

Report for: Special Overview & Scrutiny Committee Meeting – 26 March 2026

Title: Call-In of a decision taken at Cabinet on 10 March 2026 regarding Neighbourhood Community Infrastructure Levy (NCIL) Spending Round 2

Report authorised by: Barry Francis, Director of Environment & Resident Experience

Lead Officers: Rob Krzyszowski, Director of Planning & Building Standards
Bryce Tudball, Head of Spatial Planning

Ward(s) affected: All

**Report for Key/
Non-Key Decision:** Key Decision

1. Describe the issue under consideration.

1.1 On 10 March 2026, Cabinet agreed the following recommendations following a report presented to them on Neighbourhood Community Infrastructure Levy (NCIL) Spending Round 2:

1. Noted all the responses received regarding the consultation on spending the Round 2 Neighbourhood Community Infrastructure Levy, as set out in Appendix A to the report.
2. Approved the spending of Neighbourhood Community Infrastructure Levy on the Round 2 projects listed in Table 3 of the report.

1.2 Following a Call-In of that decision made in accordance with Council procedures, this report provides further information to support the Overview and Scrutiny Committee's (OSC) consideration of the issues raised in the Call-In.

2. Cabinet Member Introduction

2.1 My introduction to the original report considered by Cabinet on 10 March 2026 sets out the case for that decision. This report deals with the specific points raised by the Call-In.

2.2 It is disappointing that this decision has been called-in as it proposes to deliver £1.7m of investment in new and improved infrastructure across the borough in line with overwhelming feedback from local residents that they want to see more investment in trees, parks, green spaces and public realm. The chosen projects include projects specifically suggested by residents and community groups, alongside projects that support suggested community priorities for neighbourhood investment.

2.3 The London Borough of Culture ward murals neighbourhood art project is a key opportunity to address the demands that development places on the borough's

areas by helping protect community cohesion and identity. The production of street murals will create a high-quality cultural presence in every ward, reinforcing local pride and character and delivers street and kerbside improvement which was one of the top 2 resident priorities for NCIL funding in all 9 NCIL areas. The projects will be developed by local artists in close collaboration with residents.

- 2.4 I confirm my view that nothing raised in the Call-In or set out in this report changes my view that the decision taken on the 10 March 2026 is the correct one and should be upheld.

3. Recommendations

- 3.1 On the basis of the information provided in the Cabinet report of 10 March 2026 and in this report, it is recommended that the Committee reject this Call-In and take no further action.

4. Reasons for decision

- 4.1 N/A

5. Alternative options considered

- 5.1 N/A

6. The Decision and the Call-In

- 6.1 On 10 March 2026, Cabinet approved the recommendations set out in the report entitled 'Neighbourhood Community Infrastructure Levy (NCIL) Spending Round 2'. The decision and the report plus its appendices are available on the Council's website.
- 6.2 Following the issuing of the draft minutes for the Cabinet meeting, a Call-In of that decision was received and validated, in line with agreed Council procedures. Accordingly, the matter is now to be considered by the Overview and Scrutiny Committee. Sections 7-10 of this report describe and respond to each of the four reasons given for the Call-In.

7. Call-in reason 1: Public support for projects

- 7.1 The call-in quotes the Council's adopted CIL Governance document as follows: *"Consultation with the community within each CIL Neighbourhood Group will be undertaken to compile an initial list of projects and the priorities, determined by the number supporting the same or similar infrastructure. The Council will then determine how neighbourhood CIL receipts are spent against the list of projects compiled"*.
- 7.2 To note, this quotation is from a historic version of the Council's CIL Governance document and not the current adopted version from March 2020 (provided as Appendix A) and it therefore omits the final 6 words of the last sentence in the

March 2020 adopted document which are as follows “...*having regard to the consultation responses.*” These additional words are important to the correct interpretation and application of the document’s provisions.

- 7.3 The call-in sets out that the Council has not provided any evidence that the schemes selected for funding came from public suggestions. It uses two examples to support this point which are the London Borough of Culture ward murals and the Civic Centre communal woodlands garden.
- 7.4. The call-in sets out that adding corporate projects with no public support bypasses the Council’s own binding policy framework.
- 7.5 It is demonstrated below that call-in reason 1 relates to a preference for greater detail rather than a failure to comply with the Council’s adopted CIL Governance document.
- 7.6 A consultation was undertaken across all NCIL areas from 5 December 2025 to 18 January 2026. The consultation sought to:
- a) identify general NCIL spending priorities of residents and communities across the borough’s 9 NCIL areas
 - b) obtain specific project suggestions which projects participants would like to see funded

