).
- 1.2. As such all Councils across the country where a CIL charging regime has been adopted and is being implemented have brought in their own schemes for how CIL monies are spent.
- 1.3. The CIL Regulations stipulate that CIL monies which are collected must be spent on infrastructure. Each Council is required to publish a list of infrastructure that they will put the CIL towards in an Infrastructure Funding Statement
- 1.4. This Framework should be read alongside the CIL Expenditure Framework Communication Strategy.
- 1.5. This CIL Expenditure Framework will be kept under periodic review with details of any forthcoming review to be set out in the yearly CIL Key dates calendar which will be published on the Web site.
- 1.6. This document sets out the key elements and information relating to the CIL Expenditure Framework under the following headings: -
 - Key principles of the CIL Expenditure Framework
 - Processes of the CIL Expenditure Framework
 - Validation and screening of bids and prioritisation criteria of bids under the CIL Expenditure Framework (to allow bids to be considered and determined)
 - Governance of the CIL Expenditure Framework

2. Key principles of the CIL Expenditure Framework

- 2.1 These are: -
 - The process should encourage openness and transparency of decision taking.
 - CIL data must be 100% accurate and software database must have integrity and be trusted.
 - Decisions must be compliant with the CIL Regulations.
 - The expenditure approach must be legally sound.
 - Deliverability and Timeliness must be demonstrated.
 - CIL expenditure should support The Local Plan 2016-2036 Part 1: Planning Strategy and the Infrastructure Delivery Plan as well as contribute positively towards climate change.



- The apportionment of CIL monies into three separate funds:
 - The Strategic Infrastructure Fund occurs after
 - the 5% administrative costs are removed; and
 - the Neighbourhood CIL portion (either 15% for Parishes (subject to a cap) with no made Neighbourhood Plan or 25% for Parishes (without a cap) where a Neighbourhood Plan is made).
- Publication of all expenditure through the Infrastructure Funding Statement.
- CIL expenditure will be regularly audited, including The CIL Expenditure Framework Review process.
- A Communications Strategy for the CIL Expenditure Framework is necessary and constitutes an appendix to this document.
- Infrastructure projects that are funded by using CIL funds shall be carried out on publicly owned or controlled land/buildings or where public access is guaranteed (unless exceptional circumstances apply). However where leased buildings or land is involved and a CIL Bid is made for infrastructure the lease must be long (i.e. no shorter than 25 years with a break clause no sooner than 15 years. Shorter leases will normally be regarded as unacceptable.
- Spending outside the geographical boundary of the District Council is acceptable where appropriate to the circumstances of the infrastructure to be provided and where there is clear benefit to the residents.
- Where offers of CIL funds are made to authors of Bids the monies will be allocated to the infrastructure project for a period of no longer than 2 years whereupon the allocation of funds would be withdrawn and it would be necessary to reapply through the Bid process to secure CIL funds for that project.
- CIL funds can be used for an infrastructure project to make it Disability Discrimination Act compliant.
- Evidence of need for the proposed Infrastructure project must be submitted with all CIL Bids.
- Parish/Town Councils should show at the time of the submission of any CIL Bids whether they have any of their own funds (including Neighbourhood CIL) that could be used
- Maximum limit of £75,000 or 75% (of the total costs) for CIL Bids (per project/CIL Bid) for infrastructure submitted by Parishes or Community groups
- Quarterly meetings between the Council officers and Infrastructure providers will take place to develop an Infrastructure delivery programme (e.g. for Rail, Health and Hampshire County Council – Education and Bus Passenger transport).
- Those CIL Bids that are within the Infrastructure Delivery Plan (IDP) will have greater weight when prioritisation criteria are used in the technical assessments of each CIL Bid



- No monies will be awarded through a CIL Bid towards costs which have already been paid for a project (i.e. no claiming retrospectively)
- Churches are not excluded from CIL funding but proposed projects must be for infrastructure and the proposal must benefit the community in the widest sense by offering wide community benefits and be capable of being used by the whole community. Any Bids must also address additionality and not include maintenance or church restoration costs
- Greater weighting towards Bids that align with spend priorities designated in Local Plan and IDP. Agreed critical/ essential infrastructure will carry more weight than desirable infrastructure
- Clarification - public electric charging points will be classed as community facility infrastructure. However, they are seen as a District wide benefit and will therefore be treated as an exception to the maximum limit on community facility infrastructure.
- Best value criteria should include land values where CIL Bids involve purchase of land for infrastructure
- Agreed that CIL Bids that demonstrate positive impacts on climate change and show sustainability characteristics shall carry greater weight in determination terms than those CIL Bids which do not.
- If a CIL Bid is invalid upon submission opportunity will be given for the next 12-month period (from the date of its submission) to be made valid. If it is still invalid after the expiry of the 12-month period, the CIL Bid will be treated as withdrawn and no formal decision (Cabinet or delegated) will be made on it.

3. Processes of the CIL Expenditure Framework

3.1 The CIL Expenditure Framework will operate with the following approach:

- Use of the Councils' existing software
- The process is centred upon a bidding round with consideration on yearly basis, with email submission of bids by Infrastructure Providers and all towns/parishes
- The yearly bid round cycle will be as follows:

Bid Round for the year	
October	Open 1st – 31st October
November/December/January	Bids validated screened and assessed against prioritisation criteria
January / February	Information collated for production of CIL Expenditure Programme ready for presentation to Task and Finish group
February / March	Consideration of CIL Expenditure Programme by Portfolio Holder. Letters issued confirming outcome of bids to applicants



- Full documentation of the process for lodging, consideration, and determination of the bids with supporting guidance documents for bid submission, bid application forms and prioritisation criteria to be used for assessment of the bids will be made available on the websites.
- The timetable for the bid process will be clearly documented on the websites. Three months of early advance notification of bid submission timescales (to facilitate bid submission) to all Infrastructure Providers and all Parish/Town Councils. Bids from Community Groups can also be submitted.
- Distribution of CIL income - The Council will retain up to 5% of the CIL income received within each District (for administrative costs). The Neighbourhood CIL allocation to Parish/Town councils (either 15% or 25% subject to a cap*) occurs in April and October each year. On the same 6 monthly basis, the CIL funds will be saved into three separate funding streams with the following definitions:-
 - Recreational Mitigation Programme Delivery – to support the implementation of the Council’s adopted Mitigation Strategy and ensure compliance with the Habitat Regulations (approx. £800k per annum)
 - Strategic Infrastructure Fund
 - Local Infrastructure Fund

