

Community Infrastructure Levy Steering Group

Date and Time - Monday 8 February 2021 – 2:00pm

Venue - Remote Meeting

Councillors appointed to the Steering Group:

Councillors J. Vine-Hall (Chairman), Mrs C.A. Bayliss, K.P. Dixon, D.B. Oliver and S.M. Prochak (MBE).

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.
3. **MINUTES OF THE LAST MEETING - 5 OCTOBER 2020 - MATTERS ARISING** (Pages 1 - 12)
4. **STRATEGIC COMMUNITY INFRASTRUCTURE LEVY (CIL) - PROPOSAL FOR APPORTIONMENT OF FUNDS AND MEMBERSHIP OF THE STRATEGIC CIL ALLOCATIONS PANEL** (Pages 13 - 18)
5. **COMMUNITY GRANTS AWARDED IN THE PAST TWO YEARS** (Pages 19 - 24)
6. **ANY OTHER BUSINESS**
7. **DATE OF NEXT MEETING - TO BE AGREED**

Malcolm Johnston
Chief Executive

Agenda Despatch Date: 4 February 2021

This agenda can be made available in large print, Braille, audiotape/CD or in another language upon request. For all enquiries – please contact julie.hollands@rother.gov.uk Tel: 01424 787811

**Rother District Council's aspiring to deliver
an Efficient, Flexible and Effective Council; Sustainable Economic Prosperity;
Stronger, Safer Communities; and a Quality Physical Environment.**

This page is intentionally left blank



Minutes of the Community Infrastructure Levy Steering Group held remotely on Monday 5 October 2020 at 2:00pm.

Steering Group Members present: Councillors K.P. Dixon, D.B. Oliver, S.M. Prochak (MBE) and J. Vine-Hall (Chairman).

Other Members present: Councillors Mrs V. Cook (in part), C.A. Madeley and A.S. Mier (in part).

Advisory Officers present: Assistant Director Resources (in part), Head of Strategy and Planning, Planning Policy Manager, Principal CIL Officer and Democratic Services Officer.

Also present: 16 members of the public, via the YouTube live broadcast.

CIL20/07. APOLOGIES FOR ABSENCE

(1)

An apology for absence was received from Councillor C.A. Bayliss.

CIL20/08. DISCLOSURE OF INTERESTS

(2)

Declarations of interest were made by Councillors in the Minutes as indicated below:

Dixon Agenda Items 4 and 9 – Personal Interest in so far as his wife is the Clerk at Brede Parish Council.

Prochak Agenda Item 7 – Personal Interest in so far as she is Chairman of the Council's Community Grants Scheme Panel.

Vine-Hall Agenda Item 4 and 9 – Personal Interest in so far as he is the Chairman of Sedlescombe Parish Council.

CIL20/09. MINUTES OF THE MEETING 24 JULY 2020 – MATTERS ARISING

(3)

The Community Infrastructure Levy (CIL) Steering Group considered the list of actions and the following was confirmed / noted:

Action 1: The Instalment Policy link had been emailed to Members of the CIL Steering Group and other Members who attended the meeting.

Action 2: The Principal CIL Officer confirmed that £819,644 (Rother element) of New Homes Bonus was estimated to have been lost as a result of recent developments approved on appeal.

Action 3: The Planning Policy Manager clarified that 25% of CIL payments would only be paid to a parish or town council where planning permission had been granted after a Neighbourhood Plan had been “made”. The procedure was detailed in paragraph 145 of the CIL section of the Planning Policy Guidance.

Action 4: It was confirmed that the 72-bed care home at Rosewood Park was not liable for CIL (because it was a care home).

It was clarified there were no further matters arising.

CIL20/10.
(4)

BACKGROUND TO INFRASTRUCTURE FUNDING STATEMENTS

Amended Community Infrastructure Levy (CIL) regulations came into force on 1 September 2019. Under these regulations, the Infrastructure Funding Statement (IFS) would replace the adopted CIL Regulation 123 List as the mechanism through which projects were identified for CIL funding. It was noted that the IFS would still be informed by the Infrastructure Delivery Plan (IDP).

District councils and county councils were obligated to prepare an IFS when in receipt of a contribution from development through CIL or a Section 106 (S106) obligation. From 2019/20 onwards, any local authority in receipt of CIL or S106 contributions must publish an IFS online by 31 December 2020 and by the 31 December each year thereafter.

The IFS detailed future spending priorities on infrastructure and affordable housing in-line with up-to-date or emerging plan policies and the needs of major infrastructure providers. The IDP detailed the framework for infrastructure needed to support the development targets in the Council’s Local Plan which identified the current position across the district.

IFS set out the infrastructure projects or types of infrastructure that the Council intended to fund, or may fund, either wholly or partly, by the levy or planning obligations. However, inclusion in the IFS did not signify the Council’s commitment to fund, prioritise or give weight to one particular type of infrastructure. The process of governance for CIL expenditure would be carried out separately through the adopted process.

Members had the opportunity to ask questions and the following salient points were clarified / noted:

- the CIL Regulation 123 List would be replaced by the IFS;
- Councillor Prochak commented that parish and town councils (P&TCs) were not satisfied with or supportive of the CIL Regulation 123 List and would be pleased to see it replaced; and

- P&TCs were legally required to publish a financial report detailing the amount of CIL receipts received and what projects the money had been or would be spent on. This should then be either published on the Parish Council's website and/or the Rother District Council (RDC) website. The Planning Policy Manager advised that last year a reminder email had been sent to all P&TC Clerks requesting this information; an email would be sent this year.

It was agreed that a draft IFS would be considered at the next scheduled meeting on 2 November 2020.

RESOLVED: That a draft Infrastructure Funding Statement be considered at the next scheduled meeting on 2 November 2020.

(When it first became apparent, Councillor Dixon declared a personal interest in this matter in so far as his wife was the Clerk at Brede Parish Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

(When it first became apparent, Councillor Vine-Hall declared a personal interest in this matter in so far as he was Chairman of Sedlescombe Parish Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

In agreement with the Community Infrastructure Levy Steering Group, the Chairman re-ordered the Agenda to consider Agenda Item 8 next.

