

Item 4a – Allocation of Community Infrastructure Levy (CIL) Contributions to Local and Strategic Infrastructure projects

The attached report was considered by the Community Infrastructure Levy (CIL) Spending Board on 29 November 2023. The relevant Minute extract is below.

Community Infrastructure Levy (CIL) Spending Board (29 November 2023, Minute 4)

The Principal Infrastructure Delivery Officer presented the report which provided Members with a background to the Community Infrastructure Levy (CIL) and advised Members that there were some changes following the new Levelling Up and Regeneration Act which would have a direct impact on the current Section 106 and CIL regimes, through the introduction of a new Infrastructure Levy to be rolled out over a 10 year period. It was important to note that the proposal did not currently change the Council's CIL process or governance, however when the changes did come in, the Council would need to be ready to make changes to the way infrastructure projects were funded at the local level.

She further advised that paragraph 9 set out that a total of 15.1 million pounds had been collected since 2014 and £7.9 million allocated by the CIL Spending Board. The amount available for allocation by the Board for local and strategic infrastructure projects was just over £1.6 million.

She advised that the bids set out before the Board had gone through a rigorous assessment process and those shortlisted against the criteria were set out in Appendices A to F for the Board's consideration.

Application A – Sevenoaks Wildlife Reserve Redevelopment Project

The application sought £250,000 to improve the visitor facilities and safeguard biodiversity at Sevenoaks Wildlife Reserve. The proposal set out a number of improvements, including refurbishing the visitor centre to provide a new cafe, retail and event spaces, improved toilets, an outdoor seating area, play area, resurfaced car park with increased capacity and upgraded interpretation. It is also proposed to safeguard biodiversity through installing a new security fence and zoning, to minimise wildlife disturbance and balance visitor presence.

Sevenoaks Wildlife Reserve is a nationally important nature reserve and Site of Special Scientific Interest (SSSI), with over 2,000 species recorded and attracting around 50,000 visitors per year.

Officers advised that it was estimated that the total project was £1,500,000 and the funds sought were 17% of the overall cost of the project. To date, no

other funding sources had been secured but a large range of funding opportunities were being explored.

Officers advised approval, as the proposal demonstrated strong social, economic and environmental benefits to the community and public benefit, a strong link between new development and the scheme, good partnership working and strong local support. The proposal provided clear evidence to show that the scheme would be delivered and it contributed to the Council's commitment to tackling climate change.

The Board was addressed by the following speakers:

Company/person/body responsible for the bid: Rebecca Rees (Head of Strategic Projects and Funding)

For the bid: Trevor Kennett (SDC Head of Direct Services)

Against the bid: -

Town Representative: -

Local Member: Cllr Shea

Members asked questions of the speakers which focused on additional funding, and economical benefits. In response to questions Members were advised that Kent Wildlife Trust were confident that they would be able to raise the full funds, and a phased approach to the improvements could be undertaken as the funds became available.

Application B – Public Rights of Way Improvements

The application sought £209,000 to improve nine public rights of ways across the District which were used for accessing daily facilities such as schools, shops and for leisure.

The improvements included the provision of all-weather surfaces allowing all year use and for all user groups, new signage and works to improve the general amenity of the routes, for example, measures to encourage biodiversity. It was anticipated the works would encourage more walking on all routes.

Officers advised that the overall cost of the project was £279,000 and the funds sought were 75% of the overall cost of the project. Kent County Council as the applicant would contribute £70,000 towards the project.

Officers advised approval, as the proposal demonstrated strong social, economic and environmental benefits to the community, strong local support, as well as a strong link between new development and the scheme. The proposal also demonstrated clear evidence to show the scheme would be delivered, and had strong local support. The scheme also contributed towards the Council's commitment to tackling climate change.

The Board was addressed by the following speakers:

Company/person/body responsible for the bid: Graham Rusling (Public Rights of Way and Access Service Manager)

For the bid: -

Against the bid: -

Parish Representative: -

Local Member: Cllr Roy

Members asked questions of the speakers.

Application C – New Sewerage Connection at Swanley Park

The application sought £25,000 for the installation of a new sewerage connection at Swanley Park which would connect the public toilets in Swanley Park to the main sewerage network 350m away along College Road. This would replace the existing septic tank which required emptying 2 – 4 times a week via vehicular tanker, and would significantly improve the capacity of the current infrastructure for the benefit of the local community and visitors. The estimated cost of the project was £58,147.50 and the amount requested was 43% of the total project cost.

Swanley Town Council had identified additional funding sources and grants.

The application was recommended for approval as the proposal demonstrated strong social, economic and environmental benefits to the community, as well as significant public benefit and strong local support. The scheme was also identified in an adopted strategy or plan, there was clear evidence to show that the scheme would be delivered and it contributed towards the Council's commitment to tackling climate change.

