

Report to Portfolio Holder for Growth and Regeneration

Subject: Community Infrastructure Levy (CIL) Non- Parish Funding – Local Infrastructure Schedule, Project Assessments and Proposed Funding Allocations

Date: 5th March 2018

Author: CIL Officer

Wards Affected

Calverton (part), Carlton, Carlton Hill, Cavendish, Colwick (part), Coppice, Daybrook, Ernehale, Gedling, Netherfield, Phoenix, Plains, Porchester, Redhill, Trent Valley (part) and Woodthorpe

Purpose

To seek approval for the commencement of a four week public consultation on the projects shortlisted to receive CIL Neighbourhood Funding in the 'CIL Non-Parish Funding - Local Infrastructure Schedule, Project Assessments and Proposed Funding Allocations document.

Key Decision

This is not a Key Decision.

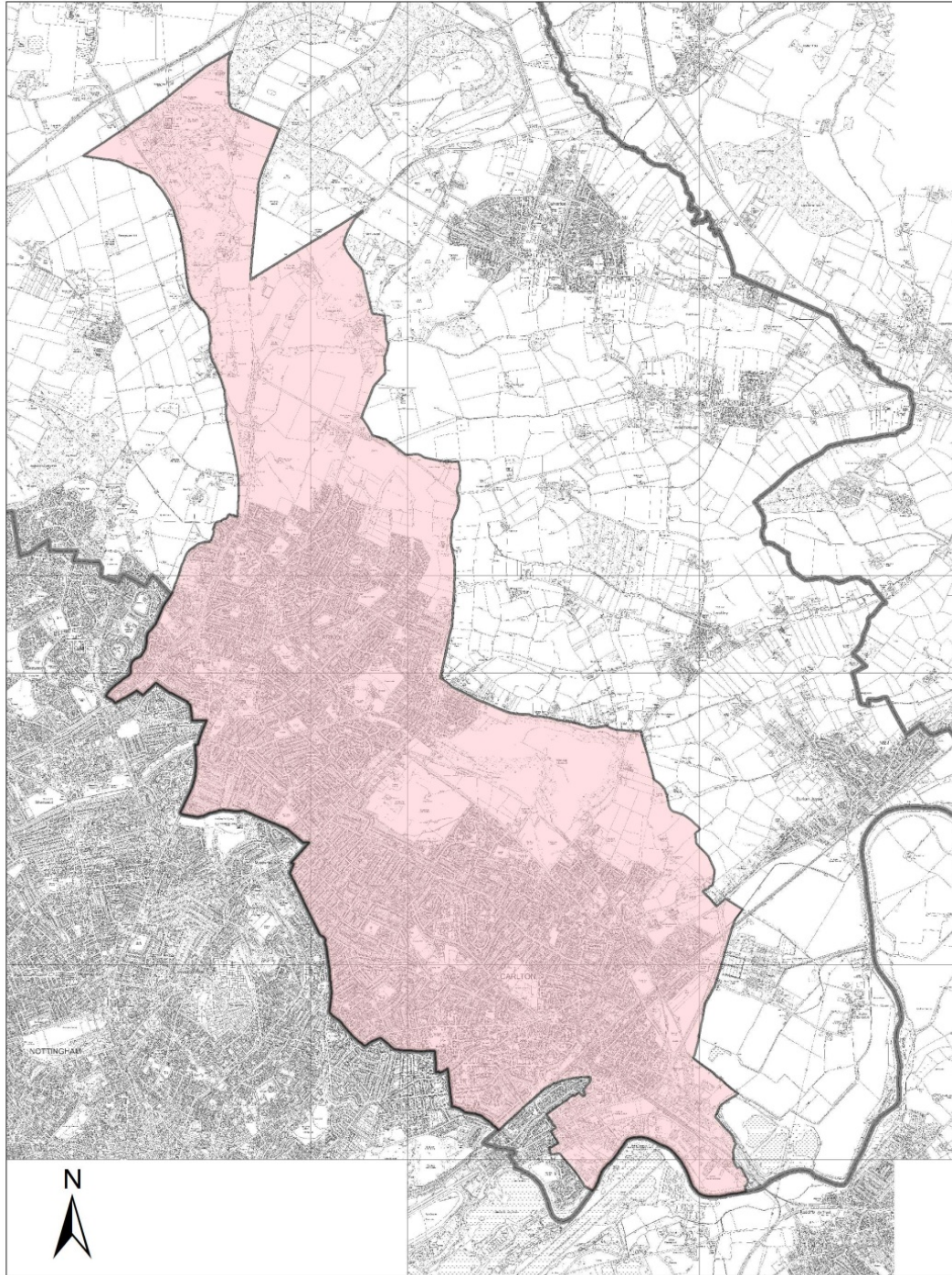
Background

- 1.1. The Planning Act 2008 introduced the Community Infrastructure Levy ("CIL") as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. CIL came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010.
- 1.2. Following an independent examination in March 2015 and approval at full Council on 15 July that year, the Gedling Borough Council Community Infrastructure Levy Charging Schedule came into effect on 16 October 2015. Gedling Borough Council is the charging authority for the borough of

Gedling.



- 1.3. Regulation 59A of the Community Infrastructure Levy Regulations 2010 (as amended) (“the 2010 Regulations”) places a duty on charging authorities to allocate at least 15% (up to a cap of £100 per existing council tax dwelling) of CIL receipts to spend on priorities that should be agreed with the local community in areas where development is taking place. This is known as the ‘neighbourhood portion’.
- 1.4. Where the chargeable development takes place in an area where there is no parish council, the charging authority retains the levy receipts but must spend the neighbourhood portion on, or to support, infrastructure in the area where the chargeable development takes places. This must be done in consultation with the local neighbourhood.
- 1.5. The extent of the parishes however does not cover the majority of the urban area of Gedling Borough (with the exception of Colwick). This creates a gap in the coverage for the neighbourhood portion in the Borough where there are no parishes or town councils to oversee its expenditure.
- 1.6. The non-parish areas of Gedling Borough as shown in Figure 1 cover the following Wards:
 - Calverton (part)
 - Carlton Hill
 - Colwick (part)
 - Daybrook
 - Gedling
 - Phoenix
 - Porchester
 - Trent Valley (part)
 - Carlton
 - Cavendish
 - Coppice
 - Ernehale
 - Netherfield
 - Plains
 - Redhill
 - Woodthorpe

Figure 1 The Non-Parish Area of Gedling Borough



Gedling  Civic Centre, Arnot Hill Park, Arnold,
Nottinghamshire, NG5 6LU

Non-Parish Area

 Non-Parish Area
 Borough Boundary

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- 1.7. Regulation 59F of the 2010 Regulations states that where no parish or town council exists the charging authority may use the neighbourhood portion of CIL, or cause it to be used, to support the development of the relevant area by funding:-
- a) The provision, improvement, replacement, operation or maintenance of infrastructure; or
 - b) Anything else that is concerned with addressing the demands that development places on an area.
- 1.8. The 'relevant area' is defined by Regulation 59F (1)(4) as that part of the charging authorities area that is not within the area of a parish or town council.
- 1.9. The Community Infrastructure Levy Guidance ("the Guidance") published on 12 June 2014 makes it clear that the charging authority should engage with the local communities where the development has taken place and agree with them how best to spend the neighbourhood funding. The Guidance also emphasises the importance of the neighbourhood portion being used to deliver the infrastructure needs of the area in which the chargeable development has taken place.
- 1.10. The Guidance states that "charging authorities should set out clearly and transparently their approach to engaging with neighbourhoods".
- 1.11. The Council's 'CIL and Neighbourhood Portion in Non-Parish Areas: Guidance Note' dated March 2017 details how the Council will:-
1. Identify and assess suitable local infrastructure projects.
 2. Consult with the local community over how the neighbourhood portion of CIL receipts will be spent in non-parish areas.
 3. Decide which infrastructure projects will benefit from funding from the neighbourhood portion of CIL receipts in non-parish areas.
- 1.12. The guidance note also outlines the approach to be taken during the allocations process. It confirms that officers will prepare a Project Assessment and Funding report that recommends a shortlist of projects which either Portfolio Holder or Cabinet approval.

