

Annual Infrastructure Funding Statement 2023/2024

Published November 2024

Bassetlaw District Council



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

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1. Introduction

- 1.1 The Council secures infrastructure from development, financial and non-financial to mitigate the impacts of development, address infrastructure needs, contribute towards place-making and meet Local Plan policy requirements.
- 1.2 Infrastructure is secured in several different ways from new development by the local authority via:
 - Planning obligations – site-related infrastructure secured via a S106 legal agreement with developers/landowners to mitigate the impact of development
 - Community Infrastructure Levy – a charge on certain types of new development identified by the CIL Charging Schedule 2013¹
 - Other funding - including S278 Agreements for highways improvements and other external funding, e.g. through Government funding e.g. Levelling Up Fund.
- 1.3 The Bassetlaw Infrastructure Funding Statement (IFS) sets out the funding secured, allocated, used and retained by the Council relating to the Community Infrastructure Levy (CIL) and Section 106 (S106) agreements for 2023/24.
- 1.4 It also provides information about non-financial contributions, and how the CIL /S106 funding collected could be used to provide infrastructure within Bassetlaw in future.
- 1.5 District Councils, such as Bassetlaw, are required to produce an IFS on an annual basis by [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#).

2023/2024 Headlines

Bassetlaw Community Infrastructure Levy:

CIL receipts have increased significantly over the past few financial years, as a result of increasing number of developments commencing construction in the District. Relative to 2023/2024, the following is noted:

£2,167,468.53 is the total value of CIL issued in demand notices.

£3,258,490.31 is the total value of income collected.

£592,566.79 of income was collected from Bassetlaw's CIL towards local community projects (neighbourhood portion).

£2,586,240.87 of the total income collected from Bassetlaw's CIL receipts will be directed towards Strategic Infrastructure excluding neighbourhood portion

Bassetlaw Section 106 Agreements

Relative to 2023/2024, the following is noted:

£2,626,009.07 opening balance: has been allocated to specific projects carried forward from previous years.

£2,255,989.39 has been received in S106 income.

£1,992,052.44 has been spent on mitigating the impact of developments.

£2889,946.02 remaining as the closing balance at 31/03/2024.

¹ [Bassetlaw Community Infrastructure Levy Charging Schedule 2024 | What is a...](#)

- 1.6 It is appropriate for a combination of these different types of developer funding to be used to deliver an infrastructure project provided that for strategic infrastructure, the projects contribute to the strategic priorities in the Bassetlaw Local Plan and are set out on the Infrastructure List in Table 5 (formerly known as the Regulation 123 List).
- 1.7 Parish/Town Councils will also be able to use their own CIL receipts (known as the neighbourhood portion) on infrastructure projects that are a priority for them in their local area. This could include contributing to the priorities in made neighbourhood plans for example.

2. What are the Sources of Income?

Community Infrastructure Levy (CIL)

- 2.1 CIL is a tariff-based charge levied per square metre of floorspace on relevant development in the district in accordance with the Council's CIL Charging Schedule². The money is pooled together to help fund infrastructure across Bassetlaw e.g. junction improvements, secondary school improvements needed to support the development and infrastructure needs of the district.
- 2.2 CIL is split into two portions:
- strategic infrastructure to help deliver projects on the Infrastructure List
 - neighbourhood portion to help Parish/Town Councils fund local infrastructure priorities in their local area
- 2.3 Please note: A charging authority may accept one or two land payments in lieu of the whole or part of the CIL due in respect of a chargeable development. Where CIL is paid by way of a land payment the amount of CIL paid is an amount equal to the value of the land acquired, known as "payment in kind".

Planning Obligations

- 2.4 Planning obligations are secured by Section 106 (S106) legal agreements usually between Local Authorities and developers/landowners. These are linked to planning permissions and can also be known as developer contributions.
- 2.5 Planning obligations are used when it is considered that a development will have significant impact on the local area that cannot be mitigated by planning conditions attached to a planning decision. They are used to make development acceptable in planning terms and legally can only be used where the infrastructure is necessary, directly related and proportionate in scale and kind to the development³.
- 2.6 For example, a new residential development can place extra pressure on the social, physical and green infrastructure which exists in a certain area. The S106 agreement will identify the necessary infrastructure improvements required so that the development would not have an adverse impact on the local area and community.

