
COMMUNITY INFRASTRUCTURE LEVY INFRASTRUCTURE LIST AND GOVERNANCE

Committee: Council

Date: 21 October 2021

Author: Director Commercial

[W86]

1.0 ISSUE

1.1 To consider changes to the Community Infrastructure Levy Infrastructure List and Governance Arrangements.

2.0 RECOMMENDATION(S)

2.1 Members are requested to:

- i) Approve the draft Infrastructure List as set out in Appendix 3,
- ii) Approve the draft Governance Arrangements as set out in Appendix 5,
- iii) Make a contribution of £40,000 per annum, for 25 years, from CIL income for the A14 Improvements project, and
- iv) Authorise the Deputy Monitoring Officer to make the necessary changes to the Council's Constitution

3.0 BACKGROUND/OPTIONS

3.1 East Cambridgeshire District Council (ECDC) implemented the Community Infrastructure Levy (CIL) Charging Schedule on 1 February 2013. At the time of writing this report (8 October 2021) ECDC has received £22,978,859.45. In accordance with the Regulations the Council has transferred £3,815,174.52 to the relevant Town/Parish Council. A breakdown of these transfers is provided at Appendix 1.

It is also worth noting that we have issued demand notices worth in excess of £4,000,000 that fall due over the course of the next 12 months.

3.2 The table below provides a summary of projects that the District Council has supported. All expenditure has been approved by either Council or the Finance & Assets Committee.

Project	Committed (£)	Spent (£)	Remaining to Pay (£)
Burwell Recreation Ground Improvements	295,000.00	290,882.62	4,117.38
Burwell Gardiner Memorial Hall	180,000.00	0.00	180,000.00
A142/Witchford Road Roundabout	150,000.00	150,000.00	0.00
Sutton GP	56,621.63	0.00	56,621.63
Ely Commuter Car Park	500,000.00	500,000.00	0.00
Littleport Commuter Car Park	400,000.00	400,000.00	0.00
Littleport Secondary	5,020,000.00	1,919,643.67	3,100,356.33
The Mill Project, Soham	280,000.00	280,000.00	0.00
District Leisure Centre	11,500,000.00	5,696,209.18	5,803,790.82
Ely Museum	165,000.00	165,000.00	0.00
Ely Southern Bypass	1,000,000.00	1,000,000.00	0.00
St Marys, Ely GP	750,000.00	0.00	750,000.00
Ely Country Park Expansion	160,000	0.00	160,000
	20,456,621.63	10,401,735.47	10,054,886.16

3.3 On 17 October 2019 (Agenda Item 17) Council approved changes to the Infrastructure List and approved new governance arrangements as to how CIL receipts would be distributed and allocated.

3.4 On 23 February 2021 (Agenda Item 11) Council approved further changes to the Infrastructure List.

3.5 This report seeks to make further changes to both the Infrastructure List and Governance Arrangements.

3.6 Infrastructure List

3.6.1 Current List

The current Infrastructure List is provided at Appendix 2 of this report.

3.6.2 Changes

It is proposed that the following changes are made to the Infrastructure List:

- Ely Southern Bypass- The Council has now fully met its commitment to make a contribution of £1,000,000 to Ely Southern Bypass. Therefore this can be removed.
- A142/Witchford Road Roundabout- The Council has now fully met its commitment to make a contribution of £150,000 to the A142/Witchford Road Roundabout. Therefore this can be removed
- Ely Museum Redevelopment- The Council has now fully met its commitment to make a contribution of £165,000 to the Ely Museum Redevelopment. Therefore this can be removed.
- The Mill Project, Soham- The Council has now fully met its commitment to make a contribution of £280,000 to The Mill Project, Soham. Therefore this can be removed.

