

Mayor & Cabinet		
Report Title	Community Infrastructure Levy neighbourhood CIL strategy (NCIL strategy)	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director Resource and Regeneration	
Class	Part 1	Date: 21 November 2018

1. Summary

- 1.1 The Community Infrastructure Levy (CIL) is a levy that local authorities can choose to charge on new development in their area, enacted through the Community Infrastructure Levy Regulations 2010 (as amended) ('the Regs').
- 1.2 The Council adopted its current CIL charging schedule in 2015, and has so far collected each financial year:
 - 2016/17: £4,487,774.86
 - 2015/16: £1,440,463.66
 - 2017/18: £3,359,091.04
- 1.3 R59F of the Regs enables the Council to set aside at least 15% of CIL receipts to spend on priorities that should be agreed with the local community in areas where development is taking place (rising to 25% in areas where a neighbourhood plan has been adopted).
- 1.4 Details of how priorities should be identified and CIL spent are not outlined in the CIL Regs, however planning practice guidance ('the PPG') has been published which accompanies the Regs and provides further guidance on the Government's expectations.
- 1.5 This report provides the Mayor and Cabinet with recommendations on how the neighbourhood CIL ('NCIL') process is proposed to function in Lewisham. In line with the Regs and the PPG it is proposed that the Council uses the structures, processes and capacities that exist within the current local assemblies and Member structure, with a process for identifying local priorities with communities that occurs every four years, a project bank of suitable projects identified every two years, with allocations to individual projects occurring on an annual basis.
- 1.6 In addition it is proposed that the distribution of NCIL funds is based on ward boundaries; with a portion of receipts retained in each ward where they were generated, a portion redistributed across wards, and a portion set

aside for projects across the whole boroughs. It is proposed that the Council allocate 25% of CIL receipts towards the NCIL process regardless of the adoption or not, of a neighbourhood plan.

2. Purpose

- 2.1 To provide the Mayor and Cabinet with the information needed to approve the NCIL process, and to begin the proposed NCIL process across all wards.

3. Recommendations

- 3.1 The Mayor is recommended to:

1. To the extent that it is an executive function approve the proposed NCIL Strategy and recommend that the Full Council do the same.
2. To the extent that it is an executive function approve the allocation of 25% of CIL to the NCIL process and recommend that the Full Council do the same.
3. To authorise Acting Chief Executive Officer, to direct officers to develop guidance, a set of criteria, and governance process to support the implementation of the NCIL Strategy.
4. Authorise the Acting Chief Executive Officer to allocate NCIL amounts to projects up to a maximum amount of £500,000 with approval through Regeneration and Capital Delivery Board.

4. Policy context

- 4.1 The contents of this report are consistent with the Council's policy framework.
- 4.2 The NCIL strategy will contribute to the implementation of the Council's ten corporate priorities and will also play an important role in the implementation of the Sustainable Community Strategy ('SCS') (2008-2020) vision 'Together we will make Lewisham the best place to live, work and learn'.
- 4.3 The NCIL strategy will provide funding and a system to help support the implementation of the SCS vision and all of the six strategic priorities, which are:
 - Ambitious and achieving – where people are inspired and supported to fulfil their potential
 - Safer – where people feel safe and live free from crime, antisocial behaviour and abuse
 - Empowered and responsible – where people are actively involved in their local area and contribute to supportive communities

- Clean, green and liveable – where people live in high quality housing and can care for their environment
- Healthy, active and enjoyable – where people can actively participate in maintaining and improving their health and well-being
- Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond

4.4 The NCIL strategy will also contribute to the implementation of the Council's Corporate Priorities including:

- Community leadership and empowerment – developing opportunities for the active participation and engagement of people in the life of the community;
- Young people's achievement and involvement – raising educational attainment and improving facilities for young people through partnership working;
- Clean, green and liveable – improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment
- Safety, security and a viable presence – partnership working with the police and others and using the Council's power to combat anti-social behaviour
- Strengthening the local economy – gaining resources to regenerate key localities strengthen employment skills and promote public transport
- Decent homes for all – investment in social and affordable housing to achieve the decent homes standard, tackle homelessness and supply key worker housing
- Protection of children – better safeguarding and joined up services for children at risk
- Caring for adults and older people – working with health services to support older people and adults in need of care
- Active, healthy citizens – leisure, sporting, learning and creative activities for everyone

