

COMMITTEE REPORT

Subject:	CIL Process Review, Risk and Resourcing
Committee:	The Communities Committee
Item Number:	15
Date:	12 October 2026
Author:	Asa Thorpe, Chief Executive Officer
Report status:	Decision / Recommendation to Full Council
Confidential / Exempt:	No

1.Report Summary

This report reviews the Council's Community Infrastructure Levy (CIL) process following practical experience of applying the Stage 1 gateway assessment to current applications. It identifies governance, delivery and resourcing risks that are not fully addressed by the existing gateway, scoring and banding arrangements.

- 1.1 The purpose of this report is to ask the Committee to consider a strengthened Community Infrastructure Levy (CIL) process following risks identified through the first gateway assessments, and to determine whether it wishes to recommend that the proposed Planning Manager post is brought forward so that the CIL programme can continue without avoidable delay.
- 1.2 The existing gateway, scoring and banding arrangements remain useful for identifying potentially eligible projects and comparing priorities. However, they are front-end tools only. They do not, on their own, establish whether a project is legally, technically and financially ready for CIL funding to be committed or paid.
- 1.3 The review has arisen directly from the Corporate Manager undertaking the current Stage 1 gateway assessments. Following wider work on the Wiltshire Local Plan, and alongside a Master's degree in Spatial Planning, the Corporate Manager has reviewed the CIL procedure more fully and identified the need for additional project assurance, payment, monitoring and recovery controls.
- 1.4 The report is being brought forward now because live applications are progressing and the Council needs a clear route between identifying a project as a priority and safely releasing public money. The report also addresses the capacity required to develop resident guidance, work with councillors on infrastructure demands arising from current and future development, and turn the emerging arrangements into a complete documented procedure.

- 1.5 Committee is asked to support the strengthened process and decide whether to recommend to Full Council that the proposed Planning Manager post is brought forward.
- 1.6 A bid for the Planning Manager post has already been submitted through the 2027/28 budget-setting process; if approved through that route the post would not be available until April 2027.
- 1.7 Bringing the proposal forward to Full Council could, subject to approval and recruitment, allow the post to be in place by mid-December 2026 or early January 2027.
- 1.8 If Committee does not wish to recommend the post at this stage, the alternative is to pause further CIL allocation activity until appropriate capacity is available. If appointed, the postholder would develop the full CIL procedure and guidance and bring it to the next available Communities Committee for consideration.

2. Recommendations

It is recommended that the Committee:

- 2.1 Notes the operational, governance, delivery and financial risks identified through implementation of the current CIL gateway and scoring process.
- 2.2 Approves the direction of travel for a strengthened CIL process in which the existing gateway, scoring matrix and banding remain the front-end assessment, followed by a Committee conditional-priority decision, Planning Manager-led project assurance, a final award brought back to Communities Committee for sign-off, controlled payments, monitoring and completion/recovery arrangements.
- 2.3 Notes that the current CIL work has been undertaken by the Corporate Manager, including through additional overtime, and that this is not considered a sustainable long-term arrangement.
- 2.4 Recommends to Full Council that the proposed Planning Manager post is brought forward, rather than the 2027/28 budget-setting process, so that the current CIL programme can continue and the full CIL procedure, resident/applicant guidance and strategic infrastructure work can be developed. The proposal will also be presented to the Planning Committee for its support, reflecting the wider planning functions of the proposed post and its relationship with the Committee's work.
- 2.5 Agrees that, once a project has received conditional priority, the Planning Manager will complete the project assurance work and the project will then return to Communities Committee for final award and sign-off once the full costs, delivery arrangements and risks have been resolved and documented.
- 2.6 Agrees that, if the Committee does not recommend that the Planning Manager post is brought forward, further CIL allocation activity should be paused until appropriate capacity is in place, while essential monitoring and statutory responsibilities continue.

