

Cheltenham Borough Council Community Infrastructure Levy (CIL) Neighbourhood Panel

Meeting date: 22 June 2023

Meeting time: 6.00 pm

Meeting venue: Council Chamber

Membership:

Councillor Paul Baker (Deputy Mayor), Councillor Barbara Clark, Councillor Tabi Joy, Councillor Diggory Seacome and Councillor Suzanne Williams

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1 Election of Chair

2 Welcome and introductions

3 Apologies

4 Declarations of Interest

5 Recommended allocation of Neighbourhood CIL funds (Pages 3 - 16)

Cheltenham Community Infrastructure Levy (CIL) – Neighbourhood Panel

22 June 2023

Recommended allocations of neighbourhood CIL funds

Report of the Panel Chair, Cllr. Paul Baker

Accountable member:

Councillor Martin Horwood, Cabinet Member Customer & Regulatory Services

Accountable officer:

Tracey Birkinshaw, Director of Communities & Economic Development

Ward(s) affected:

Non-parished areas

Key Decision: No

Executive summary:

In December 2022, Cabinet agreed to establish Cheltenham Community Infrastructure Levy (CIL) – Neighbourhood Panel which would then provide a process for the allocation of neighbourhood CIL funds held on behalf of the non-parished areas (areas without a parish council) of Cheltenham to priority community-based projects.

In January 2023 the council went live with a bidding round, to which individuals, communities and ward councillors across non-parished areas could apply for neighbourhood CIL funding to improve their local area that has been affected by development.

The bidding round closed on 30th April 2023 and a total of 27 applications were received, requesting £450k worth of funding.

The five members of the neighbourhood panel have met on two occasions to review the applications and to make preliminary recommendations which are now the basis of this report and are set out in

Appendix 2

This report seeks endorsement from the neighbourhood panel to agree these recommendations on

priority projects ahead of the Cabinet on 11 July when the final decisions on neighbourhood CIL awards will be made.

Recommendations:

- 1. To endorse the recommendations as set out in appendix 2 as the priority list of neighbourhood projects for investment and submit these recommendations to Cabinet for approval.**
- 2. To support the intention to launch a second funding round once the neighbourhood Community Infrastructure fund has built up to a sufficient level. The timing of this will be informed by regular monitoring of the fund.**
- 3. To undertake a lessons-learnt exercise and build any best practice arising into future bidding rounds**

1. Implications

1.1 Financial, Property and Asset implications

Contributions from developers are and will be held in a holding account and used to fund neighbourhood infrastructure when required. As at 15 June 2023, £128,474.82 was available for unparished areas.

Gemma Bell, Director of Finance and Assets (Deputy Section 151 Officer)
Gemma.bell@cheltenham.gov.uk

1.2 Legal implications

Regulation 59F of the Community Infrastructure Levy Regulations 2010 provides that where all or part of a chargeable development is in an area which is unparished, those CIL receipts that would have been otherwise passed to a Parish Council may be used by a charging authority to support the development of that part of the charging authority's area that is not within the area of a local council.

The law does not prescribe a specific process for agreeing how the neighbourhood portion should be spent, but the national Planning Practice Guide states that in cases where the charging authority will retain the neighbourhood portion, the charging authority should engage with the communities where development has taken place using existing community consultation and engagement processes and agree with them how best to spend the neighbourhood funding.

Further that, charging authorities should set out clearly and transparently their approach to engaging with neighbourhood, with consultation at the neighbourhood level proportionate to the level of levy receipts and scale of the proposed development to which the neighbourhood funding relates.

Signed off by: One Legal, legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

As part of the application process, applicants were encouraged to submit a climate change impact assessment. It is pleasing to see that 15 organisations submitted assessments which will provide rich information about how well the projects will support the council's climate impact ambitions.

1.4 Corporate Plan Priorities

The recommendations regarding the Cheltenham Neighbourhood Panel will support the council deliver its statutory function as Local Planning Authority and the distribution of funds to local organisations will support the council deliver the priorities set out in the council's corporate plan

**Signed off by: Head of communities, wellbeing & partnerships,
richard.gibson@cheltenham.gov.uk**

1.5 Equality, Diversity and Inclusion Implications

The recommendations as set out in appendix 2, if agreed by Cabinet, will see funding awarded to a number of organisations. Each of the grant recipients will manage the funding in line with their own equality and diversity policies.