It is proposed that the following projects are added to the Infrastructure List:

- A14 Improvements- In 2014 Council took the decision to make a local contribution of £1,000,000 to the A14 Improvement. This contribution is payable over 25 years at £40,000 per annum. Council agreed that the commitment would be met from CIL income and agreed to include the A14 on the Infrastructure List at the appropriate time. The first year is now due and as such it is appropriate to include the A14 on the Infrastructure List.
- Health Improvement/Provision across the District- It is recognised that housing growth across the district has an impact on the current provision of Health care. It is proposed that ECDC includes all Health care, regardless of where it is in the district to be included on the list. This will provide certainty to Health Care providers that ECDC is able to assist with funding where it is demonstrated that the request is being made to mitigate the impact from growth.
- Community Facilities- It is recognised that housing growth across the district has an impact on community facilities; either the need to extend/make improvements to existing facilities or the need to build new facilities. It is proposed that the Council includes Community Facilities on the infrastructure list. Such facilities could include Village Halls, Community Centres and Sports Centres. These examples are not designed to be an exhaustive list and the Council should consider any proposals that can demonstrate a benefit to the community that arise as a result of growth.
- Water Management and Flood Prevention- It is recognised that housing growth has an impact in this area. It is proposed that the Council adds Water Management and Flood Prevention to the Infrastructure List. Officers will work closely with the IDB's and the Environment Agency to identify areas that could benefit from CIL funding where it is demonstrated that the infrastructure is necessary to mitigate the impact from growth.

3.6.3 It is recognised that the costs associated with the inclusion of such a broad range of infrastructure projects could never be fully met by the CIL income that the Council is generating. For that reason it is recommended that the Council is part funder of infrastructure projects. It is recommended that the Council does not fund more than a third of the costs of a project except where the project is led by the District Council. There may be exceptional circumstances where projects, outside of the Council's control, may need to benefit from more than a third of funding from CIL. In these circumstances it will be for the Finance & Assets Committee to determine whether this would be appropriate.

3.6.4 The draft Infrastructure List is provided at Appendix 3

3.7 Governance Arrangements

3.7.1 Current arrangements

The existing governance arrangements are provided at Appendix 4.

3.7.2 Unchanged

The Council will continue to make the transfers to the relevant Town/Parish Council in accordance with the Regulations.

The Council will continue to allocate 2.5 % of CIL income to reflect the cost of administration of CIL. This will continue to be reviewed annually.

3.7.3 Changes

The current arrangements allocate funds to projects on the Infrastructure List as follows:

- 20% of all CIL receipts to the District Leisure Centre up to a maximum of £7,257,408
- 10% of all CIL receipts to Littleport Schools up to a maximum of £3,834,509
- 1% of all CIL receipts to the Children's Centre (serving North Ely development) up to a maximum of £79,083
- 10% of all CIL receipts to Health (serving North Ely development) up to a maximum of £1,813,786
- 5% of all CIL receipts to Ely Country Park Expansion up to a maximum of £622,868
- 15% (25% where a Neighbourhood Plan is made) as the Meaningful Proportion
- 2.5% administration (to be reviewed annually)

The remaining 36.5% (26.5% where a Neighbourhood Plan is made) 'other' receipts will be set aside to benefit other projects on the Infrastructure List and allocation will be determined by the Finance & Assets Committee.

To provide certainty and assurance to both ECDC and stakeholders it is proposed that allocations are made in accordance with the table below. Please note that this includes the commitments already made by the Council.

It is proposed that the allocation of funds to projects on the Infrastructure List is as follows:

Project	Allocation (%)
Littleport Schools	10
District Leisure Centre	10
Health Care Facilities Serving North Ely (including St Marys)	10
Children's Centre Serving North Ely	1
Ely Country Park Expansion	2.5
Burwell Parish Council Recreation Ground Improvement	0.5
Sutton GP	0.5
Burwell Gardiner Memorial Hall	2
Administration	2.5
District Wide Health Care Provision	5
District Wide Community Facilities	5
District Wide Water Management and Flood Management	5
Other (max)- Linked to MP rate	31
Other (min)- Linked to MP rate	21

The Council will continue to distribute the Meaningful Proportion at 15% or 25 % as relevant and the 'Other' allocation will change as a result of this.

The table below provides an illustration of what these changes may look like on a current holding balance of £8,091,297.