CIL20/11.
(8) **OVERVIEW OF THE COMMUNITY INFRASTRUCTURE LEVY POSITION AT OTHER EAST SUSSEX LOCAL AUTHORITIES AND THEIR STRATEGIC CIL AWARD PROCESSES**

The Community Infrastructure Levy (CIL) Steering Group considered the report of the Head of Strategy and Planning which set-out the differences between the current CIL positions at other local authorities in East Sussex and sought Members' views on whether amendments should be made to the Council's Instalment Policy (IP).

Members noted that at present, as well as Rother District Council (RDC), Lewes and Eastbourne Councils and Wealden District Council operated CIL. Hastings Borough Council did not operate CIL and solely relied on Section 106 agreements. Brighton and Hove City Council were scheduled to commence CIL on 5 October 2020. Appendix A to the report detailed the different operating procedures for the East Sussex local authorities.

The following salient points were noted:

- Only RDC set an amount for which the bidding process would be triggered, the trigger amount was set at £250,000. In addition, only RDC applied an eligibility criteria of a minimum total project cost to bid for Strategic CIL funding which equated to £100,000.

- All authorities (except RDC – decision making panel) required Cabinet or full Council to approve bids.
- Only Eastbourne and Lewes Councils divided Strategic CIL into spending pots for different infrastructure.
- Lewes District Council had updated their IP (Eastbourne would be shortly).

The Council's IP was formally adopted in December 2015 and required payments to be made at set times following commencement of development. Failure to pay on time meant that the Applicant would forfeit their right to pay in instalments. New regulations gave local authorities discretion, for a limited period only to defer CIL payments for small and medium sized developers (SMEs) without imposing additional costs. Therefore CIL payments must be paid during the "material period" (22 July 2020 to 31 July 2021). This only related to SMEs with an annual turnover not exceeding £45m.

As a result of the COVID-19 pandemic, it was considered prudent to potentially amend the IP to assist in easing the financial pressures on SMEs during these unprecedented times and to encourage housing delivery across the district. In-line with new Government regulations, the Council had published a CIL Deferral Request (DR) Application Form on the website; to date only one form had been submitted.

A comparison of the local authorities IPs was provided, as follows:

Authority	60 days of commencement 100% payment	Instalments
Rother	£50,000	£50,000 - £300,000: 50% in 120 days, 50% in 360 days £300,000: 30% in 60 days, 35% in 420 days, 35% within 660 days (22 months)
Lewes	£50,000	Up to £15,000: total amount within 60 days £15,000 - £50,000 20% within 60 days, 80% within 180 days £50,000 - £200,000: 10% within 90 days, 50% within 270 days, 40% within 360 days Over £200,000: 10% within 180 days, 50% within 360 days, 40% within 540 days
Wealden	£500K in 30 days	£500,000- £1,500,000: 60% in 30days, 40% in 52 weeks £1,500,000+: 60% 30 days, 20% 52 weeks, 20% 104 weeks
Eastbourne	ALL	CIL must be paid within 60 days of the

		commencement of development.
--	--	------------------------------

Clarity was sought on whether there was evidence that the current procedure was causing problems for existing planning applications or whether amending the IP presented more risk to the Council. The Planning Policy Manager advised that to date only one CIL DR had been submitted, only a couple of telephone enquiries had been received and that the IP could be amended without formal consultation. Some other local authorities had amended their IP as they felt it would be welcomed by developers and would help to stimulate housing delivery. It was clarified that the collection of CIL payments would be extended only, therefore there would be limited risk to the Council.

As only one formal enquiry had been received and there was limited risk to the Council, the CIL Steering Group agreed that no amendments be recommended to the Council's IP at this time, however the policy would be kept under review.

RESOLVED: That no amendments be recommended to the Council's Instalment Policy but kept under review.

CIL20/12.
(5)

**STRATEGIC COMMUNITY INFRASTRUCTURE LEVY
GOVERNANCE ARRANGEMENTS AND FUNDING DECISION
PROTOCOL**

Consideration was given to the report of the Head of Strategy and Planning on the Council's governance arrangements and Funding Decision Protocol (FDP) for allocation of funds from Strategic Community Infrastructure Levy (CIL).

Strategic CIL retained by the Council could be used to fund a wide range of infrastructure such as transport, flood defences, schools, hospitals and other health and social care facilities, but not affordable housing. The Council must spend CIL on infrastructure needed to support the development of the district which would be informed by the Infrastructure Development Plan (IDP).

Appendix 1 to the report detailed the current governance arrangements and it was noted that up to £250,000 would need to be accrued before spending decisions could be made. In December 2018, Members were advised that the threshold of £250,000 strategic CIL funds had been reached and the Council's CIL FDP, Bid Pro-forma, Assessment Criteria, Bid Valuation Checklist as detailed at Appendix 2 was formally approved. The CIL bidding process was opened in February 2019. The report detailed the current bidding process and composition of the CIL Officer Group.

Members noted the successful strategic CIL applications funded since the summer of 2019, as detailed at Appendix 3 to the report.

Local CIL was proportioned to the parish or town councils, either 15% or 25% if a Neighbourhood Plan was "made". The Local CIL allocation must be spent within five years otherwise the District Council could ask

for the funding to be returned. It was noted that Local CIL could be used on affordable housing delivery. Communities without a parish or town council still benefited from the neighbourhood portion. However, there was not a set process for agreeing how the funding should be spent. The Council would engage with the local community to agree how to spend the Local CIL.

Bexhill Local CIL was assessed using the same method. Three applications were considered in autumn 2019; none of the bids received were awarded Bexhill Local CIL funding.

