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Democratic Services



LICENSING AND PLANNING POLICY COMMITTEE

Thursday 18 January 2024 at 7.30 pm

Place: Council Chamber, Epsom Town Hall

Online access to this meeting is available on YouTube: [Link to online broadcast](#)

The members listed below are summoned to attend the Licensing and Planning Policy Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Steven McCormick (Chair)

Councillor Peter O'Donovan (Vice-Chair)

Councillor Steve Bridger

Councillor Shanice Goldman

Councillor Julie Morris

Councillor Phil Neale

Councillor Kieran Persand

Councillor Clive Woodbridge

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sing', is written over a light blue circular stamp.

Chief Executive

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Public information

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live using free YouTube software.

A link to the online address for this meeting is provided on the first page of this agenda. A limited number of seats will be available on a first-come first-served basis in the public gallery at the Town Hall. If you wish to observe the meeting from the public gallery, please arrive at the Town Hall reception before the start of the meeting. A member of staff will show you to the seating area. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for this Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government (Access to Information) Act 1985. The Committee may resolve to exclude the press and public during discussion of these matters by virtue of the private nature of the business to be transacted.

Questions and statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters within the Terms of Reference of the Committee.

All questions must consist of one question only and cannot consist of multiple parts. Questions and statements cannot relate to planning or licensing committees matters, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted. Each question or statement will be limited to 3 minutes in length.

If you wish to ask a question or make a statement at a meeting of this Committee, please contact Democratic Services at: democraticservices@epsom-ewell.gov.uk

Questions must be received in writing by Democratic Services by noon on the third working day before the day of the meeting. For this meeting this is **Noon, 15 January**.

A written copy of statements must be received by Democratic Services by noon on the working day before the day of the meeting. For this meeting this is **Noon, 17 January**.

For more information on public speaking protocol at Committees, please see [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework.

Filming and recording of meetings

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Filming or recording must be overt and persons filming should not move around the room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non-handheld devices, including tripods, will not be allowed.

AGENDA

1. QUESTIONS AND STATEMENTS FROM THE PUBLIC

To take any questions or statements from members of the Public.

2. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

3. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 14)

The Committee is asked to confirm as a true record the Minutes of the Special Meeting of the Committee held on 22 November 2023 (attached) and to authorise the Chair to sign them.

4. MINUTES OF LICENSING SUB-COMMITTEES (Pages 15 - 34)

To receive the Minutes of the meetings of the Licensing Sub-Committees held on 24 August 2023, 11 December 2023 and 18 December 2023 (to follow).

5. REVENUE BUDGET 2024/25 (Pages 35 - 44)

This report sets out budget estimates for income and expenditure for Licensing & Planning Policy services in 2024/25.

6. FEES AND CHARGES 2024/25 (Pages 45 - 60)

This report recommends fees and charges for which this committee is responsible, with the new charges being effective from 1 April 2024.

7. REVISED COMMUNITY INFRASTRUCTURE LEVY INSTALEMENTS POLICY (Pages 61 - 80)

Epsom and Ewell Borough Council adopted its Community Infrastructure Levy (CIL) charging schedule on 29 April 2014 to take effect from the 1 July 2014. This introduced a CIL charge for each square metre of floor area in new developments of eligible residential, convenience retail, student accommodation and care homes granted planning permission.

The Council's Community Infrastructure Levy Instalment Policy came into effect on 1 July 2014. The policy is now over nine years old and has therefore been reviewed following a benchmarking process with neighbouring local planning authorities.

It is recommended that the CIL instalment policy is updated to increase the thresholds for when CIL liable developments pay in instalments.

8. COMMUNITY INFRASTRUCTURE LEVY (CIL) SPENDING PROTOCOL
(Pages 81 - 116)

The report seeks the approval of a CIL spending protocol which will provide a framework for how the council allocates Community Infrastructure Levy funding that has been received from eligible developments in the borough to contribute towards the delivery of infrastructure.

**Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE
held at the Council Chamber, Epsom Town Hall on 22 November 2023**

PRESENT -

Councillor Steven McCormick (Chair); Councillor Peter O'Donovan (Vice-Chair);
Councillors Steve Bridger, Shanice Goldman, Julie Morris, Phil Neale, Kieran Persand
and Clive Woodbridge

In Attendance: Councillor James Lawrence

Officers present: Victoria Potts (Interim Director of Environment, Housing and
Regeneration), Justin Turvey (Interim Head of Place Development), Sue Emmons
(Chief Accountant), Ian Mawer (Planning Policy Manager) and Phoebe Batchelor
(Democratic Services Officer)

48 QUESTIONS AND STATEMENTS FROM THE PUBLIC

The Committee received one written statement from a member of the public
which was delivered verbally at the meeting.

49 DECLARATIONS OF INTEREST

No declarations of any Disclosable Pecuniary Interests in respect of any item of
business to be considered at the meeting were made by Members.

50 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the
Committee held on 26 September 2023 and authorised the Chair to sign them,
subject to the following amendment italicised below;

“Minute 42,

- q) **Upcoming Work on the Local Plan.** A Member of the Committee asked if it
would be possible to get a list of criteria and priorities of the coming work on the
Local Plan over the next few months. The Planning Policy Manager responded to
say that they would question what those would be without unpausing the Local
Plan first. ***A Member of the Committee commented that once the Local Plan
was unpaused it should come back to the Committee where an outline
strategy for the development of the Local plan in the coming months
should be agreed and set.***”

51 DRAFT EPSOM TOWN CENTRE MASTERPLAN

The Committee received a report seeking approval to publish the Draft Epsom Town Centre Masterplan for public consultation for a period of four weeks commencing on the 24 November 2023.

The then emerging Epsom Town Centre Masterplan informed draft allocations SA1 – SA4 detailed in the Draft Epsom and Ewell Local Plan (2022-2040) that was consulted on between 1 February and 19 March 2023.

The following matters were considered:

- a) **Mismatch between dates.** A Member of the Committee raised a concern regarding a mismatch between the consultation dates and the Council dates, and whether the consultation evidence would have the opportunity to feed into the discussions and decisions taking place by Members. The Member continued to ask if it can be ensured that the evidence collecting, and decision timelines can be aligned. The Chair responded to inform the Committee that this is a draft document which the Council are going out to get feedback on and further refine it, as a result of that feedback, as was seen in early 2023 when the Reg 18 Draft Local Plan went out for public consultation. The Chair continued to explain that the Draft Town Centre Masterplan has come about from further consultation with Members and input from the initial consultation and is primarily driven from a place making and planning point of view. The Chair informed the Committee that the Member briefings taking place on site selection and spatial strategy have been coordinated to align with the property side of the Council. The Planning Policy Manager informed the Committee that the Town Centre Masterplan is a key piece of evidence base that informed the draft Local Plan, that can be further discussed at upcoming Member briefings.
- b) **Spelling Mistakes.** A Member of the Committee raised the spelling mistakes and grammatical errors throughout the Draft Epsom Town Centre Masterplan document and stated that it reflects badly on the Council to have such an important document created that contains errors. Members of the Committee asked the Chair to ensure that all mistakes would be corrected before the document is open to the public consultation. The Chair confirmed that the mistakes would be corrected before the document is published as part of the public consultation.
- c) **Consultation Questions.** A Member of the Committee asked for confirmation that the consultation questions are clear, sensible, and unambiguous. The Chair responded to explain that significant lessons were learned from the last public consultation and Officers have taken into account feedback that was received in order to make improvements and ensure that questions are as unambiguous as possible.
- d) **Density and Height in the Town Centre.** A Member of the Committee raised a concern that the Draft Epsom Town Centre Masterplan document

does not reflect Councillor's comments regarding density and height in the Town Centre. The Chair agreed with the Member and confirmed to the Committee that all evidence will be coordinated. Another Member of the Committee raised that the height limitations included in the Town Centre Masterplan restrict and cut off options for the overall Local Plan. The Planning Policy Manager confirmed that the steer David Lock Associates received from Councillors, highlighted the desire for mixed used development and regeneration of sites having regard for local character and sensitivities, such as heritage, coworking opportunities, affordable housing and family homes within the Town Centre and the design of which responds positively to the character and heritage assets. The Planning Policy Manager confirmed that David Lock Associates took that feedback away and that is reflected in the proposed opportunity sites within the draft document. The Planning Policy Manager stated that if Member views have changed then there is an opportunity during the upcoming Member briefings to discuss it and respond and a further opportunity through the public consultation.

- e) **Consultation Questions.** A Member of the Committee asked Councillors to be sent the consultation questions before the public consultation goes live. The Chair confirmed that all Members would be provided with the consultation questions.
- f) **Summary Document.** A Member of the Committee asked if the Draft Epsom Town Centre Masterplan document could be shortened or summarised so as to try and ensure people are able to engage with it more effectively. The Member continued to highlight that the brief version of the draft Local Plan that was shared with residents as part of the public consultation in early 2023, allowed many more residents to engage with the subject matter more effectively, and will encourage those outside of Councillors and Lobby groups to respond. The Chair highlighted that a summary document for the draft Local Plan was created as the document in its entirety exceeded 400 pages. The Chair informed the Committee that following the unpause of the Local Plan and associated works, there has not been the time to create a summary document for the draft Town Centre Masterplan.
- g) **Delivery Bikes.** A Member of the Committee raised the issue of proliferation of small delivery bikes along the high street and asked if considerations have been made as to where they can go, since they currently take up large parts of the high street. The Member acknowledged that they are important for the business that they serve but the current situation is a problem. The Member asked if the Committee asked whether it is expected to come up and be dealt with through the consultation process or if not, the Committee could recommend some follow-up work to address this specific issue. The Interim Head of Place Development informed the Committee that the public consultation may draw out people's views on whether the bikes should be prevented or facilitated in certain parts of the Town Centre.

- h) **Majestic wine site.** A Member asked if it was appropriate to have Majestic Wine listed as the 'former tenants' of the site if they are still currently trading, therefore should the work 'former' be removed. The Chair has stated that the reference to the 'former Majestic Wine' is regarding the site that was used by Majestic Wine, not the tenancy or trading of the business.
- i) **Trees.** A Member of the Committee asked if the trees shown throughout the draft document, shown on East Street and the High Street, will be able to be planted, given the issues that have been faced by the Council when it comes to planting more trees in the Town Centre. The Planning Policy Manager responded to inform the Committee that the draft document sets out some high-level illustrative concepts of what could happen on key transport corridors. The Planning Policy Manager agreed that they are ambitious and radical, and Officers are seeking comments on those proposals. The Planning Policy Manager informed the Committee that some of the tree planting and wider public enhancements could be enabled by reconfiguring the A24, as set out in the draft document, to reduce highway capacity and provide more space for pedestrians and cyclists. The Chair informed the Committee that they are aware of the issues around trying to get street trees in the ground and assures the Committee that the Council will do as much as they can with what they have.
- j) **Summary Clarification.** A Member of the Committee raised a query about agenda item 4 summary, on page 21, and asked for clarification. The Chair clarified issues and informed the Committee that they would ensure the clarity and simplicity of report summaries at Callover Meetings.

Councillor Lawrence made verbal statement to the Committee.

Following consideration, the Committee unanimously resolved to:

- (1) **Approve the publication of the Draft Epsom Town Centre Masterplan for public consultation for a period of four weeks to commence on the Friday 24 November 2023 at noon and conclude on Friday 22 December at midnight.**

52 LOCAL DEVELOPMENT SCHEME

The Local Development Scheme (LDS) is a project plan that sets out the timetable to produce new or revised Development Plan Documents which will form the Council's Local Development Plan.

This LDS supersedes the version approved by the Committee on 21 November 2022 and sets out a planning work programme for the Council over a three-year period to 2026. The revised timetable will delay consultation on the Proposed Submission Local Plan (Regulation 19) Consultation by approximately eleven

months. This is a direct result of the pause on the Local Plan that applied between 22 March and 24 October 2023.

The following matters were considered:

- a) **Timeline.** A Member of the Committee queried the process between the completion of the plan consultation (Reg 19) and submission to the secretary of state and asked if two months is a long enough in between these two stages. The Interim Director of Environment, Housing and Regeneration responded to inform the Committee that the Regulation 19 Local Plan is the proposed submission document, meaning that before the Council go out for consultation on the Regulation 19 Local Plan, it must come to the Licensing and Planning Policy Committee and then Full Council to seek approval at that stage to go out for consultation and subsequently submit. The Interim Director of Environment, Housing and Regeneration continued to explain that no substantial changes can be made to the Regulation 19 Local Plan once it has been agreed to go out to consultation, and following the consultation period, everything that went out for consultation on, and all the subsequent responses will be given to an Independent Planning Inspector for the examination. The Interim Director of Environment, Housing and Regeneration informed the Committee that major changes to the Local Plan can only be made following the Reg 19 Consultation if another Reg 19 consultation is carried out. The Member responded to raise that this order of events must mean that the resident responses received during the Reg 19 consultation, do not have a chance to impact the Local Plan submitted to the Secretary of State. The Interim Director of Environment, Housing and Regeneration explained to the Committee that the Reg 19 Consultation is hugely important, as the Independent Planning Inspector will be looking at and assessing all of the responses that come in, and judging whether that should mean any changes are needed to the Local Plan in terms of soundness and legal conformity.
- b) **Submission by June 2025.** A Member of the Committee raised the seriousness of the situation and the importance of submitting the Local Plan by June 2025. The Chair responded to state that if there is a delay or slip in submitting the Local Plan by June 2025, then the Council must re-evaluate how to proceed, due to the significant investment by the Council currently at stake. The Chair agreed that the seriousness of the situation cannot be communicated enough and raised hopes that Members are fully aware of the importance of sticking to the proposed timeline towards submission.
- c) **Surrey County Council Transport Modelling.** A Member of the Committee asked when the new time slot for the SCC Transport Modelling would be. The Planning Policy Manager informed the Committee that the Council must provide the spatial strategy and sites to SCC by mid-January 2024. The Chair informed the Committee that if an agreement on the site selection and spatial strategy could not be reached before the

deadline and feed into the Transport work, then the Council will need to look at and amend the Local Plan timeline again.

- d) **Member Briefing on Housing.** A Member of the Committee commented that a Member Briefing on Housing had been held on the 20th of November and asked whether feedback had been received and what the feedback included. The Chair responded to inform the Committee that the feedback that has been received was very positive. The Chair highlighted at the Member Briefing that from a housing point of view, the housing officers need to continue to talk to and work with the planning policy development team and confirmed that additional briefings on affordable housing are forthcoming and will feed into further discussions on Housing, in order to allow the necessary work to be carried out to try and resolve the Borough's housing situation.
- e) **Dates for meetings.** A Member of the Committee asked for the deadline's dates for the Licensing and Planning Policy Committee and Full Council Meetings, required to take place prior to the commencement of Regulation 19 Consultation, to be communicated to Members and included in the timetable. The Member continued to set out that this would be useful information for Members and the Public to have, and it helps to illustrate that key milestones are closer than currently believed to be. The Chair confirmed that they would work with Officers to ensure that these details are shared and highlighted that the necessary meetings are being lined up to take place and this will be communicated to all Members and made aware to residents.
- f) **11-month Delay.** Councillor Lawrence asked the Chair to explain why there is an 11-month Delay on the Local Plan despite only a 7-month pause. The Chair responded to inform the Committee that an explanation of the 11-month delay can be found in paragraphs 2.7 and 2.8 of the report. The Chair continued to explain that one of the main items around the work that the Council will be doing with SCC, is hugely dependent on the site allocations and spatial strategy being confirmed, and these areas were paused by the Council in March 2023. The Chair informed the Committee that no work on the site allocations, spatial strategy or policy development was able to happen whilst the Local Plan was paused between March and October 2023. The Chair continued to comment that due to the those areas not being work on during the pause, and them now needed agreement from all Members, this has caused a further delay than the original 7-month pause, in order to fit briefing sessions and workshops to gain agreement and collaboration from all Members to finalise the site selection and spatial strategy before handing over to SCC to do the transport assessment.