Project	Allocation (%)	Maximum (£)	Illustration based on Allocation (£)
Littleport Schools	10	3,100,356.33	809,129.70
District Leisure Centre	10	5,803,790.82	809,129.70
Health Care Facilities Serving North Ely (including St Marys)	10	1,813,786.00	809,129.70
Children's Centre Serving North Ely	1	79,083.00	80,912.97
Ely Country Park Expansion	2.5	622,868.00	202,282.43
Burwell Parish Council Recreation Ground Improvement	0.5	4,117.38	40,456.49
Sutton GP	0.5	56,621.63	40,456.49
Burwell Gardiner Memorial Hall	2	180,000.00	161,825.94
Administration	2.5		202,282.43
District Wide Health Care Provision	5		404,564.85
District Wide Community Facilities	5		404,564.85
District Wide Water Management and Flood Management	5		404,564.85
Other (max)- linked to MP	31		2,508,302.07
Other (min)- Linked to MP	21		1,699,172.37

Where the allocation exceeds the maximum the excess will be added to the 'Other' pot.

The 'Other' pot can benefit, in whole or in part, any project featured on the Infrastructure List that is not referenced in the table above.

It is proposed that the A14 Improvements contribution is taken from the 'Other' pot.

Projects that do not have the benefit of prior approval from either Council or the Finance & Assets Committee will need to be approved by the Finance & Assets Committee. Projects that do not need the approval of the Finance & Assets Committee are: Littleport Schools, District Leisure Centre, St Marys GP, Children's Centre Serving North Ely, Burwell Parish Council Recreation Ground Improvement, Sutton GP, Gardiner Memorial Hall and A14.

3.7.4 The draft Governance Arrangements are provided at Appendix 5.

4.0 ARGUMENTS/CONCLUSIONS

4.1 Both the draft Infrastructure List and the draft Governance Arrangements provided at Appendix 5 reflect the current infrastructure pressures arising from growth across the district. This is not to say that this is the extent of the infrastructure pressures. Officers will continue to work with stakeholders and make necessary recommendations in the future.

4.2 The proposed changes reflect the Council's Corporate Plan 2021-2023.

4.3 Members are recommended to approve both the draft Infrastructure List (Appendix 3) and draft Governance Arrangements (Appendix 5).

4.4 Members are further recommended to approve the specific allocation of £40,000 per annum for 25 years for the A14 Improvements project.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

5.1 The A14 Improvements contribution of £40,000 per annum can be met from current and future CIL receipts/income.

All CIL allocations made to date can be met from existing CIL receipts.

5.2 Equality Impact Assessment (EIA) not required.

5.3 Carbon Impact Assessment (CIA) not required.

6.0 APPENDICES

6.1 Appendix 1- Meaningful Proportion Transfers
Appendix 2- Current Infrastructure List
Appendix 3- Draft Infrastructure List
Appendix 4- Current Governance Arrangements
Appendix 5- Draft Governance Arrangements

Background Documents

Council- 17 October 2019
(Agenda Item 17)

Council- 23 February 2021
(Agenda Item 11)

Corporate Plan 2021-2023

Location

The Grange,
Ely

Contact Officer

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Meaningful Proportion Transfer

Ashley Total		8,680.22
Bottisham Total		28,688.00
Burrough Green Total		14,252.19
Burwell Total		217,790.89
Cheveley Total		78,934.96
Chippenham Total		21,393.69
Coveney Total		17,212.90
Dullingham Total		16,163.88
Ely Total		773,910.90
Fordham Total		637,280.01
Haddenham Total		189,721.98
Isleham Total		211,748.97
Kirtling Total		40,568.21
Little Downham Total		67,241.41
Little Thetford Total		47,453.58
Littleport Total		93,032.11
Lode Total		5,278.30
Mepal Total		45,625.07
Reach Total		3,113.62
Soham Total		266,292.04
Stetchworth Total		19,756.52
Stretham Total		135,920.83
Suttun Total		216,851.80
Swaffham Bulbeck Total		42,114.34
Swaffham Prior Total		39,665.23
Wicken Total		45,377.16
Wilburton Total		31,041.16
Witcham Total		12,354.94
Witchford Total		454,632.99
Woodditton Total		33,076.62

Grand Total to Town/Parish Councils

3,815,174.52

**EAST CAMBRIDGESHIRE DISTRICT COUNCIL
COMMUNITY INFRASTRUCTURE LEVY
INFRASTRUCTURE LIST**

The East Cambridgeshire District Council Infrastructure List is set out below. This list is in no particular order and no priorities have been identified.