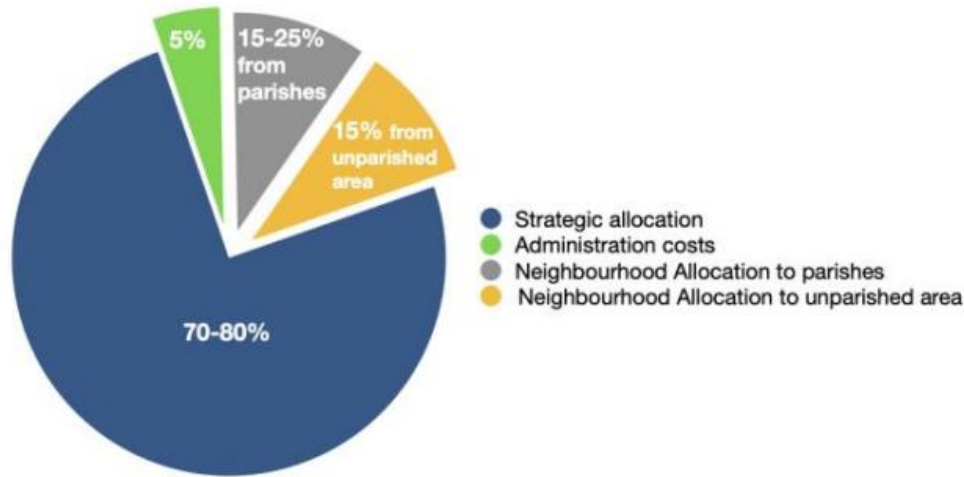
The panel have been mindful to ensure that there is a fair distribution of funding across the non-parished areas and a map of the recommendations is attached as **appendix 3**

1.6 Performance management – monitoring and review

The activities of the Cheltenham CIL Neighbourhood Panel will be reviewed by Cabinet and Overview and Scrutiny Committee.

2. Background

- 2.1 The Community Infrastructure Levy (CIL) is a charge which local authorities can place on developers to help fund infrastructure needed to support new development in their areas. CIL is governed by the CIL Regulations 2010 (as amended). Under these Regulations, Cheltenham Borough Council is a CIL charging authority and approved the introduction of CIL October 2018 with the commencement of charging on planning applications granted permission on or after 1st January 2019.
- 2.2 Since 2019, the CIL pot has been slowly growing and values received reported annually via the councils statutory Infrastructure Funding Statement, submitted to government at the end of each year.
- 2.3 In line with CIL regulations, CIL is allocated along the following split.



2.4 This report relates to the Neighbourhood Allocation to **non-parished areas** as highlighted in the orange segment in the diagram above. Where funding relates to parish councils, the council transfers this direct to the relevant body. However, where there is no parish council then the council retains this element to be spent on relevant neighbourhood projects.