The Chairman shared a number of proposals on how he felt the Council should allocate the strategic portion of CIL, as follows:

1. CIL funds be used primarily to provide infrastructure improvements to directly offset the impact of adjacent development and improve the overall infrastructure of the District.
2. To prioritise improvement or long-term maintenance of existing strategic Rother District Council (RDC) owned public realm assets. To prioritise high speed and ultra-fast broadband in towns, villages and rural areas prioritising areas with current speeds below 20Mbps download. To prioritise traffic calming and speed reduction in villages and the use of cycle and walking infrastructure in both towns and villages.
3. The allocation of strategic CIL be applied only to areas with allocated housing sites which generate CIL (with the exception of 'exception housing sites' of six or more houses).
4. To ensure fairness in the allocation of strategic CIL funding by separating the strategic funding generated from the significant development in Bexhill and those of rural areas and applying each separately.
5. To create a prioritised long list of projects that would be funded by strategic CIL generated by RDC Members and officers, infrastructure providers and parishes and towns through a consultation with proposed projects supported by a short outline rationale.
6. A final list of CIL projects to be recommended once a long list had been created and assessed and this to form the IDP.
7. The final list of projects and timings of projects to be funded based on the analysis of receipts currently being undertaken and prioritised to ensure 'must do' projects take priority over 'would like/be good to do' projects.
8. Projects be funded as CIL was received (for the avoidance of doubt not to take loans against the Council's reserves or borrowings).
9. For infrastructure projects in towns and villages where the project was specific to that location that the town or village part funds a meaningful share of the project through either their own CIL fund or through other funding sources (this would include for example, sporting facilities, footpaths). Note: Infrastructure on roads with 2,000 car movements a day or more or on a main trunk road be eligible to attract full strategic CIL funding for traffic calming/management improvements.

During the discussion, the following points were noted:

- It was noted that the Infrastructure Funding Statement (IFS) would be informed by the current IDP (March 2019).
- The IFS detailed which projects would or might be funded by CIL.
- That Members and Parishes be consulted to create a long list of potential projects that could be funded through CIL and those be prioritised against expected receipts of CIL to ensure CIL was allocated to the highest priorities first. (A detailed projection of CIL receipts was currently being undertaken).
- Joint working on specific infrastructure projects would be essential, particularly where projects overlapped with neighbouring authorities.
- Significant countywide strategic CIL projects should be included within the Council's IDP e.g. superfast broadband and high-speed rail etc.
- Consideration be given to the County Council's infrastructure projects and how they might influence / effect CIL receipts received by the Council. It was important that all projects were prioritised within the IDP and that the Council only funded appropriate projects. The Planning Policy Manager advised that the Council would be liaising with a large number of infrastructure providers to ascertain the critical infrastructure requirements. These would be detailed within the new Local Plan, future IDPs and future IFSs.
- It was suggested that the composition of the CIL Officer Group consist of no more than seven members. For complete transparency, it was suggested that the Group consist of three Councillors and four officers.

It was agreed that officers considered the Chairman's proposals as detailed above and the composition of the CIL Officer Group be reconsidered to include Members and reported at the next scheduled meeting to be held on 2 November 2020.

RESOLVED: That officers considered the Chairman's proposals and reconsidered the composition of the CIL Officer Group to include Members and reported at the next meeting scheduled to be held on 2 November 2020.

CIL20/13.
(6)

GOVERNMENT FUTURE REVIEW OF COMMUNITY INFRASTRUCTURE LEVY

In August 2020, the Ministry of Housing Communities and Local Government (MHCLG) published a White Paper on "Planning for the Future" which detailed significant changes to the planning system, which covered three specific areas (known as pillars) namely: planning development; planning for beautiful and sustainable places; and improving infrastructure delivery and a reform of development contributions.

At present, the Council secured funding through Community Infrastructure Levy (CIL) and Section 106 (S106) contributions. S106 contributions were negotiated with developers, whereas CIL was a

fixed charge levied on the area (floorspace) of new development. CIL was not mandatory and currently only half of local planning authorities in the UK applied it.

The following proposals/changes were noted:

- CIL be charged as a fixed proportion of the development value, with a mandatory national set rate(s) and the current system be abolished.
- The scope of CIL be extended to capture changes of use through permitted development rights.
- Deliver affordable housing provision.
- Local authorities be given more freedom to spend Infrastructure Levy.

The White Paper was subject to public consultation (scheduled to close on 29 October 2020) and a draft response (Pillar 3) had been prepared and was attached at Appendix 1 to the report. The Planning Policy Manager led the Steering Group through the responses and confirmed that a briefing had been organised for Members at 3:30pm on Thursday 15 October 2020 to consider/discuss the wider White Paper in more detail.

The CIL Steering Group agreed that a review of the Council's Community Infrastructure Levy Charging Scheme be delayed subject to the outcome of the national consultation on the Government's White Paper "Planning for the Future" and further detailed work had been undertaken to support the new Local Plan on future infrastructure needs to support development.

RESOLVED: That a review of the Council's Community Infrastructure Levy Charging Scheme be delayed subject to the outcome of the national consultation on the Government's White Paper "Planning for the Future" and further detailed work had been undertaken to support the new Local Plan on future infrastructure needs to support development.

CIL20/14.
(7)

COMMUNITY INFRASTRUCTURE LEVY AND COMMUNITY GRANTS SCHEME CRITERIA

Since 2008, the Council had operated a Community Grant Scheme (CGS) with an annual budget of £130,000 drawn down from Earmarked Reserves. The CGS supported the development of community facilities, community activities and sustainable local action and applications were welcomed from voluntary or community organisations.

The report detailed the process for the Council's CGS; as follows:

- Three types of grant namely small – up to £500; medium – up to £5,000; and large – up to £30,000.
- Medium and large grant applications were considered twice yearly in January and July.

- All applications assessed using a Grant Assessment Sheet against agreed criteria as detailed at Appendix 1 to the report.
- Applications were considered by a Panel consisting of two Cabinet Members; Chairman of Overview and Scrutiny Committee; Rother Voluntary Action Representative; Action in Rural Sussex Representative; Chairman of Rother Association of Local Councils and two Council officers (one finance).

