



## WOKING JOINT COMMITTEE

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

**SUBJECT:** COMMUNITY INFRASTRUCTURE LEVY – APPLICATION FOR CIL FUNDING FOR THE REPAIR OF THE CRICKET PAVILION, COLDHARBOUR ROAD, PYRFORD

**AREA:** PYRFORD NEIGHBOURHOOD AREA

### **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 Pyrford Neighbourhood Area have submitted an application to secure £14,000 for the repair of the Cricket Pavilion, at Coldharbour Road in Pyrford. Full details of the application is attached as Appendix 1. The £14,000 is the maximum amount requested. The total cost of the works is estimated at £16,595 Inc. VAT (best case) or £28,295 Inc. VAT (worst case). The rest of the money that will be needed to complete the repairs over and above the £14,000 will be met by the Cricket Club and other sources of funding. As at 30 September 2020, £28,246.98 of CIL money had been earmarked for community projects in Pyrford Neighbourhood Area.

### **RECOMMENDATIONS:**

#### **Woking Joint Committee is asked to agree that:**

- (i) The application submitted by Ward Councillors for Pyrford Neighbourhood Area for the repair of the Cricket Pavilion be approved subject to the conditions set out in the application;
- (ii) The Deputy Chief Executive be authorised to approve payment up to a total of £14,000 when the works have been undertaken and the invoices have been submitted to the Council. The £14,000 will be drawn from the total CIL income earmarked for the Pyrford Neighbourhood Area, this currently stands at £28,246.98; and
- (iii) The Ward Councillors for the Pyrford Neighbourhood Area be asked to oversee all works relating to the repair of the Cricket Pavilion in accordance

with their project plan, project specification, costs and quality control.
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<b>REASONS FOR RECOMMENDATIONS:</b>
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To enable funding to be secured for the repair of the Cricket Pavilion at Coldharbour Road, Pyrford.
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<b>1. INTRODUCTION AND BACKGROUND:</b>
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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 £4,847,389.57 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 such as Pyrford Neighbourhood Area, it receives 25% of the CIL income from development occurred in the Neighbourhood Area. As at 30 September 2020, £28,246.98 has been secured for community projects within the Pyrford Neighbourhood Area. 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 Pyrford Neighbourhood Area have submitted an application to secure £14,000 of the CIL money earmarked for the Pyrford Neighbourhood Area for the repair of the Cricket Pavilion. The total cost of the project is estimated at £16,595 (best case) or £28,295 (worst case). 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.

<b>2. ANALYSIS:</b>
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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 background to the application is complex. The land is a charity and the representatives of the Cricket Club are the managing trustees and registered as such by the Charity Commission, which is the Regulator of charities in England and Wales. The Cricket Pavilion has been inspected by the Chief Building Control Surveyor of the Council at a visit on 26 October 2020, who has confirmed that the condition of the Cricket Pavilion is considered to be defective to a point where if not given attention may become dangerous. A detailed survey work to determine the full extent of the works needed to address the defects of the structure and the breakdown of costs have been undertaken by a qualified surveyor. This information is attached as Appendix 2. Attached as Appendix 3 is the Insurance Certificate of the Cricket Club to cover the works.
- 2.4 Ward Councillors working in partnership with the Pyrford Neighbourhood Forum have agreed to use CIL money earmarked for the Neighbourhood Area to support the repairs at a capped amount of £14,000. The reasons for this decision are set out in the application. The Cricket Club supports a number of children clubs in the community. The Club also hosts a number of community events such as the Pyrford Annual Flower Show. It therefore provides essential sporting and social benefits to the community.
- 2.5 The Cricket Ground is designated in the Pyrford Neighbourhood Plan as a local green space for its historic significance to the community such as being home to the Pyrford and Wisley Flower Show. The Ground offers a vital open space to the centre of the community. It is highly regarded by local residents and have been safeguarded by Policy SCS1 of the Pyrford Neighbourhood Plan. The need to do something about the Cricket Pavilion is noted in the Neighbourhood Plan. The Neighbourhood Plan sets out how the community would like to use its CIL money. Support for existing community organisations is one of the priority areas identified to benefit from the CIL money.
- 2.6 As illustrated by the attached schedule of works and costs, the total cost of the works is estimated at £16, 595 (best case) or £28,295 (worst case), which is more than the £14,000 being requested. The rest of the money needed to complete the works will be provided by the Cricket Club and from other sources of funding. It is highly likely that the Cricket Pavilion would need ongoing regular maintenance. The responsibility for overseeing the maintenance works and the funding of the cost for doing so would be by the Cricket Club. The Deputy Chief Executive will only pay invoices to a total amount of £14,000 when Councillors for the area are satisfied that the works have been completed to specification. The Freehold of the land is held by Fields in Trust (Charity No. 306070). Given this context, the risk that the works would not be completed or the CIL money would be misused is very low.
- 2.7 The repairs to the Cricket Pavilion falls within the Government's definition of what CIL receipts could be used. The proposal has broad community support. The Pyrford Neighbourhood Forum has emailed to confirm their support for the proposal. The Cricket Club has confirmed their support. There is broad support from the Ward Councillors. Based on the above, Officers are satisfied that the proposal broadly meets the agreed list of requirements and the application should be approved.
- 2.8 **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.

### **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 Gary Elson – 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 £28,246.98 (net) has been earmarked for community infrastructure projects within Pyrford Neighbourhood Area. The estimated amount being requested for the project is £14,000. There is sufficient money to cover the request.

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

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[www.surreycc.gov.uk/woking](http://www.surreycc.gov.uk/woking)

earmarked for their areas to implement identified community projects. The Joint Committee would be failing in 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 working in partnership with key stakeholders in the community 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 repairs to the Cricket Pavilion is a locally specific project, which has broad community support.

### **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

## ITEM 16

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 support for repairs to the Cricket Pavilion had been decided by the local community with their Ward Councillors. The proposal is well costed and there is sufficient money earmarked for Pyrford Neighbourhood Area to cover the money being requested. 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 the Pyrford Neighbourhood Area 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 up to £14,000 when the Ward Councillors are satisfied with the works undertaken.

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### **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 Gary Elson – Portfolio Holder for Planning, Woking Borough Council

### **Borough Portfolio Holder**

Councillor Gary Elson – Portfolio Holder for Planning

### **Annexes:**

Appendix 1 - Application by Ward Councillors.

Appendix 2 – Breakdown of works and costs

Appendix 3 – Insurance Certificate of the Cricket Club

### **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.



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