3. Background

- 3.1 Full Council approved the current CIL allocation framework on 9 March 2026 following work by the cross-party CIL Working Group. The framework introduced an application process, a Stage 1 legal/eligibility gateway, Stage 2 weighted scoring, Stage 3 banding, stakeholder engagement and twice-yearly consideration of applications.
- 3.2 The Corporate Manager has been undertaking the Stage 1 gateway assessments for the current application round. Those assessments have shown that a project can be a potentially eligible use of CIL and score as a strategic priority while important matters remain unresolved, including final scope, land ownership or access rights, planning or other permissions, full project cost, procurement, match funding, maintenance and the practical delivery route.
- 3.3 The review has also considered current national CIL guidance, NALC material and practical town/parish council guidance. Neighbourhood CIL may be used to support development of the area by funding infrastructure or anything else concerned with addressing the demands that development places on the area. The Council's procedure should therefore apply this wider Neighbourhood CIL test while retaining a clear, evidence-led local assessment framework.
- 3.4 The present scoring matrix is weighted primarily toward strategic merit: 65% of the score relates to development impact, policy alignment and community benefit, while 35% relates to deliverability, value for money and sustainability. A strategically strong project can therefore score well before all delivery matters are resolved.
- 3.5 This distinction is important because the Council remains accountable for its Neighbourhood CIL. Passing the gateway or receiving a high score should not be treated as authority to release funds. A separate assurance stage is required to establish that the project can actually be delivered and that the Council's financial exposure is controlled.

4. Proposal

- 4.1 The proposed new CIL process is set out below. The existing gateway, scoring matrix and banding would remain, but they would become the front end of a fuller assurance and delivery process rather than being treated as a final funding decision.
- 4.2 Stage 1 – Application. An applicant submits the required information and evidence so that officers can understand the proposal, the amount sought and the intended development-related benefit.
- 4.3 Stage 2 – Gateway assessment. Officers assess whether the proposal is a potentially lawful use of neighbourhood CIL, applying the statutory test that expenditure must support development of the area through infrastructure or otherwise address demands that development places on the area.
- 4.4 Stage 3 – Scoring matrix. Projects that pass the gateway are scored against the Council's adopted criteria for development impact, Neighbourhood Plan alignment, community benefit, deliverability, value for money and long-term sustainability.
- 4.5 Stage 4 – Banding and priority. The weighted score is used to place the project within the Council's priority bands. This identifies strategic merit; it does not by itself authorise CIL to be committed or paid.

- 4.6 Stage 5 – Committee conditional priority decision. Committee decides whether the project is sufficiently important to justify further officer work to establish whether it can be safely delivered and funded. Outcomes may include conditional support in principle, reserve list, defer or decline. A lapse date should apply where appropriate so that conditional support does not remain open indefinitely.
- 4.7 Stage 6 – Planning Manager project assurance. For projects supported in principle, the Planning Manager will lead and document the assurance work. This will cover the project scope, land ownership and legal rights, permissions and consents, verified final cost, the full funding package, procurement, delivery programmed, maintenance responsibility, technical and delivery risks, and appropriate funding controls. The Planning Manager will coordinate input from the Responsible Financial Officer and other relevant officers or specialist advisers where required.
- 4.8 Stage 7 – Planning Manager assurance conclusion. Once the assurance work is complete, the Planning Manager will prepare a final project assessment confirming whether the project is deliverable and setting out the verified full cost, land and legal position, permissions, funding package, procurement route, maintenance arrangements, delivery programmed, residual risks and recommended funding controls. No CIL payment will be made at this stage.
- 4.9 Stage 8 – Final award returns to Committee. When the Planning Manager has completed the assurance work and the full costs and risks have been identified and addressed as far as reasonably practicable, the project will return to Communities Committee for final sign-off. Committee will receive the Planning Manager's assessment and the confirmed financial position and will decide whether to make the final award. Any approval will be for a maximum capped CIL amount, including any contingency, and will specify the appropriate funding route and conditions. Third-party projects will use a funding agreement; Wiltshire Council delivery-partner projects will use a memorandum of understanding or inter-authority agreement; and SCC-led projects will use an internal project-approval route. Contingency will remain under SCC control and will not operate as an automatic top-up.
- 4.10 Stage 9 – Controlled payments following Committee approval. Only after Communities Committee has approved the final award and all stated pre-payment conditions have been satisfied will CIL be released. Payment should normally be in arrears against verified work or expenditure, using milestone payments where appropriate. Arrangements should include conditions before payment, retention, change control, suspension, recovery and return of unspent funds.
- 4.11 Stage 10 – Monitoring and deadline control. Officers and the Responsible Financial Officer maintain a live CIL register covering receipts, allocations, project milestones, expenditure, outstanding payments and spending deadlines. Emerging delivery, cost or deadline problems are escalated early so that payments can be stopped, recovery action taken or funds reallocated where necessary.
- 4.12 Stage 11 – Completion, recovery or reallocation. On completion, officers verify delivery, final spend and maintenance arrangements before closing the project and releasing any retained payment. If a project fails, unpaid instalments are stopped, recovery is pursued where appropriate and the remaining CIL is considered for reallocation to another eligible project so that it can still be spent lawfully within the applicable deadline. The full procedure would also include clear resident/applicant

guidance and a strategic infrastructure pipeline developed with councillors to identify demands arising from current, committed and future development.