5. Background

- 5.1 CIL is a levy that local authorities can choose to charge on new development in their area. Local authorities must spend the levy on infrastructure needed to support the development of their area, which can include a wide range of infrastructure such as schools, hospitals, roads, open space, and leisure facilities.

CIL Regulation (2010)(as amended)

- 5.2 R59 of the Regs restricts CIL spending to "*funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area*". S216 of the Town and Country Planning Act 1990 identifies 'infrastructure' by way of broad categories, which as amended excludes affordable housing. The PPG clarifies that

whilst CIL can fund increases to the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development, it is primarily intended to fund new infrastructure and not to remedy pre-existing deficiencies.

- 5.3 R123 of the Regs provides that a planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure. 'Relevant infrastructure' means "a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL", or in the case of an absence of such a list, any infrastructure. The Council has a published R123 list, which can be updated at any time. R123 and para 56 of the NPPF also outline limits to the wider use of planning obligations and spending.
- 5.4 R59F of the Regs enables the Council to allocate a portion of CIL receipts to be spent on local priorities, with spending of this portion subject to a wider definition of "*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*". Following the Regs and PPG, the Council will engage with communities on spending:
- Setting out clearly and transparently an approach to engaging with neighbourhoods using their regular communication tools
 - Using existing community consultation and engagement processes
 - Be proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates
 - Ensure that the use of neighbourhood funds should match priorities expressed by local communities, including priorities set out formally in neighbourhood plans
- 5.5 The neighbourhood portion is set at 15% (capped at £100/council tax dwelling in the area), increasing to 25% (uncapped) where a neighbourhood plan has been adopted (the increase only applies to developments granted after adoption of the relevant plan). The Council is able to allocate greater amounts, however these would not benefit from the wider definition for spending.

Principles Presented to Sustainable Development Select Committee (2016)

- 5.6 Initial recommendations regarding NCIL were made to SDSC in November 2016. The report and minutes of this meeting are in Appendix A. In summary, the following principles were presented:
- To use existing structures and processes, rather than introduce new decision making processes
 - Neighbourhood for CIL purposes to be defined as wards
 - Process guided by ward assemblies and identified local priorities (and neighbourhood plan if relevant)
 - Where neighbourhood plans exist, forum representatives to participate in the ward assembly

- Process to explore joined up allocation across wards, where agreed by stakeholders
- Process to explore distribution from areas with high levels of funding to those with less
- Look to publish easy to understand decision making and funding process with available CIL amounts to ensure transparency
- Look at improved usage of the Council's website
- Expectation of community and Member involvement in developing local infrastructure priorities
- Explore opportunities to develop schemes more holistically around local priorities
- Explore annually 'project bank' process as means to ensure genuine engagement
- Project bank subject to set criteria; meet legal limitations for CIL spend, Member engagement
- Explore opportunities to incorporate elements of participatory budgeting; community propose schemes and make decisions on what to fund
- Short list put forward for public consultation via the ward assemblies
- Short list published on Council's website; updated if and when funding becomes available
- Need to manage expectations about what is achievable with limited NCIL funding
- Need to increase transparency to enable communities to understand prioritisation and delivery, potentially for communities to assist with making proposals more viable/deliverable
- Further consideration of additional dedicated resource needed to implement NCIL processes
- Pilot proposed in Evelyn ward