Following consideration, the Committee unanimously resolved to:

- (1) Consider and approve the revised Local Development Scheme (November 2023) at Appendix 1.**

53 LOCAL PLAN BUDGET REPORT UPDATE

The Committee received a report which provided an updated financial position regarding progressing the Epsom and Ewell Local Plan (2022-2040) towards submission and subsequent adoption in accordance with the timescales defined in the Local Development Scheme (November 2023) that is being considered by this Committee.

The following matters were considered:

- a) **Cost of the Local Plan.** A Member of the Committee commented that it would be useful to know how much money has been spent on the Local Plan process in its entirety. The Chair responded to inform the Committee that there will be some statistics available regarding other local authorities and the cost of delivering their Local Plan. The Chair noted that generating and having a Local Plan cost figure would be useful to have and agreed go back to an appropriate point in time to in order to come up with a figure which can then be shared formally with Members.

Following consideration, the Committee unanimously resolved to:

- (1) **Note the financial update position with regards to the Local Plan and Planning Policy staff funding.**
- (2) **Report the estimated shortfall in funding for completing the Local Plan to the Strategy and Resources Committee with a request to secure funding for the £629,000 shortfall.**

54 PLANNING FEE INCOME/BUDGET REPORT

The Committee received a report that set out the estimated level of income from planning-related fees that the Council can expect to receive and the required level of resource to maintain an effective planning service to help inform 2024/25 budget setting and the Medium-Term Financial Strategy 2024-28.

The following matters were considered:

- a) **FastTrack Service.** A Member of the Committee asked for further explanation of the FastTrack Service and new Planning Office Post. The Interim Head of Place Development responded to inform the Committee that there is a clear demand for a FastTrack service, which could generate a reasonable amount of income and help to achieve targets of dealing with applications in two months. The Interim Head of Place Development explained to the Committee that in terms of paying for the service, there is the fee that will be brought in to use the service and funding from Central Government to go towards decreasing backlogs and improving the application service.

- b) **Autumn Statement.** A Member of the Committee asked if Officers had an opportunity to consider and reflect on any changes and comments relating to Planning Fees in the Autumn Statement. The Interim Head of Place Development informed the Committee that there is still no localised fee setting, fees are set nationally, so the 25/35% increase is not a decision of this Council but of Central Government. The Interim Head of Place Development informed the Committee that the Autumn Statement announcement has not affected anything in the report because the announcement was known about beforehand.

Following consideration, the Committee unanimously resolved to:

- (1) **Note the current and predicted adverse variance in planning-related fees and the measures taken to address this, and the limited opportunities for mitigation for income that is market led.**
- (2) **Agree that the estimated budgeted income for planning related fees, which takes into account estimates from officers relating to market conditions, planning fees and the future pipeline of likely planning applications, provides a reasonable framework for budget setting.**
- (3) **Note the requirement for an additional planning officer post to enable the introduction of new income generating services.**

55 PROCUREMENT WAIVERS

A report was received informing the Committee of procurement waivers within their budgetary responsibility.

The following matters were considered:

- a) **Waiver query.** A Member of the Committee asked what Waiver WVR043 was for. The Interim Director of Environment, Housing and Regeneration informed the Committee that Waiver WVR043 was for the Housing and Economic Development Needs Assessment, which is a piece of evidenced based support in the Local Plan.
- b) **Threshold three.** Councillor Lawrence asked the Chair how the Threshold three figure, reference in paragraph 2.2.3, was determined, and if the Council set it or it was set by Central Government. The Chair responded to direct the Committee to the Council's Procurement Strategy and Standing Orders, which can both be found on the Council's website, and further explain the thresholds and procurement procedure. The Chair informed the Committee, that it is their understanding, that the thresholds are set by the Council, and if there is a change required, then it would be brought to Members of the relevant policy committee to get approval of that change. The Chair noted that there is legislation that exists that may inform the higher number items as well.

Following consideration, the Committee unanimously resolved to:

- (1) Note the waivers highlighted within this report.**

56 URGENT DECISIONS

The Committee received a report that set out the decisions taken by the Chief Executive and Directors on the grounds of urgency, in compliance with Appendix 2 to the Constitution – The Scheme of Delegation paragraph 3.1.

Following consideration, the Committee unanimously resolved to:

- (1) Note the urgent decisions taken and the reasons for those decisions.**

The meeting began at 7.30 pm and ended at 8.44 pm

COUNCILLOR STEVEN MCCORMICK (CHAIR)

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MINUTES OF LICENSING SUB-COMMITTEES

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	Appendix 1 – Minutes of the Licensing (General) Sub-Committee, 24 August 2023 Appendix 2 – Public Minutes of the Licensing (General) Sub-Committee, 11 December 2023 Appendix 3 – Restricted Minutes of the Licensing (General) Sub-Committee, Agenda Item 4, 11 December 2023 Appendix 4 – Restricted Minutes of the Licensing (General) Sub-Committee, Agenda Item 5, 11 December 2023 Appendix 5 – Public Minutes of the Licensing (General) Sub-Committee, 18 December 2023 (to follow) Appendix 6 – Restricted Minutes of the Licensing (General) Sub-Committee, 18 December 2023 (to follow)

Summary

To receive the Minutes of the meetings of the Licensing Sub-Committees held on 24 August 2023, 11 December 2023, and 18 December 2023.

Recommendation (s)

The Committee is asked to:

- (1) Receive the Minutes of the meetings of the Licensing Sub-Committees held on 24 August 2023, 11 December 2023, and 18 December 2023, and authorise the Chair of the Sub-Committee meeting to sign them as a true record of that meeting.**

1 Reason for Recommendation

- 1.1 The Draft Minutes of meetings of the Licensing Sub-Committees are presented to the Committee for information and to authorise their signature by the Sub-Committee Chair as a true record of the meeting.

2 Background

- 2.1 CPR 10.4 of Appendix 5 of the Constitution (Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels) sets out a procedure for the signature of minutes should a committee, sub-committee or advisory panel not be scheduled or likely to meet again in the foreseeable future.
- 2.2 In such instances the minutes are presented to the parent committee or Full Council to authorise their signature as a true record, subject to the resolution of all questions of accuracy raised by members who were present at the meeting.
- 2.3 As meetings of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee do not have an annual schedule (they are arranged as required) or static membership, it is necessary to present their Minutes to the Licensing and Planning Policy Committee (as parent Committee) for approval.
- 2.4 The below procedure is followed for Minutes of Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committees:
 - 2.4.1 Following each meeting of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee the draft minutes will be provided by officers to all three sub-committee members for comment and agreement via email. Any questions of accuracy will be resolved to the agreement of all three members.
 - 2.4.2 Once all three members have expressed their agreement to the minutes, a copy will be provided to the next ordinary meeting of the Licensing and Planning Policy Committee to receive and authorise signature.
 - 2.4.3 Following receipt and authorisation by the Licensing and Planning Policy Committee, a hard copy of the Minutes will be provided to the Chair of the Sub-Committee for signature.
- 2.5 This report presents the draft Minutes from the meetings of the Licensing Sub-Committees held on:
 - 24 August 2023
 - 11 December 2023
 - and 18 December 2023

- 2.6 All members of each Sub-Committee meeting have expressed their agreement to the draft minutes, and any questions of accuracy raised by members of the Sub-Committee have been resolved to the satisfaction of all members of that meeting.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None arising from this report.

3.2 Crime & Disorder

3.2.1 None arising from this report.

3.3 Safeguarding

3.3.1 None arising from this report.

3.4 Dependencies

3.4.1 None arising from this report.

3.5 Other

3.5.1 None arising from this report.

4 Financial Implications

4.1 None for the purposes of this report.

4.2 **Section 151 Officer's comments:** None for the purposes of this report.

5 Legal Implications

5.1 None for the purposes of this report.

5.2 **Legal Officer's comments:** None for the purposes of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** Not relevant to this report.

6.2 **Service Plans:** Not relevant to this report.

6.3 **Climate & Environmental Impact of recommendations:** None.

6.4 **Sustainability Policy & Community Safety Implications:** None.

6.5 **Partnerships:** None.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Other papers:

- [Appendix 5 - Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels](#)

Minutes of the Meeting of the LICENSING (GENERAL) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 24 August 2023

PRESENT -

Councillor Julian Freeman (Chair); Councillors Steven McCormick and Kieran Persand

In Attendance: Applicant and Business Director

Officers present: Lidia Harrison (Principal Solicitor), Paul Holliday (Principal Licensing Officer), Dan Clackson (Democratic Services Officer) and Phoebe Batchelor (Democratic Services Officer)

6 DECLARATIONS OF INTEREST

No disclosable pecuniary interests were declared by Members in respect of any item to be considered at the meeting.

7 DETERMINATION OF RENEWAL SEXUAL ENTERTAINMENT VENUE LICENCE APPLICATION

The Sub-Committee were asked to determine a renewal application for Sexual Entertainment Venue licence following objection.

The report was introduced by Principal Licensing Officer, Paul Holliday.

The Applicant had no questions to ask of the Principal Licensing Officer.

The Sub-Committee had no questions to ask of the Principal Licensing Officer.

The Sub-Committee received a verbal representation from the Applicant, and the following was confirmed:

- a) The Applicant proposed to change the wording for two of the current conditions to Stir 777 SEV License. The Sub-committee were asked to consider implementing the rewording to Condition 2 and 3 of the SEV license, subject to the decision of the application. The Applicant confirmed that the rewording proposed, would address any age discrimination or gender issues that may arise.

The Applicant and his Representative responded to questions from the Sub-Committee and the following was confirmed:

- a) The change of wording from, '*Condition 3. No person under the age of 20 shall be permitted into the premises, or to remain on the premises at any time when adult entertainment is taking place. A clear notice shall be displayed in those terms in a prominent position at the entrance, so that persons entering can read it...*' to '*Condition 3. No patrons under the age of 20 shall be permitted into the premises, or to remain on the premises at any time when adult entertainment is taking place. A clear notice shall be displayed in those terms in a prominent position at the entrance, so that persons entering can read it...*' is to make specific that it refers to customers coming onto the site, rather than staff employed at the venue, who cannot be under the age of 20.
- b) The Applicant stated that they have received no problems in relation to anti-social behaviour or crimes, and have had no trouble inside the venue.
- c) The Applicant's FOI request received a response from the Environmental Health department at EEBC, on the 23rd of August 2023, and no complaints have been received on the Stir 777 SEV License since SEV licensing was introduced in 2011. This correspondence was shared with the Sub-Committee Members during the meeting and published as a late supplement to the Agenda.
- d) Four additional FOI requests were submitted by the Applicant, to Surrey Police, in regard to Police incidents and attendance that have been recorded at three nearby venues and for Stir 777. The information received in response was for a post-code area and was not venue specific. Only one FOI request came back venue specific and has been shared in the final summary included in the Agenda Pack.

The Chair announced that the Sub-Committee would retire with their legal advisor to deliberate. The Chair confirmed that the role of their legal advisor would be to provide legal advice only. The meeting was adjourned at 10:55.

The Sub-Committee and their legal advisor returned to the Council Chamber and the meeting resumed at 11:22. The Chair relayed the Sub-Committee's decision (as detailed below).

Having read all the material presented in the agenda and the written representations made, having listened to all of the evidence and to the submissions presented at the meeting, and having regard to the Licensing Policy of the Council, the Licensing Sub-Committee decided to:

Grant the application subject to the following amendments applied to the Condition 2 and 3 of the SEV License;

- 1. Deletion of the words 'female only,' in line 2 of Condition 2**
- 2. Replace the word 'Person' with the word 'Patron' in Condition 3**

The Chair advised that the decision would be followed up by a written confirmation of the decision in due course. The Chair advised that the Applicant had a right of appeal against the decision of the Sub-Committee within 21 days of the notification in writing to the Applicant, to the Magistrates Court.

The meeting began at 10.30 am and ended at 11.27 am

COUNCILLOR JULIAN FREEMAN (CHAIR)

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Minutes of the Meeting of the LICENSING (GENERAL) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 11 December 2023

PRESENT -

Councillor Peter O'Donovan (Chair); Councillors Shanice Goldman and Kieran Persand

In Attendance: Applicant (Agenda items 1-4), Applicant's Representative (Virtually for Agenda items 1-4) and Licene-holder (Agenda item 5 ONLY)

Officers present: Lidia Harrison (Principal Solicitor), Paul Holliday (Principal Licensing Officer) (for Agenda item 5 ONLY), Nicholas Tapping (Licensing Officer) (for Agenda items 1-4), Karen Whibley (Licensing Officer) and Phoebe Batchelor (Democratic Services Officer)

8 APPOINTMENT OF THE CHAIR

It was resolved that the Sub-Committee appointed Councillor Peter O'Donovan as Chair for the duration of the Meeting.

9 DECLARATIONS OF INTEREST

No disclosable pecuniary interests were declared by Members in respect of any item to be considered at the meeting.

10 EXCLUSION OF PRESS AND PUBLIC

The Sub-Committee resolved to exclude the Press and Public from the meeting in accordance with Section 100A (4) of the Local Government Act 1972 on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

11 DETERMINATION OF GRANT PRIVATE HIRE DRIVER LICENCE

The decision for this item is recorded in a separate (not for publication) restricted minute.

12 DETERMINATION OF WHETHER PRIVATE HIRE DRIVER REMAINS FIT AND PROPER TO HOLD LICENCE

The decision for this item is recorded in a separate (not for publication) restricted minute.

The meeting began at 10.30 am and ended at 1.28 pm

COUNCILLOR PETER O'DONOVAN (CHAIR)

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REVENUE BUDGET 2024/25

Head of Service:	Brendan Bradley, Head of Finance
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	None

Summary

This report sets out budget estimates for income and expenditure for Licensing & Planning Policy services in 2024/25.

Recommendation (s)

The Committee is asked to:

- (1) Recommend the 2024/25 service estimates for approval at the budget meeting of Full Council in February 2024.
- (2) Support in principle the future savings as set out in section 5 for inclusion in the Medium Term Financial Strategy.

1 Reason for Recommendation

- 1.1 The recommendations will enable the Council to meet its statutory duty to set a balanced budget for 2024/25 and agree a Medium Term Financial Strategy 2024-28.

2 Background

- 2.1 In February 2020, Full Council agreed the four-year Medium Term Financial Strategy to 2023/24 (MTFS). The MTFS aims to maintain the financial health of the Council whilst delivering the priorities in the Corporate Plan.

- 2.2 For the period 2024/25 to 2027/28, Full Council will be asked in February to agree a four year Medium Term Financial Strategy (MTFS) to maintain the financial health of the Council whilst delivering the priorities in the Corporate Plan. The recommendation in this report is consistent with the proposed MTFS.
- 2.3 Local authorities face a great deal of financial planning uncertainty over the medium term. This is mainly because central government funding settlements have tended, since the pandemic, to be limited to one-year only. In addition, the economic environment remains highly challenging and difficult to forecast, with elevated inflation impacting demand for services and the cost of delivering those services.
- 2.4 At its meeting on 13 July 2023, Strategy and Resources Committee agreed the budget targets and workstreams to enable the Council to work towards setting a balanced budget for 2024/25 and over the next Medium Term Financial Strategy four year-period.
- 2.5 The committee noted that excluding any new growth in expenditure, additional annual income/savings of £1.1 million are projected to be needed to achieve a balance budget for 2024/25, increasing to £2.5m by 2027/28.
- 2.6 To address this deficit, Strategy & Resources Committee agreed that the following workstreams should be progressed by Directors and Heads of Service:
 - 2.6.1 Officers to be tasked with identifying further efficiencies, although these are becoming harder to achieve after over a decade of austerity.
 - 2.6.2 A base review, which entails reviewing the year end position for 2022/23, identifying any potential savings, additional cost pressures and areas where savings can be developed.
 - 2.6.3 Service Reviews focusing primarily on discretionary services to be undertaken over the next four years with the aim of increasing efficiencies and effectiveness whilst reducing cost.
 - 2.6.4 Review of existing asset utilisation, to realise cost reductions in Council operational buildings and increased income from investment properties.
 - 2.6.5 Investigate income streams to maximise revenue from new and existing services, such as invest to save opportunities. Ensure any new powers are considered to generate additional income for the Council, such as the pending new charging policy for waste.
 - 2.6.6 Undertake a review of reserves, providing a justification for the level of reserves retained.