Strategic Community Infrastructure Levy (CIL) retained by the Council could be used to fund a wide range of infrastructure such as transport, flood defences, schools, hospitals and other health and social care facilities, but not affordable housing. The Council must spend CIL on infrastructure needed to support the development of the district which would be informed by the Infrastructure Development Plan.

Where all or part of a chargeable development was within the area of a Parish Council, the Council would need to pass on a proportion of the Local CIL receipts. The local figure equated to 15%, except where a Neighbourhood Plan was “made” which would rise to 25%. Communities without a parish or town council still benefited from the neighbourhood portion; the Council would engage with the local community to agree how to spend the Local CIL. Therefore, this money could be spent on funding affordable housing. It was noted that Planning Practice Guidance advised that parish and town councils should liaise with the Council to agree priorities for spending the Local CIL.

During the debate the following key issues were noted:

- Applications received through the CGS were predominantly specific non-strategic projects (e.g. sport pitches/pavilions, kitchen equipment etc.) for the parishes, towns, villages and Bexhill.
- £130,000 from Earmarked Reserves was not sustainable and not good financial management; overspent during 2019/20. Suggestion that a small pot of Strategic CIL funding could be utilised to fund smaller CGS infrastructure projects. Flexibility in the current regulations were strict, therefore clear parameters would be required.
- Reduce CGS by £50,000 and use CIL money to make up the difference.
- Ideas were sought on how additional funding could be achieved. One suggestion was to investigate the opportunity of establishing a Rother District Council Lottery; advice would need to be sought from the Gambling Commission.
- Members were reminded that organisations would need to match-fund CGS grants; ensures community involvement.

The Steering Group agreed that the Principal CIL Officer should carry out a comparison exercise on how many projects (£) from CGS over the last two years could have been funded from CIL receipts and report the findings at the next meeting scheduled to be held on 2 November 2020. It was also agreed that the Community Grant Scheme officers investigate the option of establishing a Council Lottery and

acknowledged that the current CGS funding from Earmarked Reserves was not sustainable.

RESOLVED: That:

- 1) the Principal CIL Officer to carry out a comparison exercise on how many projects (£) from CGS over the last two years could have been funded from CIL receipts and report the findings at the next meeting scheduled to be held on 2 November 2020;
- 2) the Community Grant Scheme officers investigate the option of establishing a Council Lottery; and
- 3) it be noted that the current Community Grant Scheme funding from Earmarked Reserves was not sustainable.

(Councillor Prochak declared a personal interest in this matter in so far as she is the Chairman of the Council's Community Grants Scheme Panel and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

CIL20/15.
(9)

ANY OTHER BUSINESS

Community Infrastructure Levy (CIL) Receipts – it was noted that approximately £163,000 had been distributed to the parish and town councils.

Climate Emergency – an opportunity to stipulate that the Council's Community Grant Scheme would provide funding for "climate change" environmentally friendly projects only. It was suggested that this be raised / discussed at the Parish Conference scheduled to be held on Wednesday 21 October 2020 at 3:00pm on Zoom.

CIL Workshop – a suggestion was proposed that the Council hosted a workshop for parish and town councils to advise how they should spend CIL receipts, account for it and remind them that any monies unspent after five years could be clawed back by the Council.

ACTION 1: To discuss CIL / CGS at the Parish Conference scheduled to be held on Wednesday 21 October 2020 at 3:00pm. (Councillor Prochak)

ACTION 2: Consideration be given to hosting a CIL Workshop for parish and town councils. (SL)

(Councillor Dixon declared a personal interest in this matter in so far as his wife is the Clerk at Brede Parish Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

(Councillor Vine-Hall declared a personal interest in this matter in so far as he was Chairman of Sedlescombe Parish Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

CIL20/16. **DATE OF NEXT MEETING**
(10)

The date of the next meeting was arranged for Monday 2 November 2020 at 2:00pm.

CHAIRMAN

The meeting closed at 15:45pm.

CIL201005jh

This page is intentionally left blank

Rother District Council

Report to: Community Infrastructure Levy Steering Group

Date: 8 February 2021

Title: Strategic Community Infrastructure Levy (CIL) – Proposal for apportionment of funds and membership of the Strategic CIL Allocations Panel

Report of: Head of Strategy and Planning

Purpose of Report: To set out the proposal for apportionment of Strategic CIL funds and membership of the Strategic CIL Allocations Panel

Officer Recommendation(s): It be **RESOLVED:** That Members’ views be sought on:

- 1) the new proposal as set out in paragraph 4 of this report and visualised in Appendix 1 regarding the apportionment of Strategic CIL to differing funds;
- 2) the composition of the Strategic CIL Allocations Panel; and
- 3) if points 1 & 2 above are agreed, that these proposals be incorporated into new draft CIL Governance arrangements for consideration at the next meeting of the CIL Steering Group.

Introduction

1. At its meeting on the 5 October 2020, Members of the Community Infrastructure Levy Steering Group (CILSG) were presented with a report regarding the current governance arrangements and Funding Decision Protocol for the allocation of funds from Strategic CIL (that which is retained by Rother District Council [RDC]). It was resolved at the meeting that officers considered the Chairman’s proposals and reconsidered the composition of the CIL Officer Group to include Members and report back at the next meeting.