1.13. In accordance with the guidance note, the assessment document prepared, the CIL Non- Parish Funding – Local Infrastructure Schedule, Project Assessments and Proposed Funding Allocations (**Appendix 1**), has been prepared by the Council’s CIL Officer and includes the following information:

- CIL Projections (Total collected and expected Non-Parish Neighbourhood Funding before end of financial year)
- Local Infrastructure Schedule (A list of potential infrastructure projects that have been submitted for consideration)
- Project Assessment (An assessment of all projects submitted detailing it’s suitability for funding)
- Project Recommendations (Recommendation of which infrastructure projects (if any) should be funded via the CIL Neighbourhood Funding)
- Further Projects (Opportunity for projects to submitted for next year)
- Consultation (Details of the consultation process)

1.14. The purpose of the CIL Non-Parish Funding - Local Infrastructure Schedule, Project Assessments and Proposed Funding Allocations report is to identify and shortlist appropriate infrastructure projects for CIL Neighbourhood Funding. In order to make appropriate awards of CIL Neighbourhood Funding in non-parish areas of the Borough there is a need to project potential payments until the end of the financial year.

1.15. At 19 February 2018, the non-parish neighbourhood proportion of CIL collected by the Council from developments was £52,873.25. Further CIL receipts could also be collected if further planning permissions are granted and commenced prior to the end of the financial year.

1.16. In accordance with the previously produced guidance note, the Council will prioritise expenditure of the neighbourhood portion of CIL receipts in non-parish areas as set out in the following table:

Table 1: Approach to Expenditure of CIL Neighbourhood Portion in Non-Parish Areas

Priority	Type of Infrastructure Project and Location
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1	Infrastructure projects (including Regulation 123 List projects) in the ward where the chargeable development has occurred.
2	Infrastructure projects (including Regulation 123 List projects) in the non-parish area of Gedling which meet or support the development needs of the area where the chargeable development has occurred.
3	Pool the neighbourhood portion of the CIL receipt for the following year where no suitable infrastructure projects 1 and 2 above have been identified.

1.17. In order to identify appropriate infrastructure projects for part funding/funding via CIL Neighbourhood Funding a nomination process was opened and continues to be open. A list of nominated projects has been created that forms a Local Infrastructure Schedule for the non-parish area of Gedling. A summarised list of potential projects is highlighted below in Table 2.

Table 2: Local Infrastructure Schedule (Summary Table)

Project	Nominator/Proposer	CIL Monies Required
Gedling Access Road	Team Leader, Major Projects and Improvements, Nottinghamshire County Council (NCC) / Via East Midlands Ltd.	£4,480,000 (total contribution for Reg. 123 List project required via Strategic CIL) - Allocation of CIL Neighbourhood contribution (£43,597.87) from Chase Farm development which will see faster delivery and will not redirect other Strategic CIL monies collected from other development to the funding of the GAR.
Gedling Colliery School Contributions	Developer Contributions Practitioner, Nottinghamshire County Council	£2,899,680 (total contribution for Reg. 123 List project required via Strategic CIL) - Seeking part allocation of CIL

		Neighbourhood contribution which will see faster delivery of an item of strategic infrastructure
Cinderpath – Lighting Installation	Locality Co-Ordinator, Netherfield, Gedling Borough Council	£3,500
CCTV Camera at King George V Park	Parks Development Officer, Gedling Borough Council	Up to £10,000
Outdoor Gym at Muirfield Recreation Ground	Warren Action Group	Up to £10,000
Multi Use Games Area at Oakdale Recreation Ground	Parks Development Officer, Gedling Borough Council and Friends of Onchan Park	Up to £50-60,000
Twinning Landscape Feature in Arnot Hill Park	Friends of Arnot Hill Park	Up to £10,000

1.18. All projects submitted have been formally assessed and a recommendation has been made as to each project's current suitability for funding. The assessment is based upon information submitted as part of the nomination process. The focus of projects should be that they accord with Regulation 59F of the 2010 Regulations. Other factors considered included:-

- How does the project meet a need created by new development?
- Timeframe for delivery?
- Is match funding available?
- How infrastructure project will be maintained once completed?

1.19. The seven projects submitted for consideration have all been assessed; the full assessments and recommendations can be found in **Sections 4 and 5 of Appendix 1**

1.20. The strategic infrastructure projects listed in the Local Infrastructure Schedule (Gedling Access Road and Gedling Colliery Secondary School Contributions) were assessed for funding from the neighbourhood

proportion of the collected CIL. At this time the part funding of the strategic projects via this means isn't deemed necessary. If the Neighbourhood Funding wasn't forthcoming, there would still be monies available that have been collected via the strategic element of CIL monies from other developments that could be used to replace any gap created by the non-allocation of the CIL Neighbourhood Funding at this time.

