

## Appendix G

### LONDON BOROUGH OF TOWER HAMLETS INFRASTRUCTURE DELIVERY STEERING GROUP

#### TERMS OF REFERENCE

#### 1) Introduction

- a) This document sets out the terms of reference of the meeting known as the Infrastructure Delivery Steering Group ('IDSG').
- b) The IDSG is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the constitution, standing orders or scheme of delegation of the Administering Authority apply to the Steering Group unless expressly included in this document.
- c) The IDSG was established through the approval for the implementation of the Infrastructure Delivery Framework, granted by the Mayor in Cabinet on the 5th January 2016.
- d) In carrying out its responsibilities as set out in these Terms of Reference, the IDSG will at all times act reasonably and in good faith and in a way which is consistent with the Council Procedure Rules.
- e) These Terms of Reference were adopted on 4<sup>th</sup> October 2016 and shall be reviewed at any time the chair of this meeting considers it necessary.

#### 2) Interpretation

- a) The following terms have the meanings as outlined below:
  - 'IDF': the Infrastructure Delivery Framework.
  - 'IDSG': Infrastructure Delivery Steering Group.
  - 'IDB': Infrastructure Delivery Board.
  - 'CIL': The Community Infrastructure Levy.
  - 'S106': Section 106 Planning Obligations.
  - 'the 2008 Act' The Planning Act 2008.
  - 'the 2010 Regulations' The Community Infrastructure Levy Regulations 2010 as amended from time to time.
  - 'the Constitution' means the London Borough of Tower Hamlets Constitution as amended from time to time.
  - 'the Neighbourhood Portion' means the percentage of CIL requiring consultation with local people before it is spent.

- ‘Relevant Infrastructure’ means the infrastructure listed on the Council’s CIL Regulation 123 list.

### **3) Scope of Responsibilities**

- a) To comply with relevant statutory reporting requirements.
- b) If necessary, to recommend the following decisions, as and when required, to the IDB for approval by Cabinet where appropriate:
  - The proposed approach to reporting CIL and S106 income, allocation and expenditure information.
  - The delegation of powers to the IDSG to approve the allocation of CIL or S106 funding in defined circumstances.
  - The proposed approach to engaging Commissioners where the allocation of CIL and/or S106 involves the provision of grants.
  - The proposed approach to integrating the completion of ‘Records of Corporate Director’s Actions’ forms through the IDF process.
  - The approval of the adoption of capital budgets where the project in question is funded at least in part by CIL or S106 funding.
  - The approval of allocation of any amount of CIL or S106 to a project. CIL funding must be allocated to Relevant Infrastructure and S106 funding must be allocated in accordance with the related S106 agreement.
  - Proposals relating to expenditure of the Neighbourhood Portion of CIL.
  - The Terms of Reference for this group.
- c) To ensure that funding from CIL (excepting the Neighbourhood Portion) is applied to the provision, improvement, replacement operation or maintenance of Relevant Infrastructure.
- d) To ensure that the Neighbourhood Portion is spent on 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.
- e) For reporting purposes, refer CIL and S106 income, allocation and expenditure information to the IDB.
- f) To recommend the allocation of CIL and S106 funding and the adoption of capital budgets, in accordance with approved delegated authority.

- g) To recommend the allocation of S106 income to infrastructure projects where contributions are due to expire imminently, in accordance with approved delegated authority.
- h) To recommend the referral of 'Records of Corporate Director's Actions' to relevant parties in accordance with approvals provided.
- i) In accordance with recommendations, refer matters to the IDB to seek initial views of new infrastructure projects that may involve the future allocation of CIL or S106.
- j) To form and maintain to date an evidence base to inform decision-making.
- k) To monitor the delivery of funded infrastructure projects and report on them to the IDB and Cabinet.
- l) Use best endeavours to update the Cabinet forward plan as early as possible.
- m) To ensure the completion of FP1 forms for matters being referred to Cabinet through the IDF process.
- n) To where appropriate, interact with relevant third parties in respect of the expenditure of CIL and S106, such as:
  - Transport for London (TfL).
  - Docklands Light Railway (DLR).
  - Canals and River Trust (CART).
  - National Health Service (NHS) and component parts thereof.
- o) To form and recommend appropriate processes to assist the IDF decision-making process.

