



WESTCOTT VILLAGE ASSOCIATION

Sarah Oram
Community Infrastructure Levy Officer
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8 November 2023

Dear Sarah

Neighbourhood CIL

It was good to meet you on 6 October 2023 with Peter Hewetson to discuss the outdoor education neighbourhood CIL application and this topic more generally.

As planning lead for Westcott Village Association I have now had the opportunity to discuss this topic with the WVA committee at our meeting last week.

I think you may have sensed my frustration, on Westcott's behalf, at the apparent inconsistency in process for evaluating applications, how much of the southern working group "pot" is available to Westcott and a lack of transparency for the Working Group meetings.

I suppose there are three principal points we are unclear about in this regard:-

1. What are the criteria?

Although criteria and weightings are shared, the marking scheme that you use is not.

WVA and applicants we are working with are concerned that there has been reference from you, Cllr Magesh (in email to one of our applicants/ WVA) and Cllr Watson in September Cabinet that Westcott can only bid for what is in the Westcott pot and not the wider Southern pot. Please direct us to the guidance which specifically states this. It is not on the Neighbourhood Fund web page.

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Two addendums to this letter provide some background which explains why this question is being asked. We have always been concerned about potential leakage of Westcott CIL to Dorking as it is easier for a town (with a larger population and service catchment) to demonstrate broader benefit than a village might. We want to avoid the perverse outcome.

2. The applications process is not transparent

An application is evaluated by your team and an officer recommendation is made to the Working Group. The officer recommendation to the Working Group is not accessible to the applicant. The applicant may or may not be invited to speak at the Working Group meeting which is not public and held behind closed doors.

You appeared to agree with me that papers (officer recommendations) for the Working Group meetings should be made publicly available and the Working Group meeting should be open to members of the public - like a development management committee meeting - to ensure that democracy prevails. The applicant should know how to secure a speaking slot to summarise their bid. At the very least a representative for each residents association should be allowed to routinely attend to witness the deliberations. You agreed to follow up on this with Piers and I look forward to hearing from you.

3. There is no process for sharing Neighbourhood CIL pipeline

We discussed the fact that WVA has filtered project suggestions and identified a pipeline of spending priorities for Neighbourhood CIL. There would appear to be a need for your team, Councillors and the Southern Working Group to understand this pipeline better and please confirm the mechanism you wish to use for this. WVA would be delighted to organise a meeting with you at whatever frequency is deemed appropriate.

I look forward to hearing from you and hope that we can start to work more closely with the CIL team to ensure that the time and work we put into Neighbourhood CIL bids is not wasted and the funds deliver maximum benefit to Westcott and its organisations.

We urgently need clarity as we have a well-advanced pipeline of bids awaiting submission.

I look forward to hearing from you.

Yours sincerely,



James Leaver

Planning Lead, Westcott Village Association

CC - Cllr Magesh

Addendum in relation to point 1 - some background

WVA's concern about potential inequity in the revised governance dates back to March 2022 where I raised a question to Cabinet on behalf of WVA and Residents Associations more generally. This led to a call in of the Governance Paper and a requirement for further consultation.

The response I was given by Cllr Keira Vyvyan-Robinson at that meeting said:-

"We will continue to financially account for CIL reflecting the areas from which the money has been received. Bids can be promoted at the working groups by those making the bids and by ward members. This will result in the ability for residents associations or other bidders to increase their aspirations and for cross funding to occur where it provides the best outcomes and best supports the pressures felt from new development. Full consideration will be given to the additional CIL in the neighbourhood CIL fund derived from neighbourhood plan status."

She went on to say:-

"I don't think that communities can simply or should simply rely on Residents Associations to make the bids and the other point I would make is that whereas in one way you are looking at wanting to retain control over the pot that is for Westcott, actually the changing governance would enable Westcott, potentially to take Neighbourhood CIL from other areas and to increase the pot and to increase the resources and infrastructure developments within Westcott based on the consultation responses and the priorities which are identified across the entire district. Whilst everybody, and I understand the concerns of Resident Associations and other neighbourhood or other wards of raised, whilst they appear to be concerned that other people are going to steal their CIL actually it works both ways, if one ward is taking CIL from somewhere, the other ward is benefiting and the whole point of the changing governance structure is that it will enable the Working Groups to allocate Neighbourhood CIL according to the priorities identified taking into account the amount of CIL which is being generated within those individual wards but really prioritising it where it is best needed..."

