

COMMUNITY INFRASTRUCTURE LEVY MEMBER WORKING GROUP

Head of Service:	Justin Turvey, Head of Place Development
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Wards affected:	(All Wards);
Urgent Decision?	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1 – Terms of Reference of CIL Member Working Group

Summary

Following the approval of the Community Infrastructure Levy Spending Protocol in January 2024, this report recommends approval of updated Terms of Reference for the CIL Member Working Group and agreement to the establishment and membership of the group.

Recommendation (s)

The Committee is asked to:

- (1) Agree to the establishment of the CIL Member Working Group.**
- (2) Approve the Terms of Reference for the CIL Member Working Group as set out in Appendix 1.**
- (3) Agree the Membership of the CIL Member Working Group for 2024/25 as set out in Section 3.**

1 Reason for Recommendation

- 1.1 The terms of reference have been amended from those adopted by this Committee in January 2024 to reflect new membership details (specifically that a member of each opposition party will have representation on the working group) and that this is a newly constituted working group.

2 Background

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- 2.1 On the 18 January 2024 this committee approved a CIL Spending Protocol for the Borough to 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.
- 2.2 Following this decision, the annual funding rounds opened between 7 May and 18 June 2024 for both strategic and neighbourhood funding enabling organisations to bid for CIL funding. During the funding round 3 Strategic and 22 Neighbourhood CIL bids were received.
- 2.3 In accordance, with the CIL Spending Protocol, there is an agreed process in place for the consideration of bids received by the Council for CIL funding. The core stages are detailed below:
 - Officers undertake an initial technical assessment of all bids received against the criteria contained in the CIL Spending Protocol (January 2024). Strategic CIL bids will be assessed against the criteria detailed in Section 4 of the Spending Protocol and Neighbourhood bids assessed against the criteria detailed in Section 7.
 - Bids that have not passed the stage 1 assessment and have not been shortlisted will be reported to the CIL Member Working Group.
 - Shortlisted bids will be presented to the CIL Member Working Group for prioritisation with advice being provided by the CIL Team.
 - The proposed funding allocation will be presented by the CIL Member Working group to the Licensing and Planning Policy Committee for approval.
 - Any spend over £50,000 approved by the Licensing and Planning Policy Committee will then be referred to Strategy and Resources Committee for ratification in line with the Council's Financial Regulations.
- 2.4 In order to approve CIL funding, the CIL Member Working Group membership needs to be agreed in accordance with the revised Terms of Reference (Appendix 1).
- 2.5 It is important to note that the Terms of Reference attached as Appendix 1 have been amended since those approved by this Committee in January 2024. The amendments:
 - increase the membership to include one member of each opposition group and clarifies the policy committees that will be represented on the group.

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- confirm that working group members can designate another councillor as their substitute when they are unable to attend meetings.
- Provide clarity on the remit of the Member Working Group.

3 CIL Working Group Membership

3.1 The following membership will be appointed to the Working Group:

- Chair of Group - Licencing and Planning Policy Committee
Representative - Residents Association – TBC
- Community and Wellbeing Committee Representative - Residents Association – TBC
- Environment Committee Representative - Residents Association – TBC
- Strategy and Resources Committee Representative - Residents Association – TBC
- Climate Change Action Group Representative - Residents Association – TBC
- Liberal Democrat Representative – Cllr Julie Morris
- Labour Representative – TBC
- Conservative Representative – TBC

4 Risk Assessment

Legal or other duties

4.1 Equality Impact Assessment

4.1.1 No issues arising from this report.

4.2 Crime & Disorder

4.2.1 No issues arising from this report.

4.3 Safeguarding

4.3.1 No issues arising from this report.

4.4 Dependencies

4.4.1 None.

4.5 Other

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4.5.1 None.

5 Financial Implications

- 5.1 The establishment of the CIL working group and update to the group's terms of reference 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 CIL Member Working Group forms part of the process detailed in the approved Spending Protocol which will enable the Council to release CIL funding to deliver strategic infrastructure projects and neighbourhood projects.
- 5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

6 Legal Implications

- 6.1 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 adopted CIL spending protocol meets these requirements.
- 6.2 The Working Group has no decision-making powers on the use of CIL funds, but it will report its recommendations and views to the Licensing and Planning Policy Committee.
- 6.3 **Legal Officer's comments:** None arising from the contents of this report.

7 Policies, Plans & Partnerships

- 7.1 **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.
- 7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

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- 7.3 **Climate & Environmental Impact of recommendations:** There are no climate or environmental implications from this report. However, CIL funding could be utilised to deliver projects that benefit the environment.
- 7.4 **Sustainability Policy & Community Safety Implications:** None
- 7.5 **Partnerships:** The Community Infrastructure Levy is to fund infrastructure to support development in the borough. External partners can bid for CIL funding to deliver infrastructure schemes in the borough.

8 Background papers

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

Previous reports:

- Licencing and Planning Policy Committee - 18 January 2024 - Item 8 - Community Infrastructure Levy (CIL) Spending Protocol.

<https://democracy.epsom-ewell.gov.uk/documents/s30087/Community%20Infrastructure%20Levy%20CIL%20Spending%20Protocol.pdf>