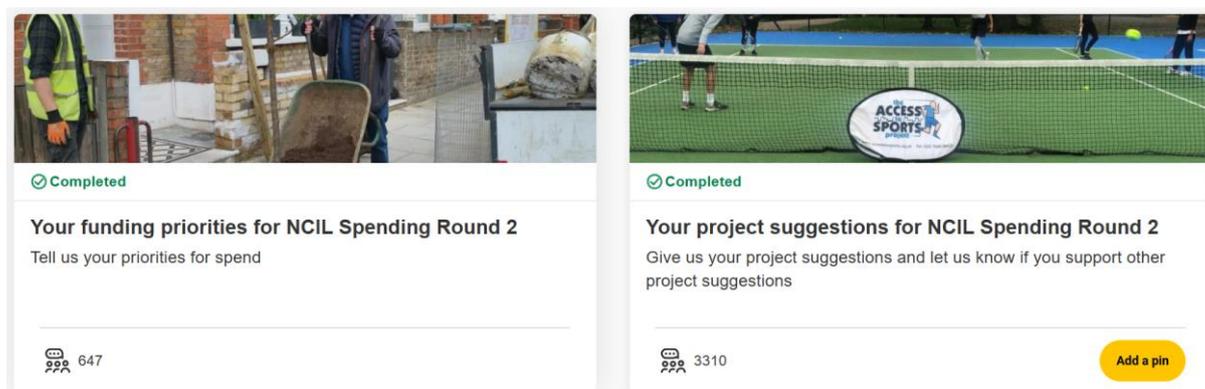


Image 1: Screenshot of NCIL Spending Round 2 consultation website

- 7.7 After the consultation closed on 18 January 2026, officers compiled an initial list of projects for consideration. This list was determined by the number of people supporting the same or similar infrastructure suggestions having regard to both general funding priorities expressed through the consultation and to the specific projects suggested via the consultation. The initial list included a range of projects consistent with the top 4 general funding priorities and the top 3 project suggestions in each NCIL area as determined by the number of positive reactions on the online engagement website, ‘commonplace’.
- 7.8 As detailed in Appendix C to the Cabinet report, all projects which were recommended for spend in the Cabinet report were supported through consultation. This is on the basis that the projects were either consistent with one of the top 4 general funding priorities in the NCIL area in which the project

was located or were consistent with one of the top 3 project suggestions in which the project was located.

- 7.9 For reasons of brevity, the Cabinet report and appendices summarised the consultation outcome for the recommended projects. However, in relation to the two projects specifically referred to in the call-in it is confirmed as follows:

London Borough of Culture ward murals: In each of the borough's 9 NCIL areas, "street and kerbside improvements" were one of the top two general funding priorities expressed through the consultation. Ward murals provide a key opportunity to deliver streetscape improvements across the borough. The project is therefore considered to be in accordance with the general spending priorities of residents across all of the borough 9 NCIL areas. Specific project suggestions for public art were received in 5 of the borough's NCIL areas (Area 5, Area 6, Area 7, Highgate Neighbourhood Forum and Crouch End Neighbourhood Forum). The contribution to the murals in the two forum areas was discussed and agreed with the respective Neighbourhood Forums.

Civic Centre communal woodland garden: This proposal will deliver additional tree planting and green space within NCIL Area 3. Tree planting and green spaces was ranked as the top general funding priority in NCIL Area 3 and the project is therefore considered to be in accordance with the priorities of residents in this area. The call-in is correct that the communal woodland garden was not submitted to the consultation as a specific project suggestion, however there was a project suggestion within the consultation for a community cafe and cultural space within the Civic Centre. The garden would provide a similar community function.

- 7.10 The call-in refers to residents of Muswell Hill and Crouch End previously objecting to murals within their areas. It is understood this refers to a Town Centres Creative Art Project which sought to commission local artists to produce murals and shutter artworks and formed part of the Council's High Streets Recovery Action Plan supporting economic recovery and renewal after the Covid-19 pandemic. Initial engagement was undertaken on proposals in Crouch End and Muswell Hill town centres but following mixed responses from stakeholders a decision was taken to redirect available funding to alternative locations. Two projects were subsequently delivered in Stroud Green and Wood Green and feedback received has indicated these were broadly successful. Taking account of lessons learned it is considered that similar projects could be rolled out across the entire borough as part of the London Borough of Culture murals / neighbourhood art projects which will include extensive engagement and collaboration with residents and communities. This will include community workshops and a decision-making panel made up of representatives from the community, and commissioning Haringey-based artists to produce the artwork.
- 7.11 The extensive engagement and consultation carried out by the Council when developing its Arts and Culture Strategy in 2024 has informed the decision to allocate NCIL funding for borough-wide murals. The strong message from local communities and residents from that engagement was that they wanted art and culture in Haringey to be accessible, free and visible for all to share and

participate in. Art should be available on the streets, estates and parks of the borough as much as within formal settings and venues. The proposed murals and neighbourhood artworks project for London Borough of Culture responds directly to this community feedback.

