



WOKING JOINT COMMITTEE

DATE: 11 NOVEMBER 2020
LEAD OFFICER: ERNEST AMOAKO, PLANNING POLICY MANAGER

SUBJECT: COMMUNITY INFRASTRUCTURE LEVY – APPLICATION FOR CIL FUNDING FOR THE ST JOHNS CHURCH WAR MEMORIAL GROUND PAVING IN ST JOHNS WARD

AREA: ST JOHNS WARD

SUMMARY OF ISSUE:

The Joint Committee at its meeting on 13 March 2019 agreed the arrangement for local communities to identify local community infrastructure projects that CIL money could be used and how Ward Councillors could make a request to the Council to secure CIL money to enable the delivery of the projects. The Ward Councillors for St Johns Ward have submitted an application to secure **£5,600** towards the paving of the St Johns Church War Memorial Ground. The War Memorial is an important heritage asset of the local community. The War Memorial Ground is presently in disrepair, which the paving will address. Maps showing the locations of the War Memorial and the extent of the paving are in Appendix 1. As at 31 September 2020, £14,389.30 of CIL money had been earmarked for community projects in St Johns.

RECOMMENDATIONS:

Woking Joint Committee is asked to agree that:

- (i) The application submitted by Ward Councillors for St Johns for the paving of the St Johns Church War Memorial Ground be approved;
- (ii) The Deputy Chief Executive be authorised to approve payment for the total cost of the paving when the works have been undertaken and the invoices have been submitted to the Council. The cost of the paving is estimated at **£5,600** and will be drawn from the total CIL income earmarked for the St Johns Ward, this currently stands at £14,389; and
- (iii) The Ward Councillors for St Johns Ward be asked to oversee all works relating to the procurement and installation of the paving in accordance with their project plan, project specification, costs and quality control.

REASONS FOR RECOMMENDATIONS:

To enable funding to be secured for the paving of the St Johns Church War Memorial Ground, St Johns Ward.

1. INTRODUCTION AND BACKGROUND:

1.1 The Council introduced the Community Infrastructure Levy (CIL) from 1 April 2015 as the main means for securing development contributions towards the provision of infrastructure to support development across the Borough. To date, a total of £4,874,389.57 CIL contributions have been received by the Council. The Government requires the Council to pass on a proportion of the income to local communities where the chargeable development occurred. If the community has a Neighbourhood Plan it receives 25% of the CIL income from development occurred in the Neighbourhood Area. As at 30 September 2020, £14,389.30 has been secured for community projects within St Johns Ward. The Government expects the Council to keep the community element of the CIL money in its account and ring-fence it for local community projects.

1.2 The Joint Committee has agreed an arrangement for local communities to identify community projects that could be delivered with CIL money and how the money could be secured from the Council to deliver them. The Ward Councillors for the St Johns Ward have submitted an application to secure **£5,600** of the CIL money earmarked for St Johns Ward to pave the St Johns Church War Memorial Ground. The Joint Committee is asked to consider the application and decide whether or not the application meets the agreed criteria for the money to be approved.

2. ANALYSIS:

2.1 The Joint Committee has agreed a list of requirements to be met when submitting an application for CIL money to fund local community projects. This include:

- a. Name of the infrastructure/project that the CIL income will deliver;
- b. A brief description of the project and what it seeks to achieve; and
- c. Evidence of broad community support for the project.

2.2 The Government has prescribed that the CIL receipts can only be used for:

- a. The provision, improvement, replacement, operation or maintenance of infrastructure; or
- b. Anything else that is concerned with addressing the demands that development places on an area.

2.3 The above are the key requirements against which Members should assess the application. The application is specific and clear about the project to be delivered, its precise location as demonstrated by the attached Maps. There is a detailed description of the type of paving to be used, which is also attached to the report at Appendix 1. The entire project is well costed and the indicative costings covers both the procurement of the materials and the paving. The costings are included in Appendix 1 for information. The decision about whether the project meets the above definition of what CIL money can be used is finely balanced. The St Johns Church War Memorial is a heritage asset

that is well valued by local residents in the Ward regardless of whether they are associated with the Church. The War Memorial happens to be situated on Church land but access is open to anyone who wish to visit. Each year, more people attend the Remembrance Day Service and the expectation is that the trend will continue with increasing development in the Ward. It is a symbol for historic education, in particular, for the younger generation, and considered as an important social and community asset and facility in the area. Based on the above, it is considered that the proposal meets the above criteria and should be supported in this regard. The proposal has broad community support, including the Ward Councillors and the Church. Letters of support have been received from St Johns Village Society and the St Johns Memorial Hall Association. Based on the above, Officers are satisfied that the proposal broadly meets the agreed list of requirements and the application should be approved.

2.4 It is possible for the actual cost of the project to be marginally higher or lower than the original quote set out in the report due to changing market conditions and unforeseen contingencies. However, St Johns Ward has sufficient money to be able to mitigate the risk of any marginal cost overrun. The project will be maintained by the community.

2.5 **Recent changes to CIL Regulations** - There has been recent changes to the CIL Regulations which Members should note. Of particular relevance is the removal of the requirement to publish a Regulation 123 list with effect from September 2019. Instead of Regulation 123 list, the Government requires local authorities to publish an Infrastructure Funding Statement by 31 December of each year starting from 31 December 2020 setting out how much money they have received, spent and on what. Members should be aware that any CIL money approved by the Joint Committee for both borough-wide and local community projects will be published in the public domain. There is also the removal of 'pooling restrictions'. Local authorities can now collect more than five contributions to fund the same infrastructure by using S106 Agreements.