5. Establish capacity to implement strengthened CIL Process – Options Considered

5.1 Option 1 – Preferred Option - Proposed Planning Manager Post

5.1.1 Recommend to Full Council that the proposed Planning Manager post is brought forward.

5.1.2 A bid has already been submitted through the 2027/28 budget-setting process, which, if approved, would provide the post from April 2027.

5.1.3 Bringing the proposal forward now could, subject to Full Council approval and recruitment, allow the post to be in place by mid-December 2026 or early January 2027.

5.1.4 This would provide dedicated capacity to continue the current CIL programme and to develop the proposed process above into a complete documented procedure without waiting until the new financial year.

5.2 Option 2 – Alternative Option – Pause CIL Allocation Activity

5.2.1 Pause further CIL allocation activity until the Planning Manager, or equivalent appropriate resource, is in post.

5.2.2 This allocation work would potentially begin from April 2027 if a bid is approved during 2027/28 budget setting at Full Council in January 2027.

5.2.3 In the meantime, essential CIL monitoring, existing CIL commitments and statutory reporting only would continue.

5.2.4 However the further development of CIL commitments, new allocation work and development of the full procedure would be delayed until further officer resource and capacity is established.

5.3 Option 3 – Do Nothing – No further CIL action

5.3.1 Take no further action to provide additional capacity.

5.3.2 Under this option, the additional assurance, guidance, and infrastructure-planning work identified in this report would not be progressed.

5.3.3 CIL work would continue in its current format, lead by the Head of Communities and supported by the Corporate team when capacity allows.

5.3.4 This option would mean that the financial and operational risks highlighted in this report would remain.

5.4 Option 1 is the preferred officer option because it allows the Council to avoid unnecessary delay to the CIL programme while putting in place dedicated capacity to manage the financial and delivery risks identified.

5.5 At the Chair's briefing, the Chair and Vice-Chair expressed the view that the CIL programme should not be unnecessarily delayed and supported the option of

bringing the Planning Manager post forward for consideration by Full Council. This does not constitute a Committee decision. Committee is therefore asked to determine whether it wishes to make that recommendation, potentially enabling appointment by mid-December 2026 or early January 2027, or whether CIL allocation activity should pause pending appropriate capacity.

6. Financial Position

- 6.1 A budget bid has already been submitted for the proposed Planning Manager role through the 2027/28 budget-setting process. If Members approve the bid through the normal budget route, the post would be available from April 2027.
- 6.2 If Committee recommends that the post is brought forward, the proposal would be referred to Full Council in November 2026 for consideration. Any proposal to bring the post forward would be subject to a full business case being presented to and approved by Full Council, including the necessary establishment and budget approval. Subject to that approval and the recruitment process, bringing the decision forward could enable the postholder to be in place by mid-December 2026 or early January 2027, rather than April 2027 under the normal budget-setting timetable.
- 6.3 The current approach has required additional Corporate Manager overtime. Continuing this arrangement would create an ongoing revenue and capacity pressure without providing a sustainable service model. The strengthened CIL process itself may also require proportionate project administration and specialist advice on individual schemes.
- 6.4 Dedicated capacity should improve value for money by reducing delivery and recovery risk, allowing better forward planning of infrastructure priorities and helping ensure CIL is committed to projects that are both strategically justified and demonstrably deliverable.
- 6.5 The Responsible Financial Officer should confirm the final financial implications, the relevant budget provision and any use of the permitted CIL administration allowance before publication.

7. Legal and Governance Considerations

- 7.1 Neighbourhood CIL must be spent to support the development of the area by funding the provision, improvement, replacement, operation or maintenance of infrastructure, or anything else concerned with addressing the demands that development places on the area. The updated gateway should reflect this full neighbourhood CIL test.
- 7.2 The revised procedure should also set out clear decision points and responsibilities, including that the Planning Manager leads the post-priority assurance stages and that the final award returns to Communities Committee for sign-off once the full costs, delivery arrangements and risks have been resolved and documented. It should also set out funding routes, capped awards, payment controls, monitoring, change control, recovery arrangements and management of CIL spending deadlines.
- 7.3 The Communities Committee can consider the CIL process and make decisions within its delegated responsibilities. Any recommendation to create, bring forward or materially change funding for a staffing post must be referred to Full Council where that decision is outside the Committee's delegated authority.