3. Governance Arrangements – The Neighbourhood Allocation

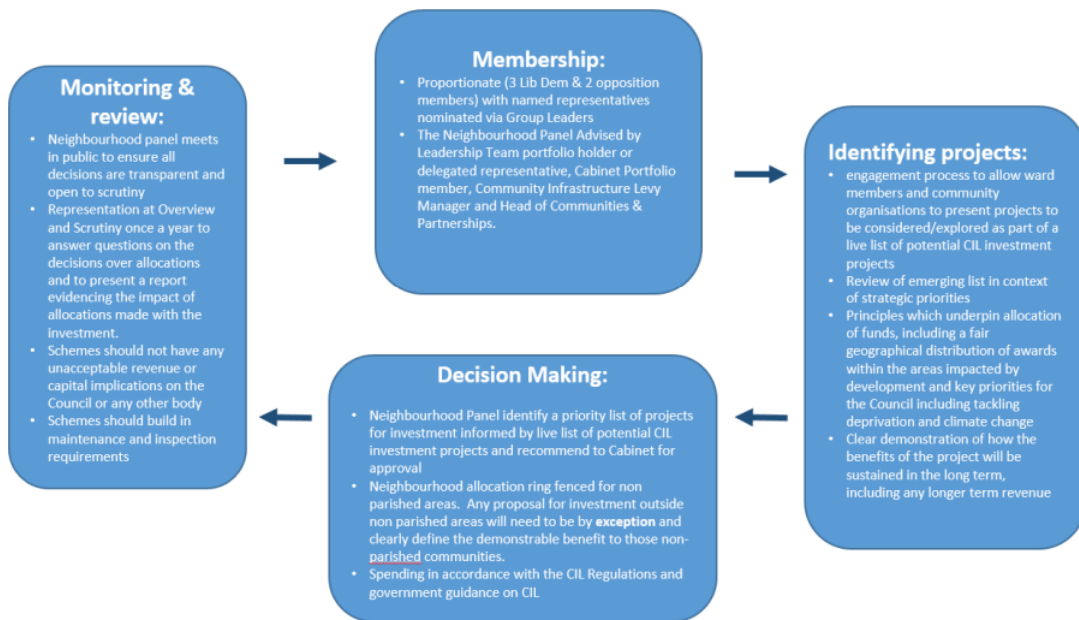
3.1 One of the purposes of CIL is to encourage communities to support development and recognise that development can bring clear and identifiable benefits to an area. The CIL Regulations provide that a proportion of CIL collected from areas may be spent to address “the demands that development places” on a local area. In respect of the non-parished element of the Neighbourhood Allocation, the council should seek to address the demands that development approved places on that area.

3.2 This does not preclude investment from this neighbourhood allocation within a parished area, but it must be on an exception basis and clearly bring demonstrable benefit to the non-parished areas.

3.3 There is some flexibility on the use of the Neighbourhood Allocation, provided it supports:

- The provision, improvement, replacement, operation or maintenance of infrastructure; or
- Anything else that is concerned with addressing the demands that development places on an area

3.4 In December 2022, Cabinet agreed to establish the Cheltenham CIL – Neighbourhood Panel which would then provide a process for the allocation of CIL funds to priority community-based projects in line with the attached chart.



3.5 In January 2023 the council went live with a bidding round, to which individuals, communities and ward councillors across non-parished areas (areas without a parish council) could apply for a share of the CIL funding to improve their local area that has been affected by development. This was conducted wholly online via the Council’s “Cheltenham: Have your say” platform.

3.6 The intention was to make the application process as straightforward as possible. A “frequently asked questions” document was made available and kept up to date. In addition, the council listened to feedback about the process and simplified the application form and removed some of the requirements for supporting information for lower value projects.

3.7 The bidding round closed on 30th April 2023 and a total of 27 applications were received, requesting £450k worth of funding.

3.8 The five members of the neighbourhood panel have met on two occasions to review the applications and to make the preliminary recommendations as set out in **Appendix 2**.

3.9 A lessons learnt exercise will be undertaken to inform future bidding rounds to ensure we build in feedback from participants and any best practice emerging

4. Next steps

4.1 The panel recommendations will be presented to Cabinet on 11 July for review and final decision-making on the awards to be made from the Cheltenham CIL neighbourhood fund.

4.2 Once decisions are made about the level of funding for each project, a grant agreement will be entered into with each party, this will include relevant monitoring arrangements.

5. Key risks

5.1 There are three key risks identified in the risk assessment in **appendix 1**:

- Potential cost over-run by inadvertently paying out more to the providers that has been allocated in the delivery plan
- Potential misuse of the grant
- If a grant recipient becomes insolvent or winds up before the grant is used

Report author: Richard Gibson, Head of Communities, Wellbeing & Partnerships
richard.gibson@cheltenham.gov.uk

Appendices:

1. Risk Assessment
2. Recommended allocations for neighbourhood CIL
3. Map of recommended allocations

Background information:

[Cabinet – 20th December 2022: Cheltenham Community Infrastructure Levy – Neighbourhood Panel](#)

[Cheltenham Neighbourhood CIL – call for projects](#)

