

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 and approved at Policy & Resources Committee

For 2022/23, an overall CIL allocation of £1.8m per annum will be allocated across the 3 Area Committees in accordance with the allocation methodology set out in the report to Policy & Resources Committee on 8 June 2022. 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 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 and managed by the three Area Committees for North, East and West Areas (as agreed by P&R Committee).

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.

Additionally, Regulation 59F(3) of the Community Infrastructure Levy Regulations 2010 as amended 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. (see further guidance below on CIL funding eligibility guidance).

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](#).

For the financial year 2022/23, each Area Committee are due to approve their own CIL funding priorities with the addition of new priorities as set out in the Policy & Resources Committee subject to public consultation being undertaken and further consideration by the Area Committees. This will be reviewed annually. This will allow each Area Committee to make appropriate decisions on how funding is allocated in line with the specific infrastructure or other needs of the area falling within regulation 59F.

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 enable residents to actively engage in the improvements to their local area.

CIL Funding Application

The increase in the Area Committee budgets foresees the potential for both larger and more complex schemes, and a more significant number of schemes to be presented to the Committees for review. To enable Officers to dedicate time to properly review potential schemes the deadlines for submitting CIL Members items and other Members Items are:

- 10 working days and recommend for larger applications 2 clear calendar months for CIL Funding Members Items,
- 7 clear working days for standard Members Items.

Members are now required to consult and engage 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 a range of points for each respective application, including:

- 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
- Engagement/consultation with local communities

This information will enable committees to make informed decisions. The CIL funding request form has been updated to provide clarity on the expectations of the information and supporting documentation required to enable the Committee to make an informed decision.

Cross-Ward applications

A Member may bring a cross-ward CIL funding application to Committee. The protocol is as follows:

- A 'lead' ward Member for the application sponsors the scheme (this will count as the Member's one permitted CIL application for that Committee)
- The 'lead' ward Member is required to seek written endorsement of the application by one ward Member of each of the other impacted wards as part of the application (this endorsement does not count towards that Member's CIL application allowance)

Community Group Grant applications

A Member may bring an application on behalf of a Community Group which may result in a CIL Community Grant being awarded and paid to the Community Group. The Member must ensure that the **Barnet CIL Grant Application Form** (at the bottom of this guidance) and required documentation is complete and submitted as part of the Members application. This ensures appropriate due diligence is performed and is consistent with all grant payments made by Barnet. It will also provide Members with all the information required to complete the Members application.

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 CIL eligibility criteria.

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

All approved CIL Funding applications are subject to a time-limit of 2 years requiring the scheme to have commenced, after which the scheme funding lapses and returned to the CIL reserve. The Committee may choose to apply its own time-limit at the time of approval.

Area Committees are not permitted to agree expenditure beyond the current financial year's allocated NCIL budget.

Post Decision

The Community Infrastructure Coordinator can be contacted by Members for updates on all CIL Applications.