2.6 The Planning White Paper has just been through public consultation. It proposes to replace CIL and Section 106 Planning Obligations with a single tariff for infrastructure provision and Affordable Housing. The tariff will be nationally prescribed. The Council has responded to the consultation. A decision is yet to be reached on the proposal by Government, and Members will be informed in due course.

2.7 On the Agenda for today's meeting is a report on the review of the arrangement for managing the community element of the CIL money. The Joint Committee approved the current arrangement subject to a review in one year. The decision of the Joint Committee on the report will determine how future applications will be considered.

3. OPTIONS:

3.1 The Council has a statutory duty to pass on a proportion of its CIL receipts to local communities where the development occurred. The Joint Committee has agreed a criteria that local communities have to meet to be able to secure CIL money from the Council to implement community infrastructure projects. It will be indefensible for an application that meets the agreed criteria to be refused unless there is a substantive reason to do so. It is important to also note that the Joint Committee has the authority to refuse an application if it felt that the criteria have not been met. On this particular occasion, Officers are satisfied that the application be approved.

4. CONSULTATIONS:

4.1 The following have been consulted and their comments have been incorporated into the report:

- Councillor David Bittleston – Chair of the Woking Joint Committee;
- Councillor Graham Cundy – Portfolio Holder for Planning (Woking Borough Council)
- Douglas Spinks – Deputy Chief Executive (Woking Borough Council)
- Leigh Clarke – Finance Director

5. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

5.1 The cost of administering how much CIL income will be earmarking for local community projects, managing the individual accounts for the various Wards and Neighbourhood Areas and providing Members with update on money received and spent is presently being met from existing Planning Policy and Finance Service Plan budgets. Members should note that 5% of the CIL income has been set aside to cover CIL administration.

5.2 As at end of September 2020 a total of £14,389.30 (net) has been earmarked for community infrastructure projects within St Johns Ward. The estimated overall cost of the project is **£5,600**. There is sufficient money to cover the cost of the project and to mitigate against any risk due to cost overrun.

5.3 By 31 December of each year, the Council is required to publish the total amount of CIL income received and how much has been spent and on what. This information will be published in the Council's Annual monitoring Report.

6. RISK MANAGEMENT:

6.1 The Council has a statutory duty to pass on a proportion of its CIL income to local communities where the development occurred. The Joint Committee has agreed a list of requirements that local communities have to satisfy to secure the CIL money earmarked for their areas to implement identified community projects. The Joint Committee would be failing on its duty if it refuses an application for CIL money for community projects that meets the agreed criteria.

6.2 The money being sought would contribute towards the delivery of necessary infrastructure to minimise development impacts on the local community. Refusing the application could encourage resentment against future development in the local community.

6.3 There is the expectation that Councillors would provide oversight on the delivery of the project to ensure that it is delivered to the agreed specification and project costs.

7. LOCALISM:

7.1 The paving of the St Johns Church War Memorial Ground is a locally specific project, which relates to the use of CIL money earmarked for St Johns Ward.

8. EQUALITIES AND DIVERSITY IMPLICATIONS:

8.1 There are no equalities and diversity implications.

9. OTHER IMPLICATIONS:

Area assessed:	Direct Implications:
Crime and Disorder	No significant implications arising from this report.
Sustainability (including Climate Change and Carbon Emissions)	No significant implications arising from this report.
Corporate Parenting/Looked After Children	No significant implications arising from this report.
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report.
Public Health	No significant implications arising from this report.
Human Resource/Training and Development	No significant implications arising from this report.

9.1 Crime and Disorder implications

No implications arising from the report.

9.2 Sustainability implications

No implications arising from the report.

9.3 Corporate Parenting/Looked After Children implications

No implications arising from the report...

9.4 Safeguarding responsibilities for vulnerable children and adults implications

No implications arising from the report.

9.5 Public Health implications

No implications arising from the report.

9.6 Human Resource/Training and Development

No implications arising from the report.

10. CONCLUSION AND RECOMMENDATIONS:

- 10.1 It is important that development is supported by the provision of the necessary infrastructure to ensure sustainable development, in particular, infrastructure projects that local residents have identified to benefit their communities. The paving of the St Johns Church War Memorial and the choice of the material to be used have all been decided by the local community with their Ward Councillors. The proposal is well costed and there is sufficient money earmarked for St Johns Ward to cover the cost.

There is broad community support for the project. The application meets the criteria agreed by the Joint Committee, and in this regard, should be supported..

11. WHAT HAPPENS NEXT:

- 11.1 Subject to the Joint Committee approving the application, both Borough Ward Councillors and County Divisional Councillors representing St Johns Ward should be notified of the decision and be advised to go ahead and procure and deliver the project according to their own project plan and specification. Responsibility for overseeing the delivery of the project rests with the Ward Councillors. The Deputy Chief Executive will authorise payment of invoices when the Ward Councillors are satisfied of the works undertaken.

Contact Officer:

Ernest Amoako, Planning Policy Manager (01483 743427).

Consulted:

Douglas Spinks – Deputy Chief Executive

Leigh Clarke – Finance Director

Councillor David Bittleston – Chair of the Joint Committee

Councillor Graham Cundy – Portfolio Holder for Planning, Woking Borough Council

Borough Portfolio Holder

Councillor Graham Cundy – Portfolio Holder for Planning

Annexes:

Appendix 1 - Maps showing the location of the War Memorial and the area to be paved.

Sources/background papers:

- The Community Infrastructure Levy Regulations 2012 (as amended).
- Community Infrastructure Levy (CIL) – Arrangement on managing the proportion of the CIL income earmarked for local community projects – report to Joint Committee meeting on 13 March 2019.