

Rother District Council

Report to	-	Cabinet
Date	-	2 December 2019
Report of the	-	Executive Director
Subject	-	The Community Infrastructure Levy – Progress, Update and Review

Recommendation to COUNCIL: That:

- 1) the Infrastructure Progress Report be replaced with the Infrastructure Funding Statements from December 2020 in-line with the updated Regulations;
 - 2) the Section 106 collection monitoring be incorporated into the Infrastructure Funding Statements;
 - 3) all new Section 106 Agreements include the provision for a reasonable fee, equating to 5% of the monetary value of each head of term where a financial contribution is secured and a flat fee of £500 for each non-financial head of term, to help provide resources for the new monitoring requirements;
 - 4) bidding for the strategic Community Infrastructure Levy be paused until after the publication of the Infrastructure Funding Statements in December 2020.
 - 5) subsequent to the completion of the Infrastructure Funding Statements in December 2020, a Task and Finish Group be established to present recommendations to Cabinet on how the spending of strategic Community Infrastructure Levy should be prioritised, the threshold for triggering the bidding process for strategic Community Infrastructure Levy and the membership of the strategic Community Infrastructure Levy Decision Making Panel; and
 - 6) the Bexhill local bidding process be paused pending the outcome of the Community Governance Review in relation to the creation of a Town Council for Bexhill-on-Sea.
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Head of Service: Tim Hickling

Lead Cabinet Member: Councillor Vine-Hall

Introduction

1. The Community Infrastructure Levy (CIL) is a mechanism to allow local planning authorities to raise funds from some forms of development in order to pay for new infrastructure required for growth. The purpose of the CIL is to financially assist infrastructure providers to deliver the required infrastructure to support the planned development through the Local Plan, in line with the Infrastructure Delivery Plan (IDP)¹.

¹ A copy of the latest IDP can be found in the Member's Room.

2. On 7 December 2015, the Council adopted the CIL, Regulation 123 List, CIL Instalment Policy and Governance and Implementation Protocols (Minute CB15/52 refers).
3. Under the CIL Regulations, Rother District Council (RDC) is the 'Charging Authority' and its responsibilities include:
 - Preparing and publishing the CIL Charging Schedule;
 - Applying the levy revenue it receives to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support development of its area;
 - Reporting to the local community on the amount of levy revenue collected, spent and retained each year; and
 - Ensuring a 'meaningful proportion' is transferred to the Parish and Town Councils (P&TC). 15% of CIL receipts is paid to relevant P&TCs arising from developments in their areas. This rises to 25% in areas with a 'made' Neighbourhood Plan.
4. The levy, adopted by RDC, is applied on a £'s per square metre basis and is payable on residential and retail development which creates net additional floor space². The charges for residential development are set on a zonal basis across the district, whereby different zones have different CIL rates.
5. The Council has been collecting contributions under the CIL since 4 April 2016 when the Levy came into force. In total £1,058,313³ (see Appendix 1) has been collected and the Council has run one full round of bidding during 2019 for major infrastructure providers and P&TCs and one round for Bexhill Local CIL bidding (as there is no Town Council) as per the Council recommendation (Minute CB18/46 refers). In total £692,901 was awarded from the strategic CIL fund. No CIL was awarded from the Bexhill Local CIL.

Purpose of the Report and Background

6. The purpose of this report is to:
 - i. set out the recent legislative changes to CIL and how these impact on the current governance arrangements;
 - ii. provide details of the successful bids which were allocated strategic CIL funding and local CIL funding for Bexhill from this year's bidding rounds;
 - iii. identify the lessons learnt through this year's bidding process; and
 - iv. recommend changes required to ensure compliance with the recent legislative changes to CIL and to the CIL bidding processes in order to appropriately plan for strategic CIL and local Bexhill CIL bidding rounds in the future.
7. As per the Governance Arrangements and Reporting approved by Cabinet (Minute CB15/52 refers), the Council is required to produce two reports in respect of the CIL income every year:

² Where the gross internal area (GIA) of new build exceeds 100 square metres. Although that limit does not apply to the creation of new dwellings (houses or flats), and a charge can be levied on a single house or flat of any size, unless it is built by a 'self builder' or is affordable housing.

³ From 4 April 2016 – 31 October 2019.

- the Annual CIL Monitoring Report⁴; and
 - an Infrastructure Progress Report (IPR).
8. The Annual CIL Monitoring Report is a factual report which is not brought before Cabinet but forms part of the Local Plan Monitoring Report which is published annually, by 31 December each year, under delegated authority (Minute CB18/46 refers).
9. The IPR is a working document that draws upon the following:
- the Infrastructure Delivery Plan (IDP), which is regularly reviewed;
 - the Corporate Plan (now being reviewed); and
 - the adopted Core Strategy (also being reviewed).
10. The IPR reflects the development priorities for the area and proposed spend over the coming year with the focus being on the timely delivery of critical infrastructure. New legislative requirements (set out below) indicate that this report should be replaced by Infrastructure Funding Statements (IFS).
11. At the 3 December 2018 Cabinet meeting, it was resolved to approve the Council's CIL Funding Decision Protocol, Bid Pro-Forma, Assessment Criteria and Bid Validation Checklist, which are used to scope the assessment of CIL bids from applicants (Minute CB18/46 refers). There was a minimum threshold of £250,000 collected before the bidding process was opened. This figure was reached in February 2019.
12. Paragraph 31 of the Funding Decision Protocol, states:
- 'An internal review will take place after two full cycles of the process. If there are significant changes proposed this will be presented to Cabinet for approval.'*
13. While the Council has only carried out one full cycle of the CIL bidding process, it is considered prudent to bring this review forward due to the substantial legislative changes to CIL which became effective on 1 September 2019 and Members' desire to review the CIL bidding and governance process sooner.

Part i) Significant Legislative Updates

14. The new Regulations⁵ came into force on 1 September 2019. The Government has also since revised the Planning Practice Guidance.
15. The legislative changes include:
- allowing authorities more flexibility over the use of CIL and Section 106 planning obligations, by allowing the ability to pool both towards the same infrastructure;
 - where a planning permission is altered, only charging the most recent CIL rate on the altered area;

⁴ As required by Regulation 62 of the CIL Regulations

⁵ Community Infrastructure Levy (Amendment) (England) (No. 2)

- allowing the ability to phase CIL payments on multi-phased developments in certain circumstances;
 - ensuring that developments which are exempt from CIL, including residential extensions and self-build housing, will not lose that exemption when failing to notify an authority that development has commenced;
 - requiring authorities to report annually on what they have received and spent through developer contributions; and
 - enabling authorities to include a fee through Section 106 planning obligations, to support the annual Section 106 monitoring reporting .
16. In addition, the Council's existing 'Regulation 123 List' and IPR is to be replaced by a single IFS which must be published by December 2020 for the previous financial year.
17. The purpose of the IFS is to increase transparency by requiring authorities to report annually on what they have received and spent, both for CIL and Section 106 monies. The IFS should also set out the future spending priorities for infrastructure and affordable housing (Section 106 agreements), and set out the sources of funding. The IFS should include:
- a report relating to the previous financial year⁶ on the CIL and Section 106 planning obligations;
 - a report on the infrastructure projects or types of infrastructure that the charging authority intends to fund wholly or partly by the levy (excluding the neighbourhood or local CIL); and
 - a report on estimated future income from developer contributions.
18. The IDP which was updated in March 2019, will be used to inform the IFS and highlights the critical infrastructure required to deliver the development quantum set out in the Local Plan.
19. The legislation revisions also set out that whilst P&TCs are not required to spend their neighbourhood proportion (local CIL) in accordance with the Charging Authority's priorities, they are advised to work closely with the Charging Authority to agree priorities for spending the local CIL and for this to be reflected in the IFS. It should be noted that the local CIL can be spent on things other than infrastructure, such as affordable housing.
20. The revisions also remove pooling restrictions so that a single piece of infrastructure now can pool financial contributions from more than five Section 106 agreements (previous CIL regulation restriction). This also means that, Charging Authorities can use funds from both CIL and Section 106 agreements to pay for the same piece of infrastructure, regardless of how many have already contributed towards it.
21. Other changes to the legislation are primarily concerned with the adoption of the CIL and therefore would not be applicable to the Council at this time.