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

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

MEMBERS CIL FUNDING REQUEST FORM

AREA COMMITTEE – MEMBERS CIL FUNDING REQUEST	
MEMBER	
DATE	<i>{Please aim to have this completed application provided to the Lead Officer at least 2 full calendar months prior to the proposed Committee date}</i>
WARD	
cross-ward applications	<i>{Please outline the additional wards and provide the Member(s) endorsement}</i>
SCHEME SUMMARY	
<i>{Please provide an overview of the scheme – any photos, design or supporting information to provide a visualisation of the scheme may be useful}</i>	
Funding Request (£)	£
CIL Eligibility	<i>{Please describe how your scheme fits within the guidance as eligible for CIL funding – please consider if and how the scheme seeks to address demands that development has placed on the area, and outline if and what engagement has taken place with the local community regarding the scheme}</i>
Area Committee priorities	<i>{Please outline how the scheme fits within the Area Committee priorities, Council Strategy or The Barnet Plan}</i>
Who will deliver the scheme	<i>{Please state which Council Service, Community Group or other party will be responsible for delivering this scheme}</i>
Community Grants (if applicable please confirm this is included with the application)	<i>{If the funding is to be provided as third-party Community Grant - please ensure that the Barnet CIL Community Grant Application has been completed and submitted with all required supporting documentation. This ensures appropriate due diligence can be undertaken by Officers and that the Community Group agree to the Terms & Conditions of the grant}</i>
Feasibility Study only	<i>{Please state if the request is for a feasibility study only, with the result determining on whether to bring a future scheme application}</i>
BUDGET & DELIVERY	
<p>Please provide an itemised budget for the scheme (for example – quotes provided, an excel sheet etc). Please ensure the budget reflects the funding requested in the application.</p> <p>The budget should be supported by either the relevant Barnet service area (their quote is sufficient) or at least two quotes from external suppliers, which are itemised and with the VAT element shown separately).</p> <p>This ensures that a competitive tender process has been undertaken and complies with procurement guidance and providing value-for-money.</p>	
Quotes provided with the application	<i>{Please provide the supporting documentation of the quotes}</i>
Timescale for delivery	<i>{Please provide dates for the scheme to start and complete} Please note a time-limit will be set for the commencement of the scheme</i>
Council Service Delivery	<i>{Please provide contact details for the officer who has assessed the scheme for the budget and the service capability for delivering the scheme}</i>
Dependencies/Risks	<i>{Please outline dependencies/risks – such as planning consent, public consultation, additional funding required for the scheme, insurance requirements, legal or regulatory requirements, health & safety considerations, environmental health, road safety, licencing etc- please describe the approach to managing these dependencies/risks}</i>

VALUE FOR MONEY

How does your scheme offer good value for money?

- Schemes should be self-sufficient/sustaining and unless explicitly agreed otherwise, should not impose additional costs on the council and other relevant partners). Schemes must also demonstrate how any revenue costs associated with each scheme will be funded and maintained over its lifetime
- if your scheme has secured funding from other sources (e.g., crowdfunding initiatives), this will strengthen your bid. However, match funding or funding from alternative sources (e.g., grants or monies from a larger scheme) is not a requirement of the bidding process. Where funding has already been received towards a scheme or programme, this must be detailed here
- If you already do, or intend to work with other organisations please outline this
- Please outline what consideration that has been given to **social value** in the procurement of goods or services, specifically in the use of volunteers as an alternative to paying a supplier, using local Barnet suppliers, the sourcing of recycled materials

No ongoing revenue costs

{Members must confirm that there are no ongoing additional revenue costs associated with the scheme. If the scheme is to be maintained on an ongoing basis by a Council service, a mandated officer must confirm that the service can be support this from existing revenue budgets}

COMMUNITY BENEFITS

The scheme should be considering the providing the **widest community benefits** possible.

Please describe the outcomes and benefits provided by the scheme and outline how these have been assessed. Please include **insight and data** you have gathered to support the funding for the scheme, and to measure the success of it after delivery.

Please ensure consideration has been given for any **consultation or engagement** that may be required – for example with residents, community groups, local businesses, other ward members.

Please describe the **environmental impact** of the scheme, the positive impact on the borough's carbon and ecology impact, or at least ensuring it is neutral.

Please ensure that the scheme has considered **equalities and diversity** and relevant protected characteristics as outlined under the Equalities Act 2010.