The Board was addressed by the following speakers:

Company/person/body responsible for the bid: Town Cllr Michael Horwood (Swanley Town Council)

For the bid: -

Against the bid: -

Town Representative: Town Cllr Cathy Morgan

Local Member: Cllr G. Darrington

Members asked questions of the speakers which focused on savings being made by the Town Council by no longer having to pay for septic tanks. Members were advised that the savings made would be re-invested into the Park.

Application D – West Kingsdown Village Hall Car Park

The application sought £17,000 for the refurbishment of West Kingsdown Village Hall Car Park, which would resurface the car park to be even and use more resilient materials to prevent the hall from flooding in the future. It proposed a fit for purpose car park to serve users of the hall, Gamecock field and Community Cupboard, a charity offering residents food, groceries and friendly signposting to other support services. The total estimated project would be £38,000 and the amount requested was 45% of the total project cost.

West Kingsdown Village Hall Management Committee had in principle identified additional funding sources to support the application.

Officers recommended the application for approval as the proposal demonstrated strong social benefit to the community as well as strong local support, with significant public benefit and good partnership working. The application maximised funding from other sources and there was clear evidence to show that the scheme would be delivered. The scheme did not already benefit from CIL funding.

The Board was addressed by the following speakers:

Company/person/body responsible for the bid: Pat Bosley (Secretary for the West Kingsdown Village Hall Management Committee)

For the bid: -

Against the bid: -

Parish Representative: -

Local Member: Cllr Harrison

Members asked questions of the speakers. In response to questions Members were advised that the new car park would allow for water run off to avoid flooding and that there would be no EV charging points.

Application E – Greatness Community Pavilion

The application sought £787, 500 for the construction of a new community pavilion at Greatness recreation ground which would provide a two-storey multi-purpose activity space, treatment room, gym and associated facilities. The pavilion will provide a new community space focused on health and wellbeing. It is proposed that the pavilion will be open to the public seven days a week. It would support all users of the recreation ground through the provision of modern and fit for purpose facilities to host community group exercise, counselling, support and information sessions. It would also provide Sevenoaks Town Football Club with improved facilities and enable the Club to continue running and expand its community football programme with a particular focus on underrepresented groups and those most in need.

The total estimated project was £1,975,000 and the amount requested was 40% of the total project cost. Additional funding sources and grants had been identified and confirmed.

The application was recommended for approval as the proposal demonstrated strong social, economic and environmental benefits to the community as well as significant public benefit. Good partnership working, and maximised funding from other sources was also evident. The proposal also showed a strong link between new development and the scheme, and it was identified in an adopted strategy or plan and clear evidence to show that the scheme would be delivered. The scheme contributed towards the Council's commitment to tackle climate change.

The Board was addressed by the following speakers:

Company/person/body responsible for the bid: Linda Larter (Town Clerk, Sevenoaks Town Council)

For the bid -

Against the bid: -

Town Representative: -

Local Member: Cllr Leaman

Members asked questions of the speakers.

Application F – Harvestfield Park play facilities improvements

The application sought £20,000 to improve the play facilities at Harvestfield Park. This project includes the installation of a trim trail in the main play area, replacement of the existing swing frames, installation of a multi-use area with markings for various games and a flat surface and space for ball games. The new facilities will maximise the potential of existing space by offering an improved play and recreation area for children and young people.

The total estimated project was £43,109 and the amount requested was 46% of the total project cost. Additional funding sources and grants had been identified but some were unsecured.

The application was recommended for approval as the proposal demonstrated a strong social and public benefit with strong local support. There was a strong link between new development and the scheme and it was identified in an adopted strategy or plan. There was clear evidence to show that the scheme would be delivered.

The Board was addressed by the following speakers:

Company/person/body responsible for the bid: Cllr Rachel Waterton (Crockenhill Parish Council)

For the bid -

Against the bid: -

Parish Representative: -

Local Member: -

Members asked questions of the speakers which focused on funding. Members were advised that at the time of submitting the application a more expensive quote had been submitted and so the amount requested was based on the figure given.

At 8.50pm the Chairman adjourned the meeting for the comfort of those present.

The meeting resumed at 9.05pm.

The Chairman moved that the recommendations as set out in Appendix G be agreed.

Members commenced debate on the applications before them considering the merits of the applications. Discussion took place on Application D regarding top up funding and electrical charging points. The Chairman used her discretion and requested officers respond to clarify concerns around funding. Further debate took place on application F and the Chairman used her direction to allow the applicant to answer further questions. She clarified that further quotes were submitted, changes were made to the scheme and shopping around for the project to cost £20,000. The Parish Council already had a fund, with £1000 left from a legacy and £9,000 was previously budgeted for with the improvements to the other playground in Crockenhill and already invested in that play park from three other sources and so the Parish Council could contribute £9,000. She confirmed that the Parish Council would only require £10,000 of CIL for the works to be undertaken.