Fees for Section 106 Monitoring

22. The legislative changes allow for the charging of a fee where a Section 106 is secured to recover the cost of monitoring. Whilst the Council has rarely used

⁶ First one is to be published in December 2020 for the period 1 April 2019 – 31 March 2020.

this provision in the past in respect of Section 106, 5% of CIL is currently deducted by the Charging Authority to help meet the cost of administration and monitoring of CIL. Given the new requirements of the IFS it is considered appropriate to apply the same requirements to Section 106 agreements going forward.

Part ii) Overview of 2019 CIL Expenditure and details of successful bids

23. This section of the report is to be read in conjunction with the CIL Annual Report which must be published by 31 December every year⁷. This will be published as part of the suite of reports which comprise of the Local Plan Monitoring Report (LPMR).
24. As mentioned earlier in the report, where CIL is collected against a chargeable development within the area of a P&TC, the Charging Authority must pass a proportion of the CIL receipts from the development to the P&TC. This proportion equates to 15% of the CIL collected, except where a Neighbourhood Plan is in force, where this increases to 25%. This is known as the local CIL or neighbourhood proportion (as referred to above). The P&TC must then use the CIL receipts passed to it to support the development of the P&TC's area by funding the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that new development places on the area. In Bexhill, where there are currently no Parishes / Town Council, the Charging Authority retains the local CIL, but through the approach set out in the governance arrangements administers the relevant bidding process.

Award of Strategic CIL (Major Infrastructure Providers)

25. At the time when the CIL Decision Making Panel (DMP) met to review strategic CIL bids, £693,062 had been collected in the strategic CIL pot.
26. In 2019, (the first year of strategic bidding for CIL) the Council received a total of ten bids (including one which was withdrawn). Seven bid applications were heard by the CIL DMP on 5 June 2019 and a further three bids on 28 August (for the P&TCs). Four of the ten applications were successful with a resolution to award funding.
27. The successful bids were as follows:

Scheme	Awarded to	CIL awarded	Total cost of scheme
London Road: Highway, traffic and pedestrian and public realm improvements in London Road, Bexhill	East Sussex County Council (ESCC) Highways	£300,000	£1,200,000
Canada Way: Regionally competitive BMX Track, new skate park, floodlighting, improved accessibility and toilets to facilitate competitions	Rother District Council	£192,901	£582,000

⁷ In accordance with CIL Regulation 62(4)

Health Pathway – Battle Recreation Ground: Purpose-built, disabled accessible, all weather path, which links all four entrances to the recreation ground and includes pathway markings, a cycle skills track, an outside gym, a picnic area, planting and a sensory garden.	Battle Town Council	£75,000	£332,775
Ticehurst Village Centre Project: provision of pedestrian crossing improvements and the restoration of the historic village centre.	Ticehurst Parish Council	£125,000	£561,000
TOTAL		£692,901	£2,675,775

Local CIL- Bexhill

28. In the 'non-parished' areas; communities still benefit from the local CIL. In Rother District, the only non-parished area is Bexhill. The Government does not prescribe a specific process for agreeing how the local CIL should be spent in this context. Therefore, the Charging Authority has retained the local CIL of the levy receipts accrued in the Bexhill area and applicants, such as local community groups, have been able to bid for funds during September/October 2019 for funding from the Bexhill portion of the CIL.
29. During the Bexhill Local CIL Bidding Round, two bid applications were received within the eight week period for submissions, with a further bid submitted after the closure of the bidding window. The Bexhill Local CIL DMP met on 5 November 2019, however, no CIL funding was awarded as the bids did not meet the specified assessment criteria.
30. The Portfolio Holder for Strategic Planning sat on the Local CIL – Bexhill DMP and whilst this remains the adopted process, in future will be dependent on the conclusions of the Community Governance Review for Bexhill-on-Sea which is due to commence in January 2020.