Spending of Ward Assembly Funds

- 5.7 Each ward assembly currently has a set of priorities/action plan (updated annually) which is identified by residents, community groups and local businesses. Priorities are developed for the purpose of the ward assembly fund (£12,500), and projects must address these priorities to receive funding. An additional fund (£2,500) known as the council discretionary fund is available for other projects that benefit or enhance the local community, managed by the ward Members (some ward Members decide to combine the two funds). All assemblies have their priorities published on their ward assembly webpage, and many assemblies publish further information on local surveys, charters and plan priorities.
- 5.8 The process is broadly as follows:
- Assemblies review and update their action plans, highlighting what areas they want to focus on in the coming year, with possible projects/ideas
 - The coordinating group reviews the action plan, determining how actions can be delivered, and identify projects that best fit the funding for the year
 - Projects developed further, with the support of Council officers, to include costs, delivery, timescales etc.

- Coordinating group present project ideas back to assembly who agree what to fund
 - Projects are then refined and finalised (including who will deliver projects) by the coordinating group and Council officers, and submitted for formal approval
- 5.9 The annual process is completed by December, allowing allocations within the financial year. Prior to allocating funds, projects must complete a Project Proposal Form. This includes details on: the project, the priorities it meets, the activities proposed, impact on the ward, programme and key dates, location, proposals for joint working, identification of key risks and how to minimise their impact, proposed evaluation methods and success factors, and, detailed budget and funding spreadsheet. An additional risk assessment form must be submitted with the application form. General guidance is provided on the assembly fund, as well as detailed guidance on the risk assessment and project proposal form.

Planning Obligations Spending Pilot – Whitefoot Ward

- 5.10 In 2014 £77k of Section 106 funding became available to be spent on Community Facilities in Whitefoot Ward. It was decided to involve the local community through the assembly in agreeing priorities for spending the Section 106 funds. The Council produced guidance around planning obligations for the Whitefoot ward assembly which included:
- Background information on planning obligations
 - General guidance on S106 spending requirements and restrictions
 - Guidance on the Council’s formal allocation process for planning obligations
 - Financial information on available S106
- 5.11 The first community consultation was held at the assembly in July 2014 and resulted in over a dozen potential beneficiaries being identified. Forster Memorial Park and pavilion was ranked as the top priority at the time but there were no delivery partners to oversee project delivery so the assembly agreed to allocate the monies elsewhere with the proviso that when further S106 funds became available they would be directed towards improvements to the park. In the meantime efforts would be made to establish a new Friends of Forster Memorial Park.
- 5.12 In November 2014 the assembly hosted a ‘Market Place’ event inviting the organisations identified at the July 2014 assembly to set up information stalls detailing how they proposed to spend the S106 funds. A shortlist of projects was subsequently drawn up and in February 2015 a ballot went out to every household within the ward (on the back of the assembly flyer) inviting residents to nominate the top three community facilities they most wanted to see improved. Goldsmiths Community Centre, St Luke’s Church and St Barnabas Church Hall were identified as the top three. Draft proposals were then submitted to the council for a viability check and each organisation returned to the assembly to present their worked up proposal

for final assembly approval before full bids were submitted to the council's S106 board.

5.13 The assembly coordinating group formed a S106 working party to work with the community organisations to support delivery of the projects. In November 2016 a further £40k of S106 money became available. The Friends of Forster Memorial Park has now been established and in collaboration with the assembly set about seeking views of the local community about improvements to the park. This included consultation at the assembly and an online survey that received over 200 responses. In early 2017 proposals for improvements to the park were presented back to the assembly and improvements were ongoing throughout the year with S106 remaining a standing item on the assembly agenda.