- 2.6.7 A target to increase fees and charges income by 6% in both 2024/25 and 2025/26 (as previously agreed by S&R in July 2022), then by CPI+1% for both 2026/27 and 2027/28. Heads of Service review fees and charges annually to ensure increases are achievable and report fees and charges to policy committees for approval.
- 2.6.8 To maximise external funding and partnership opportunities.
- 2.7 The figures in this report reflect the latest outcome of the above workstreams, a number of which will continue into future years, and the provisional local government finance settlement for 2024/25.
- 2.8 Service estimates for this Committee are included in the draft Budget Book 2024/25 that will be made available to all Councillors.
- 2.9 Estimates have been prepared on the basis that existing services to residents are maintained, unless specified otherwise in section 5.
- 2.10 To allow the Council to determine the budget and Council Tax in February, the Committee estimates have been presented as follows:-
 - 2.10.1 The Budget Book contains the service estimates for 2024/25.
 - 2.10.2 Unavoidable cost increases and income reductions are reflected in the estimates.
 - 2.10.3 Recommended increases to fees and charges have been included within the Budget Book and the income estimates.
 - 2.10.4 All increases in charges are subject to approval by the Committee/Council.

3 Forecast Outturn 2023/24

- 3.1 Before considering the revenue estimates for 2024/25, this section provides a summary of the forecast outturn for the current financial year.
- 3.2 The probable outturn specifically for Licensing and Planning Policy Committee is an adverse variance of £90k which is shown in the following table. The key reasons for the major variances are explained in the subsequent paragraphs.

Service Group	Original Budget	Current Approved Budget	Forecast Outturn	Forecast Variance
	£'000	£'000	£'000	£'000
Place Development	840	887	1,087	200
Licensing	(152)	(127)	(237)	(110)
Licensing & Planning Policy Committee	688	760	850	90

3.3 The adverse variance within Place Development is due to a forecast under-recovery of income. £24,000 of this relates to planning applications, the balance relates to advisory services. Development Management is currently undergoing a process re-engineering exercise to improve processes to provide a more efficient service and free up resource for advisory services.

3.4 The £110,000 favourable variance within Licensing is due to the acquisition of several new taxi operators that have chosen to license their drivers and vehicles with EEBC.

4 Proposals for 2024/25 budget

4.1 The service estimates for 2024/25 are included in the draft Budget Book, circulated to councillors in January.

4.2 A summary of the Committee's service estimates for 2024/25 is shown in the following table:

Service Group	Published Budget 2023/24	Base Position 2024/25
	£'000	£'000
Place Development	840	1,216
Licensing	(152)	21
Licensing & Planning Policy Committee	688	1,237

- 4.1 Budgets for the internal accounting recharges of corporate services are still being finalised and will be reflected in the final budget book. Internal accounting recharges have no impact on the Committee's discretionary expenditure budgets, and a net nil impact on the General Fund overall.
- 4.2 The following table comprises a summary of the main changes to the Committee's proposed budget of £1,237k for 2024/25 compared with the published budget of £688k for 2023/24.

Licensing & Planning Policy Committee		Budget £'000
Published Budget 2023/24		688
Service Group	Change	
Place Development	Variation in pay, pension (IAS19)	164
Place Development	Variation in support service recharges	170
Place Development	Reduction in planning application and advisory income	100
Place Development	Implementation of fast-track application service to part-fund new planning resource	(25)
Place Development	Drawdown from reserve to part-fund new planning resource	(35)
Licensing	Variation in pay, pension (IAS19)	164
Licensing	Variation in support service recharges	132
Licensing	Increased cost of driver checks	18
Licensing	Increase in fees and charges income in line with MTFS 6%	(17)
Licensing	Increase in income to fund additional resource	(74)
Licensing	Additional income identified through financial sustainability proposals	(50)
	Other sundry variances	2
Base Position 2024/25		1,237

- 4.3 The increase in pay for Place Development includes £60k for a new Planning Officer to support the team and to help deliver a new Fast Track Service. This additional resource will be part-funded by the £25k income budget for the new service.
- 4.4 The balance of funding for the new post of £35k will be funded by a drawdown from the place development reserve. As this is one-off, long-term funding of the £35k will come from additional planning income which is expected to increase in future years.
- 4.5 The increase in support service recharges represents the increased share of central costs because of the increased staff in the service. The recharges increase across all services is also greater than in previous years due to higher ICT costs as the move to cloud-based applications results in a move from capital to revenue expenditure, and the agreed staff pay award is higher for 2024/25 than the last few years.

5 Financial Sustainability Proposals for Medium Term Financial Strategy 2024/25 to 2027/28

- 5.1 As set-out in paragraph 2.5, Strategy & Resources Committee has agreed a Council-wide savings target of £2.5m to achieve a balanced budget by 2027/28.
- 5.2 Members are asked to support the following new savings, identified for this committee as part of the 2024/25 budget setting process, to reduce the Council’s projected budget deficit:

Summary of New Savings/Income	Committee	2024/25	2025/26	2026/27	2027/28
		£000	£000	£000	£000
Additional Planning Income	LPPC	-	-	100	-
Additional Licensing Income	LPPC	50	-	-	-
Total Savings/Additional Income		50	-	100	-

- 5.3 As reported to Licensing & Planning Policy Committee in November 2023, planning income is forecast to increase by £100k per annum from 2026/27, as delivery of the Local Plan will create a more certain planning framework for developers. This represents a targeted reversal of the £100k income reduction that has been built into 2024/25’s budget estimates.
- 5.4 Furthermore, the licensing service is currently achieving income significantly in excess of the current budget. The service is expected to achieve £50k additional income from 2024/25.
- 5.5 Progress on delivery of savings will be closely monitored and reported to members through the budget monitoring process.

6 Risk Assessment

Legal or other duties

- 6.1 In preparing the revenue budget estimates officers have identified the following main risks facing the Committee in delivering services within the budget. These budgets will require careful management during the year.

Service	Risk	Budget Estimate 2024/25	Risk Management
Place Development	<p>Medium: The uncertainty of single, large applications can impact significantly on income. Applications, planning performance agreements and preapplications are dependent upon demand for development in the borough which is impacted by economic factors.</p>	<p>Total Budgeted Income: £581k 10% change affects income by £58k; 25% change affects income by £145k.</p>	<p>The service is working to improve its capacity for pre-application and Planning Performance Agreements.</p> <p>Monthly monitoring including analysing income against target continues. This includes regular budget monitoring reports in line with Financial Regulations.</p> <p>The general fund working balance is held to manage budget pressures in the short term that cannot be mitigated by preventative or other action.</p>
Licensing Income	<p>Medium: Not reaching budgeted level of income from licensing.</p> <p>Loss of key licensees (i.e. taxi operators) to neighbouring boroughs.</p>	<p>Total Budgeted Income: £521k 10% change affects income by £52k; 25% change affects income by £130k.</p>	<p>Regular budget monitoring reports in line with Financial Regulations.</p> <p>Engagement with key licensees.</p> <p>Ensure all support services are appropriately re-</p>

	Risk of service users challenging level of fees charged.		charged to demonstrate full cost recovery.
Savings Delivery	Medium: Achievement of additional income targets in future years may depend on external factors outside the Council's control, such as the national economic and development environment.	As above.	As above.

6.2 Equality Impact Assessment

6.2.1 None arising from the contents of this report.

6.3 Crime & Disorder

6.3.1 None arising from the contents of this report.

6.4 Safeguarding

6.4.1 None arising from the contents of this report.

6.5 Dependencies

6.5.1 None arising from the contents of this report.

6.6 Other

6.6.1 None arising from the contents of this report.

7 Financial Implications

7.1 The draft Budget Book 2024/25 is highly detailed, therefore please can any questions or queries be sent to relevant officers in advance of the Committee meeting wherever possible.

7.2 **Section 151 Officer's comments:** Financial implications are contained within the body of this report.

8 Legal Implications

- 8.1 The Council will fulfil its statutory obligations to produce a balanced budget and to comply with its policy on equalities.
- 8.2 Although there are no direct legal implications arising from this report, decisions taken about the budget will impact the services which can be delivered. In the event of any impact, there will need to be an equalities impact assessment in relevant cases.
- 8.3 **Legal Officer's comments:** Legal implications are contained within the body of this report.

9 Policies, Plans & Partnerships

- 9.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.
- 9.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 9.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report.
- 9.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.
- 9.5 **Partnerships:** Many services are provided by the Council without the direct involvement of other agencies. There is, however, an increasing role for partnership working with others to achieve mutually agreed objectives. The benefits and risks need to be assessed in each specific case to ensure that value for money is secured and the Council's priorities are delivered in the most efficient and effective manner.

10 Background papers

- 10.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Strategic Financial Planning report to S&R Committee in July 2023.
- 2024/25 Budget Targets report to LPPC Committee in October 2023.

Other papers:

- Draft 2024/25 Budget Book.

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FEES AND CHARGES 2024/25

Head of Service:	Brendan Bradley, Head of Finance
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	Appendix 1 – Place Development Fees and Charges 2024/25 Appendix 2 – Licensing Fees and Charges 2024/25

Summary

This report recommends fees and charges for which this committee is responsible, with the new charges being effective from 1 April 2024.

Recommendation (s)

The Committee is asked to:

- (1) agree the fees and charges for 2024/25 as set out at Appendices 1 and 2.

1 Reason for Recommendation

- 1.1 To agree the fees and charges for the Licensing and Planning Policy Committee for 2024/25.

2 Background

- 2.1 The Council will meet to agree the budget, including estimates of income and expenditure, on 13 February 2024. To enable the budget to be finalised, the policy committees are asked to recommend fees and charges covering the services for which they are responsible.
- 2.2 The current economic climate creates uncertainty and difficulties for budget setting. To this end, the budget guidelines agreed by Strategy and Resources in July 2023 included an overall increase in revenue discretionary fees and charges of 6%. The guidelines also anticipate that additional income may be generated to contribute to the required savings target.

- 2.3 The fees and charges presented in this report are discretionary charges only. For discretionary charges, there is scope to generate additional income, to reduce any subsidy of the service or to contribute to an improved budget position.
- 2.4 There are a number of charges set externally that the Council has no power to alter. This restricts the Council's ability to raise additional income and therefore the fees and charges set by statute are not presented to this Committee for approval.
- 2.5 Within this committee, the charges which are set externally are statutory planning application fees, for which the income budget is £456k; and statutory fees for the licensing of liquor and gambling establishments, for which the income budget is £76k. As these charges are outside the control of the Council, the income budget has not been increased for 2024/25.
- 2.6 When preparing budget estimates, fees and charges have been reviewed by service managers and any negative impact on demand anticipated by increased charges has been considered.
- 2.7 Members should refer to the revenue budget report on this agenda for an overview of the Committee's budget position.
- 2.8 In January 2018, to reflect changes to the Council's management structure, the Committee agreed that the Chief Finance Officer should have delegated authority to vary fees and charges for items generating income under £1,000 per annum. The Committee also agreed that this officer be permitted under delegated authority to set charges for one-off services or items not included in the fees and charges schedule.

3 Proposals

- 3.1 The proposed fees and charges for 2024/25 are set out at Appendices 1 and 2 to this report. The main variations in fees and charges for each service area outside the range of an increase between 6% and 10% are set out below:

Place Development

- 3.2 In November 2023 a report to this Committee highlighted the reduced income being achieved from planning related fees due to a number of reasons outside the Council's control. The report concluded that the budgeted income for 2024/25 and 2025/26 should be reduced by approximately £100k to take into account officer expectations of income generation for that period.
- 3.3 Consequently, the fees relating to pre-application advice and planning performance agreements have been held at the 2023/24 level for 2024/25 as these are discretionary services and increased fees could deter some applicants.

- 3.4 Planning application fees are set nationally and have recently been increased by 35% for major applications and 25% for other types after a period of nearly 6 years at the same level. These fees don't feature within this report as they are not discretionary, but it is anticipated that the increase should help the overall planning income position for 2024/25.
- 3.5 Some Development Management services, such as Planning Performance Agreements, are bespoke and tailored to the specific development. A list of Officer hourly rates is therefore detailed in Appendix 1 to form the basis of the calculated fee. These fees have been increased for 2024/25 at approximately 6% in line with the agreed inflationary increase for staff salaries.
- 3.6 A new fee has been introduced for 2024/25 for a Fast Track application service. The fee will be in addition to the standard planning application fee and the income generated will part-fund a new officer post to resource the new service.

Licensing

- 3.7 The majority of discretionary general licensing fees have been increased by approximately 6% for 2024/25.
- 3.8 In most regulatory areas, local authorities are restricted from generating profits on the service provided. Epsom & Ewell has seen a significant increase in taxi operators choosing to be licensed within the borough, therefore the increased business results in increased income to the Council.
- 3.9 To ensure the income generated by regulatory licensing does not significantly exceed the costs of delivering the service, the fees and charges for taxi licensing have remained unchanged for 2024/25. This strategy also goes to support the trade which the Council relies upon to maintain the safety of the night-time economy.
- 3.10 An additional fee for Knowledge Tests for Private Hire drivers has been introduced for 2024/25. The fee has been set at £66.00 and is lower than the Hackney Carriage Knowledge Test fee due to the lower level of work involved in administering the test.
- 3.11 A number of fees relating to a change of vehicle ownership have been removed for 2024/25. The rationale for this is that the Council receives very few notifications of change of ownership and officers believe the fee is a deterrent. It is important that the Council is notified of these changes, therefore the removal of the fee is expected to encourage this practice without impacting current income levels.

- 3.12 A proposed discount of 10% on driver and vehicle licence applications and renewals completed online has been included within appendix 2. A new system is currently being worked on by officers with a view to introducing online application capability within the 2024/25 financial year. The rationale for the discount is to incentivise the more efficient online channel and to enable drivers to benefit from the lower cost of administration. The fee will only apply once the system becomes operational.

4 Risk Assessment

Legal or other duties

4.1 Equality Impact Assessment

4.1.1 None for the purposes of this report.

4.2 Crime & Disorder

4.2.1 None for the purposes of this report.

4.3 Safeguarding

4.3.1 None for the purposes of this report.

4.4 Dependencies

4.4.1 None for the purposes of this report.

4.5 Other

4.5.1 Increased fees and charges could have a negative effect on take up for some service areas. Managers have been asked to apply realistic increases to avoid this.

4.5.2 The current economic crisis has resulted in some instances in reduced revenue from fees and charges.

5 Financial Implications

- 5.1 In 2023/24, the discretionary fees and charges income budget for Development Management for 2023/24 was £201k. In November 2023 a report to this Committee highlighted the reduced income being achieved from planning related fees due to a number of reasons outside the Council's control. The report concluded that the budgeted income for 2024/25 and 2025/26 should be reduced by approximately £100k to take into account officer expectations of income generation for that period.