Strategic CIL Allocations Panel

2. At the last meeting, it was suggested that the composition of the CIL Officer Group consist of no more than seven members. It is proposed that the make-up of the Strategic CIL Allocations Panel (formerly the CIL Officer Group), consist of five Members to represent Bexhill and rural Rother and five non-voting advisory officers as follows:
 - Portfolio holder for Strategic Planning – Councillor Vine-Hall (rural Rother)
 - Portfolio holder for Finance and Performance Management – Councillor Dixon (rural Rother)
 - Portfolio holder for Economic Development and Regeneration – Councillor Bayliss (Bexhill)
 - Chairman of Overview and Scrutiny Committee – Councillor Osborne (rural Rother)

- Chairman of the Council – Councillor Drayson (Bexhill)
- Invited advisory Members (as and when, required) (non-voting)

And the following (advisory only):

- Head of Service Strategy and Planning – advisory
- Planning Policy Manager – advisory
- Assistant Director Resources – advisory
- Principal CIL Officer – advisory
- Environment and Policy Manager – advisory
- Any other officers as and when required

Strategic CIL Funding Apportionment Proposal

3. Strategic CIL (that which is retained by RDC) can be used to fund a wide range of infrastructure such as transport, flood defences, schools, hospitals and other health and social care facilities. However, charging authorities (RDC) may not use the levy to fund affordable housing. Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed and this is informed by the [Infrastructure Delivery Plan \(IDP\) – March 2019](#) and subsequent reviews of the IDP.
4. Attached at Appendix 1 is a diagram illustrating the new proposal for the sub-division of the Strategic CIL funds into four¹ specific allocation areas as follows:
 - **Special Projects Fund** – RDC to apportion 55% of the Strategic CIL to fund projects within Bexhill and rural Rother (those areas outside the parish of Bexhill) where RDC considers an infrastructure improvement or project. Those applying for funding from the Special Projects Fund (SPF) will be required to demonstrate how their infrastructure scheme proposal meets the Local Plan objectives, Corporate Plan objectives and be identified as critical infrastructure in the IDP. The SPF will be split into two sub funds – one for Bexhill and one for rural Rother, each fund representing the actual CIL funds generated in those two areas and to fund infrastructure in each area.
 - **Distribution Fund** – RDC to apportion 40% of the Strategic CIL to fund projects within Bexhill and rural Rother (e.g. anywhere outside of the parish of Bexhill in the Rother district) and the amount requested from the Distribution Fund (DF) should be match-funded and can only be used in towns and parishes where housing is allocated, as the purpose of CIL is to offset the impact of development. In addition, those projects with a wider impact could be funded between 75% and 100% from the DF depending on whether and to what extent the project can truly demonstrate a wider infrastructure impact. The DF will also be split into two sub funds – one for Bexhill and one for rural Rother, each fund representing the actual CIL funds generated in those two areas and to fund infrastructure in both areas. Funding from the distribution fund is not automatic, is dependent on a parish or town having a prioritised infrastructure plan and will need to be applied for by application. When allocating funding funds allocated to

¹ The Residual Fund as set out below will only be used if there are left over funds from the Distribution Fund

an area will not be greater than the total strategic CIL generated by the parish or town.

- **Climate Change Fund** – RDC to apportion 5% of Strategic CIL in support of the Council's commitment to be a carbon neutral district by 2030 as set out in the Environment Strategy and this fund will support climate change projects across the district.
 - Where there are monies that have not been allocated from the DF (over a given time period to be agreed), these monies will be transferred to a **Residual Fund** (RF), which again will be split into two sub funds – one for Bexhill and one for rural Rother. It is proposed that these RF be apportioned for use in areas where large Community Land Trusts (CLTs), Exception Sites or solely Affordable Housing Schemes have been developed as these types of development are exempt from CIL. In addition, the RF may allocate monies that would normally be eligible for funding from the Community Grant Scheme (CGS) if they are considered within the Strategic CIL infrastructure definition and cannot be funded through Local CIL or other local funding sources (Public Works Loan Board (PWLB), parish or town reserves etc.). Bids can then be invited from these areas for infrastructure schemes for consideration by the Panel.
5. It is proposed that both the SPF and DFs are only used against agreed prioritised infrastructure projects, as per the section on the Infrastructure List below and that firm commitments of funding are only to be made against actual funds received by the District Council. Commitments in principle would be made where funds have a high likelihood of coming forward and the minimum allocation will be £30,000, which is that maximum grant awarded from the CGS. This will ensure that RDC does not need to take out loans to fund CIL projects against reserves.

Infrastructure List

6. An Infrastructure List is a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL. This is a requirement of the Infrastructure Funding Statement (IFS) and is reviewed annually, with the next one being produced for publication in December 2021. The most up-to-date list of infrastructure requirements to support development identified through the Local Plan is set out in the IDP (March 2019).
7. It is important to clearly identify what infrastructure is needed to deliver the development set out within the Local Plan. Much of the infrastructure will be within the district boundary but other elements may cross boundaries, such as High-Speed Rail and be deliverable by several providers and benefit development in more than one planning authority.
8. The IDP Schedule identifies infrastructure fundamental to the delivery of the objectives and spatial strategy of the Core Strategy. It identifies both the infrastructure required to support the level and distribution of development proposed in the Local Plan and also those infrastructure improvements that are required to resolve existing deficiencies and promote sustainable communities.

9. It is proposed to ask parish and town councils (where housing is allocated) and other infrastructure providers to provide a list of proposed infrastructure needed to support development proposed through the new Local Plan and early discussions on this will start later in 2021 (note: parishes and towns will be given training to support them in understanding infrastructure funding through CIL). This list should identify whether any identified infrastructure needs proposed is of local impact only or can be demonstrated to have a wider strategic impact in Rother (e.g. building a local exercise facility might be local only, whereas road improvements on an A or B road may have broader impact).
10. It is proposed that the priorities in the Infrastructure list may comprise of:
 - Long term maintenance/repair of Rother owned assets.
 - New infrastructure to support development.
 - Projects with outside organisations where the projects are jointly funded, deliver a direct benefit and can be demonstrated to offset the impact of development or make Rother more accessible or promote economic growth or to protect our environment.

New CIL Governance arrangements

11. Should the new Strategic CIL funding apportionment arrangements set out above be agreeable with Members then officers will prepare the following documents for the next meeting of the CIL Steering Group:
 - **New Governance arrangements** – to provide clarity, transparency and consistency in the collection, allocation and spending of CIL receipts.
 - **New Funding Decision Protocol** – explaining how RDC as the Charging Authority will engage with infrastructure providers, invite funding bids and make funding decisions.
 - **New Bid Pro-Forma** – setting out how applications for CIL funding will be accepted and processed.
 - **New Assessment Criteria** – providing guidance to applicants and the Strategic CIL Allocations Panel on how such bid applications will be considered.