Lead Officer Review - only

Lead Officer

Date

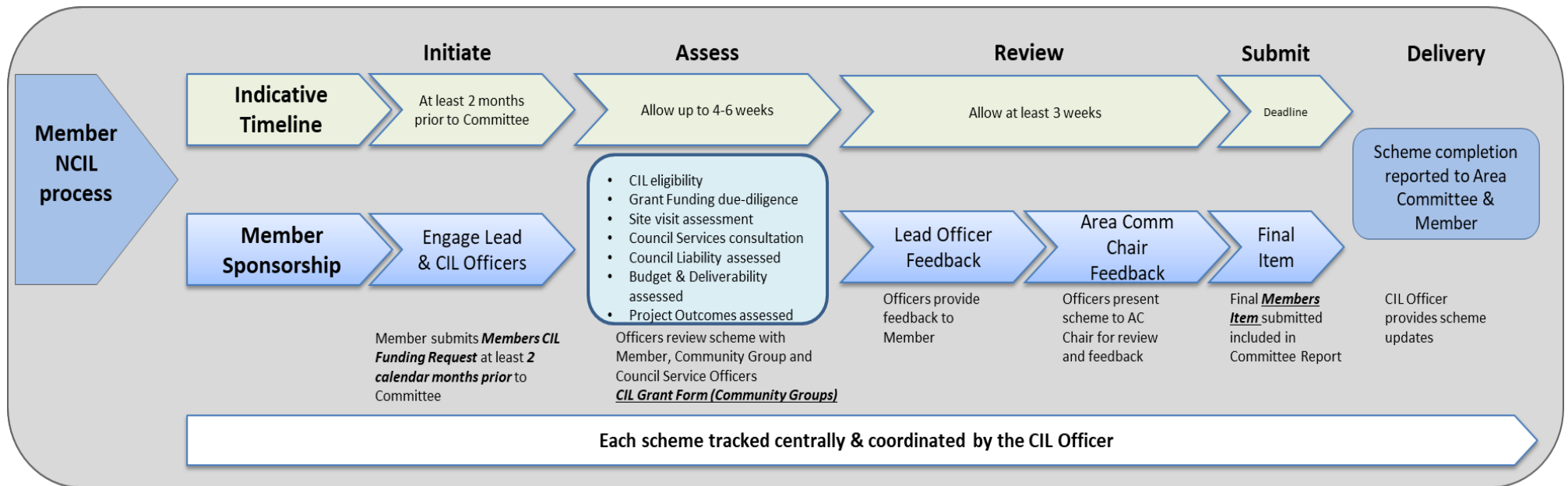
Assessment & Recommendations

GUIDANCE FOR THE ELIGIBILITY OF CIL FUNDING

Suggestions for consideration	Advice or further guidance which may be useful
Does the scheme support the development of the area and seek to address demands that development has placed on the area	<ul style="list-style-type: none"> • Borough Local Plan • Corporate Plan • Area Committee priorities • Insight & Intelligence • Equalities & Diversity
Non-capital expenditure & financial implications	<ul style="list-style-type: none"> • CIL can be used to fund non-capital schemes provided it can be demonstrated it is concerned with addressing the demands placed by development on an area • The scheme should not impose unacceptable future capital or ongoing revenue commitments on the Council or any other body
Has there been engagement with the communities to agree how best to spend the funding, where the development is taking place	<ul style="list-style-type: none"> • Member engagement with residents and community groups • Communication tools (e.g. website, newsletters) • Community Participation Strategy • Resident Forums • Place-based networks (e.g. Friends of..., Town Centre Groups, Community Groups) • Cross-ward or Borough wide schemes can be considered if appropriate consultation is first carried out
National Planning Policy Framework (NPPF) (<i>this is helpful to assist in demonstrating compliance</i>)	<ul style="list-style-type: none"> • Section 8 of the NPPF sets out guidelines, including: <ul style="list-style-type: none"> • Promote healthy and safe communities • Promote public safety and take into account wider security • Provide the social, recreational and cultural facilities and services the community needs • Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities
Departure from the guidance or consultation	<ul style="list-style-type: none"> • Departure from the CIL Regulations guidance to consult can be justified as long as the decision-maker (Area Committee) provide clear reasons for doing so (for example dealing with COVID-19, where priorities expressed by local communities may not be appropriate, where local consultation was not possible)

