

**STRATEGIC COMMUNITY INFRASTRUCTURE LEVY ALLOCATIONS
PANEL**

Minutes of the Strategic Community Infrastructure Levy Allocations Panel meeting held at the Committee Room at Bexhill Town Hall on Wednesday 13 July 2022 at 2.30 pm

Committee Members present: Councillor J. Vine-Hall (Chair), Councillor K.M Harmer, Councillor A.K Jeeawon, Councillor P.N Osborne.

Advisory Officers in attendance: Ben Hook – Director of Place and Climate Change, Jeff Pyrah – Planning Policy Manager, Aaron Sams – Principal CIL Officer and Ben Yates – Planning Assistant.

CLIP1 APOLOGIES FOR ABSENCE

Apologies were received from Councillor C Bayliss.

CLIP2 DECLARATIONS OF INTEREST

There were none.

CLIP3 MINUTES OF PREVIOUS MEETING – 26 APRIL 2022

The Panel approved the minutes of the previous meeting as a correct record.

CLIP4 REVIEW OF STRATEGIC COMMUNITY INFRASTRUCTURE LEVY FUNDING APPLICATIONS AND PROPOSED NEXT STEPS FOR PRIORITY LIST

The Planning Policy Manager introduced the report and outlined the collection, distribution and funding process for CIL.

The Panel were reminded that strategic CIL is the portion of the levy which is retained by Rother District Council (RDC) to be spent on strategic infrastructure requirements within the district. The previous funding system placed all strategic CIL into a single funding pot which was then allocated to infrastructure projects by an officer group. The new process, which this Panel will implement, has created five separate funding pots with specific funding purposes.

The Panel further heard that, as agreed at the previous meeting, the Principal CIL Officer had written to the infrastructure providers of all projects identified on

the Priority List inviting applications for strategic CIL funding. Applicants had an 8-week period to return completed applications and supporting documents.

The Planning Policy Manager reminded the Panel that there is not a time restriction for spending the Strategic CIL funding and therefore the Panel are not required to allocate all, or indeed any, funding at this meeting.

CLIP5

APPLICATION FOR STRATEGIC CIL FUNDING: BATTLE PAVILION

The Panel considered an application for strategic CIL funding submitted by Battle Town Council. The application requests £500,000 from the Rural Matched Infrastructure Fund (RMIF) for a rebuild of the North Trade Road Sports Pavilion in Battle.

The Principal CIL Officer introduced the item and gave the Panel an overview of the main aspects of the application.

The Panel discussed the application and whether to allocate funding. This discussion included the following points:

- **Match funding:** The Panel discussed whether this project could qualify for funding from the Rural Matched Infrastructure Fund (RMIF), noting that the application was seeking more than 50% of funding whereas the requirements for match funding state that the applicant would have to demonstrate that it has secured at least 50% of the total project costs. The Panel heard that in order for more than 50% of the funding (up to 100%) to be allocated from the RMIF, the project would have to truly demonstrate a wider strategic impact and based on the Assessment Scoring Criteria and overall project scope this was not the case.
- **Other funding sources:** The Panel discussed whether the project should be funded with strategic CIL, or, if it was a priority for Battle Town Council, whether it could be funded by a greater amount of Local CIL (alongside other sources of which have been applied for) The town council has allocated a portion of their local CIL towards the project, but the Panel suggested that perhaps the project should be funded by local CIL receipts, rather than strategic CIL, especially given the scale of development and local CIL being generated within Battle. To secure strategic CIL funding, the Panel agreed that the applicant would need to demonstrate that all their Local CIL was needed for priority infrastructure and that there was a demonstrable need for strategic CIL funding in addition to this. This could include, for example, demonstrating that the new pavilion had a wider infrastructure benefit, beyond Battle itself. The Panel noted that the applicant would need to reapply, and the Panel would need to reconsider the application before any funding could be allocated.
- **Project details:** The Panel noted the importance of having modern sports pavilions across the District but expressed reservations regarding some

aspects of the project. The Panel felt that a full rebuild of the Pavilion may not be necessary and felt that a refurbishment of the current building could instead be considered as a potential option. The Panel also discussed the scale of the project and expressed whether a scaled back version could be achieved with the currently secured funding.