6. Neighbourhood CIL (NCIL) Recommendations

- 6.1 The amount of neighbourhood CIL collected since implementation of the CIL regime in Lewisham in 2015 is £1,348,078.44 (at 15% of total CIL receipts), as reported in the AMR each year. The Council does not perform any projections of future CIL receipts since payment of the levy is made upon commencement of development, and this is not something that is monitored by the Council. However, given the levels of residential growth projected in Lewisham over this coming years, coupled with the proposals to increase the rate of CIL charged, it is likely that there will continue to be a sustained level of CIL receipts over the medium-term.
- 6.2 The Council is able to spend 15% of CIL in the areas in which it was collected, however the Regs allow a greater proportion to be allocated. It is recommended that 25% of CIL be allocated to neighbourhoods in Lewisham. Allocating 25% would allow for greater local involvement in a meaningful manner, as well as providing community with sufficient resources to address the local impacts of development in a more comprehensive manner. It would also make the NCIL allocation process more inclusive in allowing all communities equal access to the same proportion of NCIL funding regardless of the adoption of a neighbourhood plan.
- 6.3 It is recommended that wards be used as the neighbourhoods for the purposes of CIL. This aligns with the government's guidance to use existing community consultation and engagement processes, and enables the Council to build on the existing competencies, local capacities, local assemblies' process, and the political representation that exists through elected Members.
- 6.4 It is recommended that some form of financial redistribution be undertaken, recognising that the impacts of development are not restricted to the administrative boundary of wards, that diverse communities function across ward boundaries, and that to address the local impacts of development it is often necessary to develop more comprehensive projects and programmes at a greater scale. A level of financial redistribution will enable wider

geographies to be used as the basis of proposed interventions, and will promote more comprehensive and ambitious allocations. This will build on the success of a number of cross-ward initiatives already undertaken by the local assemblies through the assembly fund.

6.5 It is recommended that a redistributions strategy be implemented (based on a 25% allocation to NCIL) with distribution of: 50% collected in ward retained by the ward, 25% allocated by reference to rankings of wards by the Indices of Multiple Deprivation, and 25% allocated to a borough wide fund. Please note that the IMD rankings may need to be reviewed in more detail before a final allocation is made.

6.6 The amounts presented in the tables below represents the amount of neighbourhood CIL collected over the 3 year period of the financial years 2015/16 – 2017/18.

At 25% of CIL for neighbourhoods	Ward (50%)	Ward Top Up (by IMD ranking)(25%)	Ward Total	All Ward NCIL Pot (25%)
Evelyn	£527,093.23	£45,987.08	£573,080.31	£561,699.35
New Cross	£215,399.48	£55,841.46	£271,240.94	
Blackheath	£60,109.03	£9,854.37	£69,963.41	
Lee Green	£48.43	£3,284.79	£3,333.22	
Grove Park	£-	£29,563.12	£29,563.12	
Lewisham Central	£49,621.94	£39,417.50	£89,039.44	
Rushey Green	£150,204.71	£49,271.87	£199,476.58	
Catford South	£3,431.85	£16,423.96	£19,855.81	
Downham	£4,042.43	£59,126.25	£63,168.68	
Whitefoot	£-	£42,702.29	£42,702.29	
Bellingham	£646.11	£52,556.66	£53,202.77	
Perry Vale	£6,366.21	£22,993.54	£29,359.75	
Brockley	£21,970.28	£32,847.92	£54,818.19	
Crofton Park	£12,628.57	£6,569.58	£19,198.15	
Forest Hill	£3,025.22	£19,708.75	£22,733.97	
Ladywell	£32,728.71	£13,139.17	£45,867.87	
Sydenham	£3,026.65	£36,132.71	£39,159.36	
Telegraph Hill	£33,055.86	£26,278.33	£59,334.19	

6.7 The process proposes is based on the principles presented to SDSC, the existing successful local assembly process, the Evelyn pilot, and best practice in London, and meets the CIL Regs and guidance outlined in the PPG. It is set to a medium-term financial strategy and 4 year cycle, and considers the financial and legal constraints applied to CIL. Each financial year once CIL receipts are known, the Council would publish updated

figures and send a briefing note to all local assemblies and Members on remaining funds, projects approved, completed, and in progress.