Part iii) Lessons Learnt

Current Bidding Process for the Strategic Allocation of CIL and Learning Outcomes

31. A summary of the current bidding process in respect of the bidding and allocation of the Strategic CIL, is set out below:
 - a) Strategic infrastructure delivery partners, such as Southern Water and ESCC are advised directly by letter that the bidding round has commenced and the specified time period by which bids should be received is set out. The process is also advertised on the Council's website.
 - b) Bids are received via an online form.
 - c) The CIL Officer validates bid applications using the Validation Checklist.
 - d) Following the validation process, the CIL Officer assesses the applications based on the assessment criteria set out in the bid proforma which

applicants use to make their submission. The CIL Officer drafts a report with a recommendation for each of the bids submitted. The reports are included on the CIL DMP Agenda, and circulated to the group one week before the meeting is held.

- e) CIL DMP consists of the Executive Director and representatives from all the Heads of Services. The CIL Officer is also present, as well as the Planning Policy Manager in an advisory capacity, as approved under the approved governance arrangements. A member of the Audit Team also attends the first meeting of the CIL DMP in order to review the process, in which there is a training session beforehand explaining the purpose of CIL and the governance arrangements and process.
 - f) CIL DMP meet to discuss the proposals and resolve to either grant or refuse the CIL applications against the approved funding criteria. Where funding is considered appropriate, the level of funding is also discussed. Minutes of the meeting are recorded.
 - g) Following the CIL DMP resolution, the CIL Officer will contact the applicants to advise whether they have been successful or otherwise and where appropriate provide feedback on those unsuccessful bid applications.
 - h) If the bid is for an externally funded project, a legal agreement between the Council and the delivery partner is prepared, prior to the transfer of funding.
32. The Council has now completed one full bidding round and a number of observations and proposed changes to the Strategic CIL Bidding Process are set out in this report.
33. RDC is one of the first local authorities in Sussex to allocate their CIL income through a bidding process. Even further afield there has been limited experience which the Council can learn from and follow. Therefore, authorities are looking to RDC for a lead on how to apply the CIL bidding process. As such, there is little in way of best practice to help officers to benchmark adopted procedures.
34. The Council acknowledges that the omission of P&TCs from the initial round of Strategic bidding was an administrative error. This necessitated a “special” strategic bidding process solely for the P&TCs, over the summer that followed the same process and timeline as the major strategic infrastructure bidding round.
35. Similarly, the Council has also found it challenging as there are no models to follow in developing a suitable legal agreement to transferring the CIL monies to third parties to ensure that the funds are used for the purpose they are intended and to make sure that the projects are completed.
36. In addition, going forward, consideration should be given to whether following similar approaches of other authorities (such as Lewes District Council) to ring-fence strategic CIL⁸ into specific funding pots should be investigated in order to appropriately plan for the delivery of infrastructure alongside the IFS, such as High Speed Rail, the Bexhill Leisure Centre and improvements to the A21, amongst other critical infrastructure items set out in the Council’s IDP.