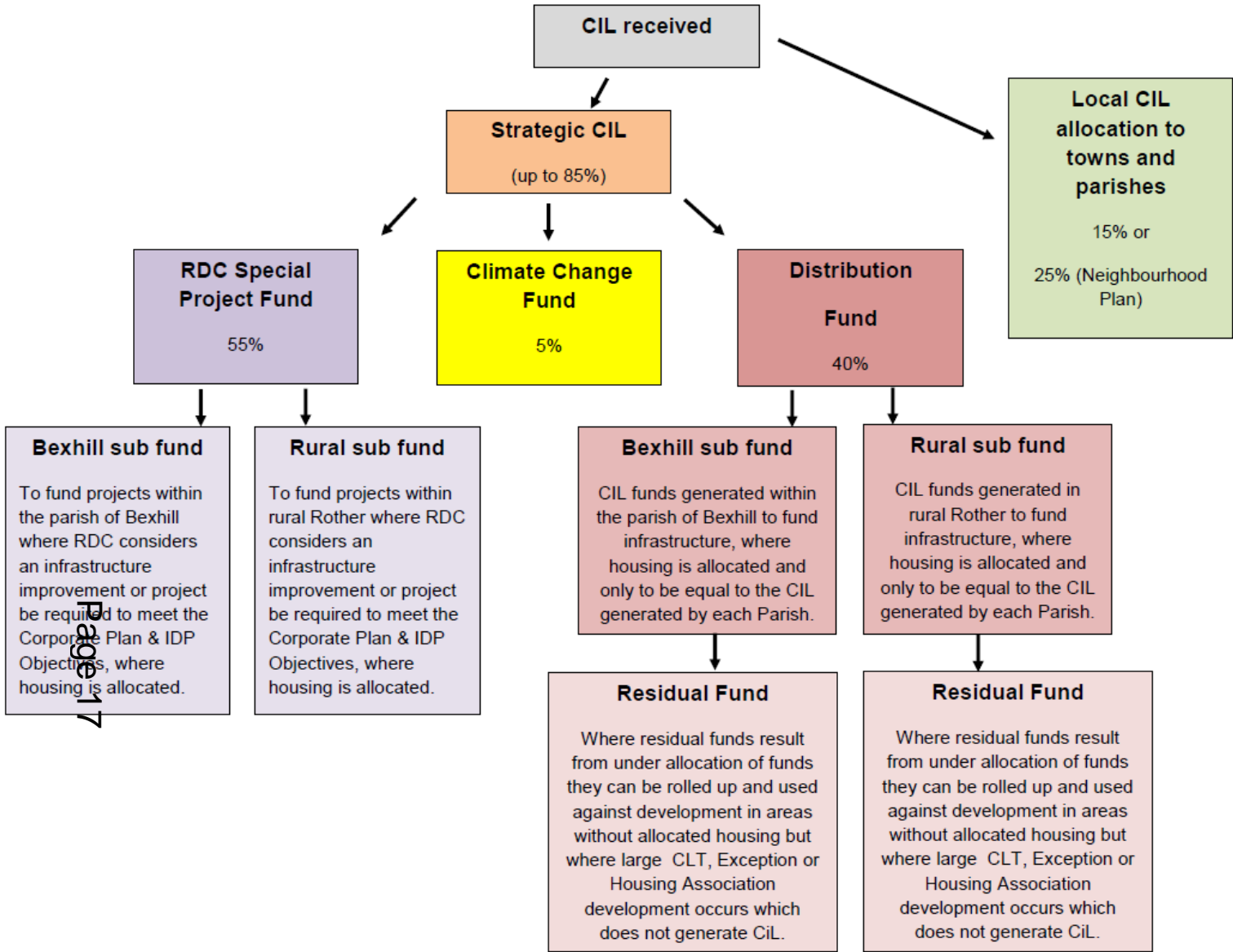
Conclusion

12. Members' views are sought on the Strategic CIL Funding Apportionment Proposals set out in this report and attached at Appendix 1 and whether they wish to make any amendments and if so, what kind of changes need to be made so that new protocols or procedures can be established and presented to the next meeting of the CIL Steering Group for onward recommendation to Cabinet and then full Council.

Implications

Financial Implications

13. While there is no time limit on the spending of Strategic CIL. There is an expectation that CIL monies will be spent on identified strategic infrastructure needs.



“Rural” – covers anywhere outside of the parish of Bexhill in the Rother district.

This page is intentionally left blank

Rother District Council

Report to: Community Infrastructure Levy Steering Group

Date: 8 February 2021

Title: Community Grants awarded in the past two years

Report of: Head of Strategy and Planning

Purpose of Report: To advise Members on how many projects in the past two years that have been awarded funding from the Community Grant Scheme may have also met the criteria for funding from the Strategic Community Infrastructure Levy.

Officer

Recommendation(s): It be **RESOLVED:** That the report be noted.

Introduction

1. On 5 October 2020, Members of the Community Infrastructure Levy Steering Group (CILSG) were presented with a report setting out differences between the Strategic Community Infrastructure Levy (CIL) and Community Grants Scheme (CGS) Criteria.
2. Members asked Officers to carry out a comparison exercise on how many projects in the past two years that have been awarded funding from the CGS may have also met the criteria for funding from Strategic CIL.

Community Grants awarded in the past two years

3. As reported at the last CILSG meeting, the Council's CGS supports the development of community facilities, community activities and sustainable local action. Applications are welcomed from voluntary or community organisations for services and activities which benefit the residents of Rother. The CGS is split into three levels of funding, from small grants of under £500 up to a maximum grant of £30,000. The maximum grant available for each scheme is limited to 50% of the total cost of the project. Preference is given to groups or organisations that:
 - have secured additional funding sources;
 - can demonstrate strong community support for their project from the community, local Councillors, and Parish and Town Councils; and
 - can show how the on-going costs of their project will be met.
4. A scoring template is used to ensure that all applications are fairly assessed, with the CGS Grants Panel making a recommendation to Cabinet regarding which projects should be supported.
5. Attached at Appendix 1 is a list of community grants that have been awarded funding in the past two years, from 1 April 2018 to 31 March 2020. An assessment has been undertaken against each description which is an

indication as to whether that project could have been eligible for Strategic CIL funding. Members will note that of the 43 projects, officers consider that six¹ of these projects may have been considered suitable for funding through the Strategic CIL, but one of which would have been below the current CIL threshold of £100,000 and it is considered that a further seven projects may have been considered suitable for funding from Local CIL (subject to consideration by the respective Parish/Town Council).

