

The Community Infrastructure Levy Regulations 2010 state that 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—

(a) the provision, improvement, replacement, operation or maintenance of infrastructure; or

(b) anything else that is concerned with addressing the demands that development places on an area.

Thatcham Town Council receives its share of Community Infrastructure Levy (CIL) funds—known as the **Neighbourhood Portion**—from West Berkshire Council (the principal charging authority).

The rules, proportion allocations, and local criteria governing how Thatcham Town Council can use these funds are outlined below.

1. Proportion Received (15% vs. 25%)

The amount passed to Thatcham Town Council depends on whether an adopted Neighbourhood Plan covers the relevant area:

- **15% (Capped):** For development in areas without a made Neighbourhood Development Plan, capped at £100 per index-linked council tax dwelling per year.
- **25% (Uncapped):** For development taking place within areas covered by an **adopted Neighbourhood Development Plan**.

2. Eligible Spending Scope (Regulation 59C)

Under CIL Regulations enforced by West Berkshire Council, town councils have broader spending flexibility than district councils. Thatcham Town Council must use its CIL funds to **support the development of the local area** under two main categories:

Category A: Local Infrastructure

The provision, improvement, replacement, operation, or maintenance of physical and social infrastructure:

- **Public Open Spaces & Parks:** Play area equipment, park benches, footpaths, tree planting, and green space landscaping.
- **Community Buildings:** Upgrades or maintenance to local facilities (e.g., Thatcham Youth facilities, community halls, or sports pavilions).
- **Highways & Safety Infrastructure:** Local traffic calming, pedestrian crossings, cycle racks, street lighting, and bus shelters.
- **Environmental & Flood Mitigation:** Local flood alleviation work, sustainable drainage enhancements, or biodiversity projects.

Category B: Addressing Local Development Demands

Anything else concerned with mitigating the impact of local growth:

- Funding the production, review, or updating of the **Thatcham Neighbourhood Plan**.
- Local safety initiatives, anti-social behaviour mitigation, or community resilience projects directly linked to population expansion.

3. Key Governance Rules & Compliance

When managing and expending CIL receipts, Thatcham Town Council must comply with strict operational boundaries set by national legislation and West Berkshire Council guidelines:

Governance Requirement	Rule Details
5-Year Expenditure Deadline	CIL funds received by Thatcham Town Council must be spent within 5 years of receipt. If left unspent or used for ineligible purposes, West Berkshire Council can issue a repayment notice demanding the return of the funds (Regulation 59E).
Annual Reporting & Transparency	The Town Council must publish an annual CIL Report for each financial year (1 April to 31 March) detailing: balances brought forward, CIL receipts, total spend, itemized project costs, and unspent balances. This report must be submitted to West Berkshire Council and published on the Thatcham Town Council website by 31 December following the end of the financial year.
Capital vs. Operational Revenue	While CIL can fund initial set-up costs or capital equipment improvements, it cannot be used to cover standard, ongoing revenue running costs, routine council staff salaries, or everyday administrative overheads.
No Admin Fee Retention	West Berkshire Council retains up to 5% of district-wide CIL for administration. Town councils cannot deduct a percentage from their Neighbourhood Portion to cover internal administrative expenses.

4. Co-Funding & Strategic Projects

Thatcham Town Council can combine ("pool") its CIL funds with other parish councils, West Berkshire Council, or third-party grants to deliver larger strategic schemes (such as multi-use game areas, major drainage works, or wider transport links) that benefit the broader eastern West Berkshire area.