⁸ Strategic CIL refers to CIL monies left after 5% is allocated to administrative costs and 15% is passed to Town and Parish Councils (this rises to 25% in areas with an adopted neighbourhood plan)

Local CIL – Bexhill

37. The bids submitted as part of the Local CIL – Bexhill process did not meet the criteria set out in the published guidance note, hence no awards were made from the CIL fund.
38. During the consideration of these bids, there was some discussion by the CIL DMP regarding the quality of the bids received and what lessons could be learnt for the future to help achieve better prepared bids. The main points raised were:
 - whether eight weeks is sufficient time to prepare a bid for the Local CIL;
 - whether the guidance notes need re-visiting to make them clearer or easier to follow;
 - whether there should be training sessions to assist in the preparation of bids for the submission process (which could include training for local Ward Members, Rother Voluntary Action and Rother Association of Local Councils before the next bidding process so that they could assist local groups in the preparation of these bids);
 - reconfiguration of the application submission process so that bids cannot be submitted without the necessary supporting information (through a specific checklist whereby bids cannot be submitted without the required supporting information); and
 - whether the CIL Officer should have a more hands-on role in advising on the quality of bids before they are formally submitted, whilst also advising whether further information is needed to support submissions before they are put forward to the Local CIL Bexhill DMP.

Bid Assessment Criteria

39. The Assessment Criteria, which is used to assist the CIL DMP in considering bid applications but is also published to assist bidding applicants, has proved difficult to reconcile against those bids which have been received. Bids are required to set out how they meet the following criteria by responding to a series of questions:
 - a. the strategic case;
 - b. the local benefits case;
 - c. equality and fairness;
 - d. delivery;
 - e. financial case; and
 - f. timescales.
40. In assessing schemes through the bidding process, it has become apparent that applications can end up making a case against much of the criteria set out in the bid proforma but not actually demonstrate a clear strategic case, i.e. it has not demonstrated that need for the infrastructure set out in an adopted strategy or plan and not clearly demonstrated how it supports development in the area. It is considered that it is necessary to amend the bid proforma to make it clear that a strategic case must be clearly demonstrated in order for the bid to then be further assessed against the other criteria. All bids should be strategic in nature to qualify for the allocation of the strategic CIL. The assessment criteria by which bids are considered should be revised before the next bidding round commences to reflect this approach.

Total CIL value to be awarded to individual infrastructure items

41. A number of bids submitted under this first bidding round have come forward looking for 100% funding from the CIL. The basis under which the case to adopt CIL, which was tested at Examination, was that there is a funding gap between the total cost of infrastructure required to support the Local Plan and the total funding currently available to the Council and other infrastructure providers. The Council's evidence set out that CIL is not expected to pay for all infrastructure requirements but could make a significant contribution. It also set out that the majority of infrastructure costs will need to be met by agencies' investment programmes and that infrastructure is financed through a blend of several funding sources, including borrowing and Government funding.
42. As part of the Examination of CIL, the Examiner considered the Infrastructure Funding Gap Analysis through his Report (published September 2015) and came to the view that the CIL charges would make a reasonably significant contribution towards filling the likely funding gap. This analysis set out that even with CIL there would be a significant funding gap and there is a need to raise further funds from other sources. It further indicated that the principal sources of funding to meet the gap remaining, even after CIL receipts are secured, are expected to be the main capital programmes of the relevant agencies. Therefore it is considered reasonable that any individual CIL bid proposal should clearly set out in their bid the funding gap that CIL would be required to fill, recognising how other funding streams have been secured for the proposed delivery of that piece of infrastructure. The assessment criteria by which bids are considered should be revised before the next bidding round commences to reflect this approach.

