

CIL Allocation of Strategic Fund – Revised Governance Procedure

Report of the Cabinet Member for Economic Development, Leisure & Local Plan
Councillor I. Eadie



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| Date: | 12 October 2021 |
| Agenda Item: | 10 |
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| Key Decision? | YES |
| Local Ward Members | N/A |

FULL COUNCIL

1. Executive Summary

- 1.1 This report presents a revised governance procedure for allocating the discretionary element of Community Infrastructure Levy (CIL) funding for strategic projects.
- 1.2 The report recognises that the Council has recently changed its committee structure and proposes changes to the current CIL governance process to take account of those changes and to ensure it is agile and efficient in decision making, oversight and delivery.

2. Recommendations

- 2.1 That Council confirms that the following revisions are made to the CIL governance process as recommended by Cabinet:
 - That the CIL Annual Financial Monitoring report (April) and mid-year update (October) are agreed by the Cabinet member for Economic Development, Leisure & Local Plan in consultation with the Head of Economic Growth and Development and reported as a briefing paper to the Council's Overview & Scrutiny committee.
 - That approval for the transfer of CIL monies related to the Cannock Chase and River Mease Special Areas of Conservation (SACs) and Neighbourhood CIL is delegated to the Cabinet member for Economic Development, Leisure & Local Plan in consultation with the Head of Economic Growth and Development.
 - That the current Joint Member and Officer Group (JMOG) is disbanded and consideration of the future preparation and revision of CIL policies, procedures and proposals including approval of spending discretionary CIL allocations for strategic infrastructure projects is made the responsibility of the Strategic Infrastructure Group (SIG) in conjunction with the Cabinet member for Economic Development, Leisure and Local Plan. The SIG will advise/make recommendations to then be considered by the Cabinet member/Cabinet in respect of the allocation of CIL monies.
 - That the operation of the SIG is scrutinised by the new Overview & Scrutiny committee and/or any such Task Group established for this purpose.
 - That the Council notes the recommendation of Cabinet that the revised governance arrangements be approved and endorses this recommendation.
- 2.2 That Council delegate authority to the Cabinet Member for Economic Development, Leisure and Local Plan in consultation with the Head of Economic Growth and Development to agree and publish the Infrastructure Funding Statement (IFS).

3. Background

- 3.1 Following the Council's recent decision to change its committee structure arrangements to form a central Overview & Scrutiny model, supported by member task groups, revisions to the Community Infrastructure Levy (CIL) governance arrangements to be consistent with the new committee structure were proposed and considered by Cabinet in [June 2021](#).
- 3.2 The existing CIL governance arrangements and those recommended to replace the existing arrangements are set out in detail within the [June 2021 Cabinet report](#). At the June 2021 meeting the Cabinet resolved to implement revisions to the CIL governance process.
- 3.3 In summary the key changes to the CIL governance process are as follows:
- The Joint Member and Officer Group (JMOG) is disbanded and consideration of the future preparation and revision of CIL policies, procedures and proposals including approval of spending discretionary CIL allocations for strategic infrastructure projects should be transferred to the Strategic Infrastructure Group (SIG) in conjunction with the Cabinet Member for Economic Development, Leisure & Local Plan. The SIG will advise/make recommendations to then be considered by the Cabinet member/Cabinet including in respect of the allocation of CIL monies.
 - Regular reports which are prepared for information, such as the CIL annual monitoring report (April) and mid-year report (October) are agreed by the Cabinet member for Economic Development, Leisure & Local Plan in consultation with the Head of Economic Growth and Development and reported as a briefing paper to the Council's Overview & Scrutiny committee.
 - The transfer of CIL monies to the Special Areas of Conservation (SACs) and the Neighbourhood CIL are processes that happen by necessity and therefore agreement for transfers are to now to take place through delegated authority between the Cabinet Member of Economic Development, Leisure & Local Plan in consultation with the Head of Economic Growth & Development.

It is considered that this approach is consistent with other delegated responsibilities already in place and, by using such delegation this will in effect free-up time for SIG to focus on other matters which require more debate.

- 3.4 Wider scrutiny and support for proposals through the new governance approach will be achieved without a slowing down in decision taking into account the new corporate Overview and Scrutiny arrangements (**Figure 1 - Appendix A**). Reports will be prepared or alternatively a briefing paper for the Overview & Scrutiny Committee in advance of Cabinet. Alternatively members of Overview & Scrutiny Committee may decide that a task group should be formed.
- 3.5 Following the Cabinet meeting held on the 8th June 2021 it is requested that Council note and agree the new governance arrangements – with JMOG disbanded and the SIG reporting into Cabinet/the relevant Cabinet Member and its work being scrutinised by Overview and Scrutiny Committee.
- 3.6 The Council is required to publish an Infrastructure Funding Statement (IFS) by 31 December each year. The IFS provides further factual data on the monitoring of CIL/planning obligation monies received and administered by the Council. This data is drawn from the CIL financial reports described at paragraph 3.3 of this report. It is recommended that the reporting of the IFS be taken alongside the annual and mid-year CIL reports and are agreed by the Cabinet member for Economic Development, Leisure & Local Plan in consultation with the Head of Economic Growth and Development.

Alternative Options

Not implementing the changes in governance arrangements could result in the continuation of the current process which can lead to inefficient use of officer and member time and a disconnect between those proposing recommendations and

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| | the wider scrutiny of members from Overview & Scrutiny before decisions are taken to Cabinet. |
| Consultation | Revision of governance arrangements has taken place in consultation with the Cabinet member for Economic Development, Leisure & Local Plan. |
| Financial Implications | The new governance structure will assist in enabling funding allocations to be made to support infrastructure serving the district, however, there are no impacts on District Council budgets. |
| Approved by Section 151 Officer | Yes. |
| Legal Implications | None arising from this report. |
| Approved by Monitoring Officer | Yes. |
| Contribution to the Delivery of the Strategic Plan | The new governance arrangements will assist in achieving LDCs ambitions to be a good council by allowing for transparency in decision making. |
| Equality, Diversity and Human Rights Implications | An Equality Impact Assessment screening has been completed. |
| Crime & Safety Issues | None arising from this report. |
| Environment Impact | None arising from this report. |
| GDPR / Privacy Impact Assessment | None arising from this report. |

| | Risk Description & Risk Owner | Original Score (RYG) | How We Manage It | Severity of Risk (RYG) |
|---|------------------------------------|--|--|--|
| A | Changes in governance arrangements | Likelihood: Yellow Impact: Yellow Severity of Risk: Yellow | The new arrangements may take some time to settle in. However, the process will be kept under review and amendments made as appropriate to ensure a streamlined and efficient process is achieved. | Likelihood: Yellow Impact: Yellow Severity of Risk: Yellow |

Background documents

Community Infrastructure Levy Governance Administration Procedures – **Appendix A**

Relevant web links

[Infrastructure Funding Statement 2019-2020](#)

[CIL Allocation of Strategic Fund - Revised Allocation Criteria – Cabinet Report \(June 2021\)](#)