

	<h2>Hendon Area Committee</h2> <h3>28<sup>th</sup> February 2018</h3>
<p style="text-align: right;"><b>Title</b></p>	<p><b>Member’s Item – Application for Community Infrastructure Levy (CIL) Funding</b></p>
<p style="text-align: right;"><b>Report of</b></p>	<p>Head of Governance</p>
<p style="text-align: right;"><b>Wards</b></p>	<p>Mill Hill and Edgware</p>
<p style="text-align: right;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: right;"><b>Urgent</b></p>	<p>No</p>
<p style="text-align: right;"><b>Key</b></p>	<p>No</p>
<p style="text-align: right;"><b>Enclosures</b></p>	<p>None</p>
<p style="text-align: right;"><b>Officer Contact Details</b></p>	<p>Abigail Lewis, Governance Officer  <a href="mailto:Abigail.Lewis@barnet.gov.uk">Abigail.Lewis@barnet.gov.uk</a>                  020 8359 4369</p>

**Summary**

This report informs the Hendon Area Committee that three requests for CIL funding have 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.

- Recommendations**
1. That the Area Committee consider the request as highlighted in section 1 of the report.
  2. That the Area Committee decide whether it wishes to:
    - (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 Two requests for funding from the Committee's allocated CIL budget have been raised. The requests are as follows:

Title	Dollis Infant School, Mill Hill
Raised by (Councillor)	Cllr Sury Khatri
Ward	Mill Hill Ward
Member Request	<p>Dollis Infant School is a large three form entry school with a nursery and pre-school and it has approximately 320 children between the ages of two and seven. At least one third of the children (36%) come from a socially disadvantaged background and it has a higher than average number of children with Special Educational needs.</p> <p>This year over 90% of the children started nursery with physical skills below expected levels. Many of them come from families who live in small flats without outdoor space and therefore without sufficient opportunities to develop their physical skills. In many cases the only time the children have to develop those skills is at school and it is therefore vital that the school provides good quality, safe and effective outdoor equipment. It is also vital that the children with special educational needs are provided with opportunities to develop their skills in a safe environment.</p> <p>The School currently has small outdoor equipment in its nursery and pre-school but it needs larger good quality climbing equipment in order to develop the children's upper body strength. As well as developing the children's physical skills the school believes the equipment would also support the development of their social skills (e.g. taking turns, team working) and their academic skills (if they are able to develop their upper body strength this will help them to hold and direct a pencil). It would also encourage a healthier and more active lifestyle for the children.</p> <p>The School therefore is applying for money to install a high quality climbing frame with an appropriate safety surface in its nursery outdoor learning area which would be accessed by two, three and four year olds.</p>
Funding Required (£)	£7,500

Title	Double yellow lines on Orchard Drive and Stone Grove Junction, Edgware.
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Raised by (Councillor)	Cllr Joan Scannell
Ward	Edgware
Member Request	<p>Request painting double yellow lines at the curves on both sides of Orchard Drive and Stone Grove junction, as in other 'off Stone Grove' junctions i.e. Hillside Drive and Park Grove.</p> <p>Residents living in Orchard Drive, Edgware, have reported visitors to the Reform Synagogue community centre parking their vehicles right on the curve (near the post box) on both sides of the road, it limits the width of the road to one car width for about 50 metres from the junction. On many occasions, there were near miss accidents when vehicles are turning speeding from Stone Grove into Orchard Drive and they cannot go anywhere because of the bottle neck situation.</p> <p>The resident said all other roads 'off Stone Grove' have double yellow lines, lane, and 'Give way' triangle road markings.</p>
Funding Required (£)	£2000 (as per Officers guidance)

## 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 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 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, Article 7, Section 7.5 Responsibility for Functions details that the Area Committee is responsible for determining the allocation of Community Infrastructure Levy funding within the constituency up to a maximum of £25,000 per scheme/project in each case subject to sufficient of the budget being allocated to the Committee being unspent.
- 5.3.2 Council Constitution, Article 2 Members of the Council, Section 2.3 states 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. Member's 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>