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	Potential cost over-run by inadvertently paying out more to the providers that has been allocated in the delivery plan	Richard Gibson	3	2	6	Reduce	Only pass money over to third parties up to the maximum that has been pre-allocated and monitoring spend Ensure due diligence has been undertaken with each provider.	Richard Gibson	22.6.23 11.7.23 31.3.24
	Potential misuse of the grant	Richard Gibson	3	2	6	Reduce	Ensure due diligence has been undertaken with each provider.	Richard Gibson	31.3.24
	If a grant recipient becomes insolvent or winds up before the grant is used	Richard Gibson	3	2	6	Reduce	Endeavour to pay out funds in arrears to minimise financial risk to the council. Ensure due diligence has been undertaken with each provider.	Richard Gibson	31.3.24

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Neighbourhood CIL Fund - initial assessment June 2023

£128,474 available

Key to R-A-G overview column colours:

- Support
- Do not support
- Grant to be held in principle: to allow applicant time to raise additional funds or provide business case
- Grant to be reconsidered at a later date in second CIL round (plus business case if needed)

Ref	Applicant	Project	Amount requested	Documents attached (CIA = climate impact assessment)	Timescale	Capital or revenue project	Ward cllr support? Y/N	Match funding required?	Match funding secured	Meets corporate plan priorities Y/N	CIL Compliant Y/N (Justification)	R-A-G overall	Recommendation	Recommended allocation
1	SPJARA (St Philip and St James Area Residents' Association)	Bath Road Utility Box Decoration	£1,200.00	Site plan	Summer 2023	Capital	Y	Yes - £800	Yes	Y	Y (Supports the development of the area - through the improvement or maintenance of Infrastructure)		Support with a modest reduction from what was bid for - match funded and will have a good impact.	1000
2	Borough Councillor Tony Oliver	Bournside Safe Crossing Campaign	£20,000.00	Site plan CIA	By October 2023	Capital	Y	Yes - £90,000	No - other contributions are being negotiated to secure match funding from GCC.	Y	Y (Supports the development of the area - through the provision, improvement, replacement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support in principle. Recommend ringfencing a contribution for a period of time to help secure other funds, subject to co-ordination with GCC Highways to ensure we are not using CIL to fund an element of fully funded / secured infrastructure, ie 'double dipping'.	12000
3	Fairview Community Association (FCA)	North Cheltenham Schools and Communities - Winter Event (Fireworks fiesta)	£3,000.00		By November 2023	Revenue	Y	Yes - £5000	£2500 secured, other sources tbc.	N	Y (Addresses the demands that development places on the area - as a community cohesion event/activity)		The principle of funding a fireworks display doesn't fit with the council's corporate plan. Supportive of the organisation and willing to consider an alternative event in future rounds of CIL funding.	0
4	Rowanfield Infant and Junior School	Rowanfield Schools Road Safety Plan	£2,000.00		Ideally by September 2023	Capital	Y	No	N/A	Y	Y (Supports the development of the area - through the provision, improvement, replacement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area).		Project to be reconsidered in the next round, due to incomplete information and consideration needed of ongoing maintenance. A suggested alternative is for the project to seek funding via Gloucestershire County Councillor investment allocations.	0
5	Friends of Sandford Parks (FOSP)	Safer Sandford	£13,000.00	Site plan CIA	By December 2023	Capital	Y	Yes - £16,000	Yes	Y	Y (Supports the development of the area - through the improvement, or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support in full. The project is ready to deliver, with match funding in place and has evidence of community support.	13000
6	Friends of Pittville	Sensory beds in Pittville Park	£2,500.00	Site plan	By May 2024	Revenue	Y	No	N/A	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support the project with a contribution, which could enable a phased delivery of the project.	1000
7	Vision 21 Gloucestershire	Planet Cheltenham	£25,000.00	Site plan CIA	Dependent on funding - intended completion Oct 2024	Capital	Y	Yes - £263,579	Yes - £162,521 secured so far including £10k from CBC	Y	Y (Addresses the demands that development places on the area)		Support in principle. Recommend allocating a contribution, for an agreed period of time, to allow the rest of the funding to be secured.	£17,000
8	Benhall Residents' Association	Benhall Air Quality Survey	£3,500.00	Site plan	1 year from start date.	Revenue	Y	Yes - £1500	Yes	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support in full. The scheme fits well with CIL and is for a modest amount.	3500
9	Public Hearts Defibrillator Campaign	Public Hearts Defibrillator Campaign	£9,000.00	Site plan	Open ended	Capital	Y	No - this request is for the purchase cost of 9 x £1000 units.	N/A	Y	Y (Supports the development of the area - through the provision of Infrastructure)		Support in full, but recommend that this is with the condition that it must include the YMCA as a site (see application 18).	9000
10	APPLICATION WITHDRAWN													