3.2 Definitions of Strategic and Local Infrastructure:

3.2.1 One or more of these elements constitute Strategic infrastructure:

- is of strategic economic or social importance to the Council
- would contribute substantially to the fulfilment of any of the objectives of the Community Matters Corporate Plan 2020 to 2024, The Local Plan 2016-2036 Part 1: Planning Strategy or in any regional spatial and economic strategy in respect of the area;
- would have a significant effect on the area of more than one planning authority.
- will routinely be the subject of collaborative spend
- Illustrated Examples include strategic flood defence, hospitals and new rail infrastructure

3.2.2 One or more of these elements constitute Local infrastructure:

- meeting need at a local level,
- projects which support the expansion, improvement, provision of local services for the people living or visiting within the local area
- Illustrated examples include: extensions to early years, primary, secondary, or further education; bus stops and Real Time Passenger Information notice boards (RTPI); provision of leisure and community facilities, such as extensions to



community buildings and leisure centres, provision of play equipment and areas, sports facilities and open space; and waste recycling facilities.

3.3 Apportionment of CIL Funds

- 3.3.1 The apportionment of CIL monies into three funds; recreational habitat mitigation, Strategic Infrastructure Fund and Local Infrastructure Fund will occur twice yearly. This apportionment in particular allows saving of monies towards strategic infrastructure projects for the betterment of the Council and the prospect of collaborative spend with other funding organisations and or funding streams to achieve strategic infrastructure.
- 3.3.2 The division of monies between the three funds occurs in April and October each year immediately after the apportionment of/ payment of Neighbourhood CIL. There would be no set limit to the amount of funds allocated during each funding cycle but the amount allocated will never exceed the amount held by the Council.
- 3.3.3 Whilst CIL is identified as the source of funding for the recreational mitigation programme, the Council also collects S106 from developments that do not pay CIL (e.g. social housing or self builders). As this money is specifically ringfenced in a legal agreement towards the recreational mitigation programme this 'pot' will always be used first ahead of CIL.

3.4 Apportionment of Neighbourhood CIL

- 3.4.1 Currently six monthly allocations to Parish/Town Councils (which occur in April and October) continue, and where Neighbourhood CIL is received.
- 3.4.2 The Parishes apportionment of CIL monies (set out in the CIL Regulations) will remain at 15% (where there is no Neighbourhood Plan) and 25% where a Neighbourhood Plan is made.

3.5 Infrastructure Project Decisions and Delivery

- 3.5.1 Collaborative approach towards expenditure working with Infrastructure Providers and Parishes to get projects delivered and to "add value" is important and supported
- 3.5.2 Funding bids must provide adequate evidence/information to provide necessary certainty on timely delivery
- 3.5.3 CIL monies can be spent flexibly alongside s106 monies, Community grants and Locality monies and any other external or internal funding streams but expenditure of s106 monies must be in accordance with the terms of the s106 agreement.
- 3.5.4 A tiered approach to decision-taking should be taken involving some officer delegation and larger decisions by Portfolio Holder
- All decisions to be final.
 - No appeals process
 - Only one Bid per project per bidding round
 - After a refusal – no more Bids for this project unless funding circumstances are materially different and/or a time period passes of not less than 1 year.



- Where Bids are to be submitted, evidence of Community support shall be required (From County Councillor, District Ward Member and/or Parish Council)
 - Once Bids are validated and screened (see below) Officers will direct any appropriate Bids towards other funding streams where this is considered to be more appropriate
- 3.5.5 A yearly report on CIL and s106 expenditure will be required as part of the CIL Regulations 2019. This document will be known as an Infrastructure Funding Statement (IFS) and will need to be produced by the 31st December each year in addition to the twice yearly CIL Expenditure Programme.
- 3.5.6 Payment of successful bids to be in accordance with CIL guidance to be published on the Councils' websites.
- 3.5.7 For local infrastructure bids, evidence of a competitive tender will be required in accordance with the Council's procurement standing orders. These quotes must be offered to the Bidders and then submitted as part of the Bids on the basis that the cost of the works will remain held and not vary for a 6-month basis. (so as to be sure that when CIL monies are offered the project can be completed for the cost of the works submitted).
- 3.5.8 Where infrastructure being proposed also carries a dual use (such as education provision which would also be used by the community) the completion of a Community User Contract is required so that the community use can be guaranteed. (This will be a bespoke legal Contract designed to suit the circumstances of the CIL Bid case)
- 3.5.9 Technical assessments of all CIL bids where decisions are being made will be undertaken and published as part of the CIL Expenditure Programme documentation so that decision taking is open and transparent.
- 3.6 Screening part of process**
- 3.6.1 where CIL Bid is valid, screen all other opportunities for other forms of funding (external/unspent s106/community grant/neighbourhood CIL). This will ensure that the outcomes of these other funding opportunities are known before committing to CIL expenditure. Bidders should be encouraged to explore all possible alternatives for other sources of funding alongside requests for CIL funding including using crowd funding/encouraging donations/gifts. Other sources of funding that could also be considered are loans or Public Works Loan Board funding.
- 3.6.2 Churches not excluded from CIL funding despite many other funding opportunities for Churches but proposal must be for infrastructure and the proposal must benefit the community by offering community benefit.
- 3.6.3 CIL Bids will be treated as withdrawn if no progress is made after 12 months and no further action will be taken on them. Where a Bid is refused, the Council will not reconsider an identical Bid.



