

	<p>Finchley and Golders Green Area Committee</p> <p>2 August 2017</p>
<p style="text-align: right;">Title</p>	<p>Member’s Item – Application for Community Infrastructure Levy (CIL) Funding</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>Hendon</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A - Invoice</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Maria Lugangira – Governance Service maria.lugangira@barnet.gov.uk 020 8359 2761</p>

<p>Summary</p>
<p>This report informs the Finchley and Golders Green Area Committee that one request for CIL funding has been submitted. 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.</p>

<p>Recommendations</p>
<ol style="list-style-type: none"> 1. That the Finchley and Golders Green Area Committee consider the request as highlighted in section 1 of the report. 2. That the Finchley and Golders Green Area Committee decide whether it wishes to: <ol style="list-style-type: none"> (a) agree the request 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 The following request for funding from the Committee's allocated CIL budget have been raised. The requests is as follows:

Title	Northway Rose Gardens – Leylandii Removal
Raised by (Councillor)	Rohit Grover
Ward	Garden Suburb
Area Committee	Finchley and Golders Green
Member Request	The request is for the employment of a Tree Surgeon to remove 3 overgrown and inappropriately placed Leylandii trees and their stumps from the Northway Gardens. Rose Gardens. To shred or remove the dead wood from previous prunings. To reduce the size of other nearby trees as agreed with Barnet Trees.
Funding Required (£)	£8,478 (as per attached invoice from Barnet Tree Contractors Gristwood & Toms £7065 + VAT)

2. REASONS FOR RECOMMENDATIONS

- 2.1 As identified above Members of the Council have requested that the Committee consider requests 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. This is capped at £150k per committee per year.
- 2.6 Members should note that the committee has 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 for Barnet Community Infrastructure Levy (CIL) from which it can award funds to Area Committee grant applications. Any allocation of funds will be assessed by Officers.

- 5.1.2 The Committee is able to award funding of up to £25,000 per project for 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>