

Waverley Borough Council

Scrutiny Review

**Review of the Structure to Deliver the
Community Infrastructure Levy (CIL)**

**An Environment Overview & Scrutiny
Committee Infrastructure Task and
Finish Report**

February 2019

Review of the Structure to Deliver the Community Infrastructure Levy (CIL) Scrutiny Review

1. Introduction

At the 17th September 2018 Environment Overview and Scrutiny Committee meeting, the Committee resolved to set up a working group to satisfy themselves of the CIL arrangements from an environment (end user) perspective and to inform the future work of the CIL Advisory Board. The Task Group Members are:

Councillor Wyatt Ramsdale (Chair)	Councillor Maurice Byham
Councillor Nick Williams (Vice Chair)	Councillor Peter Isherwood
Councillor Mary Foryszewski	

The Task and Finish Group resolved the scope of the review to have the following outcomes and objectives:

Desired outcomes

1. Confirmed criteria for prioritising December 2018 IDP projects
2. Recommended arrangements for future projects prioritisation
3. Provide recommendations on the relationship between relevant parties (such as Surrey County Council, Parish/Town Councils and Utility Companies)

Objectives for the review

- a) Review December 2018 IDP projects and propose criteria for prioritisation by theme and other measures in order to inform CIL and/or S106 monies spend
- b) Determine criteria for recommendation – using the proposed Critical, Essential and Desirable definitions
- c) Consider how to best engage with key infrastructure partners, to build relationships and solicit information

2. Task and Finish Group Meetings

The group met on 7 occasions to discuss; the Infrastructure Delivery Plan (IDP), the process of gaining scheme information from lead agencies, the presentation of IDP information to ensure settlement and activity are considered when approving requests for CIL funding. As a result of these discussions a number of actions were taken (recorded in section 3) and recommendations were determined (recorded in section 4).

3. Task and Finish Group Deliverables

Letters were written to:

- Waverley Borough Council Councillors
- Surrey County Councillors with divisions in the Waverly locality
- Town and Parish Council Chairs (and Clerks)

requesting these key stakeholders to review the information contained on the IDP and to work with their County, Borough and Town/Parish counterparts to make recommendations for changes so that the IDP is as up to date as possible.

The Chairman of the Infrastructure Task and Finish Group also contacted Surrey County Council Cabinet Members to establish if SCC departments were sufficiently engaged regarding the IDP.

4. Infrastructure Task and Finish Group Recommendations

Item	Recommendation
1	<p data-bbox="284 1025 1414 1064">Infrastructure Delivery Plan (IDP)</p> <p data-bbox="331 1104 1414 1357">a) The IDP is an essential document supporting the CIL process and enabling the CIL Advisory Board to make effective decisions, as such time should be given to allowing for ongoing maintenance of the document (i.e. removing duplicated, out of date and completed projects, and including new projects and projects updated with better quality information.) It is recommended the IDP is updated and made available at quarterly or monthly intervals.</p> <p data-bbox="331 1397 1414 1650">b) It is recognised that Waverley Borough Council Heads of Service are a significant source of information feeding into the IDP. It is therefore recommended Heads of Service are asked to review and update the IDP at least at quarterly intervals to ensure the IDP is particularly relevant with Waverley Borough Council information. Additionally for Heads of Service to continue to liaise closely with each other over scheme implementations and share updates as necessary.</p> <p data-bbox="331 1691 1414 1868">c) It is recommended that where a match funding opportunity of a scheme exists, this information is recorded on the IDP table. It is also recommended to encourage lead agencies to seek out and report any match funding opportunities, in order to record this information on the IDP.</p> <p data-bbox="331 1908 1414 2051">d) It is recommended that the three priority categories (critical, essential and desirable) used to rank the schemes on the IDP, should be expanded to include “undecided” (not yet prioritised), “other” (likely to be funded from sources other than CIL or S106) and “not valid”</p>