What Planning Obligations may cover

- 2.7 A S106 agreement will vary depending on the type and scale of the development and the existing infrastructure capacity in that part of the district. Most S106 agreements are for financial contributions but can also be used for the provision of non financial contributions and the direct delivery of infrastructure. The most common obligations include:
- Public Open Space and Childrens Play Areas

² The Council adopted a new CIL Charging Schedule on 29 May 2024. It takes effect from 1 June 2024 and applies to relevant development where the Council has received a commencement notice and agreed that the commencement date will be from 1 June 2024

³ CIL Regulations 2010 (as amended) s122 (2)

- Affordable Housing
- Education
- Highways
- Public Transport
- Non-financial contributions, including employment and skills plan and travel plans.

Other Sources of Funding

2.8 It is important that the Council and its infrastructure partners consider all funding sources to help deliver infrastructure across the district. These external funding sources can also be used with planning obligations and CIL. In recent years the district has benefitted from the Government's Levelling Up Fund, and previously from the Local Enterprise Partnership and Local Improvement Scheme funding.

3. Community Infrastructure Levy – Collection and Expenditure

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

	Amount	Further Information
Total value of CIL issued in Demand Notices	£2,167,468.53	47 Demand Notices issued
Total amount of CIL income	£3,258,490.31	Reflects the amounts received in 2023/24 ⁵
The total amount of CIL expenditure.	£3,024,203.71	Includes the neighbourhood portion payments to Parish / Town Councils but excludes the CIL admin monies. Further details in Table 3.
Total amount of CIL income collected since 2013	£20,693,956.79	
Total amount of land given in kind during the year.	£0.00	Nil
Total amount of land given in kind since 2013	£0.00	Nil

CIL Income In 2023/24

- 3.2 The amount of CIL payable depends on where the development is located within the district as the Bassetlaw CIL Charging Schedule www.bassetlaw.gov.uk sets tariffs for different types of development/ parts of the district.
- 3.3 CIL receipts have increased significantly over the past few financial years, as a result of the increasing number of developments commencing construction in the district. Table 1 below provides a breakdown of Bassetlaw CIL income since CIL was introduced in the district:

Year	Amount
2013/14	£5,160
2014/15	£83,824
2015/16	£316,712
2016/17	£900,086
2017/18	£740,493
2018/19	£2,033,400
2019/20	£2,881,621
2020/21	£1,830,080 ⁶
2021/22	£4,694,411
2022/23	£3,949,675
2023/24	£3,258,490

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

⁵ this income could be derived from previous years and is payable upon commencement of development

⁶ During the Covid pandemic the Government introduced Regulation 72(A) of the CIL Regulations (as amended) <https://www.legislation.gov.uk/uksi/2020/781/contents/made> to defer CIL payment subject to relevant criteria, and this is reflected in level of CIL income in 2022/23.

3.4 2023/24 saw the receipt of large amount of CIL income - £3,258,490. The most notable amounts came from the following developments:

- **£613,549.80** - 18/00695/FUL – Land rear of Kenilworth Nurseries, Retford
- **£304,421.47** - 21/00357/RES – Land west of Longholme Road, Retford
- **£204,795.09** – 21/01603/RES – Land South of Tickhill Road, Harworth
- **£300,000.00** – 21/00554/RES – Land North of Bracken Lane, Retford
- **£210,704.31** – 19/01477/RES – Land West of Tiln Lane Retford

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

CIL Expenditure In 2023/24

Table 3. Detailed CIL Expenditure in 2023/24		
Detail	Amount	Further Information
Strategic Infrastructure	£433,000.00	Gateford Park Primary School
	£2,250,000.00	Outwood Academy Expansion
Neighbourhood Portion	£294,735.93	Drawn Down by Parish /Town Councils
	£42,307.75	Playground Equipment Replacement – Water Features The Canch, Worksop
	£4,160.03	Kings Park Retford Splash Equipment
CIL Admin	£33,214.87	Funding CIL Officer (0.6 FTE + F/T Agency) & IT

3.6 CIL is drawn down through Cabinet delegated decision-making to the Head of Planning and Place for all qualifying projects. These being:

- Strategic infrastructure on the Infrastructure List
- Neighbourhood portion by Parish/Town Councils
- CIL administrative work (maximum 5% of total CIL income)

Whipman Woods Flying High Academy, Gateford Park, Worksop

A new 210 place primary school, 26 space nursery and playing field opened in September 2024 to serve the surrounding housing development at Gateford Park. Located in the centre of the 750 home Gateford Park development this completes Phase 1 of the school. Phase 2 will expand the school to a 315 place school in the future when needs arise.

