

CIL Spending Protocol

April 2025

Introduction

- 1.1 Basingstoke and Deane Borough Council (BDBC) is responsible for allocating funding raised through the Community Infrastructure Levy (CIL) in its administrative area. This Protocol aims to ensure that the funding decision-making process is transparent and clear for all interested parties including potential bidders.
- 1.2 CIL is a charge which, if liable, new development in the borough must pay. The CIL charging schedule sets out the rates of CIL that apply to development in Basingstoke and Deane. Further guidance is available at <https://www.basingstoke.gov.uk/CIL>

Allocation of funds

- 2.1 CIL collected will be used to provide infrastructure to support growth within the borough. Of this:
 - 5% of CIL receipts will be used within the Council's Planning Service budget to provide a dedicated resource for administration of the Levy including the annual monitoring and management required by the CIL Regulations.
 - A proportion will be allocated to the relevant town or parish council in line with the Regulations ('Neighbourhood CIL'). Town and parish councils that have a 'made' Neighbourhood Plan will receive 25% of receipts accruing from development within their parish. Parishes without a 'made' plan, including those where a plan is in preparation, will receive 15%, capped annually at £100 per existing council tax dwelling within the parish in accordance with the CIL Regulations;
 - The remaining receipts ('Strategic CIL', approximately 70-80%) will be allocated by the Council for investment in infrastructure to support growth as set out in the Local Plan and for the benefit of the borough, in accordance with this Spending Protocol.

Strategic CIL

How should Strategic CIL be spent and prioritised?

- 3.1 Strategic CIL (SCIL) must be spent on ‘the provision, improvement, replacement, operation, or maintenance of infrastructure¹ needed to support the development of the area’, as set out in law. It is intended that it be used to provide new and improved strategic infrastructure that supports the wider development of the borough rather than site-specific infrastructure to accommodate individual developments or mitigate local impacts from a specific development (which are more appropriately addressed through S106 and Neighbourhood CIL).
- 3.2 The majority of SCIL will be retained and spent by BDBC, but a portion of the SCIL will be made available for partner organisations. These partners will receive 20% of the SCIL ‘as a starting point’, however this should not preclude more funding being made available for suitable schemes, or less being passed on if suitable projects were not proposed.
- 3.3 The council’s Infrastructure Delivery Plan (IDP) identifies the infrastructure required to support the delivery of the Local Plan and other council strategies, and gives each scheme a prioritisation category:
- **Critical:** Infrastructure that must be provided to enable growth otherwise development would not be acceptable (most commonly in relation to highways, transport and utilities infrastructure)
 - **Essential:** Infrastructure that is considered necessary to mitigate the impacts arising from development (for example, additional school places)
 - **Policy High Priority:** Infrastructure required to support wider strategic objectives. This type of infrastructure is influenced more by whether a person chooses to use the facility e.g. community facilities. The timing is not critical and is usually linked to completion of development.
 - **Desirable:** Infrastructure that is required for sustainable growth but is unlikely to prevent development in the short to medium term.
- 3.4 As the purpose of SCIL is to support the development of the area, it is critical that SCIL is spent on the highest priority infrastructure. The IDP therefore sits at the centre of any decision-making process.
- 3.5 The council will also identify priority areas of spend in its Infrastructure List (a list that the council is required to produce indicating where CIL may be spent). This will be reviewed as necessary alongside CIL spend proposals on an annual basis.
- 3.6 The following criteria will be used to assess all projects that are seeking funding. Consideration will be given to whether proposals would:
1. Relate to priorities identified on the Infrastructure List and be included in the Infrastructure Delivery Plan.

¹ Infrastructure is defined as including roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities, and open spaces (S216, Planning Act 2008, as amended by Regulation 63).

2. Deliver specific policies of the Local Plan.
3. Contribute to the delivery of other approved Council strategies.
4. Contribute to the delivery of the Council's Corporate priorities.
5. Contribute towards the delivery of infrastructure by a provider where it can be satisfactorily demonstrated that the infrastructure would not otherwise be delivered i.e. that all other possible funding sources are insufficient.
6. Address a specific impact of new development beyond that which has been secured through a section 106 obligation or a section 278 agreement.
7. Leverage other funds that would not otherwise be available e.g. need to match or draw grant funding.
8. Offer wider as well as local benefits.
9. Be deliverable in the year that the funding is being programmed i.e. justified by:
 - (i) a project plan including a timetable and resources available to meet the timetable
 - (ii) consultation summary report to indicate stakeholder support; and
 - (iii) arrangements for ongoing maintenance

Process for spending Strategic CIL

- 3.7 Decisions around CIL spending will be made through an annual bidding process, taking into account the amount of funding available on 31 March that year. Through this process, all potential CIL projects will be reviewed alongside each other to allow their respective merits to be assessed and compared. The process will also run in parallel with decisions associated with the wider capital programme, to ensure that the council's funding streams are fully integrated and considered holistically.
- 3.8 Internal infrastructure providers and the external stakeholders with responsibility for funding strategic infrastructure projects identified in the IDP (infrastructure that supports the development of the wider borough rather than site-specific infrastructure) will be contacted when the six week bidding window opens in the new financial year.
- 3.9 Bidders will need to complete the council's application form and proposals will need to be supported by information to demonstrate how they would comply with the assessment criteria. Planning officers are happy to discuss proposals with infrastructure providers to ensure that bids with the greatest likelihood of success are submitted.
- 3.10 CIL spend will be planned over a five year horizon and set out in a document called a CIL Spending Plan. Bids may therefore be for both projects requiring immediate funding or larger, longer-term projects that would need to be funded in the future.

- 3.11 Each year, the CIL Spending Plan will be updated with new projects using the new/unallocated funded, and other schemes in the programme will be re-evaluated and rephased as necessary.
- 3.12 Organisations that have made bids for CIL funding will receive provisional feedback on their bids in August/September once all the bids have been assessed. However, the release of the funds will be formally agreed by Full Council as part of the Capital Programme in February the following year.
- 3.13 As an exception to the above and where sufficient funding is available, the council may exceptionally allow bids for CIL to be put towards other schemes at other times of the year in agreement with the Cabinet Members with responsibility for planning and finance. This would typically be in circumstances where the funding is required urgently and waiting for the bidding process would cause undue delay.
- 3.14 Once a decision is made, and where funding is passed to a third party, the money will be released in arrears either on completion of projects or in staged payments as agreed by the Head of Planning and Infrastructure. A CIL legal agreement would be required to ensure the infrastructure is delivered, and this would be monitored through the Infrastructure Funding Statement which is published annually.

Timetable

April	Amount of available CIL known.
May-June	Six weeks for bidding. Bids to be invited from organisations delivering strategic infrastructure projects identified in the council's Infrastructure Delivery Plan/Infrastructure List.
Late summer	Bidders informed of provisional outcomes of bidding process.
February Council	Capital Programme including CIL Spend Plan approved by Council.

Neighbourhood CIL

- 4.1 Legislation allows Neighbourhood CIL (NCIL) to be spent more flexibly than Strategic CIL, to manage the impacts of growth. It can be spent to 'support the development of the local council's area on: 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'. Further guidance about how Neighbourhood CIL can be spent is available in the council's [CIL guide for town and parish councils](#).

Areas with town/parish councils

- 4.2 In areas where there is a town or parish council, NCIL has been passed to town/parish councils twice a year since CIL was introduced.
- 4.3 Town and parish councils can determine how their portion of CIL receipts are spent, however it is recommended that they work closely with BDBC to consider local infrastructure spending priorities (recognising that the final decision lies with the town or parish council). Any organisation wishing to apply for NCIL should contact the local town/parish council in the first instance.

Areas without town/parish councils

- 4.4 In the unparished areas of Basingstoke town and the eight rural communities that have parish meetings (rather than parish councils), BDBC is required to spend the money in that local area on the local community's behalf. NCIL will be spent on a ward-basis in Basingstoke town (excluding areas of those wards also covered by parish councils), and across the areas covered by each of the parish meetings.
- 4.5 Government guidance indicates that councils should 'engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding'.
- 4.6 Projects for funding from NCIL should be put forward to the council by local ward councillors and, where relevant, the parish meetings, as representatives of those communities. These could include topping up other sources of funding (such as Section 106) to deliver priority projects in those neighbourhoods from the council's capital programme. Where schemes are proposed, there will need to be evidence to show that those schemes meet relevant requirements, including that they have been subject to proportionate engagement with local communities to demonstrate that they would meet their priorities. Any organisation wishing to apply for NCIL in an unparished area of the borough should contact their local parish meeting or ward councillor in the first instance.
- 4.7 Proposals will need to be set out on the relevant application form, and supported by relevant information about the proposed works and their costs.