Governance Arrangements

43. Cabinet Minute CB15/52 outlined the approved governance arrangements. Central to this was the development of the IPR, however, this is now superseded by the new requirement for an IFS – the requirements for which are set out above. The allocation of CIL receipts to fund infrastructure is closely linked with the delivery of growth identified in the Local Plan, some of which may be dependent on the delivery of critical infrastructure identified in the IDP. The IFS will be informed by the most recent version of the IDP (March 2019).
44. The CIL DMP did not sit during the first 12 months of CIL implementation, as the CIL revenue had not reached the trigger point of £250,000. Following the first round of bidding almost all of the strategic CIL collected (up to August 2019) has been allocated to successful bids. However, it is anticipated that the next round of bidding will commence in spring 2021 (this is based on the known CIL receipts which are due to the Council once developments commence).
45. With hindsight it is now clear that commencing the CIL bidding process when the amount of strategic CIL collected reached £250,000 was too low, as this does not allow the Council to consider the "big ticket" items requiring larger sums of funding to bring forward projects such as the Bexhill Leisure Centre, High Speed Rail and the A21 improvements. It is therefore being proposed that the bidding for the strategic CIL be paused until after the publication of

the IFS and to allow the CIL budget to increase to support major projects. Estimated projection of CIL receipts is attached at Appendix 2.

46. Those infrastructure items identified as critical in the IDP will be given priority for CIL funding. The IDP is a living document and will be updated throughout the course of the forthcoming Local Plan Review and strategic items may change priority through consultation with the relevant agencies. It should be noted that items such as the potential expansion of High Speed Rail to Bexhill and Rye (and Hastings) is likely to change its priority category in the future when the project gains funding from the Department of Transport.

Part iv) Recommendations

Legislative changes

47. The legislative changes replace the Council's existing 'Regulation 123 List' and IPR with a single IFS which must be published annually, with the first publication by December 2020, for the previous financial year, requiring the Council to report annually on what has been received and spent, both for CIL and Section 106 monies. Therefore it is recommended that the IPR be replaced with the IFS from December 2020 in line with the updated Regulations and that the Section 106 collection monitoring be incorporated into the IFS.

Fees for Section 106 Monitoring

48. The legislative changes allow for the charging of a fee where a Section 106 obligation is secured to recover the cost of monitoring. Given the new requirements of the IFS it is considered appropriate to apply the same requirements to Section 106 agreements going forward. It is considered appropriate that a fee should be included at a cost per head of term contained within that Section 106 obligation and should be charged in addition to the legal charge for drafting and checking the obligation. It is therefore considered reasonable that where a financial contribution is secured via section 106 a fee equivalent to 5% of the monetary value of that head of term is secured for monitoring of that clause. Where a clause refers to a non-financial head of term (such as securing the provision of a Local Area for Play, for example) then a flat fee of £500 per head of term is considered reasonable to ensure monitoring, reporting and delivery of each planning obligation. These costs should be applied to all Section 106's with immediate effect.

Pausing the strategic CIL bidding process until the IFS is completed in December 2020:

49. Following similar approaches of other authorities (such as Lewes District Council) should be considered going forward as to whether strategic CIL funding⁹ should be placed into specific pots to ring-fence CIL to specific types of infrastructure. It is therefore recommended that the strategic CIL spending be paused until after the IFS is completed in December 2020 so that a further report be brought to Cabinet to consider how the spending of strategic CIL should be prioritised, the threshold for triggering the bidding process for strategic CIL and the membership of the strategic CIL DMP. It is proposed

⁹ Strategic CIL refers to CIL monies left after 5% is allocated to administrative costs and 15% is passed to Town and Parish Councils (this rises to 25% in areas with an adopted neighbourhood plan)

that to facilitate this, a CIL Task and Finish Group is convened to consider the options. The 'Terms of Reference' for the CIL Task and Finish Group is set out at Appendix 3

Bexhill Local CIL

50. Moving forward it is considered that the next bidding for the Bexhill Local CIL should be paused until the outcome of the Community Governance Review for Bexhill-on-Sea has concluded.