11	Gas Green Youth and Community Centre	Gas Green Community Garden	£60,000.00	Site plan CIA	Dependent on funding.	Capital	Y	No	No other funding applied for but will approach the Big Local project.	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		This is an expensive project, for an improvement which will although benefitting users of the building will only have limited benefits for the wider public. Recommend approaching the Big Local project for support.	0
12	Hester's Way Partnership	Springbank Creative Youth Space	£20,000.00	Site plan CIA	By 31.12.23	Capital	Y	Yes - £21,814	£10,000 approved, £12,000 pending	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support in principle, making a contribution for an agreed period of time to allow the rest of the funding to be confirmed.	12000
13	Hesters Way Forum	Fiddlers Green Park Play Area Improvement Project	£17,500.00	Site plan CIA	By May 2024	Capital	Y	Yes £7500	Yes including £5000 from CBC capital funding.	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support with a contribution. This is a good project, which is ready to deliver. While Hesters Way Forum is likely to have access to CIL contributions from the Golden Valley development in future, this won't be for a few years.	12000
14	Fresh Hope	Fresh Hope Family Pantry	£5,000.00	Site plan	No planned end date	Revenue	Y	No	N/A	Y	Y (Addresses the demands that development places on the area)		The panel is not supportive as this is for funding for a service to add capacity.	0
15	Friends of King George V (KGV) Playing Field	KGV Perimeter Path Phase 1	£19,855.00	Site plan CIA	Needs to be laid in the spring / summer	Capital	Y	Yes - £1675	Yes - from CBC's Green Space fund	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support with a contribution, this could enable phased delivery and/or help facilitate match funding to gain full amount.	9855
16	Councillor Garth Barnes, Cheltenham Borough Council	Regent Street Outdoor Café Culture Project	£35,000.00	Site plan CIA	Before April 2024 subject to GCC Highways delivery.	Capital	Y	Yes - £40,000	£10,000 secured, the rest to be negotiated from GCC / CBC.	Y	Y (Supports the development of the area - through the improvement or maintenance of Infrastructure)		This is a good scheme economically, led by businesses, including Cheltenham BID and will make a permanent improvement that will benefit residents and visitors to the town centre, building on from the trial undertaken. Recommend supporting with a contribution that would enable Gloucestershire County Council to deliver when full funds are secured.	10000
17	Cheltenham Borough Council	Rowena Cade playground improvements	£13,500.00	Site plan CIA	By 30.5.24	Capital	Y	Yes - £1500	Yes £1500 from CBC playground improvements fund	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		Support with a contribution as this is a deliverable project which will receive plenty of use.	10000
18	YMCA Cheltenham	YMCA Sports Centre Community AED Project	£1,575.00	Site plan	Immediate	Capital	Y	No	NA	Y	Y (Supports the development of the area - through the provision of Infrastructure)		See application 9 above. The allocation to Public Hearts is on the proviso that it includes this site as one of its locations.	0
19	Local resident, Park ward	Small feasibility study / options appraisal for safe pedestrian access to Westal Green filling station and across Lansdown Road.	£3,600.00	Site plan	Autumn 2023	Revenue	Y	Yes - £400	Yes	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)		This is recognised to be an important safety issue, but feel this should be considered by GCC Highways.	0
20	Christ Church	Christ Church Eco-Garden	£21,200.00	Site plan CIA	Subject to funding	Capital	Y	Yes - £5300	Yes	Y	N (Does not support the development of the area - as maintenance required irrespective of the demands that development places on the area - based on this not being within the public realm)		This project, whilst being a nice scheme, does not fit with CIL criteria as it is for maintenance of a wall which is not in the public realm.	0
21	Fairview Community Association	Cheltenham Cricket Club Disability Ramp	£4,500.00	Site plan	By August 2023	Capital	Y	Yes - £1578	Yes	Y	Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area by increasing accessibility)		Support in principle making a contribution, as this ramp is portable and recognise the importance of accessibility. The allocation should be subject to clarification of expectations on the property owner to make reasonable adjustments.	3000