Panel decision making

The Panel took consideration of the officer assessment which scored the application against the Assessment Scoring Criteria which has been agreed in the Governance and Decision-Making Protocol. This project scored 36 out of a potential 52 which placed the project between the 'low priority' and 'priority' assessment categorisation. The Panel noted that the project is not included in the 2019 Infrastructure Delivery Plan (IDP) but that the project would be in accordance with policies set out in Rother Local Plan Core Strategy.

The Panel were overall sympathetic of the project proposal but ultimately felt that they would be unable to allocate more than 50% of the project cost from the Rural Infrastructure Matched Fund. In addition, the applicant would need to demonstrate that this was a priority project for the town council and that it could not be funded by local CIL, alongside other sources such as from the Football Foundation. The Panel expressed that they would welcome consideration of a future application subject to it responding to the above points. The Panel instructed the Principal CIL Officer to highlight this in the decision and in any feedback provided to the applicant.

Decision

The Panel RESOLVED to not allocate funding from the Rural Infrastructure Matched Fund.

CLIP6

APPLICATION FOR STRATEGIC CIL FUNDING: BATTLE TRAIN STATION ACCESS FOR ALL

The Panel considered an application for strategic CIL funding jointly submitted by Network Rail and Southeastern Railway. The application requests funding from the Rural Rother Infrastructure Fund towards a project to build a new footbridge with lifts at Battle Train Station. The station currently only has step access between the platforms, and this would provide much needed step-free access.

The Principal CIL Officer introduced the item and gave the Panel an overview of the main aspects of the application.

The Panel discussed the application and whether to allocate funding. This discussion included the following points:

- **Planning Permission and Listed Building Consent:** The Planning Policy Manager highlighted to the Panel that, as set out in the application,

Battle Train Station is Grade II listed and will require the necessary planning and heritage approvals. The Panel were informed that they are not making a planning judgement and are considering whether they are supportive of the infrastructure outcomes of the project receiving funding. Nevertheless, they do need to have comfort that the necessary approvals can be achieved. In this case, no pre-application advice had been sought from the local planning authority. The Panel were advised that, while any funding agreement would be dependent on planning and heritage approvals being granted, should the Panel be minded to resolve to fund the project, then at this stage, a letter of intent should be sent to the applicant explaining that progress to a funding agreement would be conditional on these approvals being granted or positive pre-application advice.

- **Amount of funding:** The Principal CIL Officer informed the Panel that the office recommendation is to allocate a smaller amount of funding than has been requested. The Panel heard that this was to ensure that the Rural Infrastructure Fund held sufficient funds for other projects being considered today. The Panel discussed the development taking place in Battle, notably Blackfriars, and noted that a significant amount of CIL will be generated from these developments. A portion of which would be placed into the Rural Rother Infrastructure Fund. The Panel recognised that allocating less funding than the applicant has requested could have an impact on the project. However, they noted that another project at Camber Sands has also requested funding from this fund and that by allocating the full amount requested they would be unable to fund both projects. The Panel were advised that Network Rail and Southeastern Rail could put forward a further application for additional funding once a more detailed costing assessment has been carried out and more funding was available.
- **Need of the project:** The Panel discussed the clear need for this project and in particular its role in supporting new development in the area, which will increase the usage of the station. The Panel asked how passengers which require step free access currently use services. The Panel were informed by the Director of Place & Climate Change that the current workaround is that the rail operator provides taxis for those that meet certain criteria and advises return travel into Hastings to use the lifts to change platforms for those that don't. The Panel felt this was unmanageable long-term.

Panel decision making

The Panel took consideration of the officer assessment which scored the application against the Assessment Scoring Criteria which has been agreed in the Governance and Decision-Making Protocol. This project scored 41 out of a potential 52 which placed the project into the 'priority' assessment categorisation.

The Panel noted that the 2019 IDP identified improved mobility access to stations in Rother as an infrastructure need. The Panel also took account of the

significant numbers of new dwellings in Battle and the increased need this will place on rail access.

