



**Sevenoaks**  
DISTRICT COUNCIL  
Despatched: 11.05.15

**CABINET**  
**19 May 2015 at 7.30 pm**  
**(or at the rising of Annual Council)**  
**Conference Room, Argyle Road, Sevenoaks**

**AGENDA**

**Membership: TBC**

	<b><u>Pages</u></b>	<b><u>Contact</u></b>
<b>Apologies for Absence</b>		
1. <b>Declarations of interest</b> Any interests not already registered		
2. <b>To appoint representatives on Outside Organisations</b>	(to follow)	
3. <b>To appoint the Membership of the Cabinet Advisory Committees for 2015/16</b>	(to follow)	
4. <b>Community Infrastructure Levy Spending Board and Terms of Reference</b>	(Pages 1 - 4)	
Appendix A – to follow		

**EXEMPT ITEMS**

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

**The Democratic Services Team (01732 227241)**



**COMMUNITY INFRASTRUCTURE LEVY SPENDING BOARD AND TERMS OF REFERENCE**

**Cabinet – 19 May 2015**

Report of Chief Planning Officer

Status: For Decision

Key Decision: No

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**Portfolio Holder** Cllr. Piper

**Contact Officer(s)** Richard Morris Ext.7268 Emma Boshell Ext. 7358

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**Recommendation to Cabinet:**

That the membership, terms of reference and protocol for speakers for the Community Infrastructure Levy Spending Board be agreed as set out in Appendices A and B to this report.

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**Reason for recommendation:**

To ensure that the Council is able to make decisions on how CIL funding is prioritised in an open and transparent manner.

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**Introduction and Background**

- 1 The Council adopted the CIL Charging Schedule on 18 February 2014 and qualifying developments permitted since 4 August 2014 are now liable to pay CIL.
- 2 As part of the process of adopting the CIL Charging Schedule, Cabinet tasked the Local Planning and Environment Advisory Committee (LPEAC) with developing the CIL governance arrangements. In March 2014, LPEAC resolved that a member/officer workshop should be set up to begin to consider CIL governance issues. It was proposed that, following this workshop, LPEAC would formally debate different CIL governance models and make a recommendation to Cabinet.
- 3 Two CIL governance workshops were held with LPEAC members in October and November 2014, which focused on the structure and processes that will be used to make decisions on CIL expenditure priorities. In March 2015 LPEAC and Cabinet considered the recommendations from the workshops and agreed that a Community Infrastructure Levy Spending Board should be established to recommend to Cabinet how CIL funding should be prioritised. It was agreed that the terms of reference of the Board should be consistent with the body of the report considered.
- 4 The membership and terms of reference, including the protocol for speakers, are attached to this report at Appendices A and B. Cabinet is asked to appoint the

## Agenda Item 4

membership of the CIL Spending Board and to agree the terms of reference and protocol for speakers. If agreed, these will form part of the Council's Constitution.

### **Other Options Considered and/or Rejected**

Cabinet could decide not to agree to the adoption of the proposed governance arrangements. This option is not recommended by Officers on the basis that the proposals have been developed through a member-led process that has considered the issue in some detail. In addition, any identified weaknesses in the system can be addressed through the proposed review process.

### **Key Implications**

#### Financial

There are some financial and staff resource implications in terms of support and administration of the CIL Spending Board which are covered within the on going work of the Democratic Services and other teams.

#### Legal Implications and Risk Assessment Statement

Governance arrangements that are consistent with the CIL regulations must be agreed. If they are not then the Council runs the risk of challenges from developers over the use of CIL to the Ombudsman being upheld.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### **Appendices:**

Appendix A – CIL Spending Board Membership and Terms of Reference 2015/16 (to follow)

Appendix B – CIL Spending Board Protocol for Speaking For or Against Proposals

### **Background Papers:**

[Report to Cabinet 5 March 2015 – CIL Governance](#)

**Richard Morris**  
**Chief Planning Officer**

**COMMUNITY INFRASTRUCTURE LEVY SPENDING BOARD**

**PROTOCOL FOR SPEAKING FOR OR AGAINST PROPOSALS**

In considering bids for funding, the Community Infrastructure Levy Spending Board permits interested parties to speak for or against proposals for a total of 3 minutes each.

The following protocol must be followed:

1. 'Interested parties' include relevant ward member(s), Town or Parish Council representative(s), and representative(s) of the body applying for funding.
2. Interested parties must inform Sevenoaks District Council of their request to speak. Requests must be made via telephone (01732 227000) or email ([democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk)), or by person at the Council Offices, Argyle Road, Sevenoaks, TN13 1HG. Requests must be received before 5pm on the day of the relevant Board meeting.
3. The number of interested parties permitted to speak will be proportionate to the proposal being considered by the Board and subject to the Chairman's discretion.
4. The Chairman has overriding discretion to allow any additional speakers or materials.

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