



Cabinet
Tuesday, 16th March, 2021 at 3.30 pm
in the Remote Meeting on Zoom and available for the
public to view on WestNorfolkBC on You Tube - Zoom
and You Tube

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Creation of CIL Spending Panel** (Pages 2 - 8)
Amended report – Amendments shown in track changes.

Contact

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Agenda Item 11

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :			
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide		YES/NO	
	Discretionary/	Need to be recommendations to Council		YES/NO	
	Operational	Is it a Key Decision		YES/NO	
Lead Member: Cllr R Blunt E-mail: crr.richard.blunt@west-norfolk.gov.uk		Other Cabinet Members consulted: None			
		Other Members consulted: None			
Lead Officer: Alexa Baker, Monitoring Officer E-mail: alexa.baker@west-norfolk.gov.uk Direct Dial: 01263 561006		Other Officers consulted: Alan Gomm, Planning Policy Manager			
Financial Implications YES/NO	Policy/ Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO	Environmental Considerations YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 16 March 2021

CREATION OF CIL SPENDING PANEL

<p>Summary</p> <p>The purpose of this report is to give effect to and implement the Cabinet decision CAB152 of 19 August 2020 which approved the Terms of Reference for a CIL Spending Panel.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1. That a Sub-Committee of Cabinet be created which shall be the CIL Spending Panel; 2. That the updated Terms of Reference at Appendix A are approved and are to be adopted for the CIL Spending Panel. <p>Reason for Decision</p> <p>To create a body which shall operate as the CIL Spending Panel and refresh the Terms of Reference to reflect its constitution.</p>

1 Background

On 19 August 2020 Cabinet agreed and adopted the CIL Spending and Governance Processes document which proposed a scheme for allocating funds collected through the Community Infrastructure Levy.

This scheme envisages a Panel of elected Members to be known as the 'CIL Spending Panel' which is to have decision making powers in respect of a defined category of applications for CIL funding and is to make recommendations in respect of other categories.

In order to create a decision-making body, it is recommended that this be achieved by virtue of a sub-committee of Cabinet which can delegate its powers to its sub-committee.

2 Options Considered

The creation of a free standing Panel was considered, however this would remove it from direct Cabinet oversight, in circumstances where Cabinet is to retain partial decision making powers in relation to the operation of the CIL Spending and Governance Process. Delegating part of its decision making powers to a sub-committee is consequently considered to present a more cohesive approach to delivering the CIL spending scheme.

There is cross party agreement that the CIL Spending Panel should be politically balanced, and this can be achieved by Cabinet setting the terms of reference to provide for Members from other Groups being invited onto the sub-committee to partake in the specific purpose set by the terms of reference. Group nominations are proposed to be submitted to the Chief Executive who will be delegated to appoint to the CIL Spending Panel.

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3 Policy Implications

None

4 Financial Implications

~~None~~

Whilst the creation of the CIL Spending Panel will not in itself attract any cost, save the usual resource applied towards a Council body, it is to be noted that the Panel will have power delegated to it to approve the allocation and spending of CIL on 'Local Projects'.

5 Personnel Implications

None

6 Environmental Considerations

None

7 Statutory Considerations

None

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

N/A

9 Risk Management Implications

It is proposed that the CIL Spending Panel have decision making powers with regards to the expenditure of the Community Infrastructure Levy. It is therefore imperative to ensure that requisite authority is held by the Panel so that its decisions are valid.

10 Declarations of Interest / Dispensations Granted

N/A

11 Background Papers

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

CIL Spending and Governance Processes Document

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function					
Is this a new or existing policy/service/function?		New / Existing (delete as appropriate)			
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>					
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age				
	Disability				
	Gender				
	Gender Re-assignment				
	Marriage/civil partnership				
	Pregnancy & maternity				
	Race				
	Religion or belief				
	Sexual orientation				
Other (eg low income)					

Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No	
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes / No	Actions:
		Actions agreed by EWG member:
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>Decision agreed by EWG member:</p>		
Assessment completed by: Name		
Job title		
Date		

CIL Spending Panel – Sub-Committee of Cabinet - Terms of Reference

Overview

The CIL Spending Panel is to provide oversight of the Community Infrastructure Levy spending on infrastructure across the Borough and implement, where defined, the 'CIL Spending and Governance Process' document, as amended and adopted. The Panel will consider and ~~agree~~approve certain types of projects and ~~recommends~~recommend action on others.

Membership

There shall be 6 Members in total of the CIL Spending Panel. Quorum shall be 3.

The CIL Spending Panel shall be chaired by the Cabinet Member for Development

Members from other political Groups are to be invited to take voting seats on the Panel to achieve political balance of the Panel-.

Group nominations shall be made by Group Leaders to the Chief Executive who is authorised to appoint them to the CIL Spending Panel.

Tasks

1. To keep under review the 'CIL Spending and Governance Process' document and make recommendations for change to Cabinet.
2. To receive recommendations from Officers and approve or reject these in respect of 'Local Projects'.
3. To receive recommendations from Officers on 'Community Projects', review these and recommend approval or rejection to Management Team.
4. To receive recommendations from Officers on 'Strategic Projects', review these and make comments to Cabinet via Management Team.
5. To support coordination of information on applications and comments across Portfolio Holders and other Borough Council bodies.
6. To receive monitoring reports from Officers on the operation of CIL, including necessary statutory reporting (Annual Infrastructure Funding Statement; Parish Annual Spending Reports).
7. To consider and make recommendations to Cabinet as appropriate on the implementation, spending and monitoring of CIL.

Meetings

At such frequency as the CIL Spending Panel Chair determines to fulfil its Tasks.

Review

Membership and these Terms of Reference shall be reviewed annually by Cabinet.