



# Finance, Planning and Economic Development Policy and Scrutiny Committee

<b>Date:</b>	Thursday 22 <sup>nd</sup> September 2022
<b>Classification:</b>	General Release
<b>Title:</b>	Community Infrastructure Levy: how it works and how it can be used in future to better support community priorities
<b>Report of:</b>	Ezra Wallace, Director of Policy and Projects
<b>Cabinet Member Portfolio</b>	Planning and Economic Development
<b>Wards Involved:</b>	All
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## 1. Executive Summary

This report provides an overview of the Community Infrastructure Levy (CIL) and raises issues about developing the council's approach.

It sets out: an introduction to CIL, including the different types and current balances; infrastructure priorities; and governance of CIL allocations. It explains how the council is developing our approach and asks for the Committee's views.

## 2. Key Matters for the Committee's Consideration

- What are the committee's views on our current approach? What works well and where should we continue to develop our approach?
- How can we better engage with our communities?
- What can we learn from others, particularly considering the evidence that will be provided by Brent Council officers and the representatives of the Church Street Neighbourhood Forum to the committee?

### **3. Background**

#### **3.1 Introduction to CIL**

The Community Infrastructure Levy (CIL) is a financial contribution collected by the Council from developers. It is specifically designed to support the delivery of infrastructure needs arising from new development and to ensure that growth is effectively and positively managed in the interest of Westminster's communities.

CIL is chargeable on most development of residential and commercial buildings that include an increase of new build floorspace of 100 square metres or more of gross internal (GIA) floorspace. The amount to be charged is set out in the council's CIL Charging Schedule (adopted 2016, Appendix A), which sets per square metre rates depending on the type and location of the development.

By law, CIL money must be spent on the provision, improvement, replacement, operation, or maintenance of infrastructure needed to support development. CIL can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development. It can also be used anything else that is concerned with addressing the demands that development places on an area.

CIL is divided into three portions: the City Portion (Strategic CIL, or SCIL); the Neighbourhood Portion (Neighbourhood CIL, or NCIL), and the Administrative Portion. The City Portion is spent by the council on strategic infrastructure projects across the City. The Neighbourhood Portion is directed to the local area to address the demands of development within that neighbourhood. The Administrative Portion is retained to pay for the council's costs associated with collection and spending CIL.

The current balances are:

- SCIL: £78.5m
- NCIL: £16.5m
- Admin: £7.1m

Projects funded by CIL must meet the requirements set out in the Government's legislation and regulations and must reflect the priorities and criteria established by the Council's CIL Spending Policy. Typical project types include:

- Public realm enhancements
- Highways/transport infrastructure
- Community facilities ie education, health, community/family centres, leisure centres
- Prevention of crime and anti-social behaviour
- Utilities and waste

The legislation specifically prohibits CIL from being used to directly fund affordable housing. However, it can play an enabling role in affordable housing delivery by funding the infrastructure needed to support the development of Affordable Housing Units. For example, £22.65m of Strategic CIL has been allocated to the Ebury Regeneration to support the delivery of the following infrastructure:

- Relocation of the High Voltage Cable (£4.050m)
- 4 Linked Public Squares (£15.696m)
- New Community Hub (£1.557m)
- New Fitness and Recreational Facility (£1.347m)

### 3.2 Strategic CIL

SCIL is collected and spent centrally on infrastructure projects across the City.

SCIL funding decisions are taken annually as part of the capital programme. Budget managers and service heads put forward projects for capital expenditure. The Capital Review Group will review new projects in October 2022; projects will be considered whether eligible for CIL. The draft capital programme will then be reviewed by ELT (Executive Leadership Team) and Informal Cabinet in December 2022 before going to Cabinet in February 2023 and Full Council in March 2023.

Strategic CIL decisions are informed by a strategic overview of the City's infrastructure requirements. Any project receiving SCIL funding must be identified as an infrastructure requirement in the Council's Infrastructure Delivery Plan. To ensure that we have a more realistic and reliable understanding of infrastructure needs across the city, officers are currently implementing an innovative approach to infrastructure planning. As part of this new, more collaborative approach, infrastructure providers (both internal council and external) will work in concert, relying on shared assumptions and methodologies, to identify infrastructure requirements across the City. This approach will support the production an integrated infrastructure plan that properly understands the existing baseline and the impact of demographic change on the need for new and renewed infrastructure. The requirements it identifies will be included in an updated Infrastructure Delivery Plan, anticipated for spring 2023.