Conclusion

51. The first round of CIL bidding has allocated nearly £692,901 of CIL funding which will in turn see the delivery of £2.7m of infrastructure projects around the District. Following a review of this process and as a result of legislative changes a number of changes are recommended to the Council's administration and governance of CIL to ensure future compliance and to improve the process of allocating CIL funds. In particular, it is proposed that higher levels of CIL receipts are received before any further bidding rounds take place.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

CIL must be spent on infrastructure needed to support the development growth and is intended to focus on the provision of new infrastructure. The proper monitoring of development growth in the District and associated infrastructure projects to support that growth as set out in the IDP will ensure the funds are allocated and spent in accordance to CIL Regulation 2010 as amended. There is a new requirement to produce an annual IFS starting in December 2020 for the previous financial year. The IFS will reflect the development priorities and proposed spend over the coming year with the focus being on the timely delivery of critical infrastructure, failure to produce this will mean that the Council fails to plan appropriately for infrastructure requirements within the District.

Community Infrastructure Levy (CIL)

Collected April 2016 to November 2019

Total: £1,058,313.30		
→	£840,610	(Strategic) *
→	£71,326	(Bexhill Local CIL)
→	£87,420	(Town & Parish Local CIL)
→	£52,915	(Admin)
→	£6,040	(Surcharge)
*£692,901 has been allocated for CIL projects set out in paragraph 27 of the report		

1 November 2019
Community Infrastructure Levy (CIL) (Projected)

CIL Collected to 1 November 2019	£1,058,313
CIL that will be collected if ALL permissions are implemented (and exemptions not applied)	£9,464,357

Future CIL collections * based on build out rates (up to 2028) (£ millions)

Build Rate	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	Total
195	2.63	2.63	2.63	2.63	2.63	2.63	2.63	2.63	£21 (£16.8) **
335	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	£36 (£28.8) **
449	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5	£52.4 (£42) **
727	9.8	9.8	9.8	9.8	9.8	9.8	9.8	9.8	£78 (£62) **
* Assuming £150 per sq m on 90 sq m house (£13,500 per unit)									
** Will need to deduct 20% for exemptions (e.g. affordable housing)									

195 units	= current
335 units	= Core Strategy
449 units	= rate required to meet the shortfall in delivery
727 units	= Local Plan Review

COMMUNITY INFRASTRUCTURE LEVY STEERING GROUP**TERMS OF REFERENCE**

Aims	- For the Steering Group to present recommendations to Cabinet on how strategic Community Infrastructure Levy (CIL) should be prioritised, the threshold for triggering the bidding process for strategic CIL; and the decision making process for making strategic CIL bidding decisions should be made.
Scope	<ul style="list-style-type: none"> a) Consider how strategic CIL should be prioritised against the infrastructure priorities set out in the Infrastructure Delivery Plan, i.e. Bexhill Leisure Centre, High Speed Rail, A21. b) To set the strategic CIL spending threshold/s. c) The approach to determining CIL bidding applications through a committee (decision making panel) and what the membership of that committee should be.
Approach	<ul style="list-style-type: none"> a) Review current procedure. b) Collect evidence from other Local Planning Authorities. c) Consider how strategic CIL should be prioritised for the next spending round and the thresholds for commencing strategic CIL bidding. d) Consider the membership of a strategic CIL Decision Committee. e) Draw up a report with recommendations for the desired outcomes set out below to present to Cabinet.
Desired Outcomes	<p>To present recommendations to Cabinet on:</p> <ul style="list-style-type: none"> • how the spending of strategic CIL should be prioritised, • the threshold for triggering the bidding process for strategic CIL; and • the membership of the strategic CIL Committee.
Timescale	<ul style="list-style-type: none"> - Preliminary meeting and review – March 2020. - Two themed meetings – spring and summer 2020. - Analysis, report writing and recommendations – Autumn 2020. - Report back to Overview and Scrutiny Committee – November 2020. Report back to Cabinet – December 2020.
Membership	Eight Members appointed in accordance with the political balance requirements (3 Conservatives, 2 Liberal Democrats and 3 Association of Independents) to include the Leader, Deputy Leader and Cabinet Portfolio Holder for Strategic Planning.
Lead Officers	- Tim Hickling, Head of Service Strategy and Planning Nichola Watters, Planning Policy Manager