The delivery of the new school is an excellent example of using different funding mechanisms to enable the delivery of new infrastructure with £3m coming from S106 contributions, £8.5m contributed by NCC's Basic Needs Funding and £0.433 from the CIL.

Neighbourhood portion

- 3.7 The total amount of CIL monies drawn down by Parish/Town Councils in 2023/2024 was £294,735.93.
- 3.8 Parish and Town Councils have a duty to submit annual monitoring reports if they have drawn down funds in accordance with the CIL Regulations.
- 3.9 Failure to submit Annual Monitoring Reports by the December following the end of the financial year, will result in the prevention of funds being available for draw down until appropriate accounting has occurred. All such annual monitoring reports are available on the Council website at: <https://www.bassetlaw.gov.uk/planning-and-building/planning-services/community-infrastructure-levy/cil-annual-reports/>
- 3.10 In the non-parished/town council parts of the district CIL monies are managed separately. Further details are in Appendix 1: Neighbourhood Funding Guidance on the Administration of the Community Infrastructure Levy.

Non- Parish/Town Council areas	Amount received in 2023/24	Cumulative amount available at 31 March 2024
Workstop	£28,133.08	£761,711.11
Retford	£214,950.02	£821,815.80

CIL Administration

- 3.11 In accordance with the CIL Regulations 2010 (as amended) the Council can retain a fee of up to 5% of the total contributions paid, capped at £5000.00 per covenant that requires monitoring to cover administration costs. In 2023/24, this totalled £162,924.52 of which £33,214.87 was spent during the financial year contributing towards the officer resource to administer the CIL.

CIL Exceptional Circumstances Relief 2023/24

- 3.12 In exceptional cases, development may be eligible for relief or exemption from CIL in accordance with Regulations 55-57 as amended by Regulation 7(11) of the levy 2014 Regulations.
- 3.13 Following the submission of a viability appraisal the following application for Exceptional Circumstances Relief was granted in 2023/24:

21/01811/FUL – Land North of Fox Covert Lane Misterton: Decision issued 16 November 2023 – amount of relief granted = £369,289.23

4. CIL Allocated and Unspent In 2023/24

Strategic Infrastructure

- 4.1 As at 31 March 2024, £12,808,284.78 of CIL monies have been collected, but not yet spent to help deliver strategic infrastructure on the Infrastructure List. This includes £2,632,708.65 - the amount of Strategic Infrastructure monies received in 2023/24.
- 4.2 The CIL Regulations 2019 require authorities to publish an Infrastructure List which is set out in Table 5 below. In Bassetlaw it contains strategic infrastructure necessary to help deliver the Bassetlaw Local Plan 2020-2038.
- 4.3 Further information about the Local Plan strategic infrastructure is in the Infrastructure Delivery Plan on the Council’s website at www.bassetlaw.gov.uk/thebassetlawplan
- 4.4 Table 5 shows the indicative CIL contribution for each strategic infrastructure project. These costs are evidenced through the Infrastructure Delivery Plan and other Local Plan evidence.

It is expected that other funding sources such as planning obligations, S278 highways agreements and external funding will also be used to deliver the infrastructure. Details of each project and the likely funding sources are set out below and will be updated annually.

- 4.5 These are the only strategic projects CIL is expected to contribute towards. If CIL needs to be used to deliver other infrastructure then the Council will consider that at the next annual update by December 2025.

