



## Chipping Barnet Area Committee

21<sup>st</sup> April 2021

<b>Title</b>	<b>Area Committee Funding - Community Infrastructure Levy update</b>
<b>Report of</b>	Head of Finance – Growth, Housing, Corporate Services & Assurance, Finance
<b>Wards</b>	Brunswick Park, Coppetts, East Barnet, High Barnet, Oakleigh, Underhill and Totteridge
<b>Status</b>	Public
<b>Urgent</b>	No as the report is for noting purposes only
<b>Key</b>	No
<b>Enclosures</b>	Appendix 1 – Outstanding Schemes to be completed Appendix 2 – Reserve Balance Summary
<b>Officer Contact Details</b>	Damien Pantling, Head of Finance – Growth, Housing, Corporate Services & Assurance, Finance Contact: <a href="mailto:Damien.Pantling@barnet.gov.uk">Damien.Pantling@barnet.gov.uk</a>
<b>Summary</b>	
This report is to update Members of the budget allocations for the Chipping Barnet Area Committee, to enable consideration of applications for funding during 21/22.	

### Officers Recommendations

1. That the Chipping Barnet Area Committee notes the amount available for allocation during 2021/22, as set out in section 6.2 and in the appendices.
2. That the Chipping Barnet Area Committee notes the amount of 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 Levy (“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 2021. The total amount of underspends from 2015/16 – 2021/22 are £0.086m, whilst the total funded overspends on schemes total £0.045m. The net effect is a £0.040m underspend which is added back into the CIL reserve allocation.
- 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 complete.
- 2.3. We have not yet confirmed whether this Area Committee has achieved its full £0.150m allocation, which is capped at 15% of CIL receipts in the constituency area.
- 2.4. For this meeting, it has been assumed that £0.150m will be fully achieved this financial year. Going forward, Finance will feed back to the Area Committee on a quarterly basis on whether sufficient CIL receipts are expected in the current year. Please note, any shortfall in CIL receipts will have an adverse impact on the budget.

- 2.5. The funding limit for each CIL scheme has been increased from £25,000 to £30,000, as approved by Policy and Resources Committee in February 2021 and also presented to this committee on 21<sup>st</sup> April 2021 within the report titled “CIL Funding Priorities – Setting Local Priorities for the Chipping Barnet Area Committee”.

### **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 2021/22 to be £0.244m. This takes into account the amount of over-allocated funds from prior year budgets (£0.054m), spend allocated for the current financial year (£0) together with under and overspends relating to previous financial years (£0.086m and £0.045m respectively).

- 6.2.2. The total amount available to the committee as at the date of this meeting, after considering all of the above items totals £0.244m, this is the total amount available for allocation to new schemes.

- 6.2.2 Appendix 1 lists all the schemes that are still outstanding as at the time of publication and shows a detailed breakdown of how the available balance is

derived along with listing the schemes in progress, Appendix 2 summarises the headline balance position.

### **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 to help deliver infrastructure to support the development in an area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 as amended ("the Regulations").
- 6.4.2. On 1st September 2019, the Regulations were amended under The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 ("2019 Regulation"). Part 10A of the 2019 Regulation requires the Council to publish "annual CIL rate summary" and "annual infrastructure funding statements". These statements replaced previous Regulation 123 lists. The "annual infrastructure funding statement" must include a number of matters listed in the new Schedule 2 including details of how much money has been raised through developer contributions and how it has been spent. Both the "annual rate CIL summary" and the "annual infrastructure funding statement" must be published on the Council's websites at least once a year.
- 6.4.3. Section 216(2) of the Planning Act 2008 lists some examples of infrastructure which CIL can fund, i.e. roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreation facilities and open spaces.
- 6.4.4. CIL cannot be used to fund Affordable Housing.
- 6.4.5. Additionally, regulation 59(F)(3) of the Regulations allows the Council, as the Charging Authority to use the CIL to support the development of the relevant area by funding the provision, improvement, replacement, operation or maintenance of infrastructure or, anything else that is concerned with addressing the demands that development places on an area.
- 6.4.6. Local Authorities must allocate at least 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.
- 6.4.7. In accordance with the Terms of Reference (Committees, Forums, Working Groups and Partnerships) of Barnet's Constitution, under Article 7.5, the Chipping Barnet Area Committee is authorised to determine the allocation of Community Infrastructure Levy funding within the constituency and is responsible for all constituency specific matters relating to the street scene including parking, road safety, transport, allotments, parks and trees.

6.4.8. On the 8<sup>th</sup> February 2021, the Policy & Resources Committee resolved: “That the Committee agree that the funding limit for each individual CIL funded scheme be increased to £30,000.”

**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. The Equality Act 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

6.6.2. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.

6.6.3. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

6.6.4. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

6.6.6. The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design policies and the delivery of services.

**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>

Policy & Resources Committee, 8 February 2021

<https://barnet.moderngov.co.uk/documents/s63172/Review%20of%20Community%20Infrastructure%20Levy%20CIL%20Eligibility%20Criteria%20and%20Guidance.pdf>