### 3.3 Neighbourhood CIL

NCIL is held in a pot earmarked for the one of 21 neighbourhood areas in which the contributing development is being built to address the local impacts of development. The list of designated neighbourhood areas and the value of their NCIL pots is set out in Appendix B.

Any local individual or organisation can apply for NCIL funding; in practice, Neighbourhood Forums submit most applications.

The full list of previously agreed projects is set out in Appendix C. The most recent round closed on 03 September. Four applications were submitted.

3.4 Developing our approach

We have been listening to the feedback of stakeholders - and looking outward to learn from others - to develop our approach to CIL so that it:

- 1. Is more transparent
- 2. Better involves all of the city’s communities
- 3. Delivers on our Fairer Westminster Priorities

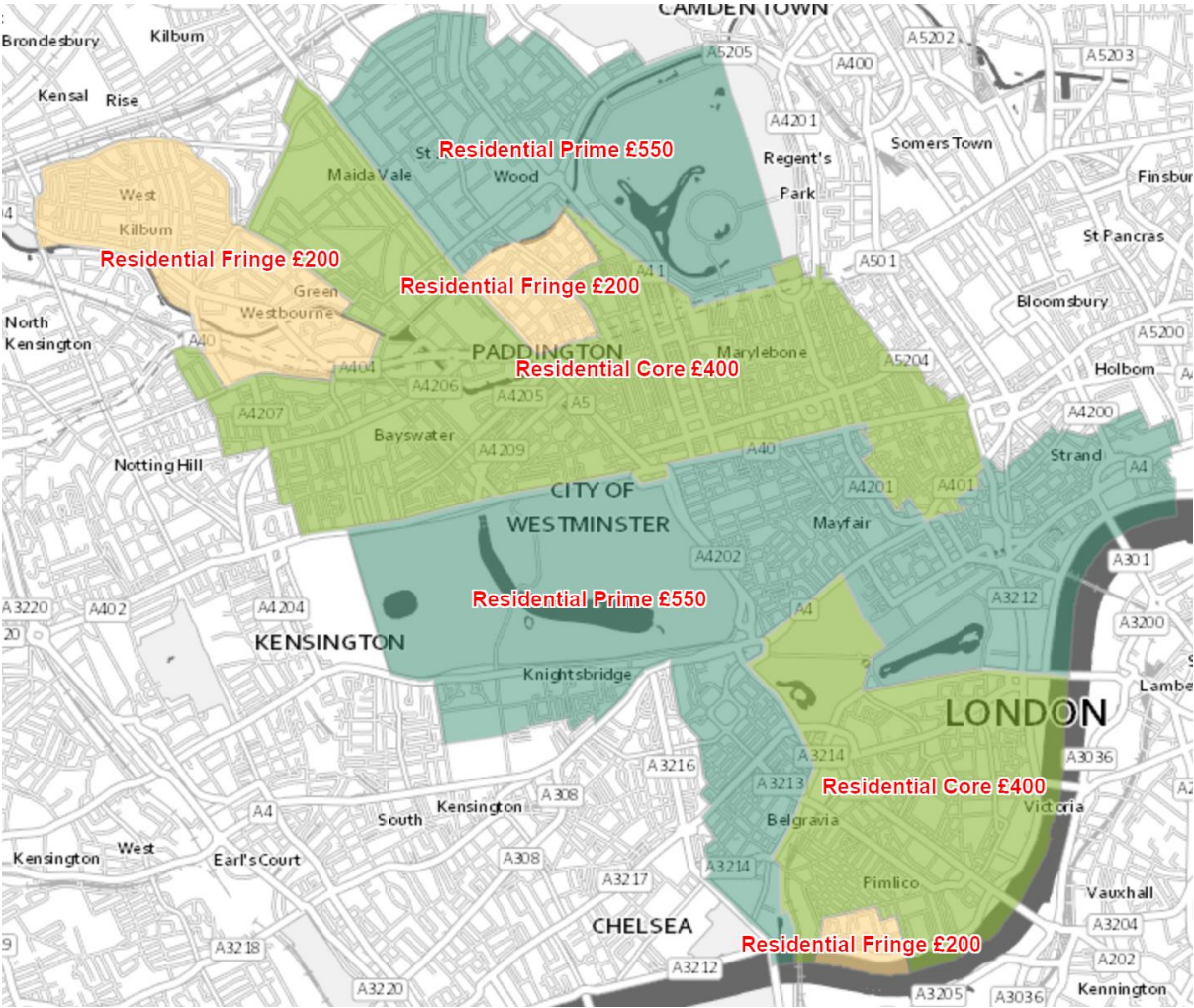
There are options for how to better engage our communities, including the potential to develop a Participatory Budgeting exercise to inform CIL priorities and/or project decisions. We welcome the Committee’s views on developing our approach.