This link confirms. <https://www.molevalley.gov.uk/sites/default/files/home/council/committee-agendas-minutes/cabinet/cabinet-agendas-and-minutes/10-22nd-march-2022.pdf>

During the period of consultation in 2022, Tim Way (ex Chair of WVA), Cllr James Friend and I met with Cllr Bridget Kendrick in August 2022 to seek further assurance that the revised governance which would divide the District into two was to ensure amalgamation of the neighbourhood CIL for the two areas (Westcott in the southern area determined by the Southern Working Group) and would not lead to a raid on Westcott Neighbourhood CIL funds. Our primary concern was that it would be easier for a town to demonstrate broader community benefit than it would be for a satellite village. We were concerned that the system could potentially lead to unintended consequences and contribute to the decline of rural community infrastructure as rural CIL would flow into Dorking rather than the other way. We were again assured by Cllr Kendrick that the opposite was the case. We were also told that the revised governance was designed to create a competitive environment and to stimulate spend.

So the responses and guidance we are now getting to applications from you on behalf of the Southern Working Group and from Cllr Abhiram Magesh (see Addendum 2 below) about Westcott's pot being finite do not sit well, particularly as we have little visibility on the Officer recommendations to the working group or the deliberations they make.

By way of example the school's outdoor education bid for £80k is a very good demonstration of the principle where the pupil list is cross-border but mostly from the parished rural communities of Wotton, Abinger and Capel with limited CIL funds available. The school's bid therefore needs to lean heavily on Dorking where some of the pupils live. The school bid has only come forward because the second site of the school in Abinger Common (which had a Forest School and better outdoor amenity) was closed by the educational trust and Diocese with all pupils decanted to the Westcott site. The decision to close was well after the Westcott NDP was adopted. This generated an acute need to replace an important amenity for the school to enable it to compete with the Dorking schools whilst meeting the needs of the families in the rural villages to the west and south of Dorking. A bid like this secures a rural school for the future rather than to manage further decline. It is also more sustainable to maintain the provision of the only primary school to the west of Dorking than for all primary school children to be driven into Dorking on a daily basis. This is why the school's bid scored a very high 78% against MVDC's criteria (much higher than other awards made) and had full WVA support.

As we discussed at our meeting the bidding party has undertaken to do further work to demonstrate the wider benefit of the outdoor education bid and to secure some match funding before re-submitting.

Addendum 2 in relation to Point 1

Cllr Abhiram Magesh wrote the following in email on 1 October 2023 to two trustees of WVA in relation to a proposed Neighbourhood CIL bid:-

"Hi Nick!

Yes I am well, busy but well!

I do remember you, hope you are doing good!

Thank you for letting me know, I should mention a few things regarding CIL:

The main feature of CIL applications is to demonstrate Community use and benefit. Obviously a VAS sign is for community benefit in terms of safety, and I would emphasise that in the working group hearing.

Unfortunately, CIL funding is allocated on the basis of how much development each area has undergone. While the overall CIL pot is large, the proportionate share for Westcott is not; currently it sits at £30k (and as you know there has already been a Westcott CIL application in the works).

Therefore, while it is possible that this current application were to go through and pass the working group, it would impact the rest of the pot for other Westcott applications. Barring any massive Westcott developments in the near future the £30k is for the whole of Westcott until a new development comes along/ a new community application is made that can demonstrate a community benefit to places outside Westcott.

Perhaps there is an argument that this application could benefit Wotton and Abinger? It would be a difficult argument to make, and not add much to the pot as both villages do not have much development occurring, but would still be worth making to enlarge the pot somewhat.

I know Jo was thinking of using CIL funding to refurbish the Bus-stop, Sally is planning on submitting an application for the Village Hall, and there may be other community items on the WVA agenda, so it might be worth coordinating with the committee and prioritising applications in terms of community benefit.

Please do continue to copy me, but I would not copy my colleagues as they are members of the working group and there shouldn't be any suggestion of impropriety.

Apologies I could not have better news for you,

Abhi"