4. Validation and Screening of Bids and Prioritisation Criteria

- 4.1 Each Bid will be validated, screened, and prioritised and a technical assessment will be completed (and ultimately published on the web site as part of the CIL Expenditure Programme documentation).
- 4.2 The correct CIL Bid form must be submitted and all the questions on the Bid application form must be fully completed (where information known or where additional information is required (e.g. Business Case) together with evidence of need for the infrastructure). Bids should be emailed to developer.contributions@nfdc.gov.uk
- 4.3 The bid form should include the following:
- Description of infrastructure, location, purpose
 - Need /Justification
 - Costs and funding streams for provision
 - Quotations for works
 - How much financial support is sought
 - Collaborative spend – yes/no and if yes give details
 - Who is leading on delivery
 - Delivery proposal and timescales
 - Will the Infrastructure be provided on Public or Private land – has the Bidder obtained all the necessary permissions to implement the infrastructure
 - If the infrastructure needs planning permission - has this been sought and obtained
 - has any State Aid already been received of offered from other government sources
 - Consideration of future funding/maintenance once project is complete
 - Business Plan required dependant on size of the project (see guidance documents)
- 4.4 When Bids are made valid consultation will occur with the District Ward Member the County Councillor for the Ward affected and the Parish Council for that ward (except where the Parish Council is the Bidder for the Infrastructure project). The Consultation will occur by email and 14 days will be allowed for the submission of comments. A copy of the CIL Bid application form and a location plan will be sent to the consultee.
- 4.5 The screening process is as follows: -
- Could this infrastructure bid be provided using other internal and external funding streams that the Council can either submit Bids for or support others or where the Council has access to other funding (e.g. LEP Government funding or other



external funders s106 or, Community Grants? – if so, can it be delivered using this without complete or any reliance on CIL funds)

- Any incomplete bids will be considered, and effort will be made to get the bid fully complete and capable of then being assessed against the priority criteria.
- Where appropriate, information will be checked or sought to verify the information within the bid
- Where there are CIL infrastructure asks under Development Management decisions on major projects, these will be given consideration in terms of devising the CIL Expenditure Programme and through a programme of delivery working collaboratively with the Infrastructure Providers

4.6 Prioritisation criteria is as follows: -

- Is the Infrastructure necessary for an approved growth project (those with planning permission) in order that development carried out is sustainable?
- Does it positively scores against provisions /objectives of the Local Plan 2016-2036 Part 1: Planning Strategy and the Infrastructure Delivery Plan?
- Does it represent key infrastructure (essential)?
- Does it offer value for money ?
- Are there Clear community benefits?
- Is there community support?
- Is it deliverable?
- Is it affordable?
- Can it be delivered in good time?
- Supports housing and employment growth
- Positively supports climate change activities
- Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured
- Does the provision of this infrastructure address a current inadequacy in infrastructure terms?
- Will the infrastructure be capable of being used by the wider community
- How does the proposal affect green infrastructure principles
- How does the project address green/sustainability principles/infrastructure
- How does the project affect state aid implications
- How does the project affect security and safety in the community



- 4.7 In addition to this, any monies allocated to the recreational mitigation programme will have to meet the criteria for projects as set out in the Recreational Mitigation Strategy adopted by the Council in 2021.

5. Governance of the CIL Expenditure Framework

- 5.1 All decisions once validated screened and assessed and considered against the priority criteria will be collated and considered by an Executive advisory task and finish group. Following this, a report will be presented to the Portfolio Holder for signing.
- 5.2 There will be tiered approach to decision taking in respect of bids submitted for Recreational habitat mitigation, the Strategic Infrastructure Fund and Local Infrastructure Funds as follows: -

Delegated Decisions to Director Place, Operations, and Sustainability

- a) Decisions to approve infrastructure projects the subject of bids where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less
- b) Decisions to refuse infrastructure projects the subject of bids where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less
- c) Decisions to carry forward Infrastructure projects the subject of bids to the next Bid Round where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less
- d) Any decision which Officers consider may be of such significance or of a controversial nature such that Cabinet should take the decision in respect of the bid

Delegated Decisions to Portfolio Holder, Planning, and Economy

- a) Decisions to approve the recreational habitat mitigation programme of works
 - b) Decisions to approve or refuse all Strategic Infrastructure Fund bids
- c) All other decisions to approve or refuse all other Local Infrastructure Fund bids which are not covered by the delegated decision taking outlined above under the delegated decisions listed above

Cabinet decision

- a) Decisions to amend the CIL Expenditure Framework



- 5.3 Following the decision to grant an allocation of CIL to a project, the applicant will be sent an offer letter and terms of conditions which must be returned to the Council to confirm the allocation is in place. Templates of the offer form and terms and conditions are attached as Appendix 1 and 2 to this framework.



Acceptance of Offer Form

I/We accept the requirements of the Offer Letter, and Terms and Conditions of the Offer for CIL Funding, from New Forest District Council in relation to project:

Ref:

Project Name:

CIL Funding Awarded: £

Applicant Name.....Signature

By and on behalf of (name of organisation):

Date

2nd Signatory (required for registered company, partnership, charity body or other public body)

Name.....Signature.....

Date

Contact Address for Payment Notice :

Email address for remittance.....

Bank Details:

Bank Sort Code:

Account Number:

Account Name:

Please return this completed form to developer.contributions@nfdc.gov.uk

New Forest District Council Community Infrastructure Levy Funding

Terms and Conditions

Award of Funding

1. The offer of funding as set out in the offer letter attached to these terms and conditions ('the Offer Letter'), from the Community Infrastructure Levy (CIL) Infrastructure Fund, is subject to the applicants acceptance of the offer, these terms and conditions and the requirements set out in the Offer Letter
2. Any award must be used exclusively for the delivery of the project as set out in the application submitted, summary annexed to the Offer Letter and in the Offer Letter itself ('the Project').
3. The Project must be carried out and completed to the standard and specification stated within the attached application form.
4. If the Applicant fails to comply with any of these terms and conditions, NFDC ('the Council') may withhold, vary, terminate, or require any or all of the CIL award to be repaid.
5. The CIL funding will be conditional upon the applicant obtaining any necessary building regulations and/or planning permission and any other consents or permissions as may be required.
6. The CIL funding is a one-off payment and will not result in any future revenue commitment by the Council. The Council will not be responsible for any future maintenance, revenue liability or ongoing funding related to the application.
7. There is no right of appeal against an award, refusal or withdrawal of CIL funding.