Littleport Schools
District Leisure Centre
Soham Railway Station
Ely Southern Bypass
Health Facilities Serving North Ely Development
A142/Witchford Road Roundabout
Children's Centre Serving North Ely Development
Ely Country Park Expansion
Staploe Medical Centre
Ely Commuter Car Park
Wicken-Soham-Ely Cycle Path
Witchford Household Recycling Centre
Burwell Parish Council Recreation Ground Improvement Project
Ely Museum Redevelopment
The Mill Project- Soham
Sutton GP Surgery Extension
Stretham GP Surgery
Soham Village College
Libraries Serving Kennett Development
Traffic Calming Serving Kennett Development
B1056 Crossroads
Village Green Serving Kennett Development
Gardiner Memorial Hall Project

February 2021

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Littleport Schools
District Leisure Centre
Soham Railway Station
Health Facilities Serving North Ely Development
Children's Centre Serving North Ely Development
Ely Country Park Expansion
Ely Commuter Car Park
Wicken-Soham-Ely Cycle Path
Witchford Household Recycling Centre
Staploe Medical Centre
Stretham GP Surgery
Sutton GP Surgery Extension
Burwell Parish Council Recreation Ground Improvement Project
Soham Village College
Libraries Serving Kennett Development
Traffic Calming Serving Kennett Development
B1056 Crossroads Village Green Serving Kennett Development
Gardiner Memorial Hall Project
District Wide Health Care Improvement/Provision
District Wide Community Facilities
District Wide Water Management & Flood Prevention
A14 Improvements

COMMUNITY INFRASTRUCTURE LEVY GOVERNANCE ARRANGEMENTS

Governance arrangements where the CIL receipt from a single development does not exceed £1,000,000

Meaningful Proportion

15% (25% where a Neighbourhood Plan is made) of all CIL receipts, under the Regulations, must be transferred to the City/Parish/Town Council (where development has occurred in their area). In a Regulation 62A report, the City/Parish/Town Council must publicise, on an annual basis, the amount of CIL money it has received, spent, brought forward from previous years, intends to carry forward to the following year and where money has been spent. A pro forma report has been supplied to the City/Tow/Parish Council and this information will be published by the individual City/Parish/Town Council.

Administration

Under the Regulations, the Council is permitted to allocate up to 5% of all CIL receipts to assist in the costs of administering CIL. The Council will deduct 2.5% of all CIL receipts to administer CIL. This will be reviewed annually.

Infrastructure

This category is for infrastructure projects that have a value of £50,000 or greater.

Authority is delegated to the Director Commercial, in consultation with the Leader of Council, to distribute CIL receipts in the following manner:

- 20% of all CIL receipts to the District Leisure Centre up to a maximum of £7,257,408
- 10% of all CIL receipts to Littleport Schools up to a maximum of £3,834,509
- 1% of all CIL receipts to the Children's Centre (serving North Ely development) up to a maximum of £79,083
- 10% of all CIL receipts to Health (serving North Ely development) up to a maximum of £1,813,786
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The remaining 36.5% (26.5% where a Neighbourhood Plan is made) 'other' receipts will be set aside to benefit other projects on the Infrastructure List and allocation will be determined by the Finance & Assets Committee.

Process for requesting CIL contributions to be allocated to a project

A stakeholder can apply, at any time, for a project, that is included on the Infrastructure List, to be funded, in whole or in part, by CIL contributions. The stakeholder should write to the Council requesting allocation of CIL funds to their project.

A project being included on the Infrastructure List does not signify a guarantee of CIL funding. Whether a project successfully receives CIL funding will depend on the Council's priorities at the time of the application for funding being made, and the amount of CIL funding available.

The request should include the following information:

- Details of the scheme
- Timetable for delivery (indicative will suffice)
- Why the scheme should benefit from CIL funding
- Where CIL is only intended to fund part of the project, provide details/evidence of other sources of secured funding

Once the request has been received the project will be assessed against the scoring criteria and a recommendation will be made to the Finance & Assets Committee.

