

# GUIDELINES FOR NEIGHBOURHOOD COMMUNITY INFRASTRUCTURE LEVY (NCIL) AREA COMMITTEE APPLICATIONS

## Introduction

This guide is to provide information on the Neighbourhood Community Infrastructure Levy (NCIL) application process. The guide will be reviewed regularly and where necessary reported to Committee and approved by Members.

As part of the new CIL funding allocation starting from 2021/22, an overall CIL allocation of £1.2m per annum will be divided equally amongst the three Area Committees (£400,000 each). There is no funding limit for an individual CIL application scheme, Area Committees will operate within their annual budgets.

Members, through Area Committees will also be able to utilise the new Road Safety & Parking Fund, for which a set of guidelines have been approved by Committee to sit alongside this guide.

## What is CIL?

CIL is a standard charge collected from developers on a rate per square metre basis and the funds raised are spent on infrastructure to support the development of an area. Part of CIL funding is allocated to the Neighbourhood Portion and managed by the three Area Committees for Finchley & Golders Green, Hendon and Chipping Barnet.

The relevant legislation applicable to introducing or amending the CIL Charging Schedule is set out in Part II of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

CIL is a planning charge that was introduced by the Planning Act 2008 Part II 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"). 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.

## Area Committees

Area Committees have responsibility for all constituency specific matters and determining the CIL funding within the constituency. The full terms of reference of the Area Committees as set out in the Council's Constitution can be found [here](#).

Starting in the financial year 2021/22, each Area Committee will consider, develop and approve their own CIL funding priorities annually. This will allow each Area Committee to make appropriate decisions on how funding is allocated in line with the specific infrastructure needs of the area.

### **CIL Funding Application and Assessment**

When submitting a CIL Members Item funding request, Ward Members will be asked to consult with Lead Officers. CIL Funding Priorities serve as guidance for the Committee in determining CIL funding requests and are agreed by Area Committees annually. The priorities do not restrict the Area Committees from approving funding requests that are not agreed priorities. The purpose of the priorities is to enable Area Committees to make informed decisions about the requests before them.

Members are encouraged to seek the views of a range of residents in their ward and invite proposals from the local community. This will help ensure CIL applications meet local need and make residents feel involved in the improvements to their local area.

Deadlines for submitting CIL Members items and other Members Items are:

- 10 clear working days for CIL Funding Members Items,
- 7 clear working days for regular Members Items.

Members are strongly encouraged to consult with Area Committee Lead Officers at an early stage on CIL Funding applications (*Note: engagement with other departments and services may be required as well*). This will enable as much supporting information as possible to be included with applications to enable committees to make an informed decision. Applications where limited or no consultation has taken place are likely to be deferred or rejected by committees.

Officers will advise on whether each respective application:

- Is within the parameters outlined in CIL statutory and regulatory definitions
- Falls within the CIL Funding Priorities agreed by the relevant Area Committee
- Links to priorities in any existing Council policy or strategy and/or whether any insight and intelligence may support the application
- The scheme has considered any potential impact on the Council's Strategic portfolio including those considered for strategic CIL funding
- The scheme has no ongoing incremental revenue costs to the Council
- That the scheme budget is forecast accurately
- That the scheme deliverability has been assessed to ensure it can be resourced and successfully implemented
- That the scheme outcomes and benefits have been assessed including benefits for the wider community and/or including those with protected characteristics under the Equalities Act 2010

This information will enable committees to make informed decisions.

There is no prescribed format for supporting information, but it is recommended that it is sufficient for the committee to make an informed decision.

The updated CIL Funding Application form can be found at the end of this guidance.

### **Decision by Area Committee**

The Area Committee will consider the CIL funding application, supporting information and officer's comments. The committee may have questions for the Member submitting the application. In cases where an application on behalf of a local group is being sponsored by a Member, the Committee may wish to ask questions of a representative of the group. It should be noted that external speakers will need to register to speak at the committee. Committees have discretion regarding how much weight they choose. A committee could choose to approve something that is not an identified priority providing it meets the legal definition of infrastructure.

The Area Committees will determine each CIL Funding application by virtue of one of the options set out below.

- a) To award funding (either fully or partly), and any conditions attached and the reasons why
- b) To reject an application and state reasons why
- c) To defer an application and state reasons why

### **Post Decision**

The CIL Project Management Officer (PMO) can be contacted by Members for updates on all CIL Applications.

The CIL PMO is responsible to the Area Committee through the Lead Officers for the administration and delivery of all CIL applications from receipt to implementation.

The CIL PMO will ensure that the CIL funding allocation is monitored and reported to each Area Committee meeting to inform Members how much CIL budget has been spent and is available.

The CIL PMO will also ensure funding awards are accounted for in the manner decided by the Area Committee, including any conditions.

**Area Committee - CIL Funding Request Form**

Title	
Raised by (Councillor):	
Ward:	
Member Request:	
Funding Requested (£):	
<p>In consultation with (e.g. named Officer):</p> <ul style="list-style-type: none"> <li>• Is within the parameters outlined in CIL statutory and regulatory definitions</li> <li>• Falls within the CIL Funding Priorities agreed by the relevant Area Committee</li> <li>• Links to priorities in any existing Council policy or strategy and/or whether any insight and intelligence may support the application</li> <li>• The scheme has considered any potential impact on the Council's Strategic portfolio including those considered for strategic CIL funding</li> <li>• The scheme has no ongoing incremental revenue costs to the Council</li> <li>• That the scheme budget is forecast accurately</li> <li>• That the scheme deliverability has been assessed to ensure it can be resourced and successfully implemented</li> <li>• That the scheme outcomes and benefits have been assessed including benefits for the wider community and/or including those with protected characteristics under the Equalities Act 2010</li> </ul> <p>And Area Lead Officer (NAME), on (DATE):</p>	
Any additional information (please list any documents here to be published with the agenda, or circulated to the Committee):	