Table 5: Infrastructure List			
Project Ref	Infrastructure Required	Approximate CIL contribution (£m)	Comments
S1	A57/B6040 roundabout, Manton Wood	4.31	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S2	A57/A614/A1 Five Lane Ends roundabout Apleyhead	4.31	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S3	A57/B6034/Netherton Road roundabout Worksop	4.31	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S4	A57/A60 Sandy Lane roundabout Worksop	3.23	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S5	A57/Claylands Avenue/Shireoaks Common roundabout, Worksop	1.08	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Member DD dated 18/10/19 for £19,250 for initial design and feasibility. Not commenced.
S6	A60/A619 roundabout, Worksop	3.23	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. NCC In discussions over design works
S7	A620 Babworth Road/B6420 Mansfield Road/A620 Straight Mile/Sutton Lane, Retford	2.15	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S8	A620 Amcott Way/A620 Moorgate/A638 Arlington Way, Retford	1.1	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S9	London Road/Whitehouses Road Retford	1.1	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S10	London Road/Whinney Moor Lane/Bracken Lane, Retford	1.1	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S11	A620 Babworth Road / Ordsall Road junction, Retford	1.1	Linked to Local Plan strategic site delivery. Likely to be a combination of S106, CIL. Not commenced.
S12	Secondary school expansion in Worksop, Outwood Portland Academy	7.5	Project underway - £2.25m has been drawn down by NCC to date. Additional £2.25m draw down expected imminently. Delivery funded via CIL and NCC (£3m).
S13	Secondary school provision in Worksop: Peaks Hill Farm Satellite Facility	11.3	Linked to Local Plan strategic site delivery. The new facility will be situated on the Peaks Hill Farm urban extension (HS1). Planning application 23/01429/OUT pending. NCC currently advise that the facility will provide post 16 education. Delivery likely to be

			a combination of land/S106 from site HS1, CIL (from other sites within the Worksop catchment) and Basic Needs Funding from NCC. Not commenced.
S14	Secondary school provision in Retford	4.5	Linked to Local Plan strategic site delivery. NCC advise that improvements to Retford secondary schools may be required to accommodate growth from new housing in the long term. Any provision is likely to be a combination of S106, CIL and NCC Basic Needs Funding. Not commenced.
S15	Secondary school provision in Harworth & Bircotes	4.40	NCC provided a feasibility grant to the DELTA Academies Trust to obtain designs for the provision of 30 secondary places in the longer term at Serlby Park Academy. DELTA expect to advise NCC at the start of the academic year. Release of funding for works subject to NCC cabinet member approval upon review of the proposed designs. Not Commenced
S16	Improvements to Bassetlaw Hospital	1.0	Linked to Local Plan housing trajectory delivery. To help manage adverse impacts of housing growth upon the hospital's facilities. CIL contribution with eligible housing sites. Costs are as agreed in principle through Local Plan process. Discussions underway with the Doncaster and Bassetlaw Hospitals Trust. Not commenced.
S17	Gateford Park Development 14/00213/OUT – Public Open Space	0.706	BDC in the process of adopting open spaces across the development. Includes area for new strategic play area. Anticipate some open space will be transferred over to the Council within the next 3 to 12 months.
S18	Worksop Town Centre regeneration	2.0	To contribute to regeneration of the Priory Centre for commercial/leisure, food/drink outlets, health hub, housing, pedestrian bridge. Planning application 23/01263/FUL pending. £18m from Levelling Up Fund and £5m from Levelling Up Partnership received. Infrastructure delivery from new development likely to be combination of S106/CIL. Not commenced.
S19	Cycling infrastructure: Worksop town centre - Apleyhead strategic employment site	5.8	Linked to Local Plan strategic site delivery for Apleyhead (SEM001). Pre-application consultation for Phase 1 undertaken by site promoters in September 24. Likely to be a combination of S106 from SEM001, CIL and potentially Active Travel England funding. Not commenced.
S20	Cycling infrastructure: Peaks Hill Farm – Worksop town centre	3.3	Linked to Local Plan strategic site delivery (HS1). Planning application for HS1 (23/01429/OUT) pending. Delivery likely to be a combination of S106 from HS1, CIL and potentially Active Travel England funding. Not commenced.

