

Record of Decisions

Community Infrastructure Levy Funds - Administration and Governance of Neighbourhood Proportion

Decision Taker

Cabinet on 13 December 2022.

Decision

1. That the neighbourhood proportion collected in respect of development located within the Brixham Neighbourhood Plan area shall be passed directly to the Brixham Town Council to administer. With the spend of any funds received by the Brixham Town Council in respect of development located outside of the administrative area of the town council, (but located within the neighbourhood development plan area), shall be in consultation with the relevant Torbay Council members for the wards concerned. Regular reviews of the neighbourhood proportion monies spend, will be undertaken, through liaison with the Town Council.
2. That the Divisional Director of Planning, Housing and Climate Emergency be given delegated authority to determine submissions from community groups, in consultation with a newly established CiL Spend Panel, which are endorsed by the Neighbourhood Forums or an agreed alternative. The membership of the Panel to include the Leader of the Council, the Cabinet Member for Finance, the Cabinet Member for Infrastructure, Environment and Culture and representatives of the Neighbourhood Forums, (or if not available from the Neighbourhood Forums) representatives from the Local Community Partnerships and the Torbay Community Development Trust, with terms of reference for the Panel, as set out in Appendix 3 to the submitted report, be approved.
3. The new CiL Spend Panel be established with quarterly meetings, the first meeting to take place by the end of February 2023.

Reason for the Decision

There were two considerable amounts of collected CiL Neighbourhood Proportion monies for both the Torquay and Paignton Neighbourhood Forum Areas. There was a need to establish a more streamlined process to agree new proposals coming forward for funding.

Implementation

This decision will come into force and may be implemented on 28 December 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet at its meeting in August 2020 established the CiL Spend Board, this decision was subsequently rescinded at Cabinet on 15 November 2022 in response to the need for a less onerous process that could meet more regularly and prevent any backlog of cases coming forward, being considered.

Whilst the law does not prescribe a specific process for agreeing how the neighbourhood portion should be spent, the guidance indicates that the Council should identify a suitable

administration process in order to ensure that CIL is spent appropriately. The proposed new process will involve the Leader of the Council, the Cabinet Member for Infrastructure, Environment and Culture, the Cabinet Member for Finance, the Director of Finance and the Divisional Director for Planning, Housing and Climate Emergency as well as representatives of the Neighbourhood Forums (or if not available from the Neighbourhood Forums) representatives from the local Community Partnerships and Torbay Community Development Trust.

At the meeting Councillor Morey proposed and Councillor Steve Darling seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An initial proposal involved the suggestion of a simple sign off process from the Section 151 Officer, along with the Divisional Director Planning, Housing and Climate Emergency, the Cabinet Member for Infrastructure, Environment and Culture and the Cabinet Member for Finance. Following initial assessment through the Neighbourhood Panel this would have been an easy sign off for such projects. However, with the current dormancy of the Paignton Forum and the issues of favoured schemes perceived to be filtered positively by the Forum, the establishment of the Cil panel was seen as the most accountable route.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

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16 December 2022

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet