



AREA COMMITTEE BUDGETS APPLICATION GUIDELINES 2017/18: For all applications from 1 April 2017

This guidance relates to applications to the Area Committee Budget for Community Infrastructure Levy (CIL) funding only.

<https://www.barnet.gov.uk/citizen-home/council-tax-and-benefits/grants-and-funding.html>

INTRODUCTION

Each of the Council's three Area Committees is able to consider requests for Community Infrastructure Levy (CIL) funding from Ward Members in the constituency area. Members are encouraged to work with officers prior to submitting their applications for Area Committee CIL funding Member-led. to determine the viability of a proposal.

GUIDELINES FOR ASSESSING APPLICATIONS FOR FUNDING

1. Requests for funding must fall within the definition of Community Infrastructure Levy (CIL) (*see 'How can CIL be applied?' guidelines below*)
2. Members are encouraged to work with officers prior to the completion and submission of a Member's Item for CIL funding to determine if the proposal is a viable use of funding and falls within the classification of CIL
3. Applications for CIL funding should not result in revenue costs for the Council. Completing an initial assessment with officers should enable revenue implications to be identified early in the process.
4. The maximum value of an award is £25,000

WHAT HAPPENS TO REQUEST / MEMBER'S ITEM

The Members Item must be submitted to the Governance Service 10 clear working days before the meeting. However, it is recommended that Members contact officers as early as possible to discuss the outline proposal and understand if the proposed scheme is an appropriate use of CIL and a viable scheme at earliest opportunity. It is strongly advised that applications are submitted as soon as they are completed rather than just before the deadline – this should aid the Area Committees in making informed decisions and will minimise the likelihood of items being deferred to future meetings.

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At the Area Committee meeting when the Members Item will be considered, the Member will be given the opportunity to provide an overview of the proposal and any officer advice received and answer questions from committee members. An officer will be available to answer any technical questions that may arise during the Members presentation of their proposal. Decisions on Area Committee CIL funding will be made at the meeting and in one of the following ways:

1. To award funding → *this will be subject to due diligence* (see below)
2. To defer a decision → proposals should be returned to the next Area Committee with more information
3. To reject a proposal and state reasons why

HOW EXPENDITURE IS MONITORED

The Council's Finance Team will monitor decisions made by Area Committees and track the use of CIL funding. A finance report will be presented to each meeting outlining use of CIL funding.

What is CIL?

The Community Infrastructure Levy (CIL) is a charge on new development where it creates net additional floor space and where the gross internal area of new build exceeds 100 square metres. Payments are liable upon commencement of the types of development for which a defined rate applies (residential and retail uses in the case of Barnet CIL, everything except health and education uses in the case of Mayoral CIL). The CIL must be paid from commencement where it is not subject to an approved claim for statutory or discretionary relief.

NB/ In London there are two tiers of CIL charge, though both are collected by the Council; only the Barnet-set CIL is required to contribute to the neighbourhood proportion (i.e. money that goes to area committees)

How can CIL be applied?

The levy can be used to fund a wide range of infrastructure (see [section 216\(2\) of the Planning Act 2008](#), and [regulation 59](#), as amended) to support the development of its 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'; further examples are play areas, parks and green spaces, cultural and sports facilities, district heating schemes, police stations and community safety facilities...etc. 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.

Guidance however 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

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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.

What are the controls on Area Committee funds?

Guidance says 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, although the changes to the CIL Regulations introduced following the Localism Bill 2011 only require this where a Parish Council is in place. Therefore the decision was made to honour the provision of a 15% contribution to each Area Committee, but acknowledging that there would be large one-off CIL payments coming from the Regeneration Schemes in Colindale and Dollis Valley, it was felt this should be capped at £150,000 per annum in order for the Council to be able to invest these larger funds in the local projects that were discussed but not able to be made a specific S106 requirement at the time of the Area Action Plan / planning applications.

E.g. Highways, Transport, Parks, Schools and Community Facilities in Colindale, Parks and Highways around Dollis Valley.

This percentage increases to a minimum of 25% when a neighbourhood plan is in place; but currently in Barnet only one area is actively working on the development of a Neighbourhood Plan (Mill Hill). The way the Neighbourhood Proportion of CIL funding is provided to Area Committees will need to change if a Neighbourhood Plan is adopted in the area, as a large chunk of the Hendon Area Committee income and responsible area for funding projects will be informed by the Neighbourhood Plan.