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Alex Csicsek 07971 026068**  
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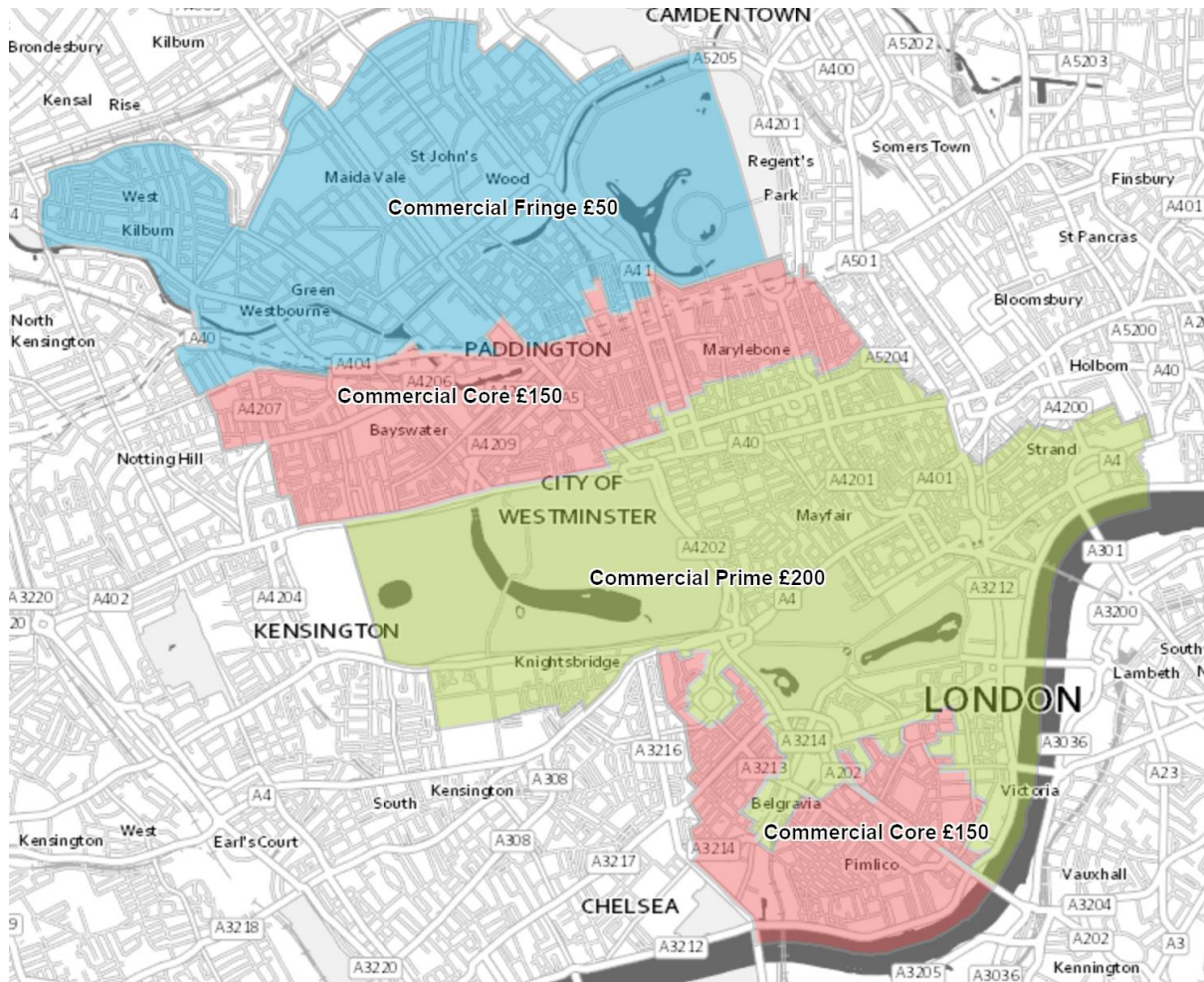
**APPENDICES:**

Appendix A CIL charging rates and zones maps

Area	Prime	Core	Fringe
Residential (including all residential ‘C’ use classes)	£550	£400	£200
Commercial (offices; hotels, nightclubs and casinos; retail (all ‘A’ use classes and sui generis retail)	£200	£150	£50
All other uses	Nil		