22	Cheltenham Borough Council	Montpellier Gardens and Pittville Park tennis court refurbishment	£24,029.00	Site plan CIA	ASAP - completion by 30.5.24	Capital	Y	Yes - £4892	Yes - including £2892 from CBC improvements fund		Y (Supports the development of the area - through the improvement, operation or maintenance of Infrastructure - thereby addresses the demands that development places on the area)	While being supportive of the project, which is for a well used amenity, this is a borough wide amenity which residents travel to use and could potentially be funded from higher level strategic CIL allocation as part of the playing pitch strategy rather than Neighbourhood CIL. The recommendation is to defer this project to the second round of CIL while exploring other avenues, including the strategic CIL fund.	0
23	Freelance Artist	Woodcarving Residency	£18,000.00	Site plan CIA	1 year from Sept 2023	Capital / Revenue	Y	No	N/A	Y	Y (Supports the development of the area - through the improvement or maintenance of Infrastructure)	The project includes high staff and project management costs and the panel queried the longer-term benefits to the community.	0
24	Fresh Hope - School House Cafe	School House Cafe Kitchen Rebuild and Re-purposing	£60,000.00	Site plan CIA	Bt September 2023	Capital	Y	Yes - £49,253	Yes	Y	Y (Supports the development of the area - through the improvement or maintenance of Infrastructure)	Recommend reconsidering this project at a later date, given the high cost, subject to understanding what other funding sources have been explored and whether there could be a phased approach.	0
25	We Create Cheltenham CIC	Honeybourne Honey	£2,500.00	Site plan	Needs to happen in summertime	Capital	Y	Yes - £2500	£500 secured.	Y	Y (Addresses the demands that development places on the area - as a community cohesion event/activity)	Support this good project in full.	2500
26	Cheltenham Paint Festival	Cheltenham Paint Festival	£45,000.00	Site plan CIA	£15k to be spent per year over 3 years	Capital/rev enue	Y	Yes - £25k per year	Yes for year 1.	Y	Y (Addresses the demands that development places on the area - as a community cohesion event/activity)	Make a contribution towards year 1 of the programme, recognising the strong community support and lasting impact made as well as the accessibility of the artwork to everyone.	7500
27	Springbank Community Group CIC	Reroofing the Ron Smith Pavilion – Phase 1	£10,000.00	CIA	to be completed with 6 months of starting	revenue	Y	Not for phase 1, but social value contribution of £40k lined up for phase 2	N/A	Y	Y (Addresses the demands that development places on the area - as a community cohesion event/activity)	The panel are supportive of this application in recognition that Springbank run a much valued community hub from the Ron Smith Pavilion, and the condition of the roof is a significant risk to the ongoing viability of the project	5000
		TOTAL	£430,459.00									TOTAL	128355