Starting the Project

8. The Project must commence within the period stated in the Offer Letter. If this is not possible, the applicant must inform the Council, in writing, of when they will start the project and the reason for the delay for approval by the Council. For the purpose of this document, commencement is defined as when the works relating to the delivery of the Project materially begins.
9. **Works already completed or expenditure incurred prior to the Applicant's acceptance of the offer, these terms and conditions and the Offer Letter will not be funded.**

Approved Projects for CIL Funding

10. The works that are the subject of the CIL funding must be carried out strictly in accordance with the details as described in the attached application submission and in accordance with these terms and conditions and any requirements contained within the Offer Letter.
11. The Council reserves the right to carry out independent financial checks where appropriate and may withdraw the offer at its sole discretion if it considers the public funds may be put at risk
12. If during the course of the work, the applicant finds it impracticable to carry out the work in accordance with what was approved, then changes must only be made after written approval has been given by the Council. Failure to do so may result in the withdrawal or withholding of the funding or requirement to repay any sums already provided by the Council
13. Where requested by the Council the applicant must provide a written statement or an

appropriate certificate of completion and the Council must be satisfied that the work has been carried out in accordance with the attached application Form before payment of the funding.

14. On completion of the project, for publicity purposes, the applicant agrees to submit photographs (with no copyrights) of the completed project and agrees that these may be used to promote the CIL funding allocations.

Payment of funding

15. Subject to the terms of these terms and conditions the Council shall pay the funds to the Applicant only after completion of the project and the submission of verifiable invoices. The original invoices/receipts need to be submitted to the Council as proof of purchase and/or expenditure. The Applicant agrees and accepts that the payment of the funds can only be made to the extent that the Council has available funds.
16. You must have a bank account in your name or the name of your organisation into which the Council will pay the funding. As part of the acceptance of the offer of funding, you will need to provide the bank account details including the sort code, account number and name on the account.
17. The award of funding contained in the Offer Letter is the maximum CIL funding awarded to this scheme. If the Project cost is lower than the amount stated in the attached application form, unspent monies cannot be used on matters not included. If the total Project cost is lower than amount stated in the attached application form, there will be a pro rata reduction in CIL funding.
18. There will be no obligation on the Council to increase its offer in the event of cost increases on eligible work.
19. The Applicant shall promptly repay to the Council any money incorrectly paid to it either because of an administrative error or otherwise. This includes (without limitation) situations where either an incorrect sum of money has been paid or where monies have been paid in error before all conditions attaching to the funds have been complied with by the Applicant

Withholding or Recovery of Payment

20. It is the Council's intention that the funds will be paid to the Applicant in full. However, without prejudice to the Council's other rights and remedies, the Council may at its discretion withhold or suspend payment of the Funds and/or require repayment of all or part of the Funds if:
 - a) the Applicant uses the funds for purposes other than those for which they have been awarded;
 - b) the Council considers that the Applicant has not made satisfactory progress with the delivery of the Project;
 - c) the Applicant is, in the reasonable opinion of the Council, delivering the Project in a negligent manner;
 - d) the Applicant obtains funding from a third party which, in the reasonable opinion of the Council, undertakes activities that are likely to bring the reputation of the Project or the Council into disrepute;
 - e) the Applicant provides the Council with any materially misleading or inaccurate information
 - f) the Applicant commits or committed a prohibited act under the Bribery Act;
 - g) any member of the governing body, employee or volunteer of the Applicant has (a) acted dishonestly or negligently at any time and directly or indirectly to the detriment of the Project or (b) taken any actions which, in the reasonable opinion of the Council, bring or are likely to bring the Council's name or reputation into disrepute;
 - h) the Applicant ceases to operate for any reason, or it passes a resolution (or any court of competent jurisdiction makes an order) that it be wound up or dissolved

- (other than for the purpose of a bona fide and solvent reconstruction or amalgamation);
- i) the Applicant becomes insolvent, or it is declared bankrupt, or it is placed into receivership, administration or liquidation, or a petition has been presented for its winding up, or it enters into any arrangement or composition for the benefit of its creditors, or it is unable to pay its debts as they fall due; or
 - j) the Applicant fails to comply with any of the terms and conditions set out in this Agreement and fails to rectify any such failure within 30 days of receiving written notice detailing the failure.
21. The Council may retain or set off any sums owed to it by the Applicant which have fallen due and payable against any sums due to the Applicant under this Agreement or any other agreement pursuant to which the Applicant is a party.
 22. Where the Applicant receives or intends to apply to a third party for other funding for the Project, it will notify the Council in advance of its intention to do so and, where such funding is obtained, it will provide the Council with details of the amount and the purpose of that funding. The Applicant agrees and accepts that it shall not apply for duplicate funding in respect of any part of the Project.
 23. If the Applicant receives funding from a third party either during the delivery or after completion of the project the Council reserves the right to recover that amount of funding from the applicant.
 24. If the Project does not comply with the delivery timetable stated within the application form and Offer Letter, the Council reserves the right to revoke or recover the amount of the funding, or such other amount as it considers reasonable.

Compliance and Insurance

25. The applicant must ensure compliance with all regulations and legislation relating to the project including equality, sustainability and health and safety.
26. The applicant must ensure appropriate and sufficient insurance cover, including public liability and employer liability applicable to the project.

Limitation of liability

27. The Council accepts no liability for any consequences, whether direct or indirect, that may come about from the Applicant running the Project the use of the funds or from withdrawal of the funds. The Applicant shall indemnify and hold harmless the Council, its employees, agents, officers or sub-contractors with respect to all claims, demands, actions, costs, expenses, losses, damages and all other liabilities arising from or incurred by reason of the actions and/or omissions of the Applicant in relation to the Project, the non-fulfilment of the obligations of the Applicant or its obligations to third parties.
28. Subject to clause 27, the Council's liability under these terms and conditions is limited to the payment of the funds.

Communication & Monitoring

29. The Applicant must maintain regular communication with the Council following the acceptance of the offer, these terms and conditions and the Offer Letter. The Applicant should provide regular updates and information on the project until it has been completed.
30. In any event the Applicant shall within 7 days after written request by the Council provide the Council with such information and documents as the Council may reasonably require to enable to the Council to verify that the Applicant has complied with its obligations under these terms and conditions.