Neighbourhood Portion

- 4.6 A 'meaningful proportion' of CIL receipts is passed to the Town or Parish Council for the area where the development takes place (known as the neighbourhood portion). The meaningful proportion to be passed to the Parish / Town Council is set at 15% of the relevant CIL receipts with a maximum cap of £100 per Council tax dwelling in the parish.
- 4.7 Where a made Neighbourhood Plan is in place the 'meaningful proportion' will rise to 25% with no maximum cap. At the end of 2023/24 there were 23 Neighbourhood Plans made as below.
- 4.8 The higher neighbourhood portion cannot retrospectively be applied to developments granted planning permission prior to the adoption of a Neighbourhood Plan.
- 4.9 Table 4 shows the CIL neighbourhood portion received in 2023/24 and the total amount available for respective Parish/Town Councils at 31 March 2024. The cumulative amount includes CIL monies retained from previous years.

Parish / Town Council	Neighbourhood Plan	CIL received in 2023/24	Total amount of CIL available 31 March 2024
Barnby Moor	-	£39.16	£8,952.66
Beckingham	-	£12,248.17	£36,744.50
Blyth	6 May 2021	£21,834.60	£21,834.60
Bothamsall	-	£0.00	£1,837.45
Carlton in Lindrick	21 February 2019	£193.91	£68,688.04
Clarbrough & Welham	2 February 2017	£5,511.59	£5,511.59
Cuckney, Norton, Holbeck and Welbeck	8 September 2022	£936.48	£3892.19
East Markham	26 April 2018	£0.00	£25,650.09
Elkesley	12 November 2015	£0.00	£2,240.42
Everton	6 May 2021	£1,791.26	£55,518.31
Harworth & Bircotes	3 December 2015	£121,699.41	£183,920.44
Hayton	24 August 2023	£0.00	£0.00
Headon, Upton, Grove and Stokeham	6 September 2018	£0.00	£0.00
Hodsock and Langold	6 May 2021	£36,686.81	£61,923.55
Lound	24 February 2022	£0.00	£0.00
Laneham	-	£562.50	£562.50
Mattersey & Mattersey Thorpe	5 September 2019	£12,393.74	£17,358.32
Misson	7 September 2017	£2,715.51	£8,776.23
Misterton	5 September 2019	£3,550.07	£3,793.88
Nether Langwith	-	£5,833.50	£5,833.50
Normanton on Trent	-	£0.00	£0.00
Rampton & Woodbeck	6 May 2021	£261.31	£6,455.53
Ranskill	23 February 2023	£0.00	£0.00
Rhodesia	-	£22,845.35	£88,608.82
Shireoaks	17 November 2016	£0.00	£129,701.21
South Leverton	-	£13,343.45	£17,791.27
Sturton	11 November 2021	£292.16	£389.55
Styrrup & Oldcotes	-	£30,919.90	£189,370.98
Sutton cum Lound	4 March 2021	£37,267.20	£118,247.10
Treswell and Cottam	21 February 2019	£0.00	£0.00
Tuxford	10 November 2016	£15,341.82	£15,341.82
Walkeringham	6 May 2021	£3,215.82	£3,215.82
West Stockwith	-	£0.00	£1,817.81

Total Amount of CIL Retained at 31 March 2023

	Amount	Further Information
Total amount of CIL receipts received at the end of the reported year	£3,258,490.31	Includes any unused Admin Monies at end of 22/23
Total of CIL income available to Parish / Town Councils as part of their neighbourhood portion	£1,083,978.15	Neighbourhood portion available for drawn down (does not include Retford and Worksop or Admin)

5. Planning Obligations

- 5.1 The following information is presented in order to comply with the requirements for the reporting of planning obligations (S106 Agreements). It sets out how much S106 has been collected, where it has been allocated and how it has been spent. It includes monetary as well as non-monetary contributions.
- 5.2 17 S106 agreements were signed during 2023/24. These and other relevant documentation from each planning application can be viewed online on the Bassetlaw District Council planning portal at <http://publicaccess.bassetlaw.gov.uk/online-applications/>
- 5.3 In 2023/24 a total of £2,255,989.39 was received in S106 contributions for a variety of mitigation measures.

