



Chipping Barnet Area Committee

02nd July 2019

Title	Area Committee Funding - Community Infrastructure Levy update
Report of	Acting Head of Finance – Projects, Finance
Wards	Brunswick Park, Coppetts, East Barnet, High Barnet, Oakleigh, Underhill and Totteridge
Status	Public
Urgent	No
Key	No
Enclosures	Appendix 1 – Outstanding Schemes to be completed
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Summary

This report is to update Members of the budget allocations for the Chipping Barnet Area Committee, to enable consideration of applications for funding during 2019/20.

Officers Recommendations

1. That the Chipping Barnet Area Committee notes the amount available for allocation during 2019/20, as set out in paragraph 6.2.1 and in Appendix 1
2. That the Chipping Barnet Area Committee notes the amount or re-allocated underspends & Overspends in Section 2.1

1. WHY THIS REPORT IS NEEDED

- 1.1 This report indicates the allocation of part of the Community Infrastructure (“CIL”) to the Chipping Barnet Area Committee (Area Committee). This will enable the Area Committee to determine the amounts that can be allocated at this, and future meetings.
- 1.2 On 9th July 2015, the Policy & Resources Committee approved that part of the income from the CIL would be delegated to the Council’s Area Committees. Area Committees should be treated in the same way as Parish Councils and allocated at least 15% of the CIL receipts for their local area. This is to be capped at a total of £100 per dwelling in the constituency area and ring-fenced for spend on infrastructure schemes and anything else that is concerned with addressing the demands that development places on an area. If there is a neighbourhood plan or a neighbourhood order within the constituency area of the Area Committee the allocation will increase to 25% and not capped.
- 1.3 The amounts approved from the CIL reserve were based on estimates from the service department, with a view that should the estimate prove to be understated there would be no further call on the area committee budgets, without an additional approval. Expenditure exceeding 15% of the original estimate will require an explanation to enable the Area Committee to agree any additional funding.
- 1.4 This report includes an analysis of the actual costs of the works and enables members to compare with the estimate. The net underspend on the CIL funded projects are added to the balance available where applicable.
- 1.5 Detail as to the activity to date of this Area Committee and the balance available are attached at Appendix 1 to this report.

2. CIL activity

- 2.1 The latest position shows expenditure to April 2019. The total amount of underspends from 2015 – 2019 are 0.047m, whilst the total funded overspends on schemes total £0.036m.
- 2.2 The over & underspends from the prior year schemes that are still open will impact on the total Area Committee available balance, until the schemes are certified as completed.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Funding has been allocated to various organisations and/or projects and this will enable the Area Committee to note the amount available for future allocation.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

4.1 No alternative options were considered

5. POST DECISION IMPLEMENTATION

5.1 Decisions can be made by the Area Committee to allocate funding to organisations from the Area Committee general reserves based on member supported applications and from the Area Committee CIL reserve for requests for infrastructure related surveys and works and anything else that is concerned with addressing the demands that development places on the area.

6. IMPLICATIONS OF DECISION

6.1 Corporate Priorities and Performance

6.1.1 The funding enables the Area Committee Budgets to contribute to the Corporate Plan's objective to promote family and community wellbeing and support engaged, cohesive and safe communities, by helping communities access the support they need to become and remain independent and resilient.

6.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

6.2.1 An annual allocation of £0.150m is made to each Area Committee. The total available shows the committee balance for 2019/20 to be £0.282m. This takes in account of the amount of unallocated funds from prior years, as well as allocated for the current financial year together with under and overspends relating to previous financial years.

6.2.2 Appendix 1 lists all the schemes that are still outstanding as at the time of publication

6.3 Social Value

6.3.1 Not applicable to this report

6.4 Legal and Constitutional References

6.4.1 CIL is a planning charge that was introduced by the Planning Act 2008 (PA 2008) to help deliver infrastructure to support the development in an area. Through the PA 2008 and the Community Infrastructure Levy Regulations 2010 ("2010 Regulations") "charging authorities" (e.g. the Council) must prepare a charging schedule setting out the CIL rates for their area. The CIL rates may differ by reference to, for example, different geographical area or development use. Money collected under the CIL shall be spent on supporting development by funding the provision, improvement, replacement, operation or maintenance of "infrastructure" (s.216, PA 2008).

6.4.2 Section 216(2) of the PA 2008 defines "infrastructure" to include: roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces. Affordable housing is not included within the definition of "infrastructure". In

accordance with reg. 123 of the 2010 Regulations, the Council has published a list of infrastructure projects that will be funded wholly or in part by the Council's CIL.

- 6.4.3 In addition to being allowed to use the CIL to support the development of the relevant area by funding the provision, improvement, replacement, operation or maintenance of infrastructure, the Council may fund "anything else that is concerned with addressing the demands that development places on an area." (reg. 59F, 2010 Regulations).
- 6.4.4 Local planning authorities must allocate 15% of CIL receipts to spend on priorities that should be agreed with the local community in the area where the development is to take place so as a result of this, 15% of the CIL budget is being allocated to the Chipping Barnet Area Committee.
- 6.4.5 In determining the allocation of CIL funding within its constituency, Chipping Barnet Area Committee is authorised to allocate up to a maximum of £25,000 per scheme / project within its area, subject to sufficient of the budget allocated to the committee being unspent (Responsibility for Functions, para 7.5, Article 7 (Committees, Forums, Working Groups and Partnerships), LB Barnet Constitution (March 2018)).

6.5 **Risk Management**

There are no risks to the Council as a direct result of this report

6.6 **Equalities and Diversity**

6.6.1 Under section 149(1) of the Equality Act 2010 (EA 2010) the Council must, in the exercise of its functions have due regard to the need to:-

- eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Relevant protected characteristics are:- age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The recommendations set out in this report are designed to ensure that the Area Committee is able to reflect the needs of different communities within its local area in their own decisions and have the resources to meet them while having due regard to the duty under section 149(1) of the EA 2010.

6.7 **Corporate Parenting**

Not applicable in the context of this report

6.8 **Consultation and Engagement**

There are no consultation and engagement issues as a direct result of this

report.

6.9 Insight

There are no insight issues as a direct result of this report.

7. BACKGROUND PAPERS

Policy & Resources Committee, 9 July 2015

<http://barnet.moderngov.co.uk/documents/s24360/Delegating%20a%20proportion%20of%20Community%20Infrastructure%20Levy%20CIL%20income%20to%20the%20Councils%20Area%20Committe.pdf>