31. The applicant must provide an annual return no later than 01 May each year, with information on the progress of the Project, within the previous financial year. This will ensure the Council is able to fulfil its monitoring requirements under the CIL Regulations 2010 (as amended Sept 2019).

Publicity for the Project

32. The Applicant must acknowledge the support of the Council in any materials that refer to the Project and in any written or spoken public representations about the project in a form or style agreed in advance with the Council.
33. Where the Council has provided the Applicant with any of its intellectual property rights for use in connection with the Project (including without limitation its name and logo), it shall only be used in accordance with reasonable brand guidelines.
34. The Council reserves the right to use images of the project, resulting from the award of the CIL funding, as part of any publicity material that it may wish.

Freedom of information

35. The Applicant acknowledges that the Council is subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIRs).
36. The Applicant shall:
 - a) provide all necessary assistance and cooperation as reasonably requested by the Council to enable the Council to comply with its obligations under the FOIA and EIRs;
 - b) transfer to the Council all requests for information relating to this agreement that it receives as soon as practicable and in any event within 2 working days of receipt;
 - c) provide the Council with a copy of all information belonging to the Council requested in the request for information which is in its possession or control in the form that the Council requires within 5 working days (or such other period as the Council may reasonably specify) of the Council's request for such information; and
 - d) not respond directly to a request for information unless authorised in writing to do so by the Council.
37. The Applicant acknowledges that the Council may be required under the FOIA and EIRs to disclose information without consulting or obtaining consent from the Applicant. The Council shall take reasonable steps to notify the Applicant of a request for information (in accordance with the Secretary of State's section 45 Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so but notwithstanding any other provision in this agreement) the Council shall be responsible for determining in its absolute discretion whether any information is exempt from disclosure in accordance with the FOIA and/or the EIRs.

Miscellaneous

38. The Council reserves the right to vary these terms and conditions. Such a right will be exercised by the Council acting reasonably.
39. No provision of these terms and conditions shall be enforceable or intend to confer any contractual benefit on any person under the Contracts (Rights of Third Parties) Act 1999.
40. Insofar as any clause or clauses of these terms and conditions are found (for whatever reason) to be invalid, illegal or unenforceable then such invalidity, illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of these terms and conditions.
41. All notices and other communications in relation to these terms and conditions shall be in writing and shall be deemed to have been given if personally delivered, emailed or mailed (first class postage prepaid) to the address of the relevant party, as referred to

above or otherwise notified in writing. If personally delivered or if emailed all such communications shall be deemed to have been given when received (except that if received on a non-working day or after 5.00 pm on any working day they shall be deemed received on the next working day) and if mailed all such communications shall be deemed to have been given and received on the second working days following such mailing.

42. These terms and conditions shall not create any partnership or joint venture between the Council and the Applicant, nor any relationship of principal and agent, nor authorise any party to make or enter into any commitments for or on behalf of the other party.
43. No waiver (whether expressed or implied) by the Council or Applicant of any breach or default in performing or observing any of the covenants terms or conditions of these terms and conditions shall constitute a continuing waiver and no such waiver shall prevent the Council or Applicant from enforcing any of the relevant terms or conditions or for acting upon any subsequent breach or default.
44. These terms and conditions are governed by and interpreted in accordance with the laws of England and Wales

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Community Infrastructure Levy

Expenditure Framework

Communication Strategy

Draft Version

September 2023

New Forest District (outside the National Park)



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1. Background

- 1.1 Following the decision by New Forest District Council to adopt the Community Infrastructure Levy (CIL) in April 20214, the Council have been charging for CIL liable development since April 2015.
- 1.2 A scheme for CIL expenditure has been devised and sits alongside this Communications Strategy.

2. Aims of the Strategy

- 2.1 These are: -
 - To identify the key messages and ensure these remain consistent throughout all communications which this Strategy covers.
 - Establish the key stakeholders and determine the communication channels and tools needed to convey the key message.
 - Set out the framework for communication in terms of where and when and how to deliver key messages.
 - Identify opportunities for proactive communication and address circumstances when communication is necessary to address any CIL collection and expenditure issues.
 - Identify any potential risks and put in place communication counter measures to mitigate against these.



3. CIL collection

- 3.1 CIL is collected and allocated in accordance with the CIL Regulations 2010 (as amended). The Council retains 5% of the total CIL income for administration of CIL. From the remainder, 15% is allocated to Parish or Town Councils (subject to a financial cap) but where there is a Neighbourhood Plan in place this figure rises to 25%. (with no financial cap)
- 3.2 Each year the Council is required as a CIL charging authority to publish monitoring statistics for collection, allocation and expenditure of CIL monies by the 31st of December for each year known as the Infrastructure Funding Statement (IFS). The statement is available on the Council's website at [Infrastructure Funding Statement - New Forest District Council](#)

4. CIL Expenditure

- 4.1 The development of a detailed framework for CIL expenditure for consideration and adoption has been devised as there is no set approach for CIL expenditure prescribed either by Central Government or through the CIL Regulations.
- 4.2 As such all CIL charging authorities have established their own schemes for how CIL monies are spent.
- 4.3 The CIL Regulations stipulate that CIL monies which are collected must be spent on infrastructure. Each Council must publish a list of infrastructure that will be all or partially funded through CIL in their annual IFS.
- 4.4 The CIL Expenditure Framework which sits alongside this Communications Strategy is critical to the funding of infrastructure to support inclusive growth, sustainable development and to support climate change activities.
- 4.5 The CIL Expenditure Framework operates on a twice-yearly Bid round, with the bids held in May and October. In this first round of bidding since the adoption it is likely that the first bidding round will begin in October 2023.
- 4.6 The CIL expenditure process will involve Bids being submitted for CIL monies (from Infrastructure Providers including town and Parish Councils (including Community Groups) on a twice-yearly basis.
- 4.7 Whilst some Bids will be determined on a delegated basis (and be subsequently noted by the District Council's Cabinet), some Bids will be determined by Cabinet.
- 4.8 Some of the information (including financial information) around the Bids when submitted may be commercially sensitive. However, it is intended that basic information concerning the infrastructure to be provided by the Bid will be capable of being placed on the Council's website together with outcomes both when the Bids are determined and when the infrastructure project has been completed. This information will be placed in the CIL Expenditure Programme ,updated annually.