- 7.4 The principal governance and financial risk is that a project could be treated as funded because it passes the gateway and scores well, even though the conditions needed for delivery are not yet secured. This creates a risk that CIL is released before the Council has sufficient control over whether the intended project will actually be completed.
- 7.5 A project may subsequently fail for a range of reasons, including refusal or delay of planning or other consents, inability to secure land or access rights, unforeseen technical or environmental constraints, cost escalation, failure to obtain match funding, procurement problems, contractor failure, a change in the recipient's circumstances, insolvency, or the recipient otherwise being unable to complete the project.
- 7.6 Where Salisbury City Council has already paid CIL to a third party, project failure does not transfer the Council's accountability for the Neighbourhood CIL to that recipient. If the expenditure cannot be evidenced as a lawful use of CIL, or the relevant spending deadline is missed, Wiltshire Council may seek repayment from Salisbury City Council.
- 7.7 A funding agreement can give Salisbury City Council a contractual right to suspend further payments and seek recovery from the recipient. It cannot guarantee that money will be recoverable. If funds have already been spent, the recipient is insolvent or otherwise unable to repay, Salisbury City Council could remain liable to Wiltshire Council and may need to meet that liability from its own resources while the intended infrastructure has still not been delivered.
- 7.8 For that reason, the proposed procedure reduces exposure by separating conditional priority from final award. The Planning Manager would complete the assurance work and resolve or clearly identify the full cost and project risks before the matter returns to Communities Committee for final sign-off. Only after that decision and satisfaction of the payment conditions would funding be released. Further safeguards include capped awards, contingency retained under Council control, payment normally in arrears against verified work, and active monitoring and recovery arrangements.

8. Consultation and Engagement

- 8.1 The review follows practical application of the current process by the Corporate Manager and discussion with the Chief Executive Officer and Head of Corporate regarding workload, risk and the sustainability of the current arrangements. At the Chair's briefing, the Chair and Vice-Chair expressed the view that the CIL programme should not be unnecessarily delayed and supported the option of bringing the Planning Manager post forward for consideration by Full Council. This has informed the presentation of the options but does not constitute a Committee decision or predetermine the Committee's decision.
- 8.2 The emerging process has also been informed by the current CIL applications, wider Local Plan work and review of national and sector guidance. Further input will be required from the Responsible Financial Officer and relevant service leads when detailed funding, procurement, legal, property or maintenance controls are developed.

- 8.3 No separate public consultation has been undertaken on the procedural changes at this stage because the purpose of this report is to establish the Council's internal governance and resourcing arrangements.
- 8.4 If the Planning Manager post is approved and appointed, the postholder would develop clear CIL guidance for residents, community groups and applicants, and work with councillors and relevant services to identify the demands arising from current, committed and future development. The postholder would also convert the emerging assurance arrangements into a complete documented CIL procedure. That procedure would make clear that the Planning Manager leads the project-assurance stages after Committee gives conditional priority, and that each project returns to Communities Committee for final award once the Planning Manager has confirmed the full costs, delivery arrangements and risk position. The completed procedure would be brought to the next available Communities Committee for consideration.

9. Strategic and Policy Alignment

- 9.1 The proposal supports an evidence-led approach to infrastructure planning by linking CIL decisions to development pressures, the Salisbury Neighbourhood Development Plan, the emerging Wiltshire Local Plan and the Council's wider service and asset requirements.
- 9.2 The proposed Planning Manager role is intended to provide dedicated planning capacity and includes managing neighbourhood CIL funds and statutory reporting, maintaining an evidence-led CIL project pipeline, assessing proposed expenditure against the legal tests and maintaining a prioritised schedule of infrastructure requirements.

10. Implementation and Next Steps

- 10.1 Subject to the Committee's decision, the next steps will be as follows:
- 10.1.1 Committee determines whether to recommend to Full Council that the Planning Manager post is brought forward. If recommended, the proposal will also be presented to the Planning Committee for its support, recognising the wider planning functions of the post.
- 10.1.2 Committee determines whether to recommend that the Planning Manager post is brought forward to Full Council, potentially allowing appointment by mid-December 2026 or early January 2027, or whether further CIL allocation activity should pause pending appropriate capacity.
- 10.1.3 Subject to that decision, the existing gateway/scoring/banding arrangements will remain as the front-end assessment. Where Committee gives a project conditional priority, the Planning Manager will then undertake the required assurance work. No CIL will be finally committed or paid until that work is complete, the full costs and risks are reported back, and Communities Committee has approved the final award.
- 10.1.4 If the post is approved and appointed, the Planning Manager will develop the emerging arrangements into a complete CIL procedure. This will include resident/applicant guidance, gateway and scoring guidance, conditional-priority rules, Planning Manager-led project-assurance requirements, the evidence and risk assessment required before a final award, the process for bringing the completed assurance pack back to

Communities Committee for final sign-off, standard funding routes and agreements, payment and contingency controls, monitoring and deadline controls, completion/recovery arrangements, and the method for maintaining a strategic infrastructure pipeline with councillor input. The completed procedure will be brought to the next available Communities Committee following appointment for consideration and approval.