5.2 At its meeting in July, Strategy & Resources Committee sought additional budget savings or income generation opportunities from committees to help address the budget deficit for 2024/25, which was forecast to reach £2.6m by 2025/26. Savings identified within this committee were an additional £50k of additional income within Licensing, and £25k of income within Planning from a new Fasttrack Service.

5.3 The impact of the proposed fees and charges for services in 2024/25 is set out below:

	Increase in income budget target (6% of prior year) £'000	Total increase or (decrease) due to changes in tariffs £'000	Variation resulting from changes to volumes £'000	Variation between target and total change £'000
Place Development	12	25	(100)	(87)
Licensing	18	1	67	50
Total	30	26	(33)	(37)

5.4 The proposed charges will generate an estimated income of £7k less than 2023/24. This has been taken into account in the budget to be presented to Council next month.

5.5 Overall, the effect of these charges, combined with the anticipated change in volumes, is that Licensing and Planning Policy Committee income budgets are lower than the targeted budgeted income from fees and charges by £37k.

5.6 The revised level of income has been included in the medium-term financial strategy to contribute towards a balanced budget over the next four years. A detailed breakdown of the 2024/25 budget can be found in the budget report included on this agenda.

5.7 **Section 151 Officer's comments:** all financial implications are included within this report.

6 Legal Implications

6.1 There are no specific issues arising from this report, but the Council's resources will need to be applied to ensure that it fulfils its statutory obligations and delivers its policy on equalities.

- 6.2 **Legal Officer's comments:** there are no direct legal implications arising from this report. Under section 1 of the Localism Act 2011 a local authority has a general power of competence. This grants a local authority the power to do anything that individuals generally may do. The general power of competence is subject to limitations on charging imposed by section 3 of the Localism Act 2011. Section 3 of the Localism Act 2011 permits a local authority to charge up to full cost recovery for discretionary services provided that there is no statutory duty to provide the service and the recipient agrees to its provision.

7 Policies, Plans & Partnerships

- 7.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.
- 7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 7.3 **Climate & Environmental Impact of recommendations:** none for the purposes of this report.
- 7.4 **Sustainability Policy & Community Safety Implications:** none for the purposes of this report.
- 7.5 **Partnerships:** none for the purposes of this report.

8 Background papers

- 8.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Budget Targets Report – Licensing and Planning Policy Committee on 26 September 2023.

Other papers:

- Revenue Budget 2024/25 report – on this agenda.

Development Management

Householder pre-application advice fees

Advice Type	Fee Including VAT (£)
Householder - written response only	220
30-minute in office meeting and written summary / with specialist advice (e.g., where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a residential listed building)	280 / 320
Follow up written comments per additional set of drawings (within 3-month timescale)	50

Change of use to a building or land pre-application advice fees

Change of Use of a Building or Land where the proposal does not constitute Minor or Major development - NB this would include a change of use of the land to additional residential garden; paddocks; and buildings to non-residential use

Advice Type	Fee Including VAT (£)
Up to 1-hour in-house meeting and written summary/ with specialist advice (e.g., where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a residential listed building)	420 / 580
Up to 1-hour onsite meeting and written summary/ with specialist advice (e.g., where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a residential listed building)	450 / 610
Follow up written comments upon per additional set of drawings (within 3-month timescale)	180

Creation or replacement of a single dwelling house or residential annex

Note: in excess of 1 but below 10 units constitutes Minor development

Advice Type	Fee Including VAT (£)
Up to 1-hour in-house meeting and written summary/ with specialist advice (e.g., where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a listed building, specialist advice is required and is charged as follows.	420 / 580
Up to 1-hour onsite meeting and written summary/ with specialist advice (e.g., where the proposal falls within a conservation area and/or the setting of a listed building, or involves works to a listed building, specialist advice is required and is charged as follows.	450 / 610
Follow up written comments upon per additional set of drawings (within 3-month timescale)	180

Minor development pre-application advice fees

Note: more than 1 unit but less than 10 units

Advice Type	Fee Including VAT (£)
Written summary only/ with specialist advice	1,600 / 1,700
Up to 1-hour inhouse meeting and written summary/ with specialist advice	2,100 / 2,200
Additional 1-hour inhouse meetings and written summaries/ with specialist	595 / 695
Follow up written comments per additional set of drawings	400

Major development pre-application advice fees

Advice Type	Fee Including VAT (£)
Small major development (includes Heritage Assets/ Urban Design) 10-49 units New building has between 1000 and 2499 sqm of floor space Or the site is between 0.5 and 1.99 hectares (where you don't know the floor space).	
Up to 1-hour meeting and written summary	4,500
<i>Subsequent follow up advice – if you have: already received advice about a similar development on the same site in the last three months or received a refusal of planning permission for a similar development on the same site in the last three months.</i>	
A subsequent meeting with a planning officer and written comments	1,095
Large major development (includes Heritage Assets/ Urban Design) If your new building has between 2500 and 4999 sqm of floor space 50+ units Or the site area is up between 2.0 and 4.99 hectares (where you don't know the floor space)	
Meeting and written summary	8,190
<i>Subsequent follow up advice – if you have: already received advice about a similar development on the same site in the last three months or received a refusal of planning permission for a similar development on the same site in the last three months.</i>	
A subsequent meeting with a planning officer and written comments	1,640

Other pre-application advice fees

Advice Type	Fee Including VAT (£)
<p>Strategic Development Your new building has 5000 or more sqm of floor space – 100 or more dwellings The site area is 5 or more hectares (where you don't know the floor space)</p>	<p>Planning Performance Agreement - Separate set of Fees EEBC can offer a tailored service to developers in regard to the above advice types. These can include meetings with elected members including ward members and members of the Planning Committee. We can negotiate compliance with conditions during the course of construction and through the redevelopment and conversion of listed buildings with the appropriate specialist advisors offering direct and timely contact with Officer's.</p>
<p>Post-Application Conditions Advice Some developments may result in conditions which you may wish to discuss in more detail with the Planning Officer to consider your options. Particularly where there are requirements for particular materials. Officers can advise on the requirements in consultation with specialist advisors where applicable. Agreed through a PPA. Advice from Officers specialising in the Heritage Assets, Urban Design or Landscaping may also be required and is included where required.</p>	<p>(1-15 conditions) 3,275 (15+ conditions) 5,460</p>

Fast Track Service

Fast track service fee payable in addition to standard planning application fee	Unit	2023/24 (£)	2024/25 (£)	Change
Householder planning application (five-week service)	Each	N/A	350.00	NEW
Householder certificate of proposed lawful development (three-week service)	Each	N/A	150.00	NEW

Copy documents

Copy documents	Unit	2023/24 (£)	2024/25 (£)	Change
Tree Preservation Order	Each	32.00	34.00	6.3%
Planning Decision Notice	Each	15.00	16.00	6.7%
S106 etc.	Each	21.00	22.50	7.1%
Enforcement Notice	Each	17.00	18.00	5.9%

Planning Policy

Self and Custom Build Register

Self and Custom Build Register	Unit	2023/24 (£)	2024/25 (£)	Change
Registration Fee	Per Entry	35.00	37.50	7.1%
Fee to remain on the register (annual)	Per Entry	7.50	8.00	6.7%

Officer Rates

Officer Role	Unit	2023/24 (£)	2024/25 (£)	Change
Officer Rate - Head of Place Development	Per hour	229	243	6.1%
Officer Rate - Planning Development and Enforcement Manager	Per hour	197	209	6.1%
Officer Rate - DM Principal Planning Officer	Per hour	132	140	6.1%
Officer Rate - DM Planning Officer	Per hour	113	120	6.2%
Officer Rate - Enforcement Officer	Per hour	99	105	6.1%
Officer Rate - Principal Policy Officer	Per hour	132	140	6.1%
Officer Rate - Policy Officer	Per hour	113	120	6.2%
Officer Rate - CIL and S106 Officer	Per hour	157	167	6.4%
Officer Rate - Planning Policy Manager	Per hour	197	209	6.1%
Officer Rate - Urban Design Officer	Per hour	113	120	6.2%
Officer Rate - Conservation and Design Officer	Per hour	113	120	6.2%
Officer Rate - Tree Officer	Per hour	113	120	6.2%
Officer Rate - Environmental Health Officer	Per hour	132	140	6.1%
Officer Rate - Highways Officer	Per hour	132	140	6.1%
Officer Rate - Strategic Housing Manager	Per hour	132	140	6.1%

Officer Role	Unit	2023/24 (£)	2024/25 (£)	Change
Officer Rate - Business Support Assistant	Per hour	79	84	6.3%

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Description	Unit	2023/24	2024/25	% Change
Acupuncture, earpiercing and electrolysis				
New (2 or more practitioners)	Per licence	415	440	6.0%
New (small business - 1 practitioner)	Per licence	340	360	5.9%
Register additional named qualified practitioners	Per licence	105	112	6.7%
Animal Welfare				
Hiring Horses	Per licence	222	235	5.9%
Hiring Horses - 1 or 2 horses	Per Application	400	425	6.3%
Hiring Horses - Over 10 horses	Per Application	525	560	6.7%
Hiring Horses 3 to 10 horses	Per Application	460	490	6.5%
Animal Welfare - Pet Shop	Per Licence	190	205	7.9%
Animal Welfare - Pet Shop - 1 or 2 species	Per Application	270	290	7.4%
Animal Welfare - Pet Shop - 3 or more species	Per Application	395	420	6.3%
Animal Welfare - Keeping or Training animals for exhibition				
Performing Animals (plus veterinary costs as incurred)	Per application	395	420	6.3%
Performing Animals - Ad hoc	Per Event	64	68	6.3%
Performing Animals (plus veterinary costs incurred)	Per licence	64	68	6.3%
Animal Welfare (Boarding, Day Care, Breeding, Kennels & Catteries)				
Initial Fee (New) plus licence fee as scoring matrix	Per licence	190	205	7.9%
Existing licence	Per 1 Year licence	395	420	6.3%
Existing licence	Per 2 Year licence	470	500	6.4%
Existing licence	Per 3 Year licence	615	655	6.5%
Variation to reduce number of animals	Per Application	32	34	6.3%
Variation/Star Rating	Per Application	95	100	5.3%
Additional/Advisory Visits	Per visit	65	70	7.7%
Transfer following death of Licensee	Per Application	32	34	6.3%
Animal Welfare Additional Activities	25% of standard fee			N/A

Description	Unit	2023/24	2024/25	% Change
Other Licences				
Caravan Site - New	Per licence	420	445	6.0%
Caravan Site - Renewal	Per licence	420	445	6.0%
Licensing - Rapid Service Fee	25% Additional to Standard Fee			N/A
Replacement Registration/Badge	Per registration	28	30	7.1%
Replacement/Copy of Licence (from 'Other' Category)	Per licence	28	30	7.1%
Scrap Metal Dealers - Collector New	Per Licence	380	405	6.6%
Scrap Metal Dealers - Collector Variation	Per Application	380	405	6.6%
Scrap Metal Dealers - Site New	Per Licence	480	510	6.3%
Scrap Metal Dealers - Site Variation	Per Application	480	510	6.3%
Tattooing- Register Business Premises and all Listed Qualified Practitioners- New	Per licence	450	480	6.7%
To keep dangerous wild animals (veterinary costs)	Per licence	310	330	6.5%
Zoo Licence - 6 year renewal	Per licence	7,000	7,450	6.4%
Zoo Licence - Grant (4 year licence)	Per licence	4,665	4,950	6.1%
Sex Establishment				
New Licence (Shops, sex encounter premises & cinemas)	Per licence	6,250	6,625	6.0%
Transfer application	Per Application	360	382	6.1%
Variation or renewal	Per licence	3,275	3,475	6.1%
Variation or renewal no Hearing	Per licence	1,700	1,805	6.2%

Description	Unit	2023/24	2024/25	% Change
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Vehicle Licensing

Driver and vehicle licences (once online facility is available)

10% discount for online applications

Hackney Carriage Drivers	Epsom & Ewell only - 3 years	330	330	0.0%
Hackney Carriage Vehicles	Epsom & Ewell only	330	330	0.0%
Private Hire Drivers	Three years	285	285	0.0%
Private Hire Vehicle (Hybrid/Electric Vehicle)	One year	250	250	0.0%
Private Hire Vehicles	One year	320	320	0.0%
Change of vehicle	Per transfer	160	160	0.0%
Duplicate/replacement licence	Per item	18	18	0.0%
ID badge	Per item	23	23	0.0%
Internal Plate and holder	Per item	13	13	0.0%
Knowledge Test (Hackney Carriage)	Per test	95	95	0.0%
Knowledge Test (Private Hire)	Per test	N/A	66	NEW
Knowledge Test (School run only)	Per test	45	45	0.0%
Missed appointment (without notice excuse) or reasonable	Per appointment	65	65	0.0%
Replacement HCV plate	Per item	32	32	0.0%
Replacement Plate	Per item	22	22	0.0%

Private Hire Operators alternative annual licence

One year (1/3 fee of 5 years licence)

Private Hire Operators New/Renewal 1-5 vehicles	Five years	1,170	1,170	0.0%
Private Hire Operators New/Renewal 26+ vehicles	Five years	2,220	2,220	0.0%
Private Hire Operators New/Renewal 6-25 vehicles	Five years	1,700	1,700	0.0%

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REVISED COMMUNITY INFRASTRUCTURE LEVY INSTALMENTS POLICY

Head of Service:	Justin Turvey, Interim Head of Place Development
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1: Epsom and Ewell CIL Instalment Policy (April 2024) Appendix 2: CIL Instalment Policies for Surrey CIL charging authorities

Summary

Epsom and Ewell Borough Council adopted its Community Infrastructure Levy (CIL) charging schedule on 29 April 2014 to take effect from the 1 July 2014. This introduced a CIL charge for each square metre of floor area in new developments of eligible residential, convenience retail, student accommodation and care homes granted planning permission.

The Council's Community Infrastructure Levy Instalment Policy came into effect on 1 July 2014. The policy is now over nine years old and has therefore been reviewed following a benchmarking process with neighbouring local planning authorities.

It is recommended that the CIL instalment policy is updated to increase the thresholds for when CIL liable developments pay in instalments.

Recommendation (s)

The Committee is asked to:

- (1) Adopt the Epsom and Ewell CIL Instalment Policy (November 2023) attached as Appendix 1 to come into effect on the 1 April 2024 and supersede the current CIL Instalment Policy on this date.**

1 Reason for Recommendation

- 1.1 The proposed changes to the Council’s Community Infrastructure Levy (CIL) Instalments Policy are recommended to reduce the amount of time it takes the council to receive CIL income following commencement of liable developments and reduce the administrative requirements upon the Council in administering CIL.

2 Background

- 2.1 The process for the introduction and operation of CIL is guided by the Community Infrastructure Levy Regulations which have been amended numerous times since first introduced in 2010. This report relates to the payment of CIL following commencement of a chargeable development and not the CIL rates charged in the borough.
- 2.2 The Council introduced CIL charging on 1st July 2014 and the CIL charges are indexed on an annual basis. To demonstrate the effects of indexation, the current indexed CIL rate for residential dwellings (C3) is £199.27 per square metre for applications determined in 2024, this compares to the rate of £125 per sqm that applied in July 2014 when CIL charging commenced in the borough, an increase of 59%. The CIL rates are forecast to increase again for 2024.
- 2.3 The CIL Regulations set a default requiring full payment of the levy charge within 60 days of commencement of the chargeable amount. However, under Regulation 69B of the CIL Regulations 2010 (as amended) it is permissible for a CIL Charging Authority to establish an instalment policy, offering developers more flexible payment arrangements.
- 2.4 The Councils introduced a Community Infrastructure Levy Instalment Policy that came into effect the same date that CIL charging commenced in the borough, 1 July 2014.
- 2.5 The current instalment policy is detailed in Table 1 below and is triggered on chargeable amounts above £12,500, anything under £12,500 is a single payment due in 90 days.