Suggestions for consideration	Advice or further guidance which may be useful
UK Central Government Guidance should be considered	<ul style="list-style-type: none"> • Department for Levelling Up, Housing and Communities - GOV.UK (www.gov.uk) • Ministry of Housing, Communities & Local Government - GOV.UK (www.gov.uk)
Departure from the guidance or consultation	<ul style="list-style-type: none"> • Departure from the CIL Regulations guidance to consult can be justified as long as the decision-maker (Area Committee) provide clear reasons for doing so (for example dealing with COVID-19, where priorities expressed by local communities may not be appropriate, where local consultation was not possible). Reference should be made about departing from consultation results (i.e. where funds are allocated not in accordance with priorities expressed by local communities) • There is statutory requirement that the Council as charging authorities must have regard to the government 'CIL Guidance'. This Guidance provides additional guidance on how neighbourhood CIL funds should be used where there is no local council in place. Paragraph 146 of the CIL Guidance states that the "charging authority...should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding". Charging authorities should set out clearly and transparently their approach to engaging with neighbourhoods. The CIL Guidance goes on to explain that the use of neighbourhood CIL funds should match priorities expressed by local communities, which should be obtained through consultation undertaken "at the neighbourhood level". This does not necessarily prevent the Council from allocating neighbourhood CIL funds to borough wide (or larger) projects or initiatives, providing that they meet the requirement in regulation 59F. If the Council decides to depart from the CIL Guidance (i.e. by not allocating funds in accordance with priorities expressed by local communities), it should have and give clear and proper reasons for doing so.

INDICATIVE TIMELINE OF THE APPLICATION PROCESS FOR MEMBERS CIL FUNDING APPLICATIONS



COMMUNITY INFRASTRUCTURE LEVY (CIL) FUND

About the Fund

The Community Infrastructure Levy (CIL) is a tool for local authorities in England and Wales to support the development of their area. CIL is a charge levied by local authorities on new development in their area. A portion of CIL receipts is allocated for Neighbourhood CIL.

Neighbourhood CIL is available to spend on priorities within the local community and Barnet Council has allocated the responsibility for this process to the three Area Committees ().

The spending of CIL is to support the development of the relevant area by funding the provision, improvement, replacement, operation or maintenance of infrastructure that is concerned with sustaining and maintaining the demands that development places on an area, or anything else that is concerned with addressing the demands that development places on an area.

Who can apply and how to apply

For ease of use and clarity the following form sets out the *eligibility criteria, application process and terms and conditions* in detail.

The first step in the process is to secure the sponsorship of a Ward Member for the relevant Area Committee for your application. The Ward Member will be able to raise a Members Item for CIL funding at an Area Committee. Please do not complete this form unless you have Ward Member support.

For clarity, the Area Committee review Members Items for CIL funding and make the decision to approve, reject or defer an application. The decision of the Area Committee is final.

When to apply

Area Committees meet regularly, and the dates can be found from the links to each Committee listed this form. The application process to secure sponsorship, complete this application and for Officers to undertake relevant review of the scheme for Committee scrutiny should expect to commence around 3 months prior to the targeted Committee date.

BARNET - AREA COMMITTEE
COMMUNITY INFRASTRUCTURE LEVY (CIL) FUND
GRANT APPLICATION FORM

Part 1: Contact Details

Name of organisation	
Organisation address	
Address & postcode:	
Organisation website (if applicable):	
Organisational Company Registration/Charity Number:	
Primary contact for this application	
<i>The primary contact must be a trustee, director or member of the management committee</i>	
First Name:	
Last Name:	
Position:	
Telephone number:	
Mobile number:	
Email address:	
Secondary contact for this application	
First Name:	
Last Name:	
Position:	
Telephone number:	
Mobile number:	
Email address:	