The Panel took account of the officer comments regarding the need for certainty that planning, and heritage approvals would be granted before a funding agreement with the applicant could be progressed. The Panel agreed with the officer recommendation that a Letter of Intent could be sent to the applicants setting out that funding would be allocated on the basis of demonstrating that planning and heritage approvals could be secured. The Panel were made aware that if those requirements are met then the applicants will need to enter into a Funding Agreement with RDC subject to the requirements set out in the Governance and Decision-Making Protocol.

Decision

The Panel RESOLVED to send a Letter of Intent to the applicants setting out that funding of £1m will be allocated, conditional on the applicant demonstrating that the necessary planning and heritage approvals can be granted. Once this condition is met, the funding would be allocated subject to the funding requirements set out in the Governance and Decision-Making Protocol.

CLIP7

APPLICATION FOR STRATEGIC CIL FUNDING: CAMBER SANDS PCS

The Panel considered an application for strategic CIL funding submitted by Rother District Council. The application requests £600,000 total funding from the Rother Infrastructure Fund and the Climate Emergency Bonus Fund. The project seeks to refurbish three public toilet facilities in Camber Sands. One in Camber Central car park and two in Camber Western car park. The applicant is seeking to increase the capacity within the existing footprint of the buildings and improve environmental aspects. The refurbished toilets will be subject to a user charge.

The Principal CIL Officer introduced the item and gave the Panel an overview of the main aspects of the application

The Panel discussed the application and whether to allocate funding. This discussion included the following points:

- **Environmental aspects of the project:** The Panel discussed the environmental aspects of the project. The Panel were supportive of the refurbishment and reuse of the existing structures and noted the positive environmental and carbon benefits of this, however, the Panel expressed reservations about the level of detail regarding the other environmental aspects of the application. While the Panel welcomed that the application stated that consideration would be given to solar panels and reuse of grey water, they felt that the application did not demonstrate fully that these options had been explored or that they could be delivered within the project budget. The Panel

expressed that, as the buildings are RDC owned and maintained, any improvement works should aim to reduce carbon emissions and be environmentally positive. The Principal CIL Officer informed the Panel that without clear costed proposals for carbon emission reducing design elements, the application could not receive funding from the Climate Emergency Bonus Fund.

- **Financial aspects of the project:** That Panel recognised that the CIL protocol prioritised improving Rother's own facilities and that CIL would be required for this project to move forward. The Panel welcomed the income generation proposals within the application.

Panel decision making

The Panel took consideration of the officer assessment which scored the application against the Assessment Scoring Criteria which has been agreed in the Governance and Decision-Making Protocol. This project scored 38 out of a potential 52 which placed the project between the 'low priority' and the 'priority' assessment categorisation.

The Panel noted that the project is not included in the 2019 Infrastructure Delivery Plan (IDP) but that the project would be in accordance with Policy EC6 of the Rother Local Plan Core Strategy which specially references the need for updated facilities at Camber.

The Panel were informed by the Principal CIL Officer that, as set out in the report, the Dungeness Complex SARMS (Sustainable Access and Recreation Management Strategy) which is a strategic, cross-boundary approach to managing recreation pressure and disturbance on the international habitat designations in the area, could be responded to through this project. This would be in the form of providing information boards on and in the PC, buildings informing users of the importance of the international habitat designations and how appropriate behaviour can protect the habitats and species of the designated sites.

The Panel were supportive of the project and in agreement that the Camber facilities are in need of refurbishment. However, they felt that they could not at this stage award funding to the project. This was because they felt that the project should respond positively to the climate emergency, through specified environmental design elements in order for it to proceed and receive funding.

The Panel stated that they would wish for the application to be resubmitted with inclusion of the green aspects clearly set out and costed. The Panel further stated that they would wish to utilise the Climate Emergency Bonus Fund pot to fund these additional carbon-reducing measures for the project.

The Panel would then reconsider whether to allocate funding. The Panel were informed that this was within their scope and that ad-hoc meetings can be held to reconsider applications.

Decision

The Panel RESOLVED to not award funding for this project but to request that the applicant resubmit their application with the environmental aspects clearly specified and costed – seeking funding for these green elements from the Climate Emergency Bonus Fund. The Panel would then reconsider the application at a future meeting.