Map 1 Residential CIL zones



Map 2 Commercial CIL zones

## Appendix B Neighbourhood Area CI amounts

Neighbourhood Area	Collected	Allocated	Available
Queens Park*	£2,819.83	£0.00	£2,819.83
Notting Hill East	£22,162.11	£10,000.00	£12,162.11
Bayswater	£595,992.93	£169,472.00	£426,520.93
Little Venice and Maida Vale	£1,601,740.22	£215,621.00	£1,386,119.22
Belgravia	£691,793.58	£265,000.00	£426,793.58
Church Street	£606,692.64	£50,000.00	£556,692.64
Churchill Gardens Estate	£0.00	£0.00	£0.00
Ebury Bridge	£169,000.00	£0.00	£169,000.00
Fitzrovia West	£623,438.68	£152,000.00	£471,438.68
Hyde Park and Paddington	£1,289,635.38	£460,000.00	£829,635.38
Knightsbridge	£318,980.45	£40,000.00	£278,980.45
Maida Hill	£32,761.24	£32,000.00	£761.24
Marylebone	£2,588,635.43	£636,625.00	£1,952,010.43
Mayfair	£2,335,221.08	£729,003.00	£1,606,218.08
Pimlico	£165,625.48	£0.00	£165,625.48
Soho	£437,579.64	£40,700.00	£396,879.64

South East Bayswater	£845,105.14	£0.00	£845,105.14
St James's	£77,001.44	£0.00	£77,001.44
St John's Wood	£1,728,038.10	£1,411,778.00	£316,260.10
Victoria	£806,816.03	£30,000.00	£776,816.03
Westbourne	£184,284.55	£45,000.00	£139,284.55
Outside Neighbourhood areas	£2,321,888.07	£392,224.00	£1,929,664.07

## Appendix C List of all NCIL projects agreed to date

Name
Connaught Village Green
Ebury Street and Lower Belgrave Street Public Realm
Market Place Community Garden & Public Realm
West End Better Air Quality, More Recycling and Commercial Vehicle Reduction
The Bays:London Street/South Wharf Road
Burwood Place Greening
Connaught Village Green
Sussex Gardens Edgware Road Junction Improvements
Restoration of the 'Hole-in-the-Wall', Knightsbridge
Changing Lives, St. Marylebone Parish Church
Shrewsbury Gardens
Belgravia Neighbourhood Plan
The Covent Garden Lighting Partnership (SEVEN DIALS TRUST)
The Northbank Low Emission Neighbourhood - Street greening
Belgravia streets tree planting
Bishop's Bridge Public Realm Action Plan
Norfolk Square Gardens Showcase Garden
Star Street Green Space Improvements
Edgware Road Insights Study
Central Island Improvements for Elgin Avenue
Charing Cross Road Area Public Realm
Changing Lives: Improved Access to St Marylebone Parish Church

Air Filtration Units for St Marylebone CE School  
Mayfair Green Route  
Reverse Vending Machine in Mayfair

Baseline Study of Licensed Premises in Mayfair  
Queen's Park Community Council NCIL Portion

Soho Air Quality and Traffic Monitoring System  
Soho Parish School Gates Replacement  
Soho Digital Waste Infrastructure  
Greening Soho Feasibility Study  
Blomfield Road Public Realm  
College Park School External Play Area  
New Zebra Crossing on Westbourne Grove  
Permanent Catenary Infrastructure/HOLBA  
Victoria Street Greening  
New Roof Over Health Services at SMPC  
St John's Wood High Street Configuration  
St Marylebone CE School Science Block

Green Roof Terrace for the St Marylebone CE School  
MPS CCTV for Westbourne/Bayswater  
Mayfair Green Route Aldford Street Garden  
Third Party CCTV for Mayfair

Stairs Elevator Replacement for St Marylebone NHS  
The Pineapple Project

Accessibility Improvements to St Barnabas Church  
Staff Room and Learning Space at St Barnabas CE  
Consultant for Maida Hill NP  
Maida Hill Parklets  
Lighting and Public Realm Upgrade for RAH  
Facilities Upgrade at Greenhouse Sports  
FitzWest Planters  
Restoration of the Soho Poly Theatre  
New Classroom for St Marylebone CE School  
Church Street Neighbourhood Plan  
Fisherton Gym Playground  
Greening Carburton Street  
St Mary Le Strand Relighting



**BACKGROUND PAPERS**

None.