	<p>(outside the remit of CIL regulations). Such ranking will enable members of the public to view their requested project and understand the likelihood of CIL funding. If the CIL Advisory Board felt that this was not achievable, possibility could be given to either allowing the recommended working group to undertake this activity and/or produce a secondary list holding this information.</p> <p>e) It is noted that there is a balance to be achieved between the frequency of refreshing the IDP and the burden this places on resources. It is noted the regulations allow for up to 5% of CIL receipts to be spent on administrative costs associated with CIL, we should seek to limit our costs to that.</p> <p>f) Thought should be given to additional resources for the implementation / transition arrangements.</p>
<p>2</p>	<p>Bids for CIL monies</p> <p>a) When deciding if monies should be allocated to a bid, being registered on the Waverley Borough Council Infrastructure Delivery Plan (IDP) should be taken as a strong positive indicator, if not an essential requirement.</p> <p>b) To make best use of allocated monies, CIL funding should be seriously considered for those schemes already in receipt of Section 106 funding, but where the funding is insufficient to deliver the scheme.</p> <p>c) Waverley Borough Council CIL Advisory Board should be mindful of allocating its CIL monies to Town/Parish Council schemes which could reasonably be partially or fully funded by that Town/Parish Council from their own CIL funds.</p>
<p>3</p>	<p>Criteria for prioritising CIL bids</p> <p>a) A significant criteria should be the allocation of funds to projects that address identified service needs in locations where real need is genuinely a result of new qualifying development.</p>
<p>4</p>	<p>Reporting on CIL Expenditure.</p> <p>a) Whilst there is no formal, external requirement that CIL be spent on a geographic basis or on particular services, we believe that users of different backgrounds will rightly wish to see that they have been “fairly treated”. Thus we recommend a publicly available reporting matrix over set time periods with axes for geography (Ward or Division) and for the Regulation 123 categories.</p> <p>b) Noting that the recommended Terms of Reference provide for annual CIL Advisory Board reporting to the Executive, it is requested that the</p>

	<p>report is also annually shared with Environment Overview and Scrutiny (and other Overview and Scrutiny Committees as appropriate).</p>
5	<p>Working together</p> <p>In light of the potential CIL income there is much opportunity to be gained from the allocation of CIL receipts, particularly if County, Borough and Town/Parish Councils are able to work together to understand infrastructure needs and pool funding.</p> <ul style="list-style-type: none"> a) It is recommended to encourage locality based, joint working groups with representatives from County, Borough and Town/Parish Councils to discuss common issues, priority schemes and cross boundary matters which can feed into Waverley Borough Council planning and IDP. (Sometimes this may include cross boundary matters involving boroughs and counties). b) In order to lead by example in this multi stakeholder space, consideration should be given to the value of having a Surrey County Council Councillor representative, to aid cooperation between tiers of government and supported by SCC's CIL/S106 Officer, on the Waverley Borough Council CIL Advisory Board.
6	<p>CIL Monies</p> <ul style="list-style-type: none"> a) There are many contributing factors which can impact on the projected amount of CIL receipts and also the timing of the CIL receipts. It is recommended that the CIL Advisory Board is regularly updated on the level of agreed planning (including size of development and timescales) as well as national, regional and local economic factors as part of their overarching understanding, in order to ensure effective decision making and be aware of any potential changes in the CIL receipt forecasts. (This is an activity which any ongoing working group, should one exist, could support the CIL Advisory Board) b) Serious consideration should be given by the CIL Advisory Board to positively receiving bids for scheme funding, which would enable other match funding to be granted to the scheme, thereby enabling the scheme to be delivered with only limited Waverley Borough Council CIL funding.
7	<p>Ongoing Support to the CIL Advisory Board</p> <ul style="list-style-type: none"> a) As an informed body, it is recommended that CIL Advisory Board / Waverley Borough Council may be able to sign post lead agencies at an early stage to alternative sources of funding which may lead to scheme delivery by alternative funding. This is particularly important where CIL funding is unlikely to be deemed critical or essential. b) A permanent CIL or Infrastructure working group be considered, with

	the focus of supporting the CIL Advisory Board, by looking at the detail and undertake the initial prioritisation of projects on the IDP.
8	Implementation a) Consideration should be given to how Borough Council Councillors (and Town/Parish Chairmen) can be appropriately trained.

Councillor Wyatt Ramsdale
Chair of the Infrastructure Task and Finish Group

Wendy Cooper
Scrutiny Policy Officer
Tel: 01483 523496