CLIP8 APPLICATION FOR STRATEGIC CIL FUNDING: DE LA WARR PAVILION

The Panel considered an application for strategic CIL funding submitted by The De La Warr Pavilion. This application requests funding from the Bexhill Rother Infrastructure Fund and from the Climate Emergency Bonus Fund. The funding requested is towards a project of redevelopment at the De La Warr Pavilion in Bexhill-On-Sea.

The Principal CIL Officer introduced the item and gave the Panel an overview of the main aspects of the application.

The Panel discussed the application and whether to allocate funding. This discussion included the following points:

- **Planning Permission and Listed Building Consent:** The Planning Policy Manager highlighted to the Panel that, as set out in the application, this project will require Planning Permission and Listed Building Consent. The De La Warr Pavilion is Grade I listed. The Panel were informed that they are not making a planning judgement and are considering whether they are supportive of the infrastructure outcomes of the project, should Planning Permission and Listed Building Consent be granted. Nevertheless, they do need to have comfort that the necessary approvals can be achieved. In this case, the local planning authority has advised that the current proposals would not be supported and would be harmful to the Grade I heritage asset, particularly in relation to the proposed north elevation extension. Alternative approaches had been suggested. The Panel were advised that while any funding would be dependent on Planning Permission and Listed Building Consent being granted, should the Panel be minded to allocate funding to the project, then a letter of intent should be sent to the applicant explaining that progressing to confirmation of funding through a funding agreement would be conditional on positive pre-application advice being issued or these approvals being granted.

- **Use of Climate Change Emergency Bonus Fund:** The Panel noted that the applicant has requested funding from the Climate Emergency Bonus Fund to conduct a feasibility study into solar panels on the buildings roof. The Principal CIL Officer informed the Panel that Strategic CIL cannot be spent on feasibility studies and therefore this aspect of the application could not be funded. The Panel discussed how some other aspects of the project, such as glazing replacement and replacement of energy inefficient equipment, could potentially be funded using the Climate Change Emergency Bonus Fund, but these had not been specifically applied for from the bonus fund.
- **Need of the project:** The Panel noted that, as set out in the report, this project is not listed in the 2019 IDP, Corporate Plan or Local Plan. However, the Panel heard that Policy BEX15: Bexhill Cultural Area of the Development and Site Allocations Local Plan (DaSA) defines the De La Warr Pavilion and its surrounding area as the primary focus for arts, culture and tourism activities. The Director of Place and Climate Change informed the Panel that the project is likely to have positive secondary economic impacts on the District including employment creation.
- **Funding sources:** The Panel discussed the other funding sources which have been secured or which are being applied for. The Panel were informed by officers that any Strategic CIL Funding would need to be conditional upon the other funding sources being secured and that should RDC enter into a funding agreement with the De La Warr this would be a requirement.

Panel decision making

The Panel took consideration of the officer assessment which scored the application against the Assessment Scoring Criteria which has been agreed in the Governance and Decision-Making Protocol.

This project scored 44 out of a potential 52 which placed the project in the 'priority' assessment categorisation. The Panel noted that the project is not included in the Infrastructure Delivery Plan (IDP) but expressed that its compliance with the DaSA and the importance, both culturally and economically, made this project an infrastructure priority.

The Panel were informed by the Principal CIL Officer that, as set out in the report, the applicant is seeking more funds than the Bexhill Rother Infrastructure Fund currently contains. The Panel discussed the officer recommendations for allocating up to £850,000 from the Bexhill Rother Infrastructure Fund and noted that the applicant could come back with a new application for further funding from the Climate Emergency Bonus Fund if they could clearly demonstrate this was for a specific green aspect of the project.

The Planning Policy Manager advised the Panel that, due to the Planning Permission and Listed Building concerns, a Letter of Intent to allocate funding would be the best course of action for the Panel. This letter would clearly set out that funding would be conditional upon the Planning Authority viewing the planning application positively before any funding agreement could be progressed. In addition, it would be conditional on the other funding sources being secured. The Panel were made aware that if those requirements are met then the applicants will need to enter into a Funding Agreement with RDC subject to the requirements set out in the Governance and Decision-Making Protocol.