6.8 The proposed process is presented below:

<p>STAGE 1: Priority Setting (four year cycle) Ward priorities ‘themes’ set by community through the local assemblies with Members</p>
<ul style="list-style-type: none"> • Organised by ward, using local assembly and Member structure • Council published guidance on NCIL process and expectations • Member and local assembly briefings • Publish background/contextual information for each ward (GIS maps, relevant evidence bases, policies, Council capital programme etc.) • Publish financial information on available NCIL amounts per ward • Priority ‘themes’ for each ward set at workshop with community run by local assembly and Members (with Council support) • Inclusion of Neighbourhood Plan priorities within process (where applicable, including across wards if neighbourhood plans are cross boundary) • Priorities required to be broadly consistent with Local Plan and the corporate priorities
<p>OUTCOME: Ward priorities identified, agreed and published – to cover four year period</p>

<p>STAGE 2: ‘Open call’ for projects (biennial process) ‘Open call’ for projects directly submitted to Council’s website</p>
<ul style="list-style-type: none"> • Open call for project proposals • Submissions via online NCIL summary project proposal form: <ul style="list-style-type: none"> - Project name - Project description - Project location/address - Estimate of costs - Indicative timetable - Benefit to communities - Conformity to local priorities ‘themes’ and/or Local Plan and/or corporate priorities - Name of project lead - Identify any consultation that has occurred including mandatory Member engagement • Projects submitted direct to Council via online form
<p>OUTCOME: Potential projects identified by communities, local assemblies and Members</p>

<p>STAGE 3: Evaluate projects and publish long-list (biennial process) Council officers assess, filter and group projects from the open call into a long-list</p>
<ul style="list-style-type: none"> • Evaluate initial project submissions against published ‘selection criteria’: <ul style="list-style-type: none"> - Conformity to CIL Regulation - Grouping of similar projects / align associated projects into holistic schemes - Identify opportunities for NCIL to support existing projects / programmes

- Identify cross-ward opportunities
- Conformity with Local Plan and corporate priorities
- Council to publish long-list of projects

OUTCOME: Long-list published by Council

STAGE 4: Develop 'project bank' (biennial process)

Prioritisation of long-list by the community via local assembly with Members

- Prioritisation workshop to allow communities to prioritise long-list projects through the local assembly with Members
- Process to consider projects in light of published priority 'themes'
- Set of criteria agreed across the borough to guide decisions on priorities
- Council to publish project bank with prioritised project list

OUTCOME: Project bank published by Council with prioritised projects identified

STAGE 5: Allocate and delivery (annual process)

All projects allocated through PID process through Regeneration and Capital Delivery Board (RCDB)

- Allocation process to follow existing PID process for finance and legal audit through RCDB
- Council to assist organisations to develop projects with local assembly and Members as projects and funds are available (CIL funding information updated annually)
- Allocations set through RCDB PID process to either ward fund or borough fund
- Member consultation mandatory for PID submission
- Project delivery to follow existing finance and legal audit process

OUTCOME: PIDs submitted and allocations made aligned to available CIL receipts

STAGE 6: Monitoring, evaluation and reporting (annual)

- Key indicators agreed and published as part of public guidance to ensure transparency and accountability
- Reporting incorporated into existing AMR process
- Project closure and reporting to follow existing PID reporting and audit process

OUTCOME: Yearly monitoring through AMR

Governance Arrangements

- 6.9 It is recommended that the Council use existing governance and financial audit processes that align to the existing PID process; with all PIDs for NCIL passed through Regeneration and Capital Delivery Board. It may be necessary to amend the PID documents to integrate the additional legal and financial requirements associated with CIL spending, however it is recommended that existing audit and control process be applied to the allocation and spending of NCIL. Further work will need to be undertaken with Legal and Finance to finalise a process for NCIL allocation and spending, and this can be progressed once agreement on the broad strategy has been reached.

7. Legal Implications

7.1 Regulation 59 of the Community Infrastructure Levy Regulations 2010 requires that a charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. Section 216 of the Town and Country Planning Act 1990 defines infrastructure as including—

- (a) roads and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities, and
- (f) open spaces

7.2 Regulation 59F provides that where all or part of a chargeable development is in an area which is not a parish council then a charging authority, which in this instance is the Council, may use or cause to be used the Cil which would have had to have been passed to a parish council, 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.