Governance Arrangements where the CIL receipt from a single development exceeds £1,000,000

Meaningful Proportion

15% (25% where a Neighbourhood Plan is made) of all CIL receipts, under the Regulations, must be transferred to the City/Parish/Town Council (where development has occurred in their area). In a Regulation 62A report, the City/Parish/Town Council must publicise, on an annual basis, the amount of CIL money it has received, spent, brought forward from previous years, intends to carry forward to the following year and where money has been spent. A pro forma report has been supplied to the City/Tow/Parish Council and this information will be published by the individual City/Parish/Town Council.

The remaining 85%

The remainder of the CIL contribution shall be ring fenced to fund infrastructure projects that benefit the development. This will be done as part of the planning process. The reason for doing so is to provide the Council, the developer and infrastructure providers with more certainty as to the delivery of key infrastructure needed to support the development.

Consultation will be carried out with the relevant stakeholder throughout the planning process.

A portion, reflective of the nature of the development site, will be sought for administration of CIL. In accordance with the Regulations, the amount sought for administration will be up to 5%. The amount allocated will depend on the monitoring requirements and the needs of infrastructure for the development.

As a result of this process there may be a need to add infrastructure items to the Infrastructure list. An Officer will recommend to the Planning Committee that such projects should be recommended for inclusion on the Infrastructure List. If approved by the Planning Committee, the project will then be recommended for inclusion to Full Council a future meeting.

CIL contributions arising from developments where the CIL value exceeds £1,000,000 shall only be spent in accordance with the allocations made throughout the planning process, unless there is justified cause not to do so. Any deviation from the allocation will need to be approved by the Finance & Assets Committee.

COMMUNITY INFRASTRUCTURE LEVY GOVERNANCE ARRANGEMENTS

Governance arrangements where the CIL receipt from a single development does not exceed £1,000,000

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This category is for infrastructure projects that have a value of £50,000 or greater. Income will be distributed as follows:

Project	Allocation (%)
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Administration	2.5
District Wide Health Care Provision	5
District Wide Community Facilities	5
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Other (max)- Linked to MP	31
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A stakeholder can apply, at any time, for a project, that is included on the Infrastructure List, to be funded, in whole or in part, by CIL contributions. The stakeholder should write to the Council requesting allocation of CIL funds to their project.

A project being included on the Infrastructure List does not signify a guarantee of CIL funding. Whether a project successfully receives CIL funding will depend on the Council's priorities at the time of the application for funding being made, and the amount of CIL funding available.

The request should include the following information:

- Details of the scheme
- Timetable for delivery (indicative will suffice)
- Why the scheme should benefit from CIL funding
- Where CIL is only intended to fund part of the project, provide details/evidence of other sources of secured funding

Once the request has been received the project will be assessed against the scoring criteria and a recommendation will be made to the Finance & Assets Committee.

Governance Arrangements where the CIL receipt from a single development exceeds £1,000,000

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The remaining 85%

The remainder of the CIL contribution shall be ring fenced to fund infrastructure projects that benefit the development. This will be done as part of the planning process. The reason for doing so is to provide the Council, the developer and infrastructure providers with more certainty as to the delivery of key infrastructure needed to support the development.

Consultation will be carried out with the relevant stakeholder throughout the planning process.

A portion, reflective of the nature of the development site, will be sought for administration of CIL. In accordance with the Regulations, the amount sought for administration will be up to 5%. The amount allocated will depend on the monitoring requirements and the needs of infrastructure for the development.

As a result of this process there may be a need to add infrastructure items to the Infrastructure list. An Officer will recommend to the Planning Committee that such projects

should be recommended for inclusion on the Infrastructure List. If approved by the Planning Committee, the project will then be recommended for inclusion to Full Council a future meeting.

CIL contributions arising from developments where the CIL value exceeds £1,000,000 shall only be spent in accordance with the allocations made throughout the planning process, unless there is justified cause not to do so. Any deviation from the allocation will need to be approved by the Finance & Assets Committee.