- 4.9 The key messages of this Communications Strategy reflect this position and strike a balance between openness and transparency and the need to safeguard any commercial sensitivity that may apply.

5. Key Messages and the Framework for Communication

5.1. General

- 5.1.1 These will relate to CIL expenditure (including CIL collection – see section 3). They will involve the process and any specific cases where Bids are made together with the outcome following decision taking.
- 5.1.2 Key messages will also include details of the completion of any infrastructure projects which are the outcome of successful Bids (for Strategic or Local infrastructure expenditure) where CIL monies are spent including infrastructure projects which are the subject of a collaborative spend.
- 5.1.3 There will be reports provided throughout each year in the following way:
- Annual reports on CIL collection and expenditure including updates on process and detailed CIL expenditure for all District Members
 - Annual briefings on CIL collection and expenditure including updates on process and detailed CIL expenditure for all Parish and Town Councils within the Districts
 - Regular meetings with appropriate infrastructure providers as needed throughout the year to ensure that infrastructure is planned for and provided as part of a developing programme of infrastructure delivery linked to growth (funded either through s106 or CIL)

5.2. Regular Communication - Frequency and type

- 5.2.1 From the 1 September 2019 the CIL Regulations introduced a new requirement for the production of an Infrastructure Funding Statement (IFS) about infrastructure including s106 and CIL expenditure
- 5.2.2 Details of and payment of Neighbourhood CIL monies from the Councils CIL income to the Parish /Town Councils and will be undertaken twice yearly (April and October).
- 5.2.3 Details of the CIL Expenditure Framework, (including details of the yearly cycle of Bid submission and consideration) supporting Guidance Documents, Bid Application forms and prioritisation criteria (which will be applied to Bids) will be available on the Councils' web site in order to facilitate Bid submission. Clear information of the process will also be provided on the web sites.
- 5.2.4 For a period of three months before the Bid Rounds open, advance monthly email communications will be sent to all Infrastructure Providers and all Parish and Town Councils to advise of the Bid process being open for the submission of Bids twice yearly. This will also be communicated through the web site and email notification to potential Bidders.



- 5.2.5 Following validation of submitted Bids, the Ward Member(s), County Councillor for that Ward and the Parish Council (via the Clerk) shall be advised of the receipt of the validated Bid via email and be given 14 days to comment upon the submitted Bid. This will include the application form and a location plan in order to assist with the submission of a response.
- 5.2.6 A list of all validated Bids received will be placed on the website at the time that local consultation takes place containing basic information only to safeguard any commercial sensitivity.
- 5.2.7 For the duration of the Bid when it is validated, during consultation and whilst being assessed until decision taking, there will be no comment on individual Bids or comments made following consultation except for required communication with affected Infrastructure Providers, the District and County Councillor for the Ward and the Parish or Community Group or the author of the Bid. (This will allow resources to be directed towards consideration of and determination of the Bids). No proactive press statements will be made during this time.
- 5.2.8 After the decisions have been made on the Bids all authors of the Bids, all Parishes, all Members and County Councillors affected by the Bids will be advised by email of the decision of the Bids (whether approved or not and/or whether held in abeyance and carried forward to the next Bid round for a particular reason).
- 5.2.9 All authors of successful Bids will receive an offer letter and an acceptance form which would need to be signed and returned and which would make the terms of the Bid decision clear. The website will be updated with the decisions on the Bid and appropriate press/media coverage will be undertaken involving joined up communication for all organisations where collaborative spend is involved. When all press releases are devised, section 9 of this strategy will be taken into account and the Communication will reflect the inclusion of District Ward Members and relevant Parish Councils and other key organizations (or funding bodies) particularly in the case of the latter where collaborative spend is involved.
- 5.2.10 An annual CIL Expenditure Programme will contain details of CIL collection, details of all Bids approved or otherwise, any carried forward for particular reasons, any allocated spend whether collaborative or not with details of delivery (of the infrastructure project) and timescales and any details of decisions for infrastructure.
- 5.2.11 Our key audience will be advised of decisions by email and the annual CIL Expenditure Programme will be made available on the website.
- 5.2.12 A yearly CIL Calendar will be issued outlining all the key dates in that year affecting CIL and this will also be publicised on the website.

6. Key Audience

- 6.1 These are: -
- Infrastructure Providers
 - All District Members



- County Council Members
- All Parish Councils
- Community Groups where Bids are made
- Local Residents in both Districts
- Leaders and Cabinet Members
- Chief Executive
- All Staff (including all Strategic Directors, Assistant Directors and Service Managers)
- Media

7. Communication Channels

7.1 These are: -

- District Council websites
- Emails to our Key Audience
- Town and Parish Council Meetings
- Leader and Cabinet Member briefings
- District Council Member Briefings
- Parish and Town Council briefings and workshops
- Media releases
- Social media (Facebook, Twitter)
- Town and Parish Council newsletter

8. Communication Tools

- 8.1 Many of our audience already receive a number of communications from us across a range of subjects and projects. To help ensure our communication on CIL is easily recognisable and read, it will be necessary to clearly identify the purpose of the communication at the top of the key message.
- 8.2 Templates for emails, and updates will also be developed to ensure clarity of message. Our website will identify how the process will work and when Bid submission and decision taking will occur.
- 8.3 Social media will also be a key channel for communicating with our audiences and to help ensure these messages are recognised is intended to use the CIL expenditure and CIL collection hashtag for each Twitter and Facebook update where appropriate.