Part 2: Eligibility Criteria

To be eligible, the application must meet the following criteria

- The scheme will require the support of a Ward Member and must be submitted to the Area Committee by the Ward Member [Your Councillors \(moderngov.co.uk\)](http://moderngov.co.uk)
- The scheme must fall within the Area Committee CIL funding priorities
- The scheme must be located within the borough and offer a wide community benefit
- The scheme must comply with the regulations in that it “supports the development of an area” through “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”.
- The scheme must not relate to political/lobbying activities (e.g. fundraising), and must not directly benefit individual councillors
- Organisations or groups submitting applications should be registered with a regulatory body (e.g. Charities Commission and Companies House) or be able to demonstrate that they are constituted as ‘not-for-profit’ organisations. Individuals will not be considered
- Organisations or groups submitting bids must be able to demonstrate sound financial performance and management (by naming the finance officer and describing the controls over the organisation’s accounting, bank accounts and cash)
- Schemes must comply with relevant policy and legal requirements (for example, on road safety, planning policy and environmental health)

What type of organisation are you?

- Registered charity
- Registered limited company
- Charitable incorporated organisation (CIO)
- Community Interest Company limited by
- Guarantee (CIC)
- Company limited by guarantee
- Constituted community group
- Constituted but unincorporated club or association
- Community Benefit Society
- Social Enterprise

Names and addresses of your committee/board members/trustees

Bank Account Details & Name of Finance Officer

Other relevant information – please provide the following

- Constitution or memorandum & article of association or trust deed
- Letter Headed (.pdf format) document with full name & address of the organisation, bank account details (sort code, account, account name), VAT registration (if applicable), e-mail address, contact name and contact telephone of finance contact
- Annual report
- Your organisation’s latest independently audited or certified annual accounts (if available)
- Public liability insurance
- Safeguarding policy (You must include this if your organisation works with children and young people under 16 years of age or with vulnerable adults)

Please provide the name and support of your Ward Member who will present this as a Members Item, and at which Area Committee (Meeting and Date)

- Member name and evidence of support (e.g. e-mail)
- Which Area Committee (North, East or West) and the committee meeting date you are working towards with the Ward Member

Which Ward(s) of Barnet will your work mainly take place? (please highlight as appropriate)

- | | |
|--|--|
| <input type="checkbox"/> Barnet Vale | <input type="checkbox"/> Friern Barnet |
| <input type="checkbox"/> Brunswick Park | <input type="checkbox"/> Garden Suburb |
| <input type="checkbox"/> Burnt Oak | <input type="checkbox"/> Golders Green |
| <input type="checkbox"/> Childs Hill | <input type="checkbox"/> Hendon |
| <input type="checkbox"/> Colindale North | <input type="checkbox"/> High Barnet |
| <input type="checkbox"/> Colindale South | <input type="checkbox"/> Mill Hill |
| <input type="checkbox"/> Cricklewood | <input type="checkbox"/> Totteridge Woodside |
| <input type="checkbox"/> East Barnet | <input type="checkbox"/> Underhill |
| <input type="checkbox"/> East Finchley | <input type="checkbox"/> West Finchley |
| <input type="checkbox"/> Edgware | <input type="checkbox"/> West Hendon |
| <input type="checkbox"/> Edgwarebury | <input type="checkbox"/> Whetstone |
| <input type="checkbox"/> Finchley Church End | <input type="checkbox"/> Woodhouse |

Part 3: Scheme Proposal

Please provide a description of your proposed scheme, please include

- The aim of the scheme
- Please include photos or documentation that help describe your proposed scheme

How will your scheme contribute to the Barnet Plan, Area Committee Priorities and conform with CIL expenditure regulations?