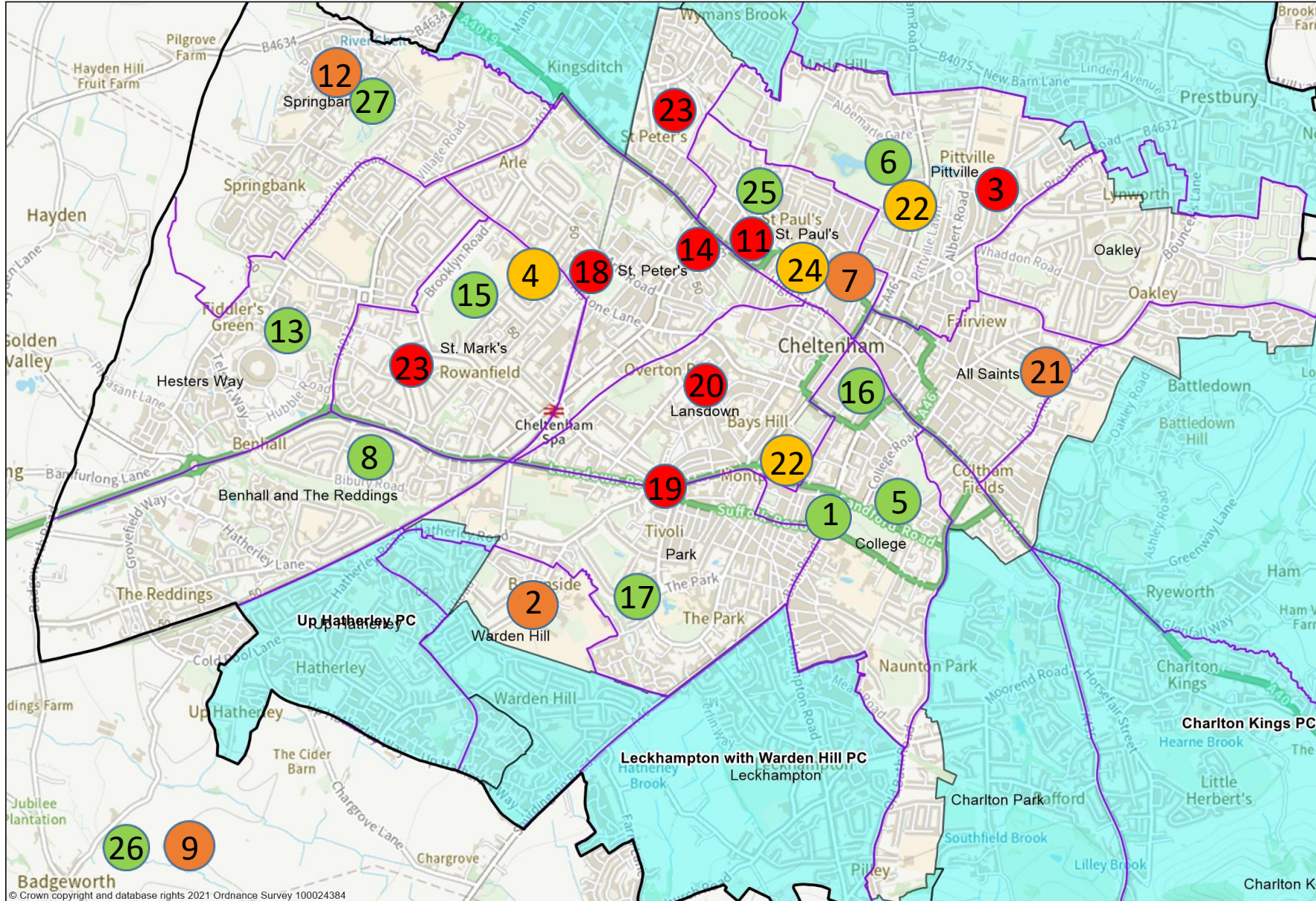
Total amount of CIL available =
Unallocated

128,474.82
119.82

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Neighbourhood CIL – project locations June 2023

	Parished areas
	Support
	Do not support
	Grant to be held in principle: to allow time to raise funds or provide business case
	Grant to be reconsidered at a later date in second CIL round



Project
1 Bath Road Utility Box Decoration
2 Bournside Safe Crossing Campaign
3 North Cheltenham Schools and Communities - Winter Event (Fireworks fiesta)
4 Rowanfield Schools Road Safety Plan
5 Safer Sandford
6 Sensory beds in Pittville Park
7 Planet Cheltenham
8 Benhall Air Quality Survey
9 Public Hearts Defibrillator Campaign – 9 sit
11 Gas Green Community Garden
12 Springbank Creative Youth Space
13 Fiddlers Green Park Play Area Improvement
14 Fresh Hope Family Pantry
15 KGV Park Perimeter Path Phase 1
16 Regent Street Outdoor Café Culture Project
17 Rowena Cade playground improvements
18 YMCA Sports Centre Community AED Project
19 Feasibility study for safe pedestrian crossing to Westal Green filling station / Lansdown Road.
20 Christ Church Eco-Garden
21 Cheltenham Cricket Club Disability Ramp
22 Montpellier Gardens and Pittville Park tennis court refurbishment – 2 sites
23 Woodcarving Residency – 2 sites
24 School House Cafe Kitchen Rebuild /Re-purposing
25 Honeybourne Honey
26 Cheltenham Paint Festival – multiple areas
27 Reroofing the Ron Smith Pavilion – Phase 1

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