6. Whilst it is noted that the current threshold to apply for Strategic CIL funding is £100,000, analysis was undertaken to consider those projects which were awarded funding through the CGS that may² have qualified for Strategic CIL funding at a £30,000 project total threshold and this reveals the following information:

- Projects with a total value of above £30,000 – 4³. Total value of projects £506,115.
- Projects with a total value of below £30,000 – 8⁴. Total value of projects £164,957.

Rother Strategic CIL

7. Strategic CIL (that which is retained by Rother District Council [RDC]) can be used to fund a wide range of infrastructure such as transport, flood defences, schools, hospitals and other health and social care facilities. However, charging authorities (RDC) may not use the levy to fund affordable housing. Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed and this is informed by the [Infrastructure Delivery Plan](#) which supports the Local Plan.

Rother Local CIL

8. Where all or part of a chargeable development⁵ is within the area of a Parish or Town Council, the charging authority (RDC) must pass a proportion⁶ of the CIL receipts from the development to the Parish or Town Council. This is known as the Local CIL. The Parish or Town Council must use the CIL receipts passed to it to support the development of the Parish or Town Council's 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 the area.

9. The Local CIL can be spent on a wider range of projects than the Strategic CIL, provided that it meets the requirement to 'support the development of the area'. The wider definition means that the neighbourhood portion can be spent on projects other than infrastructure (as defined in the regulations)

¹ Two of which were awarded Strategic CIL funding as well as Community Grant Scheme Funding.

² A full analysis of each application against the CIL bidding criteria has not been undertaken.

³ Battle Health Pathway, the Pelham Community Space Project, Beulah Baptist Church and Jubilee Green Community Garden - Camber

⁴ Bexhill Senior Citizens Club, Guestling Playing Fields, playground equipment at Northiam, outdoor fitness equipment at Westfield, MUGA at Beckley, play area at Iden, ramp for disabled access at Rye Cricket Club, roof repairs at Stonegate Village Hall.

⁵ Development which is CIL liable

⁶ 15% of the total receipts. This rises to 25% where there is a 'made' neighbourhood plan.

provided it is concerned with addressing the demands that development places on the Parish's area. For example, the pot could be used to fund affordable housing. Other examples may include environmental improvement (landscaping, open space improvements) public art, street furniture, equipment for a community group. These types of local projects are similar to those which fall within the scope of the CGS.

Conclusion

10. It is apparent that the Strategic CIL and Community Grants are different and fulfil different funding functions. However, the Local CIL is more akin to the local community projects that may potentially overlap with the Community Grants. Members may wish to consider options for the CGS criteria that seeks to avoid duplication/overlap with the Local CIL, as explained in paragraph 5 above and highlighted in Appendix 1.

Implications

Financial Implications

11. The Community Grant Fund of £130,000 is currently funded from Earmarked Reserves that will not be sustainable into the future.