Table 1 – EEBC Instalment Policy (July 2014)

Total CIL Liability	Instalment Policy
Under £12,500	One payment at 90 days after commencement
£12,500 to £50,000	Two equal instalments at 90 and 180 days after commencement
Greater than £50,000	Three equal instalments at 90, 180 and 270 days after commencement

- 2.6 The commencement of development triggers the payment of CIL and the issuing of a CIL Demand Notice. A key requirement of the Demand Notice is to explain the payment periods in accordance with the adopted instalment policy.
- 2.7 As a charging authority we can bring into effect a new instalment policy at any time. However, any new instalment policy will only apply to chargeable developments commencing after the new instalment policy comes into effect. CIL is therefore payable in accordance with the instalment policy that was in place at the time of commencement of the chargeable development. The date the new instalment policy takes effect, must be no earlier than the day after the instalment policy is published on the website.
- 2.8 As detailed in paragraph 2.2, there is discretion for each CIL charging authority to set their own instalment policy. The flexibility of offering instalments can be beneficial to developer’s cash flow, particularly for small developers, of which there are a number who operate within the borough. However, the disadvantage of offering instalments is that it creates additional administration requirements on the council and delays the receipt of CIL revenues.

Benchmarking

- 2.9 Having undertaken a benchmarking exercise with other CIL authorities in the local area, officers note the current instalment is generally much lower than other authorities. Table 2 below details the ‘trigger’ for CIL payment by instalments in other Surrey Local Planning Authorities. Extracts of each of the local authority’s instalment policies are also detailed in Appendix 2.

Table 2 – Triggers of other Surrey Authority instalment policies

Charging Authority	Single payment value and payment terms	CIL instalment policy trigger
Tandridge	Not applicable	All development eligible for payment in instalments
Spelthorne	Less than £10,000 Payment within 90 days of commencement	Over £10,000
Elmbridge Borough Council	Less than £12,500 Single payment 90 days after commencement	Over £12,500

Mole Valley District Council	Less than £50,000 Single payment 60 days after commencement	Over £50,000
Reigate and Banstead	Less than £50,000 Single payment 60 days after commencement	Over £50,000
Surrey Heath	Less than £50,000 Single payment 60 days after commencement	Over £50,000
Runnymede	Less than £50,000 Single payment 60 days after commencement	Over £50,000
Waverley	Less than £100,000 Single payment 90 days after commencement	Over £100,000

2.10 Table 2 demonstrates the significant variation in the trigger CIL value that enables developers of CIL liable developments to pay in instalments. From the sample £50k is the favoured amount to trigger a CIL instalment policy with payment typically being due 60 days after commencement.

3 Recommendation

- 3.1 Officers recommend that the Council as the Charging and Collecting Authority of CIL monies raise the thresholds for payment by instalment and reduce the time periods for payment from the commencement date. This will mean that the council receives CIL income more promptly following the commencement of development and reduces administrative requirements for the Council.
- 3.2 It is recommended that the instalment policy (attached as Appendix 1) and summarised in Table 3 overleaf is adopted to come into effect on 1 April 2024.

Table 3 – Proposed instalment policy to come into effect 1 January 2024.

Amount of CIL Liability	Number of instalment payments	Amount of proportion of CIL payable in any instalment/time at which payments are due
Amount £25,000 or less	Single Instalment	Total amount payable within 60 days of commencement of development
Amount £25,001 to £100,000	Two Instalments	50% payable within 60 days of commencement date 50% payable within 180 days of commencement date
Amount £100,001 or more	Three Instalments	Three equal instalments at 60, 180 and 270 days after commencement

- 3.3 It is considered that the proposed instalment policy to take effect from 1 April 2024 strikes the right balance by retaining an instalment policy that will not impact the deliverability of development in the borough, whilst reducing the amount of time it takes for the Council to receive CIL income to fund infrastructure delivery and reducing administrative requirements.

4 Risk Assessment

Legal or other duties

4.1 Equality Impact Assessment

4.1.1 None arising from this report.

4.2 Crime & Disorder

4.2.1 None arising from this report.

4.3 Safeguarding

4.3.1 None arising from this report.

4.4 Dependencies

4.4.1 None arising from this report.

4.5 Other

4.5.1 None arising from this report.

5 Financial Implications

5.1 The introduction of a revised instalment policy will reduce the administrative burdens on the local authority as a CIL charging authority and reduce the amount of time it takes to receive CIL income from CIL liable developments after they have commenced.

5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

6 Legal Implications

6.1 The Community Infrastructure Levy Regulations 2010 (as amended) set out the legal framework for the operation of CIL. And set a default requiring full payment of the levy charge within 60 days of commencement of the chargeable amount. However, under Regulation 69B of the CIL Regulations it is permissible for a CIL Charging Authority to establish an instalment policy, offering developers more flexible payment arrangements.

6.2 **Legal Officer's comments:** As above

7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priority is engaged: work with partners to develop and improve transport and infrastructure.

7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report.

7.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.

7.5 **Partnerships:** None arising from the contents of this report.

8 Background papers

8.1 The documents referred to in compiling this report are as follows:

- Epsom & Ewell Borough Council Community Infrastructure Levy (CIL) Instalment Policy published on the Council's website on July 2014.

<https://www.epsom-ewell.gov.uk/sites/default/files/documents/residents/planning/planning-policy/CIL%20Instalment%20Policy.pdf>

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Community Infrastructure Levy (CIL) Instalment Policy

1st April 2024

Contents

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2. Application of instalment Policy	2
3. Instalments.....	3

1. Introduction

- 1.1 The CIL Regulations set a default requiring full payment of the Levy charge within 60 days of the commencement of the chargeable development. However, under Reg 69B of the Community Infrastructure Levy (CIL) 2010 (as amended) it is permissible for a CIL Charging authority to establish an Instalment Policy, offering developers more flexible payment arrangements.
- 1.2 In accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended), Epsom & Ewell Borough Council will automatically allow the payment of CIL by instalments. The instalments permitted will be linked to the amount payable (the chargeable amount) as recorded on the Demand Notice.
- 1.3 The EEBC Instalment Policy will be effective from the 1st April 2024 and will supersede the previous EEBC instalment policy 1st July 2014 on this date.

2. Application of the Instalment Policy

- 2.1 Regulation 70 of the CIL Regulations 2010 (as amended) sets out the requirements that must be complied with to benefit from the CIL Instalment Policy.
- 2.2 The CIL Instalment Policy will apply in the following circumstances.
- (1) Where a person(s) has submitted a valid CIL Form 2, **Assumption of Liability** form prior to the commencement of development Regulation 70 (1)(a),
 - (2) Where the Council has received a valid CIL Form 6, **Commencement Notice** prior to commencement of development Regulation 70 (1)(b), and
 - (3) Where Epsom and Ewell Borough Council has **not** determined a deemed commencement date for the chargeable development Regulation 70 (1)(c) and therefore, payment is required in full, in accordance with Regulation 71 of the CIL Regulations 2010 (as amended)
- 2.3 Where a phased permission is granted, Regulation 9(4) requires that each phase is treated as a separate chargeable development. Each phase of the development as agreed by Epsom & Ewell Borough Council is a separate chargeable development and the instalment policy will, therefore, apply to each separate chargeable development and associated separate liable amount chargeable.
- 2.4 Circumstances where the instalment policy does **not** apply;
- 1) A person has failed to notify Epsom & Ewell Borough Council of a disqualifying event before the end of 14 days beginning with the day on which the disqualifying event occurs, as per the Community Infrastructure Regulations 2010 (as amended)
 - 2) An instalment payment has not been made in full after the end of the period of 30 days beginning with the day on which the instalment payment was due, as per the Community Infrastructure Regulations 2010 (as amended)
- 2.5 Where the instalment policy is not applicable, the amount must be paid in full at the end of the period of 60 days beginning with the notified or deemed commencement date of the chargeable development or the date of the disqualifying event, whichever is the earliest, unless specified otherwise within the Community Infrastructure Levy Regulations 2010 (as amended).

2.6 Where the instalment policy does not apply, the chargeable amount is due in full on the notified deemed commencement date of the chargeable development or the date of the disqualifying event, whichever is the earliest. Surcharges may apply for failure to assume liability, and in accordance with Regulation 83, failure to submit a valid Commencement Notice before development commences will result in the Council imposing a surcharge equal to 20% of the chargeable amount due, up to a maximum of £2,500.00.

3.Instalment Policy

Epsom & Ewell Borough Council Instalment Policy		
Amount of CIL Liability	Number of Instalment Payments	Amount of proportion of CIL payable in any instalments/time at which payments are due
Amount £25,000 or less	Single Instalment	Total amount payable within 60 days of commencement of development
Amount £25,001 to £100,000	Two Instalments	50% payable within 60 days of commencement date 50% payable within 180 days of commencement date
Amount £100,001 or more	Three Instalments	Three equal instalments at 60, 180 and 270 days after commencement

This policy came into effect on 1 April 2024, the date of the adoption of the Epsom & Ewell Borough Council Community Infrastructure Levy Charging Schedule 2014.

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Appendix 2 - Triggers of other Surrey Authorities instalment policies

1. Reigate and Banstead

Total CIL liability	Number of instalments	Payment period and amount payable
Amount less than £50k	Single instalment	100% payable within 60 days of commencement date
Amount above £50k but less than £200k	Two instalments	50% payable within 60 days of commencement date 50% payable within 240 days of commencement date
Amount above £200k but less than £500k	Three instalments	25% payable within 60 days of commencement date 50% payable within 240 days of commencement date 25% payable within 480 days of commencement date
Amount above £500k	Three instalments	25% payable within 60 days of commencement date 50% payable within 360 days of commencement date 25% payable within 720 days of commencement date
If the chargeable development is completed before the chargeable amount has been paid in full, the outstanding amount will be due IN FULL within the instalment time given above or within 60 days of the date of completion, whichever is the lesser, unless otherwise agreed in writing with the Council PRIOR to commencement of development.		

This policy will come into effect on 1 April 2016, the date on which the Reigate & Banstead Community Infrastructure Levy Charging Schedule takes effect.

2. Mole Valley District Council

CIL Instalments Policy	
Chargeable amount	Amount payable from commencement
up to £50,000	One payment within 60 days
£50,001 - £250,000	Two equal payments within 90 days and 180 days
£250,001 - £1million	Three equal payments within 90, 180 and 270 days
over £1million	Phasing preferred, alternatively three equal payments within 90, 180 and 270 days

3. Surrey Heath Borough Council

Chargeable amount less than £50,000

1. Full payment required within 60 days of commencement date or prior to completion of 1st dwelling whichever is the sooner.

Chargeable amount £50,000 to £250,000

1. First instalment representing 25% of chargeable amount required within 90 days of commencement date or prior to completion of 25% of dwellings whichever is the sooner.
2. Second instalment representing 25% of chargeable amount required on completion of 50% of dwellings.
3. Final instalment representing 50% of chargeable amount required on completion of 75% of dwellings.

Further details can be found [Surrey Heath Borough Council](#)

4. Elmbridge Borough Council

Our instalment policy is:

- CIL of under £12,500: due at 90 days after commencement
- CIL of between £12,500 and £50,000: 2 equal instalments due at 90 and 180 days after commencement
- CIL of over £50,000: 3 equal instalments due at 90, 180 and 270 days after commencement

5. Tandridge District Council

Total CIL liability	Number of instalments	Amount payable and payment period
Amount is less than £250,000	Payable in three instalments	1 st instalment of 25% payable within 120 days of commencement date 2 nd instalment of 50% payable within 270 days of commencement date 3 rd instalment of 25% payable within 450 days of commencement date
Amount is greater than £250,000	Payable in three instalments	1 st instalment of 25% payable within 120 days of commencement date 2 nd instalment of 50% payable within 365 days of commencement date 3 rd instalment of 25% payable within 730 days of commencement date
Amount is greater than £500,000	Payable in three instalments	1 st instalment of 25% payable within 120 days of commencement date 2 nd instalment of 50% payable within 450 days of commencement date 3 rd instalment of 25% payable within 820 days of commencement date
NB: If any part of the chargeable development is completed before the chargeable amount has been paid in full then the outstanding amount will be due in full within the instalment time given or 60 days whichever is the lesser.		

6. Waverley Borough Council

Amount of CIL Liability	Number of Instalment Payments	Amount or proportion of CIL payable in any instalment/ time at which payments are due
Less than £100,000	No instalments	Total amount payable within 90 days of commencement of development.
Equal to or greater than £100,000 and less than £500,000	Two	The greater of £100,000 or 50% of the value of the total payable amount within 90 days of commencement of development. Balance payable within 360 days of commencement of development.
Equal to or greater than £500,000 and less than £2,000,000	Three	25% of the value of the total amount payable within 90 days of commencement of development Additional 25% of the value of the total amount payable within 360 days of commencement of development Balance payable within 540 days of commencement of development.
Equal to or greater than £2,000,000	Four	25% of the value of the total amount payable within 90 days of commencement of development Additional 25% of the value of the total amount payable within 360 days of commencement of development Additional 25% of the value of the total amount payable within 540 days of commencement of development Balance payable within 720 days of commencement of development.

7. Spelthorne Borough Council

Total CIL liability	Number of instalments	Percentage payment	Calendar days
Amounts less than £10,000	0	100%	Within 90 days of commencement
Amounts equal to or greater than £10,000 and less than £50,000	2	50%	Within 90 days of commencement
		50%	Within 180 days of commencement
Amounts equal to or greater than £50,000 but less than £100,000	3	25%	Within 90 days of commencement
		25%	Within 180 days of commencement
		50%	Within 270 days of commencement
Amounts equal to or greater than £100,000 but less than £500,000	3	25%	Within 180 days of commencement
		25%	Within 270 days of commencement
		50%	Within 360 days of commencement
Amounts equal to or greater than £500,000	4	25%	Within 180 days of commencement
		25%	Within 270 days of commencement
		25%	Within 360 days of commencement
		25%	Within 540 days of commencement

8. Runnymede Borough Council

CIL liability (£)	Number of instalments	Amount or proportion of CIL payable in any instalment and timing of Instalment
Less than £50,000	1	Full payment required within 60 days of commencement date
£50,000 to £499,999.99	2	First instalment representing 50% of the total payable within 90 days of commencement date. Balance payable within 360 days of commencement date.
£500,000 to £999,999.99	3	First instalment representing 25% of the total payable within 90 days of commencement date. Additional 25% of the total payable within 360 days of commencement date. Balance payable within 540 days of commencement date
£1,000,000 to £2,000,000	4	First instalment representing 25% of the total payable within 90 days of commencement date. Additional 25% of the total payable within 360 days of commencement date. Additional 25% of the total payable within 540 days of commencement date. Balance payable within 720 days of commencement date
Greater than £2,000,000	5	First instalment representing 20% of the total payable within 90 days of commencement date

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COMMUNITY INFRASTRUCTURE LEVY (CIL) SPENDING PROTOCOL

Head of Service:	Justin Turvey, Interim Head of Place Development
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1 - Epsom and Ewell Community Infrastructure Levy Spending Protocol

Summary

The report seeks the approval of a CIL spending protocol which will provide a framework for how the council allocates Community Infrastructure Levy funding that has been received from eligible developments in the borough to contribute towards the delivery of infrastructure.

Recommendation (s)

The Committee is asked to:

- (1) Approve the proposed framework for determining CIL spending (Spending Protocol) attached at Appendix 1.**

1 Reason for Recommendation

- 1.1 To provide the Council with a robust and transparent process for the allocation of CIL funding

2 Background

- 2.1 On 29 April 2014 EEBC adopted the CIL Charging Schedule which came into effect on 1st July 2014.

