



## East Area Committee

19<sup>th</sup> September 2022

|                                |  |
|--------------------------------|--|
| <b>Title</b>                   | <b>Members Items – Applications for Neighbourhood Community Infrastructure Levy (NCIL) Funding</b>   |
| <b>Report of</b>               | Graeme Clayton – Community Infrastructure Coordinator<br>Capital Delivery, Customer & Place  |
| <b>Wards</b>                   | Brunswick Park, East Finchley, Finchley Church End, Friern Barnet, Garden Suburb, Golders Green, West Finchley and Woodhouse   |
| <b>Status</b>                  | Public   |
| <b>Urgent</b>                  | No   |
| <b>Key</b>                     | No   |
| <b>Enclosures</b>              | Appendix 1 – Members NCIL applications<br>Appendix 2 – GBL – Members CIL application<br>Appendix 3 – GBL – Budget Estimate<br>Appendix 4 – GBL – Design Drawings<br>Appendix 5 – GBL – Community Group Grant Application<br>Appendix 6 – Market Place Playground |
| <b>Officer Contact Details</b> | Daima Aromolaran – Community Infrastructure Coordinator<br>Capital Delivery, Customer & Place<br>Contact: <a href="mailto:Daima.Aromolaran@barnet.gov.uk">Daima.Aromolaran@barnet.gov.uk</a>   |

## Summary

This report informs the Area Committee that the applications listed under section 1 for Neighbourhood CIL funding have been submitted. The Committee are requested to consider the information highlighted within this report and decide on its desired course of action in accordance with its powers.

## Officers Recommendations

1. That the Area Committee consider the requests as highlighted in section 1 of the report.
2. That the Area Committee decide whether it wishes to:
  - (a) award funding (either fully or partially) and any conditions attached and note the implications to the Committee's NCIL funding budget;
  - (b) defer the application for funding for further information, giving reasons; or
  - (c) reject the application, giving reasons.

### 1. WHY THIS REPORT IS NEEDED

- 1.1 Applications for funding from the Committee's allocated NCIL budget have been raised. The summary of the applications is in the table below, and the detailed applications are in Appendix 1:

| Ward          | Scheme Description   | Ward Member                   | Budget Allocation<br>£ |
|---------------|--|-------------------------------|------------------------|
| Garden Suburb | Northway Gardens – Shed Repair & Park Furniture  | Michael Mire                  | 14,283                 |
| Woodhouse     | Summerside Primary Academy   | Anne Hutton                   | 54,842                 |
| East Finchley | East Finchley Underpass<br><b>(Grange Big Local - GBL)</b><br><b>See Appendices 2-5</b>                                  | Claire Farrier & Arjun Mittra | 300,000                |
| East Finchley | Market Place Playground<br><b>(deferred from June-22, please note the proposed conditions of the award – Appendix 6)</b> | Claire Farrier                | 100,000                |

## **REASONS FOR RECOMMENDATIONS**

- 1.2 The Committee is requested to decide in respect of each application submitted by Ward Members for Neighbourhood CIL Funding, in line with its terms of reference set out in Article 7 of the Council's Constitution.
- 1.3 On 8<sup>th</sup> February 2021, the Policy & Resources Committee discussed a report concerning the CIL funding process. It was agreed that each Area Committee should consider, develop and approve their own CIL funding priorities for each financial year starting in 2021/22. In addition, it was recommended that comprehensive guidance be developed for CIL Area Committee Budget and the Road Safety & Parking Fund to ensure that Members can make informed decisions when receiving applications for funding.
- 1.4 At its meeting on 24<sup>th</sup> May 2021, the Policy and Resources Committee agreed in respect of Area Committees:
  - that each Area Committee be allocated £400,000 of Community Infrastructure Levy (CIL) funding per financial year
  - to remove the funding limit for each individual Area Committee CIL funded project (which will operate within the approved annual budget)
  - the new CIL Funding Application Guidelines and Funding Application Form
- 1.5 The Area Committees considered and agreed their priorities for CIL funding for 2021- 22 and these can be accessed via the links provided in section 6 under Background papers.
- 1.6 The priorities do not restrict the Area Committees from approving funding requests that are not agreed priorities. The Area Committee could choose to approve something that is not an identified priority providing it meets the legal definition of infrastructure.
- 1.7 The purpose of the priorities is to enable Area Committees to make informed decisions about the requests before them. 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.
- 1.8 On 24 May 2022 Annual Council considered and approved the report of the Leader of the Labour Group which set out a number of changes in relation to the Area Committees and Residents Forums.