This page is intentionally left blank

Year	Applicant	Project Description	Type of Grant	Area	Project Total	Amount CG awarded	Potentially eligible for Strategic CIL Funding?
2018/19	AudioActive	Provide 30 x 2hr weekly free drop-in sessions at The Hive, Bexhill for those at risk of NEET	Arts	BEXHILL	8,900.00	3,500.00	No
2018/19	Battle Local Action Planning Group	Pump-prime healthy walk/cycle pathway at Battle Recreation Ground	Environmental	BATTLE	161,118.00	25,000.00	Yes & has also been awarded CIL funding
2018/19	Battle Town Council (Covered Shelter)	Provide covered shelter for rest and "hanging out" at North Trade Road recreation ground	Sport	BATTLE	7,699.00	3,000.00	No - Local CIL
2018/19	Battle Town Council (Football Pitch)	Levelling of junior football field at North Trade recreation ground	Sport	BATTLE	8,093.00	1,593.00	No
2018/19	Bexhill Sea Angling Club	Purchase of equipment	Equipment	BEXHILL	1,113.50	500.00	No
2018/19	Bexhill Senior Citizens Club	Install new accessible unisex toilet for members with disabilities	Construction	BEXHILL	19,750.00	4,875.00	Possibly, but could be Local CIL, but below threshold
2018/19	Burghwood House Residents Associa	Complete existing project by installing safety rails	Construction	ETCHINGHAM	23,500.00	2,000.00	No
2018/19	Crowhurst Youth Club	Replace outdated, inadequate and expensive heating system to install extractor fans in toilet	Sport	CROWHURST	2,957.00	1,478.00	No, but could be Local CIL, but below threshold
2018/19	Dallington Old School	Installation of broadband internet in village hall	Activities	DALLINGTON	1,409.00	500.00	No, Local CIL
2018/19	Guestling Parish Council	Improvement works to community playing fields	Sport	GUESTLING	9,968.00	4,984.00	Possibly, depends on works, but below threshold
2018/19	Northiam Conservation Society	WW1 Remembrance parade	N/A	NORTHIAM	500.00	200.00	No
2018/19	Northiam Parish Council	Purchase and install new additional playground equipment	Sport	NORTHIAM	18,827.00	5,650.00	Possibly, but could be Local CIL, but below threshold
2018/19	Pett Level Independent Rescue Boat	Purchase second-hand rescue launch vehicle	Transport	PETT	12,000.00	1,000.00	No
2018/19	Royal British Legion Bexhill Branch	Printing of order of service for WW1 parade	N/A	BEXHILL	545.00	270.00	No
2018/19	The Pelham CIO	Re-develop and expand 4th phase of "The Pelham First Floor Community Space" project	Construction	BEXHILL	114,975.00	29,975.00	Yes
2018/19	Westfield Cricket Club	Purchase outdoor practice net	Sport	WESTFIELD	1,795.00	795.00	No
2018/19	Westfield Parish Council	Provide outdoor fitness equipment	Equipment	WESTFIELD	30,000.00	15,000.00	Possibly, but could be Local CIL, but below threshold
2018/19	Westfield Parish Council	Contribution towards building a new pavilion for Westfield cricket club	Construction	WESTFIELD	262,771.00	25,000.00	No - was not awarded CIL previously
2018/19	Winchelsea Beach Community Assoc	Refurbish/replace existing kitchen in the community hall	Construction	WINCHELSEA BEA	7,618.00	3,318.00	No, but could be Local CIL
2019/20	1st Robertsbridge Scout Group	New ladder to improve staircase access to Scout Hut loft	Sport	ROBERTSBRIDGE	1,675.00	300.00	No
2019/20	Battle Community Singers	Travel cost to choir festival in Stratford-on-Avon, conductors staging and music sheets	Arts	BATTLE	2,800.00	1,400.00	No
2019/20	Battle Memorial Hall	Replacement of projector equipment and screen	Equipment	BATTLE	8,328.00	4,000.00	No
2019/20	Battle Local Action Planning Group	Pump-prime healthy walk/cycle pathway at Battle Recreation Ground	Environmental	BATTLE	main applic	5,000.00	Yes & has also been awarded CIL funding
2019/20	Beckley Parish Council	Create new Multi-Use Games Area (MUGA) by renewing and improving the old tennis court	Sport	BECKLEY	37,000.00	18,500.00	Possibly, but could be Local CIL, but below threshold
2019/20	Beckley Village Hall	Replace existing kitchen	Construction	BECKLEY	25,442.00	5,000.00	No, but could be Local CIL
2019/20	Beulah Baptist Church	Installation of lift	Construction	BEXHILL	171,342.00	20,000.00	Yes
2019/20	Camber Parish Council	Phase 2 of Jubilee Green community garden space project	Sport	CAMBER	58,680.00	30,000.00	Yes
2019/20	Crowhurst Village Hall Management	Redesign and improve kitchen facilities	Construction	CROWHURST	13,936.00	3,000.00	No, but could be Local CIL
2019/20	Flimwell Village Trust	Furnishing and equipment for new hall	Furnishings/Furniture	FLIMWELL	2,815.12	1,400.00	No, but could be Local CIL
2019/20	Hastings & Rother Furniture Service	Development of workshop facilities	Activities	BEXHILL	21,500.00	7,350.00	No
2019/20	Iden Parish Council	Improvement to play area facilities	Sport	IDEN	29,920.00	14,920.00	Possibly, but could be Local CIL, but below threshold
2019/20	Peasmarsch Memorial Hall Management	Upgrade and enhance hot water capabilities at the hall	Environmental	PEASMARSH	6,900.00	500.00	No
2019/20	Robertsbridge Cricket Club	Replacement cricket nets and match pitch	Sport	ROBERTSBRIDGE	29,664.00	10,000.00	No
2019/20	Rother Voluntary Action (HAIRE)	HAIRE project	N/A	RURAL ROTHER	183,669.00	40,000.00	No
2019/20	Rye Cricket Club	To build a ramp to enable access to the disabled toilet	Construction	RYE	7,492.00	3,746.00	Possibly but below CIL spend threshold
2019/20	Stonegate Village Hall	Flat roof repairs	Construction	STONEGATE	12,000.00	6,000.00	Possibly, but could be Local CIL, but below threshold
2019/20	St James The Great Church, Ewhurst	Tea station	N/A	EWHURST	18,002.00	5,000.00	No
2019/20	St Mary's Wood (EARA) Ltd	Purchase of power scythe	Environmental	BEXHILL	899.00	499.50	No
2019/20	Strandliners CIC	Purchase of necessary materials and equipment	Equipment	RYE	1,757.00	877.00	No
2019/20	The Archive Resource Centre	Conversion of existing space	Construction	PETT	10,417.00	3,000.00	No
2019/20	The Camber Memorial Hall	Re-surfacing of parking area outside main building	Construction	CAMBER	11,613.00	5,000.00	No - Local CIL
2019/20	Winchelsea New Hall	Outdoor resurfacing	Construction	WINCHELSEA	4,200.00	975.00	No
2019/20	VE DAY	VE Day activities	Events	ROTHER	N/A	3,555.00	No

Withdrawn or declined applications:

Year	Applicant	Project Description	Type of Grant	Area	Project Total	Amount CG awarded
2018/19	Beulah Baptist Church	Improve access to first floor rooms by installing lift, improving toilet facilities and providing	N/A	BEXHILL	N/A	0.00
2018/19	Etchingham Parish Council	Help to cover substantial repairs to playground equipment at Queen's Garden, High Street,	N/A	ETCHINGHAM	N/A	0.00
2018/19	Sussex Wildlife Trust	Part fund development of a community wildlife garden	N/A	RYE HARBOUR	N/A	0.00
2019/20	Bexhill Art Society	Payment of fees for exhibition at the De La Warr Pavilion Studio over the August Bank Holi	N/A	BEXHILL	N/A	0.00
2019/20	Hands of Hope	Funding towards running costs of monthly Helping Hands Lunch Club	N/A	PEASMARSH	N/A	0.00
			N/A	SALEHURST/ROBERTSBRIDGE		
2019/20	Home Start East Sussex	Costs			N/A	0.00
2019/20	Just Friends	Subsidised lunches and social gatherings	N/A	BEXHILL	N/A	0.00
2019/20	Sedlescombe Village Hall	Improve acoustics and energy efficiency of village hall	N/A	SEDLSCOMBE	N/A	0.00
2019/20	Sussex Community Development Ass	Trishaw project	N/A	BEXHILL	N/A	0.00