- 2.2 CIL monies are to mitigate the cumulative impact of development but are rarely sufficient to fund all of the infrastructure that is required to support development of an area. Therefore, to ensure that they are used effectively, they should be prioritised to funding and delivering essential infrastructure. A spending protocol helps make clear and transparent decisions around spending of CIL.

Spending CIL

- 2.3 Legislation sets some parameters for the way in which CIL can be used. For most authorities, including EEBC, the breakdown of how CIL receipts are ring-fenced and spent is as follows:
- 75–85% of receipts on infrastructure projects – the provision, improvement, replacement, or operation of infrastructure to support the development of the area. The charging authority decides what these priorities are and when and where to spend CIL. This can be outside an authority area, providing it addresses the impacts of development within it.
 - 15% (capped at £100 plus indexation per dwelling) rising to 25% (uncapped) in areas with an adopted neighbourhood plan for spend within the neighbourhood within which the CIL was received. These receipts must be spent on projects that support development of the area but is not limited to infrastructure. In areas with parish councils or community councils these funds are passed to them. Outside of these areas the council should engage with communities on how the money should be spent.
 - 5% of CIL receipts in the first 3 years of operation and annually thereafter can be spent on the cost of administering CIL. These administration costs can include staff, software and, in the first three years of charging CIL, costs associated with setting the CIL Charge.
- 2.4 CIL is designed to address cumulative impacts of development and must be used in line with the CIL regulations. CIL cannot be used to remedy existing deficiencies (unless those deficiencies will be made more severe by new development) undertake maintenance of existing infrastructure, or remedy demands from population growth driven by other factors such as birth rates. Both strategic and neighbourhood CIL should only be used to deal with the impact of development. There are no time limits on the main CIL spend, however, there are time limits on the neighbourhood portion.

CIL Strategic

- 2.5 The levy can be used to fund infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. Local authorities must spend the levy on infrastructure needed to support development of their area. CIL can be used to increase the capacity of existing infrastructure or provide new infrastructure that is necessary to support development. The clearest way to justify this is to link it to the Council’s Infrastructure Delivery Plan that supports the Local Plan. Charging authorities may not use the levy to fund affordable housing as this is still dealt with through s106 obligations.

CIL Neighbourhood pot

- 2.6 As there are no parish or town councils in the borough, EEBC retains the levy receipts and should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding and should demonstrate how it has engaged (e.g., using regular communication tools for example, website, newsletters, etc).
- 2.7 The Neighbourhood portion can be used to fund a wider range of spending, including affordable housing but it must still be necessary to support development. Where a neighbourhood plan is in place, the Council and communities should consider how the neighbourhood portion can be used to deliver the infrastructure identified in the neighbourhood plan as required to address the demands of development.

CIL Funding held by the Council

- 2.8 Table 1 below, summarises the funding held under the strategic and community fund pots as 31st March 2023 (as detailed in para 2.4).

Table 1 – CIL funding received and unallocated as of 31 March 2023

	Strategic Fund (80%) £'000	Neighbourhood Fund (15%) £'000
CIL Funds held at 31 March 2023	7,228	1,355
Unallocated CIL funds at 31 March 2023	5,998	1,229

- 2.9 Table 2 above demonstrates that as of March 2023, there was just under £6m of funding un-allocated in the borough’s Strategic CIL fund and over £1.2m of unallocated funding in the Neighbourhood fund. It is therefore important that a mechanism is in place to enable this funding to be spent to deliver infrastructure in the borough.

Previous arrangements for spending CIL

- 2.10 On 29 September 2015, a report to the Strategy and Resources Committee was presented setting out the proposed governance arrangements for CIL. On 17 April 2018, the Strategy and Resources Committee agreed a pilot scheme for Neighbourhood CIL that was launched in May 2018. On 2 April 2019, the Strategy and Resources Committee agreed a permanent arrangement for spending the Neighbourhood CIL 15% monies.
- 2.11 It should be noted that there have been significant changes to legislation since this time and best practice published in relation to the spend of CIL receipts. A fit for purpose, robust and transparent process that complies with legislation is therefore required.

Proposed spending protocol

- 2.12 A spending protocol has been prepared to provide a transparent decision-making process for the spending of the Community Infrastructure Levy in the borough.
- 2.13 The spending protocol (attached as Appendix 1) set out a protocol governing the process and criteria for selecting infrastructure projects for funding through CIL. It is important to note that the document is intended as a framework rather than a fixed set of rules, as it is necessary to retain sufficient flexibility in the process to allow for changing circumstances, for example, if national guidance on CIL spend or local policy priorities change.

Approach to Strategic CIL

- 2.14 The spending protocol proposes an annual spending round where stakeholders involved in development and in delivery of infrastructure, will be invited to put forward projects and/or programmes for funding through strategic CIL. The Council is particularly keen to hear from organisations with the responsibility and/or ability to deliver the projects/programmes identified in the Infrastructure Delivery Plan.
- 2.15 A two-stage process for reviewing bids is proposed:
- Stage 1 - All bids will be assessed technically for compliance with the regulations at stage one by the CIL team,
 - Stage 2 – bids that pass stage one will be shortlisted and the organisation that submitted the bid will be invited to present their projects at a workshop of the CIL Member Working Group.

- 2.16 Following the workshop, the CIL Member Working Group, advised by the CIL team, will prioritise projects in accordance with the Eligibility and Prioritisation Criteria set out in Section 4 of this document.
- 2.17 The CIL Funding Proposal will be presented to the Licensing and Planning Policy Committee for agreement. For any spend over £50,000, this will then be referred to Strategy and Resources (S&R) Committee for ratification in line with the Council’s Financial Regulations.
- 2.18 The anticipated timetable for the Strategic CIL bid process is detailed in Table 2.

Table 2 – Strategic CIL process – anticipated timetable

Date	Process
Jan-March	Engagement with internal and external infrastructure providers
April	Update to the Infrastructure Delivery Plan
May - June	Bidding open
June-September	Assessment of bids by CIL MWG
November	Spending Decision made (Funding proposal) by LPPC
December	Notification of outcome

Neighbourhood CIL

- 2.19 As an un-parished borough, the Council retains the CIL Neighbourhood Funds and allocates it to community projects across the borough, having regard to where development has taken place or is planned to take place.
- 2.20 This is considered to be the fairest way to allocate funds, with all community groups and organisations bidding for money having an equal chance to access the funds collected into the Neighbourhood Portion. It means that the merits of all bids can be assessed fairly against eligibility and prioritisation criteria and allows funding for eligible projects to be maximised rather than being limited by the availability of funds in smaller sub-areas.
- 2.21 There is one exception to the above, in any area in the borough that that has an adopted Neighbourhood plan, 10% of the total CIL funding generated in the area will be ringfenced for use in the neighbourhood plan area.
- 2.22 A two-stage process for reviewing bids is proposed:
- Stage 1 - All bids received will be assessed technically for compliance with set standards at stage one by the CIL team,

- Stage 2 – bids that pass stage one will be prioritised by the Member Working Group, advised by the CIL team. Following this there will be a briefing for ward councillors.

2.23 The proposed funding allocation for the neighbourhood portions will be presented by the CIL Member Working group to the Licensing and Planning Policy Committee for approval. As is the case for the Strategic CIL, any spend over £50,000, this will then be referred to Strategy and Resources Committee.

Table 3 – Neighbourhood CIL process

Date	Process
April	Advertise bidding timetable
May-June	Bidding open
June-September	Assessment of bids by CIL MWG
November	Spending Decision made by LPPC
December	Notification of outcome

3 Risk Assessment

3.1

Legal or other duties

3.2 Equality Impact Assessment

3.2.1 None

3.3 Crime & Disorder

3.3.1 None

3.4 Safeguarding

3.4.1 None

3.5 Dependencies

3.5.1 None

3.6 Other

3.6.1 None

4 Financial Implications

- 4.1 The introduction of the CIL spending protocol will not impact the amount of CIL income received by the Council as it does not alter the CIL charging schedule. The introduction of the Spending Protocol will however increase the amount of CIL funding released by the Council to deliver strategic infrastructure projects and neighbourhood projects.
- 4.2 **Section 151 Officer's comments:** It is important that the Council introduces a Spending Protocol to ensure CIL funds can be transparently allocated to eligible projects. The Spending Protocol should be sufficiently flexible to enable investment of CIL in existing Council assets where needed, provided it can be demonstrated to meet the statutory CIL criteria.

5 Legal Implications

- 5.1 The collection and spending of CIL is governed by The Community Infrastructure Levy Regulations 2010 as amended ("the CIL Regulations"). Part 7 of the CIL Regulations sets out how CIL may be applied and in particular Regulation 59(1) places a duty on the Council to apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. The recommendation to introduce a CIL spending protocol meets these requirements.
- 5.2 **Legal Officer's comments:** As set out above

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- Work with partners to develop and improve transport and infrastructure with particular emphasis on sustainable travel options. Promote Epsom & Ewell as a great place to live, work and study, and encourage inward investment.
- 6.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:**
- 6.4 There are no climate or environmental implications from this report. However, CIL funding could be utilised to deliver projects that benefit the environment.
- 6.5 **Sustainability Policy & Community Safety Implications:**
- 6.6 There are no sustainability or community safety implications from this report.
- 6.7 **Partnerships:**

6.8 There are no partnerships issues arising from this report.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Strategy and Resources – 2 April 2019 – Scheme for the allocation of CIL 15% (Community Infrastructure Levy):

<https://democracy.epsom-ewell.gov.uk/documents/s12322/Scheme%20for%20the%20allocation%20of%20CIL%2015%20Community%20Infrastructure%20Levy%20.pdf>

- Strategy and Resources – 17 April 2018 – Allocation of local spending element of the Community Infrastructure Levy (15%):

<https://democracy.epsom-ewell.gov.uk/documents/s8854/Allocation%20of%20local%20spending%20element%20of%20the%20Community%20Infrastructure%20Levy%20CIL%2015.pdf>

- Strategy and Resources – 29 September 2015 – Community Infrastructure Levy (CIL): Proposed Governance Arrangements

<https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=132&MId=97>

CIL Spending Protocol

(Full bidding process)

January 2024



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A. CIL Spending Protocol

1. Introduction & Overview

- 1.1 Epsom and Ewell Borough Council is responsible for making the decisions on the allocation of funds raised through the Community Infrastructure Levy (CIL). This will be achieved through an annual process. The aim of this Protocol is to ensure that the decision-making process for spending the levy is transparent.
- 1.2 CIL is a levy that allows the Council to raise funds from developers in recognition of the fact that new development creates pressure on the borough's infrastructure. The purpose of the levy is to give councils more choice and flexibility in how they fund the infrastructure needed to support local growth.
- 1.3 The majority of the funds collected are to be used for strategic projects, with 15% set aside for the 'Neighbourhood Portion' (subject to capping as per the CIL Regulations; and increasing to 25% where a neighbourhood plan is in place). 5% of CIL receipts are used for administration. Different processes and principles govern the spending of the Strategic CIL funds and the Neighbourhood Portion, as set out in sections 2 and 3 of this Protocol.
- 1.4 Allocation decisions are based on funds available at the end of the monitoring year, that is funds available as at 31 March of the year before decisions are made.

Status of this document

- 1.5 This document sets out the Epsom and Ewell Borough specific protocol governing the process and criteria for selecting infrastructure projects for funding through CIL. It is intended as a framework rather than a fixed set of rules, as it is necessary to retain sufficient flexibility in the process to allow for changing circumstances, for example, if national guidance on CIL spend or local policy priorities change, or if the level of bids in relation to the level of funding changes drastically. At the beginning of each spending round, the Council will therefore review the fitness for purpose of the process and the detailed criteria within it. Amendments will only be made where they are necessary to ensure an up-to-date fair assessment and funding allocation process.

2. Monitoring and Reporting

- 2.1 The progress of projects that have been allocated funding will be monitored, with project leads expected to report to the CIL team with their progress on delivery. Where projects are not delivered to the agreed timescale or are unlikely to be delivered due to a change in circumstances (see details in sections 2 and 3), the funds will be returned to the relevant funds for reallocation to other projects. The Council may also wish to report and publicise successes that have resulted from CIL funding. In accepting CIL Funds, organisations agree to details of the project being included in reports and publicity around CIL funding. The Council may approach organisations for additional material such as photographs or quotes for use in press releases. In this context, all data will be handled in line with Data Protection requirements and the Council's Privacy Policy.
- 2.2 The Council will monitor CIL receipts and spends and the sum remaining in the fund each year. The CIL Regulations require the Council to produce and publish an Infrastructure Funding Statement annually with this information.

B. Strategic CIL Spending Protocol

3. Allocation of Funds: Strategic CIL

- 3.1 The Strategic CIL Pot, approximately 80% of collected funds, will be used by Epsom and Ewell Borough Council to deliver infrastructure to support development across the borough, such as road schemes, cycle ways and open spaces.
- 3.2 National CIL regulations require charging authorities use CIL for:
funding the provision, improvement, replacement, operation, or maintenance of infrastructure to support the development of its area.
- 3.3 The levy can therefore be used to fund new infrastructure, increase the capacity of existing infrastructure or to repair failing existing infrastructure, as long as the spend is necessary to support development. CIL cannot be used to fund solutions to existing problems unless those problems are made worse as a result of new development. For the purposes of CIL “Infrastructure” includes roads and other transport facilities, schools and other educational facilities, medical facilities, sporting and recreational facilities, and open spaces.
- 3.4 CIL receipts can only be spent on capital projects, although associated revenue spending to maintain those capital items is also permissible when combined at the outset of a project.
- 3.5 Strategic funds will be prioritised to address identified infrastructure priorities outlined in the Local Plan and address the impacts of development, in line with the Regulations.
- 3.6 The Planning Service will work with both internal and external infrastructure providers to update the Infrastructure Delivery Plan for the coming year. In doing so, officers will bring together and consider knowledge from across the Council of corporate priorities, plans for development and associated infrastructure needs.
- 3.7 There is no requirement to tie the expenditure of any particular CIL receipt to a particular location or development. Since the funds will be used for strategic infrastructure projects, these are considered to benefit the whole borough.

Producing an annual Strategic CIL Funding Proposal

- 3.8 Once a year, stakeholders involved in development and in delivery of infrastructure, will be invited to put forward projects and/or programmes for funding through CIL. The Council is particularly keen to hear from organisations with the responsibility and/or ability to deliver the projects/programmes identified in the Infrastructure Delivery Plan.
- 3.9 A sample form for bids is included at Section 5. All bids will be assessed technically for compliance with the regulations at stage one by the CIL team, only shortlisted bids that meet the technical requirements will progress to stage two. Organisations with shortlisted bids will be invited to present their projects at a workshop of the CIL Member Working Group. The CIL team will provide a template for the summary presentation to ensure consistency and aid comparability. Information likely to be requested includes:
 - An overview of the project

- The CIL funding ask
 - What level of match funding is provided (i.e., other funds are being used to match fund CIL)
 - Whether CIL funding would likely lever in other funds (i.e., CIL to be used to match fund other funding streams such as central government funding)
 - Why it is needed, in particular in relation to planned new development and the delivery of Council Strategies
 - How it meets the criteria for strategic infrastructure spend (see below).
- 3.10 Following the workshop, the CIL Member Working Group, advised by the CIL team, will prioritise projects in accordance with the Eligibility and Prioritisation Criteria set out in Section 4 of this document. This will also include a consideration of whether to allocate any/all funds available that year, or whether to instead retain funds with a view to future expenditure on larger infrastructure projects.
- 3.11 The CIL Funding Proposal will be presented to the Licensing and Planning Policy Committee for agreement. For any spend over £50,000, this will then be referred to Strategy and Resources (S&R) Committee for ratification in line with the Council's Financial Regulations. The anticipated timetable for decision making is set out later in Section 3 (subject to S&R ratification). The timetable will be communicated to interested parties in advance each year.