10.2 The anticipated timetable is:

Milestone	Date
Committee decision on process and resourcing option	Current meeting
Full Council consideration of bringing forward the Planning Manager post, if recommended	Next available Full Council
Potential Planning Manager start, subject to approval and recruitment	Mid-December 2026 / early January 2027
Full documented CIL procedure presented to Communities Committee	Next available Committee following appointment

10.3 Responsibility for interim administration will sit with the Corporate Manager within available capacity, with financial input from the Responsible Financial Officer and support from relevant service leads. The proposed additional assurance stages are intended to be led by the Planning Manager once appointed. The Planning Manager would undertake and document the assurance work for conditionally supported projects and present the completed findings, confirmed costs and residual risk position back to Communities Committee for the final award decision.

11. Additional Relevant Information

11.1 Capacity and service development: the Corporate Manager is currently undertaking a Master's degree in Spatial Planning and has been carrying out the CIL gateway assessments and wider Local Plan work. This has supported the development of internal knowledge and enabled the current review, but it does not remove the need for a sustainable staffing model. The CIL programme is increasingly linked to evidence gathering, infrastructure planning, land and delivery issues, monitoring and engagement with Members and communities.

11.2 Future development of the service should move beyond reacting to individual CIL applications. The Council should maintain a forward view of infrastructure and other demands arising from current, committed and future development; work with councillors to identify where CIL can have the greatest effect; and use Local Plan, Neighbourhood Plan and service evidence to build a prioritised pipeline of potential interventions before funding decisions are required.

12. Implications

Implication Area	Impact	Comments / Mitigation
Financial	High	A budget bid exists for the proposed Planning Manager post through the 2027/28 budget-setting process; if approved through that route the post would be available from April 2027. Bringing the post forward would require Full Council approval and could, subject to recruitment, enable an appointment by mid-December

		2026 or early January 2027. The current work has required Corporate Manager overtime. There is also a material financial exposure if CIL is paid to a project that later fails: Wiltshire Council may seek repayment from SCC and recovery from a third-party recipient may be incomplete or impossible. Mitigation is through project assurance, capped awards, controlled payments, recovery provisions and active monitoring. RFO confirmation is required before publication.
Legal	Medium	The procedure must reflect the statutory Neighbourhood CIL spending test and establish clear authority, funding and recovery arrangements.
Risk	High	Key risks include project non-delivery, unresolved land/consent issues, cost escalation, funding gaps, procurement or contractor failure, recipient insolvency, missed CIL deadlines and inability to recover funds already paid. The proposed full process introduces a conditional-priority decision, Planning Manager-led assurance, return to Communities Committee for final award once costs and risks are resolved, and then controlled payment, monitoring and recovery/reallocation arrangements.
Personnel	High	The Corporate Manager has undertaken gateway assessments and procedure development, including through overtime. This is not sustainable as the ongoing model. A budget bid for a Planning Manager has been submitted for 2027/28, which would otherwise mean capacity is not available until April 2027. Committee is asked either to recommend bringing the post forward to Full Council, potentially enabling appointment by mid-December 2026 or early January 2027, or to pause further allocation activity until appropriate capacity is available.
Environmental Impact	Low	No direct adverse environmental impact arises from the procedural change. Better infrastructure planning should support proportionate consideration of environmental effects at project level.
Equalities Impact Statement	Low	No direct equality impact arises from the procedural change. Individual CIL projects and public guidance should consider accessibility and equality impacts where relevant.
Community / Public Impact	Medium	Clearer guidance and a strategic infrastructure pipeline should improve transparency for residents, applicants and councillors and help target CIL to identified development pressures.
Procurement / Contractual	Medium	The strengthened process will require appropriate procurement and contractual controls for funded projects, including suitable funding agreements, milestones and recovery provisions.
Property / Asset	Medium	Individual projects may depend on land ownership, leases, licences, rights or future maintenance responsibilities. These matters should be confirmed during project assurance before payment.
Data Protection	Low	Normal application and monitoring records may contain contact details. Existing data protection controls should apply; no new high-risk processing is proposed by this report.