 Brent	Cabinet 16 June 2025
	Report from the Corporate Director, Service Reform and Strategy
	Lead Member – Cabinet Member for Climate Action and Community Power (Councillor Jake Rubin)
2025/26 Neighbourhood Community Infrastructure Levy (NCIL) Administration Process	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	None
Background Papers:	None
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1.0 Executive Summary

- 1.1. This report proposes the process to determine NCIL allocations for financial year 2025/26.

2.0 Recommendations

That Cabinet:

- 2.1 Approve the administration process for NCIL funding for financial year 2025/26 as outlined in section 7 of the report.

- 2.2 Approve the requirement that all NCIL funded projects must demonstrate contribution to the neighbourhood priorities outlined in section 4 of the report.
- 2.3 Approve option 1 (see section 6) – a borough wide model for the distribution of funding in 2025/26
- 2.4 Approve that a cap on the total funding allocation available for any individual project or programme of work will not be applied (other than not exceeding the total available funding pot)
- 2.5 Note the proposed timeframes in the process in section 7 are significantly streamlined compared to previous years and as such the potential risk of slippage
- 2.6 Note the proposed approach to building appropriate communication / promotional material around projects to demonstrate they are funded via NCIL (Council) in section 13 of the report.

3.0 Cabinet Member Foreword

- 3.1 The delivery of NCIL funding may contribute to any of the five Borough Plan strategic priorities: Prosperity and Stability in Brent; A Cleaner, Greener Future; Thriving Communities; The Best Start in Life; and A Healthier Brent.
- 3.2 The delivery of NCIL funding must also contribute towards the neighbourhood priorities that were consulted on in 2023 (section 4.4).

4.0 NCIL policy and decision making background

- 4.1 This section of the report summarises the policy context governing the administration of NCIL.
- 4.2 The Community Infrastructure Levy (CIL) is collected from most developments, following the grant of planning permission and start on site. The CIL Regulations 2010 stipulate that at least 15% of CIL receipts generated within their boundaries must be spent on neighbourhood projects, following consultation with local communities.
- 4.3 The 17 April 2023 Cabinet report stated that neighbourhood priorities would be subject to consultation to determine the NCIL criteria for the following three years.
- 4.4 The priorities for each Brent Connects Area resulting from the subsequent public consultation held during June-July 2023 are set out in the table below, with these priorities set to remain in place until summer 2026.

Harlesden	Kilburn	Kingsbury	Wembley	Willesden
Crime & Anti-Social Behaviour	Crime & Anti-Social Behaviour	Crime & Anti-Social Behaviour	Crime & Anti-Social Behaviour	Crime & Anti-Social Behaviour
Waste Reduction, Reuse and Recycling	Education and Employment	Waste Reduction, Reuse and Recycling	Education and Employment	Public Realm, Green Spaces and Parks
Public Realm, Green Spaces and Parks	Community & Culture	Community & Culture	Public Realm, Green Spaces and Parks	Waste Reduction, Reuse and Recycling
Town Centre and High Streets	Public Realm, Green Spaces and Parks	Education and Employment	Sports, Recreation and Play Space	Town Centre and High Streets

- 4.5 An Annual Infrastructure Funding Statement that includes the distribution of NCIL is a statutory requirement that is published online each year.
- 4.6 The NCIL distribution is administered and monitored to meet the agreed formula as follows:
- Neighbourhood Plan Area:** NCIL comprises 25 % of the total Brent CIL that is collected from development that comes forward in areas with an adopted Neighbourhood Plan. NCIL collected within those areas must also be spent within the relevant Neighbourhood Plan Area. Through the 2018 and 2023 NCIL consultation, Brent has committed to spending NCIL collected in these areas on priorities identified by the Neighbourhood Forum. There are three designated Neighbourhood Forums in Brent: Harlesden, Kilburn, and Sudbury Town. Sudbury and Harlesden have both adopted a Neighbourhood Plan. Harlesden's Neighbourhood Area has been extended and now covers a wider area than its adopted neighbourhood plan. Kilburn's draft plan has been submitted to the Council for independent examination. It is anticipated to be adopted in late 2025 or early 2026.
 - Non-Neighbourhood Area:** Brent is divided into five CIL Neighbourhoods which are the five Brent Connects areas: Harlesden, Kilburn, Kingsbury and Kenton, Wembley, and Willesden. Outside of the Neighbourhood Plan areas, Neighbourhood CIL comprises 15% (capped) of the total Brent CIL that is collected in the area.
- 4.7 The Cabinet decision of January 2019 outlines that of the remaining amount for the Non-Neighbourhood Areas, 50% goes to Wembley and the other 50% is equally split between the four Brent Connect Areas. Accordingly, 12.5% is allocated to each Brent Connect Area.
- 4.8 The main basis for this split was to ensure that a greater proportion of NCIL funds is allocated to the Wembley Neighbourhood where the majority of development currently takes place, but also ensure that wider impacts of

development are addressed elsewhere.