1.9 The changes are as follows:

1.9.1

1.9.2 The three residents' forums (Hendon Residents Forum, Chipping Barnet Residents Forum and Finchley & Golders Green Residents Forum) be de-commissioned.

1.9.3 Local residents' issues will be reported directly to Area Committees (except matters relating to licensing and planning applications).

1.9.4 Residents will also be encouraged to bring suggestions and proposals to Area Committees for improvements to their local areas, for example projects that they consider suitable for CIL funding or other sources of funding available to the community

1.9.5 Petitions which carry 25-6,999 signatures will be reported to Area Committees where relevant to their terms of reference.

1.9.6 Area Committees be renamed North Area Committee, East Area Committee and West Area Committee.

1.9.7 The North Area Committee covers the wards: East Barnet, Barnet Vale, High Barnet, Underhill, Totteridge and Woodside, Mill Hill, Edgwarebury and Whetstone.

- 1.9.8 The West Area Committee covers the wards: Burnt Oak, Edgware, Colindale North, Colindale South, West Hendon, Hendon, Cricklewood and Childs Hill.
  - 1.9.9 The East Area Committee covers the wards: Brunswick Park, Friern Barnet, Woodhouse, West Finchley, Finchley Church End, Golders Green, East Finchley and Garden Suburb.
  - 1.9.10 For each Area Committee, Committee members must represent a ward in the Area Committee area. All members in the Area Committee area can act as substitutes in that area.
- 1.10 On the 8 June 2022, the Policy & Resources Committee:
- 1.10.1 Agreed an increase in the Area Committee's income allocations to £1.8m per annum and agreed provisionally the funding to be allocated based on population within each Area Committee, subject to consideration of an Equality Impact Assessment ('EQIA') being carried out by the Area Committees (after consultation in respect of the recommendations listed below).
  - 1.10.2 Proposed to the Area Committees the draft CIL funding eligibility guidelines to allow Area Committees to spend their CIL funding on a broader range of schemes addressing the demands that development places on an area (as defined under Regulation 59F(3) of the CIL Regulations 2010 (as amended) ("the Regulations"), subject to public consultation being undertaken and considered by Area Committees prior to adoption.
  - 1.10.3 Proposed in respect of the Area Committees that Sustainability, Community Engagement, Public Health & Community Safety will form part of the Area Committees priorities for 2022-23, subject to public consultation being undertaken and considered by Area Committees for inclusion.
  - 1.10.4 Agreed in respect of the Area Committees the revised CIL Funding Application Guidelines and Funding Application Form, subject to recommendations requiring consultation above.
- 1.11 Community Infrastructure Levy (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. 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: East, East and East.
- 1.12 For schemes approved by Area Committee for funding above £50,000 these are recognised as more complex to deliver. The relevant Executive Director will ensure the appointment of a senior Council Officer to sponsor the scheme and the coordination of Council services, ensure the appropriate project methodology is adhered to, with the scheme set up for a successful delivery. It is recognised that these schemes may deliver outside of the financial year in which they are approved.

## **2. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 2.1 Not applicable; Members of the Council are able to submit applications for Neighbourhood CIL funding to the Area Committee via Members' Items. As a result, the Committee are requested to consider and determine the applications submitted by Ward Members. Therefore, no other recommendation is provided from Officers.

### **3. POST DECISION IMPLEMENTATION**

- 3.1 Post decision implementation depends on the decision taken by the Committee, and the assessing officer's recommendation.

## **4. IMPLICATIONS OF DECISION**

### **4.1 Corporate Priorities and Performance**

The Community Infrastructure Levy funding supports the emerging corporate priorities including:

- 4.1.1.1 Working in partnership with residents and communities on social investment (including CIL and Social Value), new models of community co-production and community engagement including community-led commissions and piloting different approaches to addressing issues
- 4.1.1.2 Community Safety by investing in more CCTV, better lighting and community safety hubs
- 4.1.1.3 Protect and enhance greenspaces
- 4.1.1.4 Sustainability
- 4.1.1.5 Public Health

### **4.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 4.2.1 An annual allocation of £1.8m is made to Area Committees from 2022/23. The funding has provisionally been agreed to be allocated based on population within each Area Committee and projected CIL receipts subject to consideration of an Equality Impact Assessment ('EQIA') being carried out by Area Committees (after their consultation in respect of those recommendations requiring consultation).