Members discussed the reduction of cost of works, and considered whether a clawback mechanism could be added. Members expressed their consensus on the clawback mechanism, with this the Chairman amended her motion from the chair to include "should the total budget not come to the £20,000 as applied for, then the unspent money would be returned to the Council".

The motion was put to the vote and it was

Resolved: That it be recommended to Cabinet that

- A. i) That the **£250,000** applied for, as set out in the report, for the scheme "Sevenoaks Wildlife Reserve redevelopment project" be approved on the following grounds:
- Strong social, economic and environmental benefits to the community;
 - Strong link between new development and the scheme;

- Good partnership working;
- Significant public benefit;
- Clear evidence to show that the scheme will be delivered;
- Strong local support;
- The scheme contributes towards the Council's commitment to tackling climate change.

This should be subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as condition of payment that:

- Funding for the entire project has been secured.

ii) If the legal agreement is not signed in accordance with the above, then the funding applied for would be refused, for:

- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

B. i) That the **£209,000** applied for, as set out in the report, for the scheme "Public Rights of Way Improvements" be approved on the following grounds:

- Strong social, and environmental benefits to the community;
- Strong link between new development and the scheme;
- Significant public benefit;
- Clear evidence to show that the scheme will be delivered;
- Strong local support;
- The scheme does not already benefit from CIL funding;
- The scheme contributes towards the Council's commitment to tackling climate change.

This should be subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as condition of payment that:

- Written confirmation that the required consents for each tranche are secured before the transfer of the CIL funds.
- ii) If the legal agreement is not signed in accordance with the above, then the funding applied for would be refused, for:
 - Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
 - Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

C. i) That the **£25,000** applied for, as set out in the report, for the scheme “New sewerage connection at Swanley Park” be approved on the following grounds:

- Strong social, economic and environmental benefits to the community;
- The scheme is identified in an adopted strategy or plan;
- Significant public benefit;
- Clear evidence to show that the scheme will be delivered;
- Strong local support;
- The scheme contributes towards the Council’s commitment to tackling climate change.

This should be subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as condition of payment that:

- Funding for the entire project has been secured.
- ii) If the legal agreement is not signed in accordance with the above, then the funding applied for would be refused, for:
 - Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and

- Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.
- D. i) That the **£17,000** applied for, as set out in the report, for the scheme “West Kingsdown Village Hall Car Park” be approved on the following grounds:
- Strong social benefit to the community;
 - Good partnership working;
 - Significant public benefit;
 - Funding maximised from other sources;
 - Clear evidence to show that the scheme will be delivered;
 - Strong local support;
 - The scheme does not already benefit from CIL funding.

This should be subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as condition of payment that:

- Funding for the entire project has been secured.
- ii) If the legal agreement is not signed in accordance with the above, then the funding applied for would be refused, for:
- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
 - Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

- E. i) That the **£787,500** applied for, as set out in the report, for the scheme “Greatness community pavilion” be approved on the following grounds:
- Strong social, economic and environmental benefits to the community;
 - Strong link between new development and the scheme;
 - Good partnership working;

- The scheme is identified in an adopted strategy or plan;
- Significant public benefit;
- Funding maximised from other sources;
- Clear evidence to show that the scheme will be delivered;
- Strong local support;
- The scheme contributes towards the Council's commitment to tackling climate change.

This should be subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed between the parties) which shall require as condition of payment that:

- Funding for the entire project has been secured.
- ii) If the legal agreement is not signed in accordance with the above, then the funding applied for would be refused, for:
- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
 - Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.

F. i) That the **£20,000** applied for, as set out in the report, for the scheme "Harvestfield Park play facilities improvement" be approved on the following grounds:

- Strong social benefit to the community;
- Strong link between new development and the scheme;
- The scheme is identified in an adopted strategy or plan;
- Significant public benefit;
- Clear evidence to show that the scheme will be delivered;
- Strong local support;
- The scheme does not already benefit from CIL funding.

This should be subject to a legal agreement being signed within 6 months of the decision date (or such further time as may be agreed

between the parties) which shall require as condition of payment that:

- Funding for the entire project has been secured.
 - Should the total budget not come to the £20,000 as applied for, then the unspent money would be returned to the Council.
- ii) If the legal agreement is not signed in accordance with the above, then the funding applied for would be refused, for:
- Without a legal agreement the bid would fail to ensure the effective management of CIL funds; and
 - Without a legal agreement to secure where the CIL money is spent the bid would fail to ensure sufficient certainty that the scheme will be delivered as applied for.