- 4.9 For 2024/25 allocation of NCIL, Cabinet agreed the following allocation model (17 April 2023). The model proposed an allocation to each ward in the borough to be spent on a Brent Connect area basis, totalling £1m drawn from the funds available to each Brent Connects area.

Brent Connects Area	Number of wards	NCIL Project Spend (£m)
Wembley	8	0.365
Harlesden	3	0.136
Kilburn	3	0.136
Kingsbury and Kenton	5	0.227
Willesden	3	0.136
Brent Connect Area Total	22	1
Boroughwide	ALL	0.500
Overall Total	22	1.500

- 4.10 The model also allocated up to an additional £500,000 'pot' for boroughwide projects. These would be projects that mitigate the impact that development has on the borough as a whole.

5.0 2025/26 NCIL funding

- 5.1 It is recommended that a cap is not applied to the total funding allocation available for any individual project or programme of work (other than not exceeding the total available funding pot)

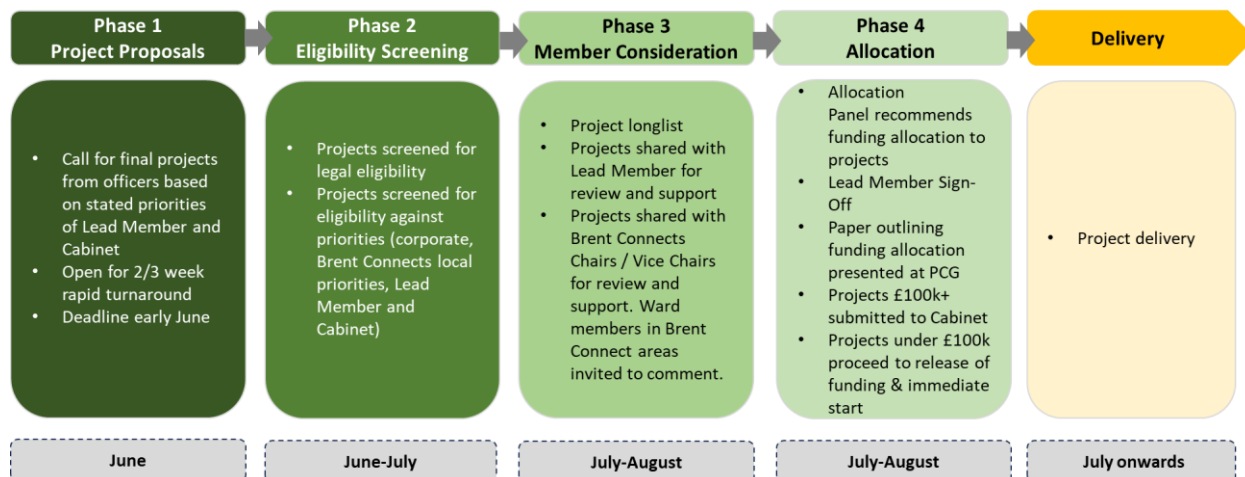
6.0 Options for the 2025/26 allocation model

- 6.1 Officers have considered options for the model of allocation for 2025/26. The recommended option is **option 1**.
- 6.2 **Option 1 (Borough wide) – Recommended Option** – this option would enable needs and priorities to be met as flexibly as possible. NCIL funds can be used on projects anywhere across the borough. This would be the least complex method of distribution and would allow equal opportunity of access to NCIL across the borough, while taking into consideration the impact of development on areas. However, this would require consideration through project prioritisation and allocation to ensure that one part of the borough was not disproportionately allocated funding. Additionally, the disadvantages of this option are that the areas more greatly affected by development could potentially lose out.
- 6.3 **Option 2 (Borough wide pot capped at 33% - other Brent Connects areas proportionate)** – this option would introduce a borough wide pot that could be used on projects anywhere across the borough. This would be capped at 1/3 (33%) of the total unallocated funds, with the remainder split proportionately across the Brent Connects areas. The proportionate split would be based on number of wards within each Brent Connects area following the same basis used in 2024/25 (see section 4.9). Key benefits would include the flexibility of a

borough wide pot alongside dedicated funds for Brent Connects areas which may draw support from ward councillors

7.0 2025/26 NCIL allocations administration process

7.1 The process for determining 2025/26 allocation of NCIL funding to projects is shown below. The process reflects the rationale in section 7.2 and has been developed with input from the Lead Member:



7.2 The rationale supporting this process includes:

- Enabling needs and priorities to be met as flexibly as possible.
- Urgent investment needed in key physical infrastructure across the borough aligned to the priorities set by the community in the summer 2023 NCIL consultation.
- Due consideration will be given to areas in the borough with the greatest levels of development in respect of project allocations;
- Projects should meet the priorities for Brent Connects and contribute to Council corporate objectives as set out in the Corporate/Borough Plan.
- Expectation that officers are able to identify initiatives aligned to Brent Connects priorities that will realise greatest impact in meeting resident expectations.
- It is expected that services engage with councillors proactively as part of phase 1 to ensure proposed projects can be brought forwards and considered as part of service prioritisation and viability checks.
- Data on resident complaints and member enquiries will be used to support prioritisation alongside consideration of data on social well-being in the Brent Social Progress Index.