Decision

The Panel RESOLVED to send a Letter of Intent to the applicants setting out that funding of £850,000 will be allocated on the condition of the applicant demonstrating (i) that the necessary planning and heritage approvals can be granted and (ii) that the other funding sources are secured. Once these conditions are met and funding allocated, the funding would be payable subject to the funding requirements set out in the Governance and Decision-Making Protocol.

CLIP9 APPLICATION FOR STRATEGIC CIL FUNDING: VILLAGE HALLS ENERGY PROJECT

The Panel considered an application for strategic CIL funding submitted by Rother District Council. The Application requests £500,000 of funding from the Climate Emergency Bonus Fund. The project seeks to improve the energy efficiency and reduce the carbon footprints of village and community halls across the district. The application sets out that carbon saving energy generation equipment and EVCPs (electric vehicle charging points) will be installed on eligible and willing halls following assessments to identify the most effective solutions.

The Principal CIL Officer introduced the item and gave the Panel an overview of the main aspects of the application.

The Panel discussed the application and whether to allocate funding. This discussion included the following points:

- **Climate Emergency Bonus Fund:** The project is seeking funding entirely from the Climate Change Emergency Bonus Fund and the Panel discussed the wide range of environmental benefits set out in the application. The Panel heard that, as set out in the report, the project has been endorsed by RDC's Climate Change Steering Group and that, while not listed in the IDP, is compliant with RDC's overall climate and carbon

reducing strategy and Rother Local Plan Core Strategy policies.

- **Scale of project:** The Principal CIL Officer informed the Panel that the owners of 44 halls had been contacted and that 27 have so far come forward seeking to be part of the project should it be funded. This information is also set out in the application. The Panel were encouraged by the level of interest and felt that the project would have a large scale of impact.
- **Scope of project:** The Panel sought clarification regarding whether the project would have scope to make other improvements to the halls, including repainting and other general maintenance improvements. The Director of Place and Climate Change informed the Panel that this was not part of the project scope and that those types of improvements would need to be funded another way, possibly via Town and Parish Council funding.

Panel Decision Making

The Panel took consideration of the officer assessment which scored the application against the Assessment Scoring Criteria which has been agreed in the Governance and Decision-Making Protocol.

This project scored 39 out of a potential 52 which placed the project between the 'low priority' and 'priority' assessment categorisation. The Panel noted that the project is not included in the Infrastructure Delivery Plan (IDP) but would comply with Rother Local Plan Core Strategy Policy RA1 which states that the needs of rural villages will be addressed by support for improvement of community facilities, including village halls. Policy SRM1 also sets out that to adapt to the impacts of climate change a measure (amongst others) will be to reduce the carbon emissions from existing buildings and support community-based energy infrastructure requirements.

The Principal CIL Officer highlighted to the Panel that, as set out in the report, the project is seeking over half of the current funds in the Climate Emergency Bonus Fund and that the Panel should be mindful of this in their decision making as it will reduce the amount of funds for other projects. The Panel considered this information but expressed support for the project due to the scale of its scope and impact.

The Panel were supportive of the project and agreed that it should be funded.

Decision

The Panel RESOLVED to allocate £500,000 from the Climate Emergency Bonus Fund, payable subject to the funding requirements set out in the Governance and Decision-Making Protocol.

CLIP10 **Priority List**

The Principal CIL Officer informed the Panel that in order for the Priority List to be more up to date and comprehensive it is proposed that:

- Contact is made with Infrastructure Providers and Town and Parish Councils to survey their current infrastructure requirements and potential projects; and
- An open expression of interest round takes place for 8 weeks to allow for projects to apply for inclusion on the Priority List.

The Panel heard that it is anticipated that through the survey and open expression of interest round a more detailed and up to date Priority List will be generated. The Principal CIL Officer stated that it will be made clear that that projects are applying for inclusion on the list and not for funding at this stage.

The Panel will be able to review the updated Priority List at a future meeting to once again decide which projects to invite to apply for Strategic CIL Funding.

The Chair of the meeting, Councillor Vine-Hall, proposed that the Panel reconvene towards the end of the year to review the updated Priority List. This was agreed by the Panel.

The Panel RESOLVED to authorise the Principal CIL Officer to undertake the two actions set out above to update the Priority List ahead of the next Panel meeting.

The meeting closed at 3:38pm.