



## Chipping Barnet Area Committee

17 May 2017

<b>Title</b>	<b>Members' Items – Community Infrastructure Levy (CIL) Funding</b>
<b>Report of</b>	Head of Governance
<b>Wards</b>	Brunswick Park
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	
<b>Officer Contact Details</b>	Rob.wiltshire@barnet.gov.uk 020 8359 7825

### Summary

This report informs the Chipping Barnet Area Committee of a request for CIL funding submitted by Members of the Committee. The Committee are requested to consider the information highlighted within this report and make a determination on its desired course of action in accordance with its powers.

### Recommendations

1. That the Chipping Barnet Area Committee consider the request as highlighted in section 1 of the report.
2. That, the Chipping Barnet Area Committee decide whether it wishes to:
  - (a) agree the request (subject to due diligence checks) and supporting officer's recommendation, and note the implications to the Committee's CIL funding budget;
  - (b) defer the decision for funding for further information; or
  - (c) reject the application, giving reasons.

#### 1. WHY THIS REPORT IS NEEDED

- 1.1 A request for funding from the Committee's allocated CIL budget has been raised by Councillor Lisa Rutter. The request is as follows:

1.2

Title	
Raised by (Councillor)	Lisa Rutter
Ward	Brunswick Park
Member Request	I have received many emails from parents saying that although they love the play area, there is no play equipment for the younger children.
Funding Required (£)	£15,600 for 3 equipment and Mr Wiltshire has recommended additional funding of £3000 to add eco surface for the existing swings under the wear areas.

## 2. REASREASON FOR RECOMMENDATIONS

- 2.1 As identified above a Member of the Council has requested that the Committee consider a request for CIL funding. In line with guidance for Members' route to support applications for CIL funding, the Committee is asked to determine the desired course of action.
- 2.2 CIL funding can be used to fund a wide range of infrastructure (as outlined in section 216(2) of the Planning Act 2008, and regulation 59, as amended) to support the development of a local area. The Act specifically names roads and transport, flood defences, schools and education facilities, medical facilities and recreational facilities; but is not restrictive. Therefore the definition can extend to allow the levy to fund a very broad range of facilities provided they are 'infrastructure'.
- 2.3 Further examples are: play areas, parks and green spaces, cultural and sports facilities, district heating schemes, police stations and community safety facilities. The flexibility in how the funds can be applied is designed to give local areas the opportunity to choose the infrastructure they need to deliver their Local Plan.
- 2.4 Guidance states that the levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision, unless those deficiencies will be made more severe by new development. Therefore if funds are intended to be used to address existing deficiencies, it is recommended that funds are used to either increase the capacity of existing infrastructure or to repair failing existing infrastructure, where it is recognised as necessary to support development in the area.

- 2.5 Guidance states that local authorities must allocate at least 15% of levy receipts to spend on priorities that should be agreed with the local community in areas where development is taking place. Therefore a decision was made to honour the provision of a 15% contribution to each of the Council's Area Committee.
- 2.6 Applications relating to requests should be made to this Area Committee via Members' Items as outlined in the Council's Constitution. In line with guidance, applications submitted by Members should receive an initial assessment by an appropriate Officer, and should be accompanied by a recommendation (i.e. that the Committee should support or refuse the application).
- 2.7 At its meeting on 8 March 2017 the Community Leadership Committee received a report in relation to Area Committee Funding – Savings from non- Community Infrastructure Levy (CIL) budgets
- 2.8 Therefore this Committee is informed that it no longer has non-CIL funding Area Committee budget funding decision making powers.
- 2.9 Members are further informed that it has retained the power to discharge CIL-related environmental infrastructure projects and therefore has joint budget responsibility across the Area Committees which can be spent in 2017/18. Furthermore it is noted that any request can be considered only by this Committee if it is in line with its terms of reference as contained in the Council's Constitution.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Not applicable; Members of the Council are able to submit applications for non-CIL funding to the Area Committee Budgets via Members' Items. As a result the Committee are requested to consider the Ward Members request and determine. Therefore no other recommendation is provided from Officers.

### **4. POST DECISION IMPLEMENTATION**

- 4.1 Post decision implementation depends on the decision taken by the Committee, and the assessing officer's recommendation.

### **5. IMPLICATIONS OF DECISION**

- 5.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.1.1 The Committee has an allocated budget from which it can award funds to Area Committee grant applications. Any allocation of funds will be assessed by Officers as outlined on page 2 of this report.
- 5.1.2 The Committee is able to award funding of up to £25,000 for Community Infrastructure Levy (CIL) Funding. Requests for funding must be in line with

the Council's priorities which are outlined in the Corporate Plan 2015 – 2020.

## **5.2 Social Value**

- 5.2.1 Requests for Area Committee budget funding provide an avenue for Members to give consideration to funding requests which may have added social value.

## **5.3 Legal and Constitutional References**

- 5.3.1 Council Constitution, Responsibility for Functions, Annex A details that the Policy & Resources Committee is responsible 'To allocate a budget, as appropriate, for Area Committees and agree a framework for governing how that budget may be spent'.
- 5.3.2 Council Constitution, Responsibility for Functions, Annex A details that the Area Committees 'Administer any local budget delegated from Policy and Resources Committee for these committees in accordance with the framework set by the Policy and Resources Committee'.
- 5.3.3 Council Constitution, Meeting Procedural Rules states that a Member (including Members appointed as substitutes by Council will be permitted to have one matter only (with no sub-items) on the agenda for a meeting of a Committee or Sub-Committee on which s/he serves. This rule does not apply to the Urgency Committee, Licensing Sub-Committees, Planning Committee and Area Planning Committees, except for the Planning Committee when that committee is considering planning policy matters. A referral from Full Council will not count as a Member's item for the purposes of this rule. The only exceptions to this rule are detailed in 6.4 and 6.5 below.
- 5.3.4 Council Constitution, Meeting Procedural Rules states that any Member will be permitted to have one matter only (with no sub-items) on the agenda for an Area Committee where the Member is sponsoring an application to an Area Committee Budget. Members' Items sponsoring an application to the Area Committee Budget must be submitted 10 clear working days before the meeting. Items received after that time will only be dealt with at the meeting if the Chairman agrees they are urgent.

## **5.4 Risk Management**

- 5.4.1 None in the context of this report.

## **5.5 Equalities and Diversity**

- 5.5.1 Requests for Funding allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

## **5.6 Consultation and Engagement**

5.6.1 None in the context of this report.

## **6. BACKGROUND PAPERS**

- 6.1 Meeting of the Community Leadership Committee 8 March 2016 Area Committee Funding – Savings from non- Community Infrastructure Levy (CIL) budgets:  
<http://barnet.moderngov.co.uk/documents/s38413/Area%20Committee%20Funding%20Savings%20from%20non-%20Community%20Infrastructure%20Levy%20CIL%20budgets.pdf>
- 6.2 Review of Area Committees – operations and delegated budgets (24/06/2015):  
<https://barnet.moderngov.co.uk/documents/s24009/Area%20Committees%20%20Community%20Leadership%20Committee%2025%20June%202015%20-%20FINAL.pdf>