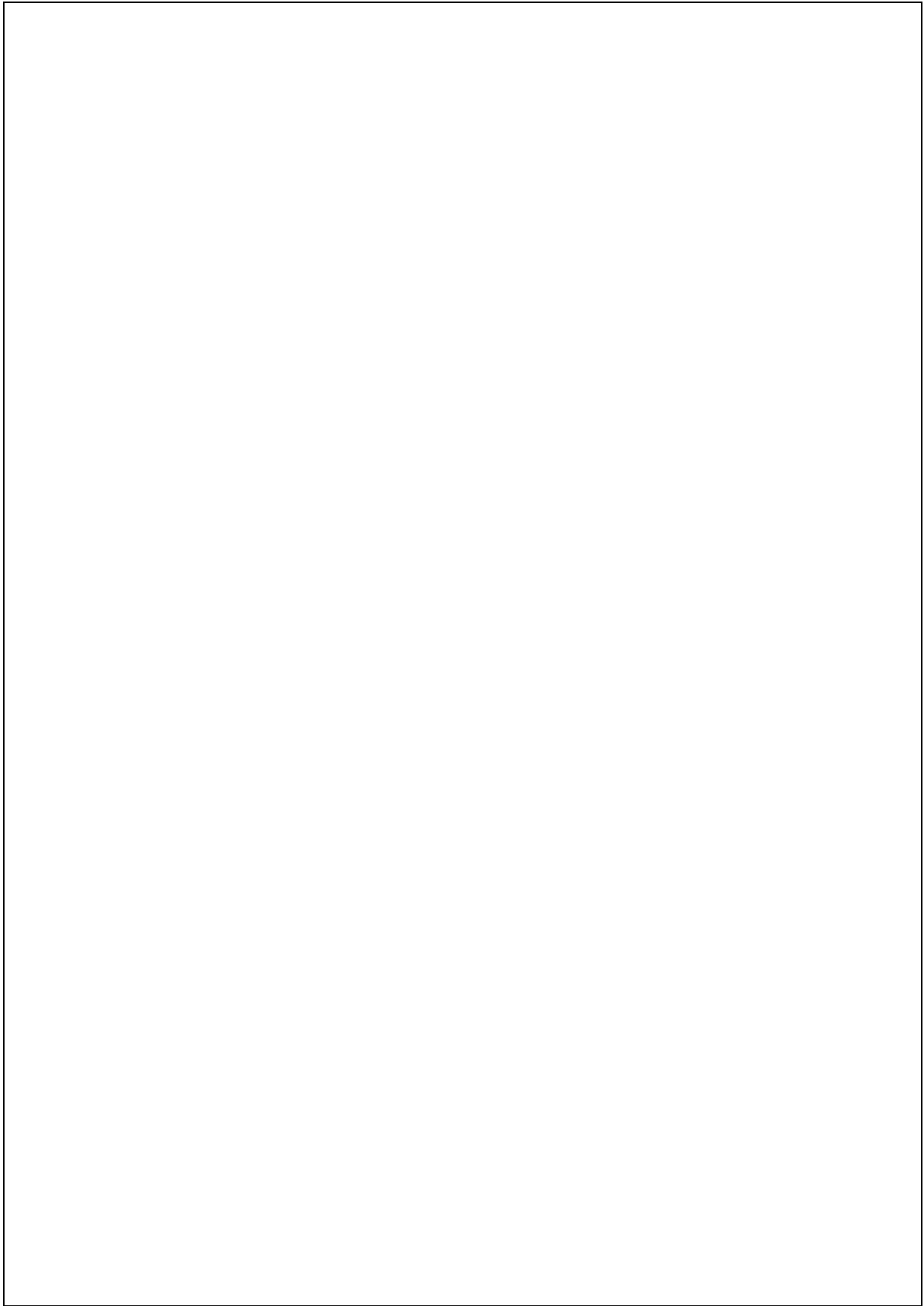
- Area Committee priorities for CIL funding (*reviewed at Committee*) and provide a wide community benefit
- How does the scheme meet one or more of the four priorities set out in the Barnet Plan
- How does the scheme “support the development of an area” through “the provision, improvement, replacement, operation or maintenance of infrastructure that is concerned with sustaining and maintaining the demands that development places on an area, or anything else that is concerned with addressing the demands that development places on an area”

How does your scheme offer good value for money?