9. Spokespeople

- 9.1 For CIL collection information will be communicated through the website and this will be regularly updated subject to the other requirements in this document.
- 9.2 For Strategic Infrastructure Expenditure – which has considerable impact on each District suggest the following: -
- Portfolio Holder for Planning and Economy
- 9.3 For Local Infrastructure Expenditure which has significant impact on the District suggest the following: -
- Portfolio Holder for Planning and Economy
 - Strategic Direct for Places, Operations and Sustainability
- 9.4 With the exception of press announcements of the decisions on the CIL Bids after determination of the CIL Expenditure Programme , every decision on submitted Bids or where Infrastructure projects are delivered, the District Ward Member for the Community where the Infrastructure is to be provided must be included in the Key message. In respect of press announcements of the decisions on the CIL Bids after determination of the CIL Expenditure Programme , the lead messages will be from the Portfolio Holder for Planning and Economy. However, when such CIL Bids are determined, Ward Members affected will also be given the opportunity to offer a quote to support the press announcement.
- 9.5 Where proactive or reactive Key messages are delivered these must be managed so that where the Bids involve collaborative spend the different organisations working in collaboration including Parishes must be part of the Key message and the key message is effective and joined up (including the Ward Member)
- 9.6 Every opportunity will be taken wherever possible to undertake joint communication messages with infrastructure providers and other funding bodies and partners including those carrying out the infrastructure project together with Parish Councils. Members must always remain involved.

10. Risks

- 10.1 The successful delivery of Infrastructure projects across the Council are important for a number of reasons. Not only are these projects aligned with a range of our key strategic priorities but the infrastructure that is provided will mitigate any harm from new development and make that development sustainable. In addition, some infrastructure projects may address current infrastructure inadequacy or deliver a Parish or community infrastructure initiative. As such they will be the focus of a great deal of interest from our key audience and may generate media interest and engagement on a wider level.
- 10.2 All this audience is invested in the outcome of these projects for a variety of reasons. (financial, social and economic). This will bring these projects under very close scrutiny and we need to acknowledge that failure to effectively communicate with our



audience could have a significant impact on its success and the reputation of the Council.

- 10.3 It is also important to recognise that communication needs to be accurate and clear and there is a need to take appropriate measures to correct any factual inaccuracies should they occur.





Information for Town and Parish Councils

Community Infrastructure Levy (CIL)

New Forest District Council (outside the National Park)

July 2023

New Forest District (outside the National Park)



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1. Introduction

- 1.1. We have produced this guide to assist Town and Parish Councils (TPCs) within the district (outside the National Park) to understand their responsibilities relating to Community Infrastructure Levy (CIL). Further information is available on our website and advice is available from planning officers.
- 1.2. CIL is a levy that local authorities charge on developments to assist in the delivery of infrastructure to support development in their area. The levy was introduced by the government through the Planning Act 2008 and the subsequent CIL Regulations 2010 (as amended).
- 1.3. Our CIL is only chargeable on C3 residential development, all other developments will not be charged CIL. The charging schedule is indexed and updated each year and can be found at: <https://newforest.gov.uk/media/126/CIL-Charging-Schedule/pdf/cil-charging-schedule.pdf?m=637208147460270000>. The adopted CIL rate is £80, but with indexation with CIL figure for 2023 is calculated at £109.23 (rounded). The current annual CIL figure is published on our website.
- 1.4. Affordable housing (i.e. social rented, affordable rented and first homes) and self build housing qualify for 100% relief from CIL. This means a developer will not pay CIL on affordable housing or a self build house, provided they claim the relief.
- 1.5. We are responsible for collecting, administering, monitoring, and enforcing developer contributions secured through CIL. This includes calculating the amount of CIL payable on individual developments, monitoring commencement of development and payment of CIL and calculating the amount of CIL to be passed on to TPCs.

2. CIL income paid to Town and Parish Councils

- 2.1 A portion of CIL income is paid to TPCs to be spent by them to offset the impacts of development in the area. The TPC must report on the CIL received and spent each year. CIL payments to TPCs are made in April & October each year and are based on what development has taken place in that area and whether it has a 'made' Neighbourhood Plan in place.
- 2.2 TPCs that have a Neighbourhood Plan - 25% of income received for development in the TPC area, which is uncapped. This will only apply to permissions granted after any neighbourhood plan is made.
 - TPCs with no Neighbourhood Plan - 15% of income received capped at £100 per council tax dwelling i.e. a Parish or Town with 500 dwellings cannot receive more than £50,000 of CIL receipts per year.
 - NFDC will update the number of council tax dwellings per TPC prior to calculating amounts due.
- 2.3 Development becomes CIL liable on the approval of a full planning application or, for outline applications, once the reserved matters have been approved. CIL is payable



within 60 days of commencement of development or in line with NFDC's Instalment Policy where the CIL charge meets the defined thresholds.

- 2.4 The instalment policy currently offered can be seen at:
<https://newforest.gov.uk/media/128/CIL-Instalment-Policy/pdf/cil-instalment-policy.pdf?m=637208147976730000>

3. When and how will the Parish / Town Council receive CIL monies?

- 3.1 CIL payments to TPCs are paid twice a year for the preceding 6 months' income. CIL income received between 1st April and 30th September will be paid by 28th October and CIL income received between 1st October and 31st March will be paid by 28th April.
- 3.2 Payments to TPCs are calculated on 31st March and 30th September and can only include monies from CIL contributions that have been made by the developer and are confirmed as deposited in NFDCs bank account.
- 3.3 The contributions will be made via a BACS transfer to the TPC bank account held on the NFDC system and clerks (or nominated officers) will receive a summary of the individual contributions transferred.

4. What can Town and Parish Councils spend CIL on?

- 4.1 How TPCs can spend money is set out in the Community Infrastructure Levy Regulations at Regulation 59C:

A local council must use CIL receipts passed to it in accordance with regulation 59A or 59B to support the development of the local council's area, or any part of that 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

- 4.2 Examples of potential infrastructure items includes:

- Allotments
- Litter bins
- Monuments / memorials
- Public Toilets
- Provision of parking places for vehicles, bikes, and motorbikes
- Seats / shelters / bus shelters
- Signage / public notices
- Community gardens/ open space



- Children's play spaces
- Tree Planting
- Projects to improve the public realm, like bulb planting by residents, public artwork etc.
- The installation of defibrillators
- Climate change / 'Green' projects

4.3 Examples of projects CIL income cannot be spent on:

- Firework Displays, Carnivals, Christmas Lights,
- Improvements to Council Offices or other operational buildings,
- Provision of improvements to existing allotments sites e.g. locker rooms or toilets, that do not address the demands imposed on an area by development i.e. additional allotments
- Ground maintenance, verge mowing or hedge cutting.
- Improvements to parks and other open spaces that 'do not address the demands imposed on the area by development'

Note: the lists above are not exhaustive.