- Officers can identify projects that will reduce burden on council revenue budgets that may prevent the scale of future necessary savings to important services for residents with the greatest needs.

7.3 To support screening of eligibility and provide assurance on the viability of projects to mobilise and commence delivery at pace, the following conditions will need to be clearly demonstrated across all projects / programmes of work:

- Projects can be delivered at pace (and where feasible) through existing frameworks/contract arrangements.
- Officers will be asked to provide evidence of resident, Cabinet and member support for their project proposals.
- Projects should demonstrate clear implementation plans.
- To mitigate against the risk of funded projects not progressing, projects will need to demonstrate robust consideration of the enabling resources required to support immediate mobilisation and delivery for example, Project Management Support and resource.
- Funds for NCIL projects that are awarded will need to be spent in accordance with an agreed implementation plan.

7.4 The timeframes outlined in the draft process have been designed to support the rapid allocation and release of funding. They are very tight and demonstrate significant streamlining compared to previous years. As such, there are risks that the timeframes may be liable to slippage.

8.0 Stakeholder and ward member consultation and engagement

8.1 A public consultation on NCIL priorities for each Brent Connects area was held in summer 2023. These priorities remain in place for three years until the next planned review in 2026.

9.0 Financial Considerations

9.1 Funds for NCIL projects that are awarded will need to be spent in accordance with an agreed implementation plan. The expenditure will be regularly monitored to identify any potential issues and to avoid any possible overspends. Any underspend against a project plan will be returned to the Council.

9.2 NCIL funds will continue to be held within separate ringfenced reserves for each of the five Brent Connects Neighbourhood areas and the two Neighbourhood Forum areas with adopted neighbourhood plans.

10.0 Legal Considerations

10.1 Strategic CIL is limited to the provision, improvement, replacement, operation, or maintenance of infrastructure (reg. 59). Pursuant to section 216 Planning Act

2008, infrastructure is defined as comprising (a) roads and other transport facilities; (b) flood defences; (c) schools and other educational facilities; (d) medical facilities; (e) sporting and recreational facilities, and (f) open spaces. The Levelling-up and Regeneration Act 2023 contains new provisions adding affordable housing to this list, but only in very narrow circumstances (where the CIL arises in connection with a planning permission granted by a street vote development order).

10.2 Under the CIL Regulations, the neighbourhood portion of the community infrastructure levy is to be applied to:

- (a) the provision, improvement, replacement, operation, or maintenance of infrastructure (which is defined as set out in paragraph 10.1 above); or
- (b) anything else that is concerned with addressing the demands that development places on an area.

10.3 The issue that arises is whether the wording of the second 'limb' ('anything else...' etc) allows an authority to spend the neighbourhood portion on any projects that can be shown to address the demands arising from development in a particular area, or whether that spend has to be limited to projects with some form of physical outcome. The Planning Practice Guidance (the PPG, which is published by central government as guidance to local planning authorities) suggests that the only requirement is whether the spend addresses the demands on an area caused by development. However, the PPG is guidance, not a statement of law. A number of local authorities have adopted an approach whereby the allocation of the neighbourhood element of CIL is limited to projects with some form of physical element.

10.4 Where possible projects for neighbourhood funding do not obviously have a physical element or outcome, consideration should be given on a case-by-case basis to whether the specific details of the proposed project might be said to fall outside the scope of the relevant part of the CIL Regulations.

11.0 Equity, Diversity & Inclusion (EDI) Considerations

11.1 Individual NCIL projects may have EDI benefits and opportunities and this will be considered for each proposal. The Public Sector Equality Duty set out in Section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not share that protected characteristic. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. An equalities impact assessment has not been conducted in relation to the various options proposed in this report, on the basis that potential impacts in relation to protected characteristics (whether positive or negative) would need to be further considered once a preferred administration model has been identified.

12.0 Climate Change and Environmental Considerations

- 12.1 Individual NCIL projects may have climate change and environmental benefits and this will be considered for each proposal.

13.0 Communication Considerations

- 13.1 Once the final NCIL administration model is selected, a communications plan will be developed prior to launch. Additionally, consideration will be given to building appropriate and visible communication / promotional material around projects to demonstrate they have been funded via NCIL (Brent Council).

Report sign off:

Rachel Crossley

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