- 7.12 In accordance with Council's current CIL Governance document dated March 2020:
- i) Consultation was undertaken with the community within each CIL Neighbourhood Group
 - ii) Consultation informed the compilation of an initial list of projects and the priorities, determined by the number supporting the same or similar infrastructure
 - iii) The Council has determined how neighbourhood CIL receipts are spent against the list of projects compiled having regard to the consultation responses.
- 7.13 The projects recommended for NCIL Spending Round 2 are therefore backed by public support and have been arrived at consistent with the process set out in the Council's binding policy framework.

8. Call-in reason 2: Funding status of proposed projects

- 8.1 The call-in references the Cabinet report stating the Civic Centre communal woodland gardens project is eligible for NCIL funding because it fulfils criterion B of Haringey's CIL Governance document criteria: *"The use of CIL funding is necessary as no alternative funding sources are available"*.
- 8.2 The call-in further states that projects which have already been approved for borrowing under the capital programme cannot be described as eligible because alternative funding sources are available.
- 8.3 The call-in is incorrect in so far as it suggests the Cabinet report found projects to be eligible or ineligible for NCIL funding based on fulfilling a singular criterion in Appendix C. It is also incorrect in stating that projects which have already been approved for borrowing under the capital programme cannot be described as eligible because no alternative funding sources are available.
- 8.4 The criterion B referred to in the call-in comprises one of twelve "guiding criteria" in the CIL Governance document. The guiding criteria are not pass/fail but rather intended to help manage competing demands for CIL funding and ensure the spending of CIL is prioritised in the right way. As set out in detail in the Cabinet report, the choice of which projects to fund requires a much broader consideration including meeting legal requirements for NCIL spend, support through consultation, and assessment against the CIL Governance document guiding criteria. The performance of the recommended projects against all relevant considerations is summarised in Appendix C of the Cabinet report together with its likely impact on equalities.
- 8.5 There are no provisions in the Council's CIL Governance which would mean the availability of alternative funding sources would automatically preclude the use of NCIL for a given project. Such an approach would in fact be in line with the

Council's Capital Strategy 2026-2030 adopted in March 2026. The Capital Strategy sets out a clear framework for delivering long term, sustainable investment that supports the clear ambition set out in Haringey 2035 - to be a fairer, greener borough where everyone can belong and thrive. Inflation and economic uncertainty have significantly impacted the Council's financial position, making borrowing more expensive and increasing the cost of delivering essential services. In response to this, the Council's capital strategy is changing. It is taking a more focused, flexible, and financially sustainable approach, prioritising investments that deliver long-term value and reduce revenue pressures. This includes reviewing the capital programme to reduce borrowing costs. Section 2 of the Capital Strategy states: "Wherever possible, the Council will also seek to maximise external grant funding to replace borrowing, thereby improving the overall affordability of the capital programme".

- 8.6 Notwithstanding this, there are no projects recommended for NCIL Round 2 spend which are currently funded via the Capital Programme. The Civic Centre woodland garden was not part of the core scope of works for the Civic Centre project. During the design of the Civic Centre scheme delivery of public open space outside of the civic centre offices boundary was highlighted as an excellent opportunity for community engagement. The Civic Centre project made a provisional allocation towards the garden following community engagement given the feedback that people felt it would be a benefit to the area. However, a contribution would only have been possible should the core scope of works for the Civic Centre come in under budget. As reported through to Cabinet in March 2024 and November 2024 for the contract award to Sisk, the council needed to undertake (and achieved) significant value engineering for the core scheme and therefore the desirable contribution from the Civic Centre budget to the wood and gardens was not possible. The project always was a community co-production initiative and has now progressed as such where alternative funding solutions are being sought as part of a community engagement/delivery project. The woodland gardens are not required as part of the council operational requirements for the refurbishment of the Civic Centre, therefore NCIL funding would not be utilised for corporate office facilities, but to enable a community led project.
- 8.7 The call-in omits mention of criterion E in the CIL governance document which is "The use of CIL funding can provide additionality to a capital infrastructure project that maximises the benefits of the parent project where mainstream funding does not provide for this", which is relevant to the Civic Centre communal woodland gardens project.
- 8.8 Consistent with the Cabinet report and without introducing a contradiction as proposed in the call-in, the package of NCIL projects may still provide some opportunities to reduce costs to the Council of delivering its existing Capital Programme where for instance NCIL would fund the comprehensive improvement or refurbishment of an asset and obviate the need for otherwise budgeted essential or planned maintenance.