- Schemes should be self-sufficient/sustaining and unless explicitly agreed otherwise, should not impose additional costs on the council and other relevant partners (e.g. infrastructure providers). Bidders must also demonstrate how any revenue costs associated with each scheme will be funded and maintained over its lifetime
- If your scheme has secured funding from other sources (e.g. crowdfunding initiatives), this will strengthen your bid. However, match funding or funding from alternative sources (e.g. grants or monies from a larger scheme) is not a requirement of the bidding process. Where funding has already been received towards a scheme or programme, this must be detailed here
- If you already do, or intend to work with other organisations

How will you deliver and manage the scheme?

- ***Have you engaged relevant Council Service Officers relevant to your scheme? Council Service Officers will be required to review and provide approval for a scheme which may impact their service area (the CIL Officer named in Part 5 can assist with this)***
- Timescale of the scheme and when it will start
- Who will be responsible for the scheme?
- Can you demonstrate that the scheme will be delivered on time and budget?
- Are there any risks to the delivery of the scheme and how will you manage them?
- If applicable, demonstrate how the scheme complies with relevant policy and legal requirements (for example, on road safety, planning policy and environmental health)



Total		

Part 5: Supporting Documents

If you are unable to provide the required documents or have any questions regarding this requirement please , email graeme.clayton@barnet.gov.uk

Part 6: Compliance

Does your recruitment procedure use the Disclosure and Barring Services Enhanced Checks, as appropriate for staff and volunteers who are working unsupervised with children and protected adults? YES/NO

Are you satisfied that your organisation's procedures for staff and volunteer recruitment and supervision minimise the risk of harm to children and protected adults? YES/NO

Part 7: Acceptance of our Terms and Conditions

If your application is successful, by agreeing to the terms and condition you accept the following:

- We will use the information you have provided to process and administer your application. We may request further evidence to confirm information given on this form, including obtaining information about you from other organisations for the prevention or detection of crime.
- The offer of a grant is conditional and may be on the provision of additional information. This must be received by us within two weeks of the offer of the grant, failing which, the offer will be withdrawn. You must use the grant for the purpose for which it was approved and notify us of any proposed material change to the scheme.
- Schemes should be self-sufficient/sustaining and unless explicitly agreed otherwise, should not impose additional costs on the council and other relevant partners.
- You will spend the grant within the period of undertaking the scheme. The Council reserve the right to reclaim any monies which have not been spent within a reasonable time-period of the award. For guidance this will be within 18-24 months.

- You will allow Council officers a right of access at all reasonable times to inspect any works undertaken, or items of equipment purchased, with the aid of the grant.
- You must keep records of any expenditure which will be supplied to us if requested.
- You will comply with UK laws and meet the requirements of The Equality Act 2010.
- You will carry out the appropriate DBS checks if you work with young people or vulnerable adults.
- The scheme complies with all relevant legislation and adopts good practice in ensuring that safeguarding measures and insurance for the scheme are in place.
- You will notify us if an allegation relating to safeguarding or health and safety is investigated.
- The grant is a donation, and the Council are not liable for the consequences of its use. We reserve the right to reclaim any money which has been paid as the result of fraudulent or misleading claims.
- You will acknowledge the Council on any publicity material you issue in relation to the work of this grant, following agreement from the council.
- You will be willing to take part in, where proportionate and practical on any publicity activities.

Please tick this box to confirm that the information provided is true and accurate and that you accept the conditions detailed above, and sign below, or type in your name and date if emailing this application.

I/We understand that the decision of the Area Committee, to approve, reject or defer a scheme presented as a Members Item for CIL funding is final

I/We understand that Barnet Council have requested information about my organisation's personnel and financial data for the purpose of processing this application.

I/We confirm that the information given on the application form is true and my organisation has formally agreed that I/we can act on their behalf. I/we confirm that I/we have attached all required additional documents.

Applicant's signature			
Applicant's name		Date	

Where possible, we will communicate with you about your application by email. We would also like to send you our community e-newsletter which includes details of grant application closing dates and other information. You can unsubscribe from that e-newsletter at any time.

Please tick here if you wish to join and be sent Barnet Communities Together Network Bulletin e-newsletter:

