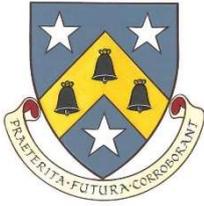


The Coat of Arms
of Lavenham



LAVENHAM PARISH COUNCIL

Legal Background:

Neighbourhood CIL (NCIL) income can be spent on:

- a) providing, improving, replacing, operating or maintaining infrastructure
- b) anything else concerned with addressing the demands that development places on the area.

The General Power of Competence (GPC) restriction:

A PC, such as Lavenham which does not have a GPC can only spend NCIL funds on infrastructure or other matters which it has a statutory power to provide, maintain or improve, as set out in Appendix A. Appendix A is the schedule published by Babergh DC as at September 21 2023.

Strategic Infrastructure:

The only way that a PC without GPC can use NCIL to fund strategic infrastructure eg providing new roads, an extended school, libraries or doctors surgeries or affordable housing is for the PC to work closely with the District to agree infrastructure priorities (i.e. as set out in a Local Investment Plan and Programme). The District could then retain NCIL receipts to spend on specific agreed infrastructure item/s.

Reclaim by the DC of NCIL:

If a PC does not spend / allocate NCIL income within 5 years of receipt the CIL team may issue a repayment notice, exceptions may be made if the PC can show they have allocated their NCIL income to a particular project for which they are accumulating funds before spending.

Practical Considerations:

The PC needs to balance:

- a) the possibility of failing to spend NCIL funds and thus having them reclaimed, with
- b) the need to retain NCIL funds for major projects and not having NCIL funds depleted by their use on minor projects which can be funded by the Precept and Donations.

Suggested Policy for the use of NCIL funds:

The RFO will, as part of the Budgetary process each year, draw up a schedule of the NCIL funds received and receivable and assess these funds against Capital items contained in the 3 year Development Plan.

The RFO will each year recommend a threshold. Capital Costs less than this threshold will be met from the Council's own resources and Capital Costs greater than this amount, which are eligible for NCIL funding, will be charged to the Council's NCIL funds.

Council will consider the suggested threshold and determine what the threshold will be for the next twelve months.

Appendix A:

Provision of allotments

Burial Grounds, cemeteries and crematoria: Power to acquire and maintain including maintaining monuments and memorials

Provision of litter bins

Bus Shelters

Public clocks

Power to maintain Closed Church Yards

Commons and common pastures

Power to provide Conference facilities

Community Centres: Power to provide and equip building for use of clubs (sport/social/educational); Power to acquire, provide and furnish community building

Crime Prevention: Power to spend money on Crime Prevention.

Drainage: Power to deal with ponds and ditches

Highways: Power to repair and maintain public footpaths and bridleways, to light roads and public places, to provide parking places for vehicles, bikes, and motor bikes, to provide roadside seats and shelters, certain traffic signs and other notices, plant trees and maintain roadside verges. Traffic calming (power to contribute financially to such schemes), power to spend money on community transport schemes

Land: Power to acquire and dispose of land. Power to acquire land for public recreation, to acquire and maintain land for open spaces

Power to acquire and provide buildings for public meetings and assemblies

Toilets

Recreation: Power to acquire land for recreation grounds; public walks; pleasure grounds and open space; and to manage and control them. Power to provide a wide range of recreational facilities. Provision of boating pools

War Memorials: Power to maintain, repair, protect and adopt.

Water Supply: Power to utilise well or spring and to provide facilities for obtaining water from them