Proposals

1.1. From the assessments carried out of the submitted infrastructure projects it is proposed that the CIL Non-Parish Neighbourhood Funding is allocated accordingly:

1. Cinderpath

- Shortlist for Non-Parish Neighbourhood Funding for £3,500 award towards Lighting Installation on the Cinderpath.

2. Pool further CIL monies held/collected to rollover into the 2018/19 Non-Parish Neighbourhood Funding pot.

1.2. It is proposed that approval is given for the recommendations above be subject to a four week consultation that will be held with the public, stakeholders and Ward Councillors in areas where CIL receipts are expected from chargeable developments in non-parish areas in the following year. Views will be sought on the shortlist of projects eligible for the funding from the neighbourhood portion of CIL receipts, as well as continuing to allow opportunity for further potential local infrastructure projects to be identified.

1.3. It is proposed that the consultation be publicised on the Council's dedicated CIL Neighbourhood Funding webpage <http://www.gedling.gov.uk/noparishcilneighbourhoodfunding/> where interested parties can submit comments or representations. The consultation will also be publicised via the following channels; a letter/e-mail to interested parties and use of the 'Keep me posted' system.

1.4. Following the consultation period, all comments and representations received will be considered by Council's CIL Officer who will prepare a final report identifying the schemes selected for funding. The final report will seek approval from the Portfolio Holder for Growth and Regeneration

for the selected projects to benefit from funding through the CIL Non-Parish Neighbourhood Funding.

Alternative Options

- 1.1. Two alternative options are potentially available to pursue.
- 1.2. Firstly there is the opportunity to allocate CIL monies to alternative schemes contained on the Local Infrastructure Schedule and Allocations consultation. However, these schemes have been assessed as not being suitable for funding at this time, either on the ground of project suitability (not meeting CIL Regulation 59F), alternative funding streams available or from the unavailability of full funding (either from CIL or external streams).
- 1.3. The second alternative option would be to remove projects from the potential shortlist of funded project (either single projects or all projects) to allow for the CIL Non-Parish Neighbourhood Funding pot to accumulate further or await the further identification of alternative schemes. The implications of this could see a number of suitable projects not funded and may prevent projects that are due to be matched funded not being delivered fully.

Financial Implications

- 1.4. The CIL monies that form part of the Non-Parish Neighbourhood Funding element are monies that have to be used in accordance with the CIL Regulations. The Neighbourhood Funding element of CIL is only used once funds have been collected, forward funding is not provided.
- 1.5. There is no financial impact as the administration of this process can be met within existing resources and no additional budgets are required at this time.
- 1.6. There would be no ongoing revenue implications associated with the Cinderpath Lighting Scheme. The proposal confirms that it will be adopted by Nottinghamshire County Council and any running costs or maintenance cost would subsequently be the responsibility of the Highways Authority, who have been involved in the surveying and design of the scheme.

Appendices

Appendix 1: Community Infrastructure Levy (CIL) Non- Parish Funding – Local

Infrastructure Schedule, Project Assessments and Proposed Funding Allocations

Appendix 2: Local Infrastructure Schedule

Background Papers

CIL and the Neighbourhood Portion in Non-Parish Areas: Guidance Note -
<http://www.gedling.gov.uk/media/Guidance%20note%20-%20CIL%20neighbourhood%20Portion.pdf>

Gedling Borough Council CIL Charging Schedule -
[http://www.gedling.gov.uk/media/Charging%20Schedule%20\(Adoption%20July%202015\).pdf](http://www.gedling.gov.uk/media/Charging%20Schedule%20(Adoption%20July%202015).pdf)

Recommendation(s)

THAT:

- a) The Portfolio Holder for Growth and Regeneration approves the commencement of a four week public consultation on the projects shortlisted to receive CIL Neighbourhood Funding in the 'CIL Non-Parish Funding - Local Infrastructure Schedule, Project Assessments and Proposed Funding Allocations document.

Reasons for Recommendations

- a) To ensure that the neighbourhood portion of CIL collected receipts are expended in accordance with the CIL Regulations 2010 (as amended) and statutory guidance.