Types of recommendation

- 3.12 The CIL Member Working Group may make the following recommendations to the Licensing and Planning Policy Committee
- Funding for the scheme/programme of works is approved.
 - Funding for scheme/programme of works is approved in principle to aid leveraging in other funds. Further detail will need to be submitted and approved.
 - Funding for the scheme/programme of works is not approved on the basis that other proposed schemes have been given greater priority.
 - Funding for the scheme/programme of works is not approved on the basis that insufficient evidence has been provided to justify it.
- 3.13 These recommendations should give bidders an indication of whether they should consider bidding for this scheme again and what additional information, if anything, should be provided with any resubmission.

Spending awarded amounts

- 3.14 No funds will be released in advance of the project being delivered; rather they will be released upon completion of the project or on a staged basis agreed at the point of allocation in line with project delivery phases. In exceptional circumstances, partial release of the funds at partial completion may be considered appropriate, for example where the project falls into distinct phases. Project leads must agree this in advance through the relevant officers.
- 3.15 It is expected that projects will be delivered to the agreed timescale, and project leads are expected to make regular reports on progress, including notifying the CIL team of any expected delays to delivery. In particular towards the end of the delivery, project leads should make regular contact with the CIL team so that arrangements may be made for the timely release of funds.
- 3.16 This continual review will also serve to identify and confirm projects which because of a change in circumstances will not be delivered. Where a project will not be delivered, the agreed funds will be returned to the Strategic CIL fund for re-allocation.

Strategic CIL Interim spending decisions

- 3.17 In exceptional circumstances, it may be considered expedient to propose a spend from the Strategic CIL fund outside of the annual funding cycle. Interim spends must remain exceptional and must not be a way to avoid competing against other projects through the annual funding proposal process. Therefore, any such spend would only be acceptable where the proposed spend meets the criteria for CIL spend as set out in the regulations and this Protocol, and where:
- It would be financially expedient (for example, where CIL could be used as match funding to bid for grant funding from another body such as central government); and
 - The decision cannot wait until the next annual allocation of funds.
- Or
- Funding is needed to cover a minor overspend on an ongoing CIL funded project
- 3.18 Where it becomes expedient for a decision to be made outside of the annual preparation of the Infrastructure Funding Proposal, and the above criteria are met, interim spends must be authorised by the Licensing and Planning Policy Committee, following consideration by the CIL Member Working Group or where over £50,000 Strategy and Resources Committee for ratification in line with the Council's Financial Regulations.
- 3.19 In some circumstances, only the principle of future CIL spend will need to be established, for example to support bids for external funding or to aid project planning and feasibility work. In place of actual spending decisions, the CIL Member Working Group can assess proposals and provide advice on whether the scheme would be suitable for CIL funding. The CIL funding would still need to be bid for formally through the next bidding round.

Anticipated timetables for Strategic CIL

Date	Process
Jan-March	Engagement with internal and external infrastructure providers
April	Update to the Infrastructure Delivery Plan
May - June	Bidding open
June-September	Assessment of bids by CIL MWG
November	Spending Decision made (Funding proposal) by LPPC
December	Notification of outcome

4. Prioritisation Criteria for Strategic CIL

Stage 1: Shortlisting

Before moving to a full assessment, broad sifting of projects by the Planning Policy Team will take place. All projects will be checked against a set of basic eligibility criteria. The criteria applied for this eligibility check will be:

1. The project documentation is complete and clear
2. The project delivers clear and significant benefits to the community
3. The benefits would last long term (min 10 years)
4. The project addresses the effects of new development / supports the development of the area
5. The project relates to fixed infrastructure / 'immovable' items
6. The project goes beyond pure maintenance to improve infrastructure or provide new infrastructure
7. The project is not designed to further a religious or political agenda
8. The funding sought is for project delivery (rather than project development or feasibility)
9. The Council is not aware of other dedicated funding or delivery mechanisms for the project

Any bids not meeting these criteria will not be assessed further, although officers may ask for further information to see if these can be addressed.

Stage 2: Prioritisation of shortlisted projects

All eligible projects will then be considered for their value in supporting the development of the area.

Projects will be ranked as either 3 star (essential & time critical), 2 star (essential, but not time critical) or 1 star (desirable) in terms of their contribution and urgency to the development strategy.

Contribution to the Development Strategy

For the purposes of this assessment, the development strategy for the borough will be considered to be made up of the following plans and strategies:

- The Local Plan (emerging)
- The Local Plan evidence base (up to date evidence base for example, Transport Assessment, Open Space, Sport, and Recreation, LCWIP etc)
- An up-to-date Infrastructure Delivery Plan

Essential and time critical ★★

The project evidently contributes to the delivery of the Council's development strategy and is time critical. The infrastructure is identified as needed in the Local Plan or another part of the development strategy. These infrastructure items may be referred to as 'showstoppers' to sustainable development if not delivered by certain milestone in relation to a particular development site or group of sites. Delivery may also be urgent for other reasons (such as expediency of combining the works with other planned works), even if development that will benefit or that triggers the need for the item is expected later in the plan period.

Essential but not time critical ★★

The project evidently contributes to the delivery of the Council's development strategy but is not urgent or time critical. Projects in this category are less likely to be triggered by pressures from a particular site or groups of sites but are expected to be linked to the in-combination impact of development across the borough of the continued economic growth of the borough. While considered essential to the delivery of the development strategy for the borough, they are not immediately time sensitive.

Desirable ★

Infrastructure that is beneficial in achieving wider strategic objectives and place making ambitions. However, non-provision of the item would not mean that the Council's development strategy could not be delivered. The timing of these projects is not critical.

Since CIL is designed to deliver infrastructure to support the development of the area, funding will be prioritised for 3-star projects, followed by 2-star projects. 1-star items will be moved to the bottom of the list for consideration. These are considered lower priority and therefore will only be considered further if there are sufficient funds remaining after considering the higher priority projects. Even where this is the case, the Council may decide not to allocate funding to 'desirable' projects and instead roll over any excess funds to allocate to critical and essential projects in the following year.

The following additional criteria will be used for all projects to determine priority for funding. Each will be scored as set out below.

1. Funding is requested for a new project that has not received CIL funding previously (Yes=1, No=0)
2. The bid is supported by match funding from other sources or is likely to lever in additional funds (> or = to 75% = 3, 25%-74% = 2, <25% = 1, none = 0)
3. The project benefits the borough as a whole / offers wider as well as purely local benefits (Yes=1, No=0)
4. The project is located wholly within Epsom and Ewell Borough, or if not, the benefits will be felt mainly by Epsom and Ewell residents (Yes=1, No=0)
5. The benefits versus the cost (best value assessment) (Score 0-3, 3 being a small CIL contribution helps to deliver infrastructure that will have significant benefits, 0 being a large CIL contribution for limited benefits).

To help aid decision making the final 'best value' criteria will be used to make a judgement as to whether a project is to be awarded funding.

5. Example CIL bidding form (Strategic CIL)

PLEASE DO NOT USE THE FOLLOWING PAGES TO MAKE A BID. A SPECIFIC FORM WITH INTRODUCTORY INFORMATION, CONTACT DETAILS AND DEADLINES WILL BE PROVIDED FOR EACH FUNDING ROUND

1. Details of the project

1a) Project Title:

1b) Brief description of the Project

(Please keep this description factual and brief. Section 2 of this form allows you to explain its merits)

1c) Infrastructure Provider/Organisation making the bid

1d) Project Lead contact details

(Please give name, email, and telephone number)

2. Project Benefits

2a) Please use the box below to set out why you would like to deliver this project

(In what way would the investment improve the facility? What benefits will the project bring to the borough? What would the consequences be of not carrying out the project?)

2b) How will the scheme help support the ongoing development of Epsom and Ewell Borough, taking account of where development has or is proposed to take place and the capacity of existing infrastructure to meet those additional demands

In answering, please draw on the following documents

- The Local Plan (emerging)
- The Local Plan evidence base (up to date evidence base for example, Transport Assessment, Open Space, Sport, and Recreation, LCWIP etc)
- An up-to-date Infrastructure Delivery Plan

2c) Is the project likely to be directly linked to and necessary as a result of foreseeable development and therefore a separate S106 contribution or S278 may be justified?

3. Funding

3a) Funding Breakdown & CIL Funding Request

(Please complete the table below)

Funding source breakdown	Amount (£)	% Overall cost	Source(s)
Total project cost			
Total match funding			
Total other funding			
Requested CIL funding			
Which elements of the project are you seeking CIL funding for?			
Further notes to clarify funding breakdown if required			

3b) What other funding sources have been identified/explored? Please identify these sources below; If CIL funding is not available what is the likelihood of funding from these sources within next 5/10 years?

3c) Has the project benefited from CIL funding previously? Please give brief details of the project and which year CIL funds were granted.

3d) Is your organisation registered for VAT?

(Please answer yes or no)

4. Project Delivery

4a) Will your group / organisation be managing the delivery of the project?

4b) Does your organisation own the land / building / facility in questions? Do you need and have planning permission to implement the project?

(If your organisation is not the owner of the property in question, please give details of the owners and whether you have their permission to undertake the project)

4c) Please specify who will be responsible for ongoing maintenance and how this will be funded

4d) Please provide an outline of the implementation timetable, including key milestones.

(Milestones should include information on when the transfer of CIL funds is likely to be required, which in some circumstances will enable phased payments to be agreed. Please note that CIL funds are not released in advance of delivery. Instead, successful organisations will be reimbursed upon proof of successful completion of the project. Projects are more likely to be successful if they are a position to deliver to completion in the financial year following successful bidding)

5. Summary of your bid

Please summarise your bid in the box below in **no more than 300 words**. Ensure you cover the key points from the main body of the form so that it can stand alone.

Please note anything you include in this section is likely to form part of public papers in deciding your bids.

6. List of additional material submitted in support of this bid

We welcome additional material that will help assessors understand your project. Please list below any photographs, plans, publicity material etc you are attaching in support of your bid.

Please note any material you provide may be used in public documents. Please be aware by providing these you are giving us permission to reproduce the image(s). Please note below any items you do not wish to be used in that way.

C. Neighbourhood CIL Spending Protocol

6. Allocation of Funds: Neighbourhood Portion

- 6.1 For the Neighbourhood portion (15% of the funds collected in an area, or 25% in areas where a Neighbourhood Plan is in place), funds will be allocated through a bidding process, open to community groups and organisations, and Epsom and Ewell Borough Council to deliver infrastructure at a neighbourhood and community scale.
- 6.2 National CIL regulations require the neighbourhood portion to be used to support the development of the 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.

Neighbourhood Portion Distribution

- 6.3 Where parish councils exist, the CIL regulations require that the CIL collecting authority passes over its CIL Neighbourhood Portion receipts to the parish council to spend on local projects. Epsom and Ewell Borough is unparished, and therefore the Borough Council retains the CIL Neighbourhood Funds and allocates it to community projects.
- 6.4 Regulations do not set out at what geographical scale funding allocations in non- parished areas should be made.
- 6.5 In Epsom and Ewell, the Council has decided to allocate these funds across the whole Borough, having regard to where development has taken place or is planned to take place. This is considered to be the fairest way to allocate funds, with all community groups and organisations bidding for money having an equal chance to access the funds collected into the Neighbourhood Portion. It means that the merits of all bids can be assessed fairly against eligibility and prioritisation criteria (see Section 7). It allows funding for eligible projects to be maximised rather than being limited by the availability of funds in smaller sub-areas.

- 6.6 One exception must be noted to the Borough-wide approach: In any area that has an adopted Neighbourhood plan, some funding will be ringfenced. This is because CIL regulations require 25% (instead of 15%) of funds in areas with adopted Neighbourhood Plans to benefit that area.
- 6.7 In areas with an adopted Neighbourhood Plan, 15% of the funds raise will therefore be considered as part of the area wide allocation and associated bidding process, and an additional 10% will be ringfenced for use in the Neighbourhood specifically. The Council will work with the relevant Neighbourhood Forum, or appropriate other local groups if the Neighbourhood Forum no longer exists, to consider how to spend that 10% in the Neighbourhood Area, with a focus on delivering projects identified in the Neighbourhood Plan.

Neighbourhood Portion Bidding Rounds - Process

- 6.8 Once a year, councillors, constituted community groups, resident associations and similar groups will be invited to submit proposals for consideration by the Council.
- 6.9 The bidding round and deadlines will be advertised on the Council's website and social media channels. The CIL team will email information to a list of contacts at community groups. Ward councillors will also be informed of the opportunity and invited to work with local communities on potential bids.
- 6.10 Initial technical assessment (stage 1) of the bids following the deadline is undertaken by the CIL team, using the criteria set out at Section 7. Shortlisted bids will be progressed to stage two. The CIL Member Working Group, advised by the CIL team will prioritise the bids. This is followed by a briefing for ward councillors.
- 6.11 The proposed funding allocation for the neighbourhood portions will be presented by the CIL Member Working group to the Licensing and Planning Policy Committee for approval. For any spend over £50,000, this will then be referred to Strategy and Resources Committee for ratification in line with the Council's Financial Regulations.
- 6.12 The anticipated timetable for decision making is set out at the end of Section 6. The timetable will be communicated to interested parties in advance each year.

Neighbourhood Portion Bidding Rounds – Requirements

- 6.13 Bids must be made using the forms provided by the Council for that particular bidding round. An example of the likely questions is provided at Section 8, but it may be necessary to amend the form in any given year. The form will be designed to enable the assessment of bids against the eligibility and prioritisation criteria (see Section 7).
- 6.14 The assessment is designed to be in line with national regulation and guidance on CIL Neighbourhood Portion spending, and to establish the funding reach, the community reach, and the community benefit of the proposals at a local level. In broad terms projects are more likely to benefit from CIL funding which provide or improve services and facilities and provide demonstrable benefits for the community now and into the future and which deliver maximum benefit for the CIL money provided.
- 6.15 In line with these principles, the following should be noted:
- a. Projects must be well developed at the time the bid is made. Organisations should be clear on the details of their projects, and bids should be based on robust evidence of the desired outcomes, the cost and delivery mechanism for the scheme. The bid must set out the full costs of the scheme and the proportion to be funded from CIL. Bid documentation should be complete, clear, and concise.
 - b. Projects must be for the delivery stage of a project, rather than for project development or feasibility work, which should take place in advance of bids being made.
 - c. Projects should benefit the community beyond the short term (more than 3 years). Projects must deliver new or improved immovable items of infrastructure, such as buildings and/or fittings and fixtures; bids for movable items which would have no guarantee of staying with the group long term, such as equipment or vehicles, will not be supported. Funding will only be allocated to capital projects, although associated revenue spending to maintain those capital items is also permissible. For example, staff costs will not be funded.
 - d. Bids that seek funding solely for maintenance works to an existing asset will not be funded through CIL. However, where a wider bid includes some elements of repairs and maintenance, and overall, the project would make the asset more robust and resilient to increased use associated with new development, such bids will be considered. As an example, resurfacing a worn path, parking area or sports pitch in the same material as existing would not be considered for funding. However, a project to resurface that sought to, for example, address drainage issues and/or use a more robust harder wearing material and thereby make the asset more robust to increased use would be considered.
 - e. The Council is keen to spread the reach of CIL as far as possible. Groups and /or infrastructure that has not previously received CIL funding will be prioritised over those that have previously benefitted (see criteria in Section 7). The length of time since any previous CIL funding will also be considered. By the same token, the Council will not fund repeat applications for the same project. For example, if a previously funded project has gone over

budget, or the brief of the project has been extended, CIL funding will not be granted to cover the additional costs.

f. Projects should be accessible to the whole community. To safeguard this principle, projects which are designed to further political or religious agendas will not be eligible. Further, facilities that are accessible and open to the whole community without substantial barriers will be prioritised over those that would have exclusionary policies or expect fee-paying membership for full access to the facility. For the avoidance of doubt, it is accepted that many facilities and projects will benefit limited sections of the community. For example, facilities tailored to certain groups e.g., Age Concern. Such organisations and facilities would not be considered exclusionary for the purposes under this consideration.

g. Groups making bids should have fully considered other options for funding, in particular if there are other funding streams available which are dedicated or better suited to the project in question, these should be sought in preference of CIL. CIL may not be granted where the Council is aware of alternative more appropriate sources of funding. If other potential funding for the project is contingent upon CIL also being granted, the bid should make this clear.

h. Bidders should demonstrate that they are willing and able to support the project financially. This may be from other grants or fundraising or the organisation's own resources. There is an expectation that match funding should at least equal the amount of CIL support requested. However, this is not an absolute requirement and bids will still be considered where less than 50% match funding offered. Where this is the case, bidders must provide justification as to why they cannot provide the match funding. Match funding in the form of volunteer hours will also be considered, but cash match funding is preferred. Guidance on how to calculate the value of volunteer hours will be given as part of the bid form.