7.3 As there is no parish council in Lewisham this applies to its entire area.

7.4 The CIL receipts that would have had to be passed to the Council if there was a parish council are as set out in Regulations 59A and 59B. This amounts to 25 per cent of the relevant CIL receipts in England, either where all or part of a chargeable development is within an area that has a neighbourhood development plan in place or where all or part of a chargeable development—

- (a) is not in an area that has a neighbourhood development plan in place; and
- (b) was granted permission by a neighbourhood development order made under section 61E or 61Q (community right to build orders) of TCPA 1990, and 15 per cent elsewhere.

7.5 The relevant CIL receipts are the proportion of CIL received in relation to a development equal to the proportion of the gross internal area of the development that is relevant development in the area, and the total amount of CIL receipts passed shall not exceed an amount equal to £100 per dwelling in the area of the local council multiplied by IA in each financial year

- 7.6 Currently as there are no neighbourhood plans in place the broader power to apply CIL in accordance with the provisions of Reg 59F is limited to 15 per cent of receipts.
- 7.7 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.8 In summary, the Council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) foster good relations between people who share a protected characteristic and persons who do not share it.
- 7.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 7.10 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>
- 7.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty

7.12 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>

8. Crime and disorder implications

8.1 There are no direct crime and disorder implications arising from this report.

9. Equalities implications

9.1 The Council's Comprehensive Equality Scheme for 2016-20 provides an overarching framework and focus for the Council's work on equalities and helps ensure compliance with the Equality Act 2010.

9.2 An equalities analysis was undertaken as part of the preparation of the council's existing CIL charging schedule. In accordance with the Equality Act 2010, the analysis considers the potential impacts of the charging schedule on those groups identified within the Act as having protected characteristics.

9.3 There are no major concerns regarding equalities. The Council should be mindful however to ensure that the income from CIL is allocated and spent is fair and equal across types of infrastructure and the geography of the borough.

9.4 Ultimately, CIL is a mechanism intended to raise money to fund infrastructure that will contribute to sustainable development in the borough. In this sense, the neighbourhood CIL strategy proposed should have an overall positive impact on the various equalities groups.

10. Environmental implications

10.1 Environmental issues are at the heart both of the planning process and the delivery of supporting infrastructure. Although the proceeds from neighbourhood CIL do not have to be specifically spent on environmental projects, it is fair to assume that over time environmentally beneficial infrastructure projects will receive funding from NCIL.

11. Financial Implications

11.1 This report recommends that the Mayor approves the proposed NCIL process and the allocation of 25% of CIL to that process and recommends that Full Council do the same.

11.2 The Council is enabled to set aside at least 15% of CIL receipts to spend on priorities that should be agreed with the local community (the NCIL process) in areas where development is taking place (rising to 25% in areas where a neighbourhood plan has been adopted). Agreeing to allocate 25% of CIL to the NCIL process (rather than 15%) will mean a significant additional amount of CIL will be allocated to this process, however as outlined in paragraphs 5.2 - 5.5 the additional 10% allocated will still have to be spent in accordance with the Council's R123 list. As the Council does not perform any projections of future CIL receipts since payment of the levy is made upon commencement of development, it is not possible to quantify the value of the additional funding that will flow through the NCIL process.

11.3 This report also recommends that the Mayor authorises the Executive Director, Resources and Regeneration to allocate NCIL amounts to projects up to a maximum amount of £500,000 with approval through the Regeneration and Capital Delivery Board.

12. Conclusion

12.1 The Mayor is recommended to approve the recommendations set out in paragraph 3 of this report:

13. Background documents and originator

If you have any queries on this report, please contact Simon Zelestis, Strategic Planning, telephone 020 8314 8701.

Appendix A: Sustainable Development Select Committee Report and Minutes, November 2016

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