9. Call-in reason 3: Projects which are not capital infrastructure or addressing the demands of development

- 9.1 The call-in identifies legislative requirements that NCIL funds must be spent on infrastructure or ‘anything else that is concerned with addressing the demands that development places on an area.’ It sets out the Council has not explained how murals meet this definition.
- 9.2 Development brings new residents into an area and increases the overall size of communities which creates commensurate pressure for protecting community cohesion and identity. Street murals are a form of public art and London Borough of Culture ward murals neighbourhood art project will foster greater social integration creating an environment and context where more residents can make new connections, break down the barriers of social class and economic inequality and bring those of different ages and backgrounds together in shared experiences to enable communities to flourish. As set out in Appendix B of the Cabinet report the production of street murals will create a high-quality cultural presence in every ward, reinforcing local pride and character. The London Borough of Culture Ward Mural Project will involve meaningful community participation and close working between local artists and residents to shape the look and feel of their neighbourhoods.
- 9.3 Delivering public art, or financial contributions towards it, in relation to new development is a long-established planning principle. The Council’s adopted Local Plan Policy DM3 “Public Realm” states that “Major development proposals should consider how schemes can enhance local distinctiveness and legibility through the use of public art”. The Council’s adopted Planning Obligations Supplementary Planning Document (SPD) requires “major development that has a significant impact on its physical environment and setting” to “make provision for public art”. Whilst each planning case is considered on its merits, including whether public art is delivered through Section 106 Planning Obligations (S106s) or CIL, and subject to financial viability and competing demands, the planning principle of public art being relevant to addressing new development is well-established.
- 9.4 For the above reasons, it is the view of officers that delivery of murals is concerned with addressing the demands that development places on an area and are therefore consistent with the legislative requirements.
- 9.5 The view that public art (of which street murals is one type) helps address demands that development places on an area is widely shared by other local authorities across London based upon public NCIL funding decisions of the Royal Borough of Kingston upon Thames, City of London, Royal Borough of Kensington and Chelsea and London Borough of Brent.
10. **Call-in reason 4: Constitutional principles of decisions making**
 - 10.1 The call-in refers to Section 12.02 of the constitution (“Principles of decision making”). It is stated that the Cabinet report provided no detail or evidence that the NCIL allocations pay due regard to the public consultation, failed to provide the source of each proposal, failed to outline the weighted support by proposal, and failed to respond adequately to why each proposal was selected.

- 10.2 In preparing the Cabinet report, officers sought to provide a proportionate level of detail which would provide Cabinet with sufficient information to make their decision and with confidence that officers have come to conclusions which are fair, reasonable, balanced and justifiable. It is noted that this call in focuses on the process used to select the various projects for funding seeking greater detail rather than a failure to comply with the Council's adopted CIL Governance document. There is for example no requirement in the Council's Governance document to outline weighted support by proposal.
- 10.3 In relation to the public consultation, paragraph 6.18 of the Cabinet report sets out clearly the principal objectives of the consultation which was undertaken in a spirit of openness providing genuine opportunities for residents and communities to influence the Council's decision.
- 10.4 Following the consultation, officers reviewed and analysed all responses received. This included priority themes and over 500 specific project suggestions. Paragraphs 6.22 to 6.24 of the Cabinet report summarised the consultation headlines and a more detailed summary was provided as Appendix A. It is correct that the report did not provide the source of each project recommended for funding but paragraphs 6.30 to 6.32 made clear that all projects recommended for funding were consistent with the top general priorities for NCIL spend in those areas or otherwise comprise well supported projects which were specifically suggested as part of the consultation response.
- 10.5 A summary justification for each of the recommended projects is provided via Appendix C which assesses each of the recommended projects against the legislative requirements and the Council's adopted CIL Governance document. Each of the chosen projects meets a high number of the CIL Governance document criteria.

11. Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes?

- 11.1 The contribution of the decision regarding strategic outcomes was set out in the report to Cabinet on 10 March 2026.

12. Carbon and Climate Change

- 12.1 The carbon implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 March 2026.

13. Statutory Officers' comments

Finance

- 13.1 The Director of Finance (Deputy Section 151 Officer) has been consulted in the preparation of this report. The financial implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 March 2026.

Procurement

13.2 N/A

Director of Legal & Governance

13.3 The legal implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 March 2026.

Equality

13.4 The equality implications of the decision taken by Cabinet were highlighted in the Cabinet report on 10 March 2026.

14. Use of Appendices

Appendix A Haringey CIL Governance document (March 2020)