4.4 Providing CIL is spent in accordance with Regulation 59C, CIL monies may be used as match funding with other income streams and / or may be spent collaboratively with other parish councils, community interest companies or other providers to make the most efficient use of funding to benefit the community.

5. How can Parish Councils identify projects?

5.1 It is important for parishes to consult with the local community to develop a list of the infrastructure priorities in the area. Publishing these priorities can help projects to be delivered in a timely and transparent way.

5.2 Through community engagement, the TPC could encourage the community to submit ideas for the neighbourhood portion of CIL, and the list of projects would be the primary starting point for the TPC to make decisions on allocating the funding. Other sources of information, e.g. area planning documents can be used by communities to identify infrastructure projects to support development.

5.3 A selection criterion for projects that a TPC may consider are that the project must:

- Meet the terms of the CIL Regulations (2010)
- Reflect the priorities of the Council and Neighbourhood
- Have community backing (including any adopted Neighbourhood Plan)
- Support, or mitigate the impact of development in an area



- Be a one-off project (or identify and agree longer-term revenue implications)
- Benefit the broadest section of the community
- Provide value for money

6. What if the Parish / Town Council mis-spend or do not spend their CIL income?

- 6.1 Please note - after a period of 5 years from the date CIL income is received, if it is not spent in full then NFDC may reclaim monies back by sending the TPC a repayment notice; NFDC would spend the CIL income on their behalf and in consultation with the TPC. Exceptions may be made if the TPC can demonstrate they have allocated their CIL income to a particular project for which they are accumulating funds before spending.
- 6.2 If the TPC mis-spends CIL income, i.e. if it has not spent CIL in accordance with the CIL Regulations NFDC will send the TPC a repayment notice for the mis-spent funds. The TPC must repay the amount specified in the notice to the District. If a TPC wishes to obtain prior approval from NFDC for planned projects in advance of incurring expenditure they may do so.
- 6.3 If the TPC is unable to repay the amount specified in the repayment notice we will recover the amount from future CIL income the TPC are due to receive.

7. How do Town and Parish Councils procure projects?

- 7.1 Each Town and Parish Council will have financial regulations that govern the conduct of financial management by the Council.
- 7.2 Financial regulations are observed in conjunction with the Council's standing orders and any individual financial regulations relating to contracts. Therefore, each individual TPC must decide the way in which to pay the funding to projects either via direct funding themselves (through a successful procurement exercise) or via awarding funding to an appropriate group.
- 7.3 There could also be VAT implications which may need to be considered.

8. Town and Parish Council reporting responsibilities

- 8.1 The TPC must record all CIL receipts, carried over CIL, and expenditure for each year.
- 8.2 The reporting Year runs from 1 April to 31 March and must be published on the TPC website no later than 31 December following the reporting year. A copy must also be sent to us and we will publish either the document (or a link to the website) on our site.
- 8.3 The reporting requirements are set out by in Regulation 121B of the CIL Regulations which state:

A parish council must prepare a report for any financial year ("the reported year") in which it receives CIL receipts.



The report must include—

- a) the total CIL receipts for the reported year;
- b) the total CIL expenditure for the reported year;
- c) summary details of CIL expenditure during the reported year including—
 - i) the items to which CIL has been applied;
 - ii) the amount of CIL expenditure on each item;
- d) details of any notices received in accordance with regulation 59E, including—
 - i) the total value of CIL receipts subject to notices served in accordance with regulation 59E during the reported year;
 - ii) the total value of CIL receipts subject to a notice served in accordance with regulation 59E in any year that has not been paid to the relevant charging authority by the end of the reported year;
- e) the total amount of—
 - i) CIL receipts for the reported year retained at the end of the reported year;
 - ii) CIL receipts from previous years retained at the end of the reported year.

9. Further Information

9.1. NFDC website

<https://www.newforest.gov.uk/cil>

9.2. CIL Guidance

<https://www.gov.uk/guidance/community-infrastructure-levy>

9.3. Planning Portal

<https://www.planningportal.gov.uk>

9.4. Neighbourhood Planning CIL Toolkit

<https://neighbourhoodplanning.org/toolkits-and-guidance/understanding-community-infrastructure-levy-cil/>

9.5. Specific queries relating to CIL can be directed to

developer.contributions@nfdc.gov.uk



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PLACE AND SUSTAINABILITY OVERVIEW AND SCRUTINY PANEL

WORK PROGRAMME 2023/2024

ITEM	OBJECTIVE	METHOD	LEAD OFFICER
11 JANUARY 2024			
Grass Strategy	To consider a proposed Grass Strategy.	Report	Ian Park
Litter Strategy	To consider a proposed Litter Strategy	Report	Ian Park
Portfolio Holders' Update	To receive an update from the relevant Portfolio Holders	For information.	Cllr Blunden Cllr Tipp
7 MARCH 2024			
Economic Development Performance Indicators	To receive performance updates relating to the Council's approach to the promotion of economic development in the District following the creation of performance indicators.	Report	Sally Igra
Tree Strategy	To consider a revised Tree Strategy	Report	Chris Noble Ian Park
Portfolio Holders' Update	To receive an update from the relevant Portfolio Holders	For information.	Cllr Blunden Cllr Tipp

ITEM	OBJECTIVE	METHOD	LEAD OFFICER
TO BE CONFIRMED			
Information on the allocation of CIL monies.	A request was made from Cllr M Wade for information on the use of unallocated CIL monies. For the Panel to agree to its inclusion on the work programme and for officers, in consultation with the Chairman, to agree on how this information will be provided.	TBC	TBC
Open Space Maintenance Update	To receive an update on Open Space Maintenance (See Financial Strategy Task and Finish Group Report – 17 November 2022)	Report	Ian Park
Future Joint Working Arrangements Between HCC and Hampshire Districts on Waste/Recycling	To consider a report on the future joint working arrangements.	Report	Chris Noble