

MINUTES OF MEETING CABINET MEMBER SIGNING HELD ON FRIDAY, 20TH MARCH, 2020, 11.00 – 11.10AM

PRESENT: Councillor Joseph Ejiofor

1. FILMING AT MEETINGS

The Leader referred those present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

No declarations of interest were made.

5. DEPUTATIONS / PETITIONS / QUESTIONS

There were no deputations, petitions or questions.

6. NEIGHBOURHOOD COMMUNITY INFRASTRUCTURE LEVY (NCIL) - DISTRIBUTION AND ROUND 1 SPEND

The Leader introduced this report which set out four options for the allocation of NCIL across Haringey, the advantages and disadvantages of each option and the option that is recommended the Council pursue. The recommended option allocated NCIL in a much fairer basis between areas with a tilt towards redistributing NCIL in favour of areas that experienced more development and Tottenham which had the greatest investment need.

Round 1 Consultation (2018) spend

The report also set out a number of NCIL projects within each of the 9 areas which approval was sought to spend NCIL to progress. These projects were identified by the community through a Round 1 Consultation on NCIL spend in late 2018 and have been selected for delivery in accordance with the CIL Regulations 2010 (as amended) (the —Regulations), the criteria in the Council's CIL Governance document for prioritising infrastructure projects to be funded by CIL, and the Borough Plan priorities.

Round 2 Consultation (2020)

Lastly, the report set out, for information, an overview of the Round 2 Consultation on NCIL spending which will take place later in 2020.

RESOLVED

That the Leader of the Council:

1. Approves the changes to the CIL Governance document set out in Section 8.2 of this report.
2. Approves the allocation of all NCIL collected to date across the borough as set out in Option D in Table 4 in section 9 of this report.
3. Approves spending NCIL on Round 1 Consultation (2018) projects as set out in Table 5 in section 10 of this report.

Reasons for decision

The collection and spending of CIL including NCIL is governed by the Planning Act 2008 and the Regulations. The Government provides further guidance on CIL and NCIL in the form of Planning Practice Guidance (PPG).

Regulation 59F of the Regulations enables the Council to set aside 15% of CIL receipts (25% in areas with an adopted Neighbourhood Plan Neighbourhood Plan) to support the development of the relevant area by funding— (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or (b) anything else that is concerned with addressing the demands that development places on an area. This portion of CIL is known as NCIL.

The total amount of NCIL funding collected amounts to over £2m. None of this has currently been spent. The Council's current adopted approach for the spending of NCIL set out in the existing CIL Governance document is that NCIL should be spent on neighbourhood projects within the neighbourhood of contributing development. If collected monies are allocated to NCIL areas based on where the CIL was collected there will be large discrepancies across neighbourhoods as to the amount available to spend. The amounts vary not just due to differing amounts of development, but also due to differing CIL rates (the residential CIL rate for the Western Charging Zone is over 17 times that of the Eastern Charging Zone per square metre and the residential CIL rate for the Central Charging Zone is 11 times that of the Eastern Charging Zone per square metre). Consequently, the allocation of NCIL purely on the basis of where it is collected does not support the Council's aims of fairness and equality, particularly when considering the results of the Round 1 consultation on spend.

In these circumstances, and having regard to responses collected to a consultation on changing the CIL Governance document to allow the Council the option of allocating NCIL more fairly across the borough and the comments of Regulatory Committee on the same consultation, it is considered reasonable to amend the Council's adopted approach to allow a fairer approach and subsequently to allocate accrued NCIL across the NCIL areas. There are many ways this could be done but the fairest way is considered to be Option D.

The Council undertook a consultation in 2018 to identify the NCIL spending priorities of neighbourhoods in the borough. Consultation feedback and suggested projects have been reviewed and a proposed package of locally supported projects are proposed for delivery, subject to spending approval. These are compatible with the Regulations and the existing CIL Governance document criteria, align with the Borough Plan priorities and have been agreed with relevant service delivery areas within the Council. The Governance process for identifying projects to be delivered in Neighbourhood Forum Areas is slightly different. Projects within the Highgate Neighbourhood Forum Area have been prioritised by the Highgate Neighbourhood Forum in consultation with the Council, having regard to the policies and proposals within the Highgate Neighbourhood Plan and the other considerations listed above.

Alternative options considered

The alternative options considered are:

- Option 1 - The option of not allocating any NCIL income for NCIL projects has been dismissed. The Council's adopted CIL Governance document sets out governance arrangements for the spending of CIL and is clear that the Council will spend NCIL on local projects as is intended within the Regulations.
- Option 2 - The option of allocating NCIL based purely on the areas in which it has been collected has been dismissed. There is no statutory requirement to do so but this approach would be in accordance with the existing adopted CIL Governance document. However, discrepancies in the amount collected in each area reflect differing levels of development, and the differing CIL rates which are charged across the borough because of varying development viability. This would not be an equitable or fair way to allocate NCIL funds and would be contrary to the Borough Plan objectives. A more detailed consideration of Options A to D for allocation are considered later in the report. Option D is recommended as it combines a fair and equitable approach across each area with a focus on ensuring there is proportionally more NCIL in areas with more development and on Tottenham where there is the greatest need for infrastructure.
- Option 3 – The option of not spending NCIL on projects identified through the 2018 consultation. This option has been dismissed. The Council is required to identify NCIL spending priorities in consultation with local Communities. The Round 1 Consultation (2018) yielded over 500 responses and provided a range of appropriate project types and specific projects for potential NCIL spend. These provide a sound basis for the spending of NCIL accrued to date.

7. NEW ITEMS OF URGENT BUSINESS

N/A.

CHAIR: Councillor Joseph Ejiofor

Signed by Chair

Date