Payment of Funds to successful bidders to the Neighbourhood Portion

- 6.16 All bidders will be notified of the Committee decision and will be told whether their bid was successful in full, successful in part (funding a lower amount than requested), considered premature (e.g., where further work to show deliverability is needed), or unsuccessful. Groups whose bids are successful will be notified of the amount allocated to their project. Notifications will be sent out following the formal funding decisions by the Licensing and Planning Policy Committee and where relevant Strategy and Resources.
- 6.17 Bidders should note the timetable for bidding, and decisions on the bids, and should consider whether this causes any difficulties for the delivery timescales of their projects. The Council will not provide an indication of likely success, much less an actual decision on the funding in advance of the formal Committee decision. If the timetable set does not suit delivery timescales, groups are asked to refrain from making a CIL bid.
- 6.18 For the avoidance of doubt, in approving CIL Neighbourhood Portion bids, the Council is supporting the project financially only and is not committing to providing or supporting the delivery of the project. Bidders take on the responsibility of delivering the project. This includes bids by Epsom and Ewell Borough Councillors.
- 6.19 Following allocation of the funds, project leads are required to give 3 monthly update reports on their projects to the CIL Team. The Council expects projects with agreed CIL funding to be delivered within one year of funding being agreed, with extensions possible in advance agreement with the Council. This is to allow for unexpected slippages in project delivery. If the project is not completed within five years, the Council will return the promised funds back to the CIL fund for reallocation.
- 6.20 No funds will be released to groups in advance of the project being delivered; rather they will be released upon completion of the project. If this does not suit the delivery model of the project or the organisation, a bid to the CIL fund should not be made. In exceptional circumstances, the Council may agree to partial release of the funds at partial completion. However, this must be discussed and agreed with the Council in advance.
- 6.21 Upon completion of the project, the group must invoice the Council for the release of the funds. The invoice should include the organisation's VAT registration number (if applicable). Payments will be net of VAT where the organisation receiving funds is VAT registered.
- 6.22 Invoices from contractors to make a CIL payment directly will not be accepted.
- 6.23 Along with the invoice, the Council will expect supporting information for the claim, which may include photos, timesheets, contractor's invoices, or other evidence.
- 6.24 Officers may wish to view the completed works.
- 6.25 In order to receive payment, the Group or Organisation must be set up as a supplier for Epsom and Ewell Borough Council on the Council's finance system. The full requirements to be set up as a supplier can be found here [Supplier application - Epsom & Ewell Borough Council forms \(achieveservice.com\)](https://epsomewell-achieveservice.com) (<https://epsomewell->

- 6.26 self.achieveservice.com/service/Supplier_application).
- 6.27 In the case of local groups who do not have their own bank account the Council is able to accept supplier requests from a third-party organisation nominated in writing by the group.

Provision for Neighbourhood CIL Interim Spends

- 6.28 In the case of the neighbourhood portion, interim spends are not envisaged, as the full amount of available funding may have been allocated through the budget each year.
- 6.29 However, similar to the Strategic CIL, the CIL Member Working Group can at any point in the year assess proposals and provide advice on whether the scheme would be suitable for neighbourhood CIL funding. Officers will also be able to give broad estimates as to the possible CIL allocation for each budget in the coming year. Relevant delivery teams can then use this information on the availability of CIL, for example to support bids for external funding.

Anticipated timetables for Neighbourhood CIL

Date	Process
April	Advertise bidding timetable
May-June	Bidding open
June-September	Assessment of bids by CIL MWG
November	Spending Decision made by LPPC
December	Notification of outcome

7. Prioritisation Criteria for Neighbourhood Portion

Stage 1: Shortlisting

Eligibility of All bids

Before moving to a full assessment, broad sifting of the projects will take place. All projects will be checked against a set of basic eligibility criteria. The criteria applied for this eligibility check will be:

1. The bid documentation is complete and clear.
2. The project delivers clear and significant benefits to the community.
3. The benefits would last beyond the short term (3 years).
4. The project addresses the effects of new development / supports the development of the area.
5. The project goes beyond pure maintenance to improve infrastructure or provide a new infrastructure.
6. The bid is for fixed infrastructure / 'immovable' items.
7. The project is not designed to further a religious or political agenda.
8. CIL funding has not previously been given to the same project.
9. The funding sought is for project delivery (rather than project development or feasibility).
10. The CIL ask does not exceed the available funds.
11. Relevant authority and permissions are in place or are evidenced to be in progress.
12. The Council is not aware of other dedicated funding or delivery mechanisms for the project.

Any bids not meeting these criteria will not be assessed further, although officers may ask for further information to see if these can be addressed.

Stage 2: Prioritisation of shortlisted projects

The bids remaining after the eligibility check will be assessed against the criteria shown below. Criteria cover the funding reach, the community reach, and the community benefit of the proposal.

Key Criteria

The following key criteria will be scored as set out below, in prioritising the projects. In years where bids far exceed the funds available, they may be used to remove bids from further consideration altogether.

1. The facility is open to all / a community-based club (vs one which largely benefits private members) (Yes=1, No=0)
2. The group or facility has not had CIL funding in the last 2 years (Yes=1, No=0)
3. The bid is supported by match funding (cash or other) (this demonstrates community support), or is likely to lever in other funds (> or = to 75% = 3, 25%-74% = 2, <25% = 1, none = 0)
4. It is the first time the group or the project is receiving CIL funding (Yes=1, No=0)
5. Match funding is in cash (as opposed to volunteer hours) (Yes=1, No=0)

6. The benefits versus the cost (best value assessment) (Score 0-3, 3 being a small CIL contribution helps to deliver infrastructure that will have significant benefits, 0 being a large CIL contribution for limited benefits).

Projects will be assessed against all the Criteria to receive an overall score. Projects will be ranked on this basis, with those with higher points prioritised for funding, up to the level of funding available in that year. While the starting point will always be to fund projects to the amounts requested through the bids, the council may decide to offer less funding, in order to fund a greater number of eligible bids.

Regardless of the level of funding available, more than half of the points available must be attained to receive funding, i.e., based on the criteria above 10 points are available, so at least 6 points must be achieved for funding to be made available.

To help aid decision making the final 'best value' criteria will be used to make a judgement as to whether a project is to be awarded funding.

8. Example CIL Bidding Form (Neighbourhood Portion)

1. Details of the project

1a) Project Title:

1b) Brief description of the Project

(Please keep this description factual and brief. Section 2 of this form allows you to explain its merits)

1c) In which Epsom and Ewell Borough Council ward is the project located?

1d) Organisation or Group making the bid

1e) Project Lead contact details

(Please give name, email, and telephone number)

2. Project Benefits

2a) Please use the box below to set out why you would like to deliver this project

(In what way would the investment improve the facility? What benefits will the project bring to the local community and/or users of the facility? What would the consequences be of not carrying out the project?)

2b) Community Reach: Who will benefit from the project?

(Please consider and briefly cover: Who will be the main beneficiaries of the improvements? Can everyone in the community use the facility? Are there restrictions, or specific target groups? Are there membership or entrance fees – if so, please give details)

2c) Please identify the new development that has led to the need for this project arising?

3. Funding

3a) Funding Breakdown & CIL Funding Request

(Please complete ALL FIELDS in the table below)

Funding source breakdown	Amount (£)	% Overall cost	Source(s)
Total project cost			

Total match funding*			
Total other funding**			
Requested CIL funding			
Which elements of the project are you seeking CIL funding for?			
Further notes to clarify funding breakdown if required			
<p><i>*Match funding in the form of a financial contribution (such as fundraising by the group or money obtained from grants) is preferred and bids will be ranked more highly where this criterion is met. However, it is recognised that voluntary organisations may not always have a sufficient 'cash sum' or funding from other organisations to match fund. Volunteer hours will therefore be considered as match funding. To provide a consistent basis for assessment, please use the following figures as a basis for calculating volunteer time: professional services – up to £350 a day; skilled labour - £150 a day; unskilled labour - £50 a day.</i></p> <p><i>The Council has a baseline expectation of 50% match funding, and bids will be ranked more highly if this criterion is met. However, it is not an absolute requirement. If you are unable to provide this level of match funding, please indicate in the notes box in this table what efforts you have made to raise match funds, and why you are not able to provide this level of match funding.</i></p> <p>** Other funding</p> <p><i>List any other sources of funding which contribute to the project, but which you do not wish to be considered as match funding.</i></p>			

3b) Has the facility or your organisation benefited from CIL funding previously?

(Please give brief details of the project and which year CIL funds were granted)

3c) Does your group have its own bank account?

(Please answer yes or no. You do not need to provide details at this stage. If answering no is there an alternative organisation or umbrella organisation who have agreed to provide use of their bank account (give details))

4. Project Delivery

4a) Will your group / organisation be managing the delivery of the project?

4b) Does your organisation own the land / building / facility in questions? Do you need and have planning permission to implement the project?

(If your organisation is not the owner of the property in question, please give details of the owners and whether you have their permission to undertake the project)

4c) Please specify who will be responsible for ongoing maintenance and how this will be funded

4d) Please provide an outline of the implementation timetable, including key milestones.

(Milestones should include information on when the transfer of CIL funds is likely to be required. Please note that CIL funds are not released in advance of delivery. Instead, successful organisations will be reimbursed upon proof of successful completion of the project. Projects are more likely to be successful if they are a position to deliver to completion in the financial year following successful bidding)

5. Summary of your bid

Please summarise your bid in the box below in **no more than 300 words**. Ensure you cover the key points from the main body of the form so that it can stand alone.

Please note anything you include in this section is likely to form part of public papers in deciding your bids.

6. List of additional material submitted in support of this bid

We welcome additional material that will help assessors understand your project. Please list below any photographs, plans, publicity material etc you are attaching in support of your bid.

Please note any material you provide may be used in public documents. Please be aware by providing these you are giving us permission to reproduce the image(s). Please note below any items you do not wish to be used in that way.

D. Terms of Reference

9. CIL Member Working Group terms of reference

1. Remit

The MWG is a Councillor group set up to consider bids for Community Infrastructure (CIL) funding and submit recommendations to the Licensing and Planning Policy Committee for allocation of the funds. If the LPP Committee chooses not to approve a particular recommendation, then it shall provide an explanation setting out the reasons.

The Working Group scrutinises each project for strategic fit (Strategic CIL), community benefit (Neighbourhood CIL) and compliance with CIL requirements.

The Working Group is additionally accountable for the oversight, monitoring and governance of awards. This includes contract management where triggered, application revisions and extensions, financial updates, project delivery scrutiny, output creation and compliance with funding agreements.

2. Membership of the MWG

Core membership

- One representation from each Policy Committee
- One representative from the Member Climate change action group
- One member from the opposition

Optional – for information purposes only (none voting)

- Delegations invited along e.g., SCC divisional member
- Relevant Ward members (Neighbourhood CIL only)

The LPPC representative will Chair the Group.

Membership will be reviewed annually in line with constitution and preferences.

Officer attendance (advisory capacity)

Officers are responsible for advising Members and ensuring that proper protocol is followed throughout. They will act in an advisory role to the Members regarding the suitability of each project, including carrying out the scoring process.

- Director of Environment, Housing and Regeneration
- Head of Place Development
- Planning Policy Manager

3. Conflicts of interest

Members must declare and note any conflicts of interest or other personal interests prior to review of a project and this information should be recorded. Should a Member be conflicted,

they will be asked to step down during the final decision-making process regarding any recommendation towards which they are conflicted however, they are able to form part of any discussion that leads up to a decision. Where the Chair of the Working Group is conflicted, the other members will be responsible for appointing a Chair to take their place for the item in question.

4. Quorum

No business shall be transacted at any meeting of the Working Group unless at least four non-conflicted members are present and voting.

A majority vote will be accepted and where a consensus majority is not possible the Chair shall have a casting vote.

5. Meetings

As required to advise LPPC and ensure effective and timely allocation of CIL monies.

6. Objectives

The MWG Group objectives are:

- To take an objective and detached view of applications
- To advise and recommend to LPPC schemes that will have maximum benefits to the community.
- To ensure overall programming of infrastructure projects agreed by LPPC
- To monitor receipts and expenditure of CIL monies

The MWG will be responsible for:

- Recommending projects to LPPC which require CIL funding, following assessment in accordance with the agreed criteria.
- Regular monitoring and reporting to LPPC on the delivery of projects including revisions to timescales and expenditure.
- Reporting to LPPC after completion of each project.
- Identification of other current and future infrastructure expenditure and funding streams.
- Ensuring a fair and transparent process is followed in the scrutiny and subsequent recommendation of fundings awards.

7. Transparency

Working Group papers and minutes are to be published in the public domain. Papers may include redacted information when commercially sensitive or confidential.

8. Output

Regular project progress updates to LPPC on CIL priorities and funding of projects

10. CIL Officer Team terms of reference

1. Remit

The CIL Officer Team is set up to undertake an initial assessment of CIL bids to ensure the project is CIL compliant and if so that adequate information is submitted in order for Members to make a clear decision.

The Team is additionally responsible for ensuring all relevant documentation is completed by the CIL MWG.

Officers are responsible for advising Members and ensuring that proper protocol is followed throughout. They will act in an advisory role to the Members regarding the suitability of each project, including carrying out the scoring process.

2. Membership of the CIL Officer Team

- Planning Policy Manager
- Principal Planning Officer (Infrastructure)
- CIL Lead administrator
- CIL grants officer

The Planning Policy manager will Chair the Group.

3. Conflicts of interest

Officers must declare and note any conflicts of interest or other personal interests prior to review of a project and this information should be recorded. Should an officer be conflicted, they will be asked to step down from the sifting for the project for which they are conflicted however, they are able to form part of the team sifting other applications.

4. Meetings

As required to advise the CIL MWG and ensure effective and timely allocation of CIL monies.

5. Objectives

The CIL Officer Team objectives are:

- To ensure the CIL MWG have all the necessary information to inform their assessments of bids.
- To advise the CIL MWG on how to implement and interpret the CIL Spending Protocol evaluation criteria.
- To provide guidance to the CIL MWG on evaluating the bids.

The CIL Officer Team will be responsible for:

- Implementing the recommendations from the CIL MWG and LPPC
- Regular reporting on project progress
- Regular reporting on CIL balances

- Ensuring all documentation is completed.

6. Transparency

Papers and minutes are to be published in the public domain. Papers may include redacted information when commercially sensitive or confidential.

7. Output

Regular project progress updates to the MWG on CIL priorities and funding of projects