### **4.3 Social Value**

- 4.3.1 Requests for Area Committee budget funding provides an avenue for Members to give consideration to funding requests which may have added social value.

### **4.4 Legal and Constitutional References**

- 4.4.1 Council Constitution, Article 7, Section 7.5 Responsibility for Functions details

that the Area Committee is responsible for determining the allocation of Community Infrastructure Levy funding within the area subject to sufficient of the budget being allocated to the Committee being unspent.

- 4.4.2 Council Constitution, Article 2 Members of the Council, Section 2.3 states that a Ward Member will be permitted to have one matter only (with no subitems) on the agenda for an Area Committee where the Member is submitting a request for CIL funding to an Area Committee Budget relating to their Ward. Members' Items for CIL funding Budget must be submitted 10 clear working days before the meeting. Items received after that time will only be dealt with at the meeting if the Chairman agrees they are urgent.

#### **4.5 Risk Management**

- 4.5.1 None in the context of this report.

#### **4.6 Equalities and Diversity**

- 4.6.1 Requests for Funding allow Members of a Committee to bring a wide range of issues to the attention of a committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

- 4.6.2 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:

- 4.6.2.1 Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- 4.6.2.2 Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- 4.6.2.3 Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

- 4.6.4 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.

#### **4.7 Corporate Parenting**

- 4.7.1 None in the context of this report.

#### **4.8 Consultation and Engagement**

- 4.8.1 Members will be encouraged to engage residents and community groups in

their wards to raise awareness of Area Committees and the opportunities they provide for delivering community-led improvements to their local areas. Officers will also work with their community networks to promote the Area Committees.

4.8.2 Members consult with Area Committee Lead Officers at an early stage on CIL Funding applications and where relevant with other departments and services. 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. 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.

#### 4.9 **Insight**

4.9.1 The Committee may wish to utilise the CIL funding priorities agreed by the Area Committee as a guide towards determining an application. Officers will work on collating key information to assist Members in reviewing priorities including infrastructure needs by area and insight data.

#### 4.10 **Environmental Impact**

4.10.1 There are no direct environmental implications from noting the recommendations. Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact, or at least it is neutral.

## 5 **BACKGROUND PAPERS**

Meeting of the Community Leadership Committee, 24 June 2015, Review of Area Committees – operations and delegated budgets:

<https://barnet.moderngov.co.uk/documents/s24009/Area%20Committees%20%20Community%20Leadership%20Committee%2025%20June%202015%20-%20FINAL.pdf>

Policy & Resources Committee, 9 July 2015, 'Delegating a proportion of Community Infrastructure Levy (CIL) income to the Council's Area Committees'

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=8346&Ver=4>

Meeting of the Community Leadership Committee, 8 March 2016 - Area Committee Funding – Savings from non- Community Infrastructure Levy (CIL) budgets

<http://barnet.moderngov.co.uk/documents/s38413/Area%20Committee%20Funding%20Savings%20from%20non-%20Community%20Infrastructure%20Levy%20CIL%20budgets.pdf>



Policy & Resources Committee, 8 February 2021, Review of Community Infrastructure Levy (CIL) Eligibility Criteria and Guidance  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=10200&Ver=4>

Policy & Resources Committee, 24 May 2021, Review of Community Infrastructure Levy (CIL) Eligibility Criteria and Guidance  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=10201&Ver=4>

Chipping Barnet Area Committee - CIL Funding Priorities – 21 April 2021 (item 12):  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=711&MId=10126&Ver=4>

Finchley & Golders Green Area Committee – CIL Funding Priorities, 8 April 2021 (item 12):  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=712&MId=10257&Ver=4>

Hendon Area Committee – CIL Funding Priorities, 16 March 2021 (item 14):  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=717&MId=10250&Ver=4>

Annual Council, 24<sup>th</sup> May 2022  
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=141&MId=10840&Ver=4>

Policy & Resources Committee, 8<sup>th</sup> June 2022  
[https://barnet.moderngov.co.uk/documents/s72807/PR%20Committee\\_NCIL%20Report\\_Jun%202022%20Publication\\_v0.2.pdf](https://barnet.moderngov.co.uk/documents/s72807/PR%20Committee_NCIL%20Report_Jun%202022%20Publication_v0.2.pdf)

NCIL Consultation - Barnet, 3<sup>rd</sup> August 2022  
[Neighbourhood Community Infrastructure Levy \(NCIL\) consultation | Engage Barnet](#)