Opening Balance 01/04/2023	£2,626,009.07
Obligation Monies Received during 2023/24	£2,255,989.39
Payments made in 2023/24	£1,992,052.44
Closing Balance 31/03/2024	£2,889,946.02

Breakdown of invoices raised, and income collected in 2023/24 across 5 sites:

Site	Amount	Status
13/01324/OUT Former Vesuvius Works Sandy Lane, Worksop	£119,152.60	Bus Service Contribution – Paid (3 rd Instalment) – Procure Bus Service - unpaid
18/00069/OUT Land West of Longholme Road, Retford	£248,414.71	Contribution towards 10 new secondary school places at Elizabethan Academy - Paid
14/00431/OUT Land at Gateford Park Ashes Park Avenue Worksop	£1,445,825.00	Primary School Contribution – Paid (2 nd Instalment) Gateford Park
14/00431/OUT Land at Gateford Park Ashes Park Avenue Worksop	£57,568.75	Primary School Contribution – Paid (Indexation – 1 st Instalment) Gateford Park

20/00051/FUL Land off Essex Road, Bircotes	£1,066.80 £17,760.53 £366,201.00	Public Transport Contribution –Paid (indexation) Off Site Public Open Space Contribution – Paid Overage Review – first 40 dwellings - Paid
Total Invoiced in 2023/24	£2,255,989.39	
Total Receipts in 2023/24	£2,136,836.79 (1 unpaid invoice)	

Total S106 Agreement funds drawn down in 2023/24

Table 10. S106 funds drawn down in 2023/24		
Project	Amount	Site
Transfer to NCC – surfacing improvements to Footpaths 84 and 25.	£25,200.00	Highways Contribution – 02/11/00040
Transfer to NCC – new Primary School	£1,760,093.75	Primary School Contribution - 14/00431/OUT
Transferred to NCC – Bus Service	£119,850.90	Bus Service Contribution – 13/01324/OUT
Land East of Doncaster Road Langold Nottinghamshire – Sect 106 Contribution to Capital (Transfer to Parks and Open Spaces – improvement to Harrison Drive football pitches and changing facilities)	£ 86,907.79	Off-site Public Open Space Contribution 17/01462/OUT
Total	£1,992,052.44	

Harrison Drive, Langold – Improved Sports Facilities

Through the development of 165 homes at Chestnut Road, Langold Gleeson Homes were required to make a financial contribution to improve the recreation facilities at Harrison Drive Recreation Ground, Langold.

Parks and Open Spaces Officers worked with representatives of the local Langold Juniors FC and Old Boys FC who currently use and manage the existing on-site football changing facilities and pitches at the Council owned Recreation Ground. A short list of priorities were agreed to use the S106 monies received by the Council from S106 agreement. The improvements included:

- fencing along the open boundary to prevent unwanted vehicles accessing the field and damaging the pitches Approx. cost £15k
- adding secure access to the car parking area with new gates and barriers and re-surfacing the car park and adding new spaces Approx. cost £80k
- providing a new storage container unit for equipment Cost £4k
- install new senior football goalposts to comply with FA standards Cost £2k

These improvements ensured this valuable recreation space is positively used, improved the quality of the pitches to support training and matches for men’s and junior teams and makes maintenance much easier. The extension to the car park means the clubs can more easily accommodate up to six teams at the same time some weekends and can help the club grow over time.

5.4 In 2023/24 the following financial contributions were secured through Section 106 Agreements for different types of infrastructure.

Type	Amount
Off-site Public Open Space: <ul style="list-style-type: none"> Former Manton Allotments Land Rear of Furnival Street, Worksop (19/00399/FUL) Land Adjacent Manor Farm Brecks Lane Mattersey (22/01621/FUL) Land to the North of Gateford Toll Bar, Worksop (22/01714/OUT) 	£78,208.00: £54,360.00 £12,700.00 £6040.00
Highways: <ul style="list-style-type: none"> Land at Aveling Way Shireoaks (21/01835/FUL) Former Manton Allotments Land Rear of Furnival Street, Worksop (19/00399/FUL) Land Adjacent Manor Farm Brecks Lane Mattersey (22/01621/FUL) 	£73,232.61 £35,507.61 £25,025.00 £12,700.00
Library: <ul style="list-style-type: none"> Former Manton Allotments Land Rear of Furnival Street, Worksop (19/00399/FUL) 	£3,171.00: £3,171.00
Monitoring Fees	£2,827.40

5.5 In 2023/24 the following non-financial contributions were secured through Section 106 Agreements for different types of infrastructure. Biodiversity plans are a new requirement needed to secure biodiversity net gain as part of planning permissions.

Project	Site
Storage of Hazardous Substances	22/01297/HAZ DHL Manton Wood Worksop
Employment and Skills Plan	21/01835/FUL Land at Aveling Way Shireoaks
25% Affordable Housing (8 units) Overage Review	21/01811/FUL Land to the North of Fox Covert Lane Misterton
Biodiversity Plan	19/00399/FUL Former Manton Allotments Land Rear of Furnival Street Worksop
Biodiversity Plan 35% Affordable Housing (9 units)	22/01621/FUL Land Adjacent Manor Farm Brecks Lane Mattersey
10% Affordable Housing (1 unit)	22/01714/OUT Land to the North of Gateford Toll Bar Worksop
25% Affordable Housing (8 units) Affordable Housing Overage Review	21/01811/FUL Land to the North of Fox Covert Lane Misterton
2 x Deed of Variation to Affordable Housing	18/00695/FUL Land at rear of Kenilworth Nurseries London Road Retford
Deed of Modification to Affordable Housing	17/01462/OUT Land East of Doncaster Road Langold
Deed of Variation to Affordable Housing Amendments to Schedule 1 of the original S106 Agreement dated 15.06.2018	17/00052/OUT Land South of and Adjoining Station Road Beckingham

Historic Accruals linked to table No 15

Table 13. S106 Accruals from previous financial years	
Amount	Site
£46,030.60	09/05/00002 Bevercotes Colliery, Bothamsall Creation and maintenance of a Bird Nesting Area

6. Monitoring and Review

- 6.1 In accordance with CIL Regulation 121A the Government requires that an Annual Infrastructure Funding Statement (IFS) is published by the 31 December each year. The Bassetlaw District Council Planning Service has adequate controls in place to periodically monitor the demand, receipt and distribution of income and expenditure relative to infrastructure. Information is gathered across the service to enable the impacts of unplanned developments and future strategically planned developments across the District to be understood.
- 6.2 The CIL Regulations provide further information on how Parish / Town Councils should spend and monitor their allocations of CIL. The Regulations state that if Parish / Town Councils have not spent their CIL allocations made to them within five years of receipt, Bassetlaw District Council can ask for the monies to be returned to the strategic fund.

7. Further Information

- 7.1 For further information on the Community Infrastructure Levy visit [Community infrastructure levy \(CIL\) | Bassetlaw District Council](#)

Appendix

Community Infrastructure Levy

NEIGHBOURHOOD FUNDING GUIDANCE



Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Guidance for Parish and Town Councils on

1. Executive Summary

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

2. Introduction

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

Receiving and The Use of CIL Funds

3. Spending the Neighbourhood Funds

Background

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

- The provision, improvement, replacement, operation or maintenance of infrastructure; or
- Anything else that is concerned with addressing the demands that development places on an area.

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

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

Restrictions on neighbourhood spending

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

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

Parish Council with GPC – Spending CIL Funds

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

Parish Councils without GPC - Spending CIL Funds

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

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

Other Issues relating to spending CIL

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

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

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

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

4. Reporting

- 4.1 To ensure transparency parish/town councils must publish each year their total CIL receipts; total expenditure; a summary of what the CIL was spent on; and the total amount of receipts retained at the end of the reported year from that year and previous years.
- 4.2 Reports can be combined with reports already produced by parish/town council and should be placed on their websites and a copy of the report should be sent to the District Council.

5. Summary

- 5.1 Parish and town councils can spend their CIL receipt on a range of infrastructure and maintenance projects providing they are compliant with their statutory powers and duties. These powers and duties are quite wide ranging and are set out in Appendix B.
- 5.2 Reports can be combined with reports already produced by parish/town council and should be placed on their websites and a copy of the report should be sent to the District Council.

Appendix A

General Power of Competence

Background

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

Criteria for eligibility

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

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

A Council that has adopted the GPoC cannot use S137 .

Appendix B

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

Please note: the list below is not exhaustive

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

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

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