

Report to Cabinet

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

Date: 10th January 2019

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 a Key Decision.

Recommendation(s)

THAT:

Cabinet approves the commencement of consultation on Tuesday 29th January 2019 for a period of 4 weeks on the shortlisted projects identified to receive CIL Non-Parish Funding.

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.

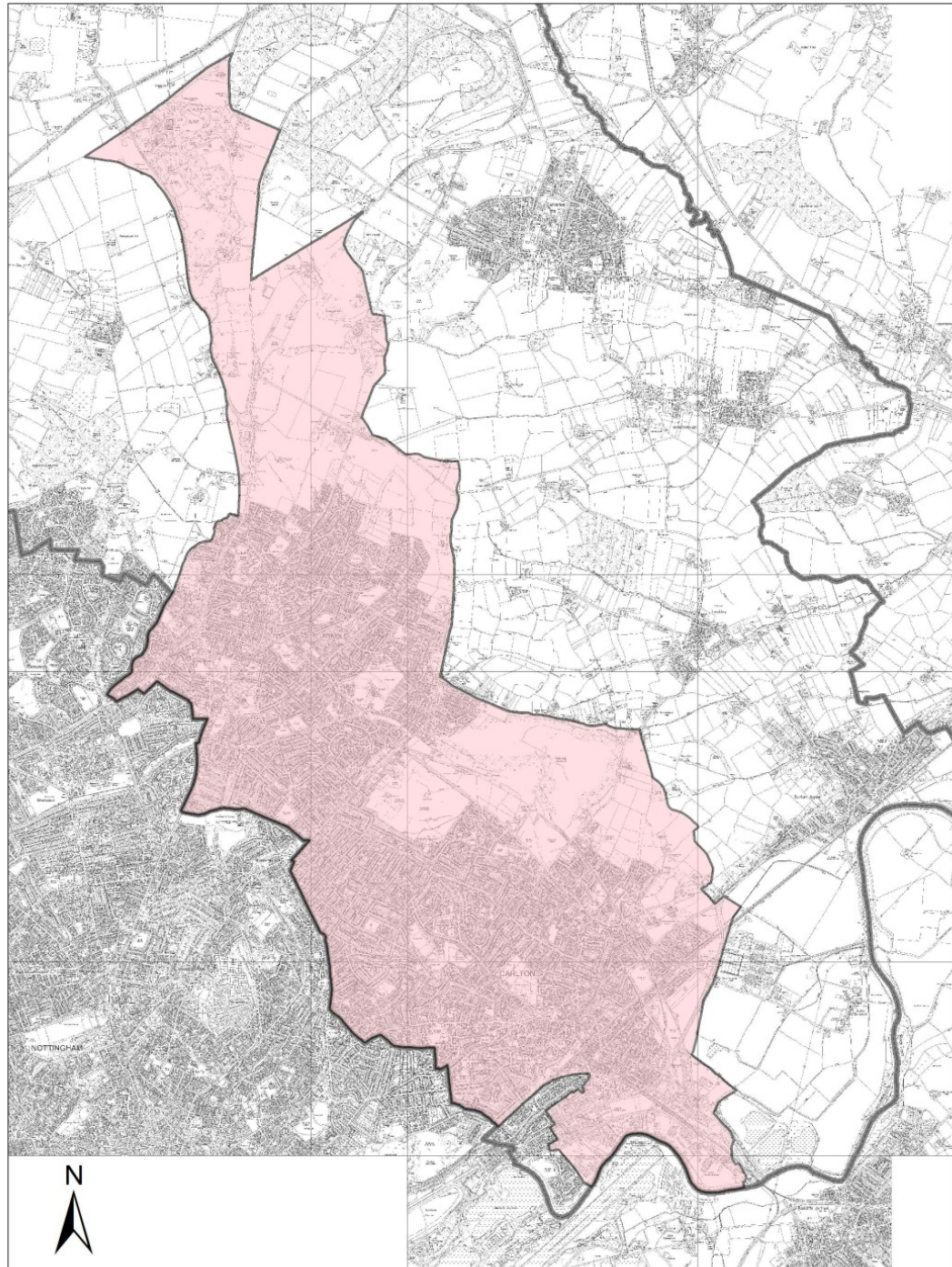
Background

- 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 place. 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
- Carlton
- Cavendish
- Coppice
- Ernehale
- Netherfield
- Plains

- Porchester
- Trent Valley (part)
- Redhill
- Woodthorpe



Figure 1 The Non-Parish Area of Gedling Borough



Gedling
Borough Council

Civic Centre, Amot Hill Park, Arnold,
Nottinghamshire, NG5 6LU

Non-Parish Area

 Non-Parish Area
 Borough Boundary

Reproduced with the permission of the Controller of H.M.S.O. Crown copyright, Licence No. LA100021246.
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

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. 2017/2018 was the first financial year in that CIL Neighbourhood Funding in the non-parish area of Gedling was awarded. Following public consultation an award of £3,500 has been awarded to the deliver new lighting as part of the Cinderpath scheme in Netherfield, led by Council's Netherfield Locality Officer. £50k was also carried over to be pooled for use on further projects in the future.

CIL Non Parish Neighbourhood Portion Projections

1.16. At 8th November 2018, the non-parish neighbourhood proportion of CIL held by the Council minus allocated monies for previous project from chargeable developments is £94,015. Further non-parish CIL receipts of

£44,900 are due to be paid by the end of the financial year giving a potential holding of £138,915 to allocate towards Non-Parish infrastructure projects this financial year. Further CIL receipts could also be collected if further CIL liable planning permissions are granted and commenced prior to the end of the financial year.

- 1.17. The table below sets out the amounts expected to be collected across the Non-Parish area to the end of the financial year.

Table 1: CIL Projections by Ward to end of 31st March 2019

Area (Ward)	Collected
Woodthorpe	£3,663
Porchester	£870
Plains	£1,858
Gedling	£134,046
Daybrook	£1,978
Total Ward Collection	£142,415
2017/2018 Allocations	£3,500
Current Non-Parish Neighbourhood Holdings	£138,915

- 1.18. 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 2: Approach to Expenditure of CIL Neighbourhood Portion in Non-Parish Areas

Priority	Type of Infrastructure Project and Location
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.
--	------------------

1.19. 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 3.

Table 3: Local Infrastructure Schedule (Summary Table)

Project	Nominator/Proposer	CIL Monies Required	Year Nominated
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.	2017/18
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	2017/18

		allocation of CIL Neighbourhood contribution which will see faster delivery of an item of strategic infrastructure	
CCTV Camera at King George V Park	Parks Development Officer, Gedling Borough Council	Up to £10,000	2017/18
Multi Use Games Area at Oakdale Recreation Ground	Parks Development Officer, Gedling Borough Council and Friends of Onchan Park	Up to £50-60,000	2017/18
Gedling Country Park Car Park Extension	Service Manager, Parks and Street Care, Gedling Borough Council	Up to £100,000	2018/19
Changing Facilities at Lambley Lane Recreation Ground	Service Manager, Parks and Street Care, Gedling Borough Council and Mapperley All Stars Football Club	Up to £40,000	2018/19

1.20. 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?

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

Table 4: Local Infrastructure Schedule - Existing Projects

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 from Chase Farm development will see faster delivery and will not redirect other Strategic CIL monies collected 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) - Allocation of CIL Neighbourhood contribution will see faster delivery of an item of strategic infrastructure
CCTV Camera at King George V Park	Parks Development Officer, Gedling Borough Council	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

1.22. Four projects that were on the preceding year's Local Infrastructure Schedule have been included again on the Local Infrastructure Schedule as Existing Projects. However, no additional information has been

submitted to either support delivery of the projects in the short-term, identify how they meet a development need or provide justification for the need to use the CIL Non-Parish Neighbourhood Funding to deliver them. Two of the projects (Gedling Access Road (GAR) and Gedling Colliery Secondary School contributions) are strategic projects that are contained on the Council's Regulation 123 List and will be funded via the strategic CIL holding.

Table 5: Local Infrastructure Schedule - New Projects

Project	Nominator/Proposer	CIL Monies Required
Gedling Country Park Car Park Extension	Parks and Street Care Services, Gedling Borough Council	£100,000 (part funding of overall project)
Changing Facilities at Lambley Lane Recreation Ground	Parks and Street Care Services, Gedling Borough Council	Up to £40,000 (part funding of overall project)

- 1.23. The two new projects (Gedling Country Park Car Park Extension and Changing Facilities at Lambley Lane Recreation Ground) submitted as part of the nomination process this financial year are considered to be potentially appropriate recipients of CIL Non Parish Neighbourhood Funding this year and accord with Regulation 59F of the 2010 Regulations and the Council's own guidance.

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. Gedling Country Park Car Park Extension

- Shortlist for Non-Parish Neighbourhood Funding for up to £100,000 award.

2. Changing Facilities at Lambley Lane Recreation Ground

- Shortlist for Non-Parish Neighbourhood Funding for up to £40,000 award.

- 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 officers who will prepare a final report identifying the schemes selected for funding. The final report will seek approval from Cabinet for the selected projects to benefit from funding through the CIL Non-Parish Neighbourhood Funding.
- 1.5. It is proposed that the four week consultation will commence on Tuesday 29th January 2019 to Tuesday 26th February 2019.

Financial Implications

- 1.1. 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 permitted.
- 1.2. 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.
- 1.3. There would be some revenue implications associated with both shortlisted projects. However, both proposals confirm that the ongoing costs of the maintenance would be from PASC revenue budgets.

Appendices

Appendix 1: Community Infrastructure Levy (CIL) Non- Parish Funding – Local Infrastructure Schedule, Project Assessments and Proposed Funding Allocations

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)