#### **4) Membership and General Governance**

- a) The IDSG shall be chaired by the Corporate Director for Development and Renewal (or equivalent) who may delegate a deputy to chair in his/her absence. The chair of the IDSG shall ensure the IDSG fulfils its responsibilities as set out in these Terms of Reference.
- b) IDSG members are listed in Appendix A and include officers from across a number of Directorates including:
  - Development & Renewal.
  - Communities, Localities & Culture.
  - Children's Services.
  - Adult Services.

- c) IDSG members may invite other parties to attend to present in respect of specific matters. Where practicable, the Infrastructure Planning Team must be notified of additional attendees at least ten days in advance of the relevant IDSG meeting.
- d) IDSG membership may be terminated in the following circumstances:
  - i) If a member no longer holds relevant employment.
  - ii) If a member is no longer able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.
  - iii) If a member has a conflict of interest.
- e) IDSG meetings shall be held in accordance with meetings programmes agreed at the IDSG.
- f) The chair of the IDSG may cancel or call additional meetings.
- g) An IDSG meeting is only quorate when at least one Member and the Chair are present.
- h) Urgent business between meetings may, in exceptional circumstances, be conducted via communications between members of the IDSG.
- i) The Infrastructure Planning Team will form the Agenda for the IDSG in collaboration with the chair, and distribute this and any supporting papers where practicable seven days in advance of the IDSG meeting.
- j) Draft minutes of each meeting including all actions and agreements will be recorded by a member of the Infrastructure Planning Team and where practicable be published within fourteen working days of the meeting. These draft minutes will be subject to formal agreement by the IDSG at the next meeting.
- k) The term of office for this group is for a period until the Council's executive (or equivalent) decides the term shall expire.
- l) Membership of the group may be terminated prior to the end of the term of office due to:
  - i) A Member Representative no longer being a member of the Council.
  - ii) A conflict of interest.
- m) IDSG members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role in the IDSG.

- n) Submissions to the IDSG must be made in accordance with the meetings programme for the IDSG.
- o) Members of the IDSG should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required. Where appointed, substitutes should be named and must undertake the same training as full members.
- p) Members of the IDSG must declare at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the IDSG.

#### **5) IDSG Finance Sub-group**

- a) This meeting shall be held as part of every agreed IDF meetings cycle, 2 weeks prior to IDSG Meeting.
- b) This Sub-group consists of the following members:
  - Senior Business Accountant, CLC Finance.
  - S106 Planning Obligations Officers, D&R.
  - Business Improvement & Programme Manager, D&R.
  - Strategy & Business Development Manager CLC.
  - S106 Programme Co-ordinator D&R.
  - S106 Project Manager, CLC.
  - Team Leader, Infrastructure Planning.
- c) The purpose of this Sub-group is to:
  - Review the existing S106/CIL accounts and monitor and progress income.
  - Consider S106/CIL forecasting information.
  - Monitor projects and programmes for infrastructure projects.
  - Monitor contributions nearing time expiry.
  - To review Project Initiation Documents (PIDs) to ensure projects are aligned to funding requirements, Council strategies and any other relevant evidence.
  - To ensure there is a robust business case for proposed projects and that risks are identified and appropriately mitigated.
  - To make final decisions about whether a PID will be included on the agenda for the subsequent IDSG meeting.

## Appendix A – IDSG Members and other Attendees

| Name                   | Role   |
|------------------------|--|
| <b>Members</b>         |  |
| Aman Dalvi (AD)        | Corporate Director, D&R  |
| Owen Whalley (OW)      | Service Head for Planning and Building Control                 |
| Fleur Francis (FF)     | Planning Law Team Leader                                       |
| Marcus Woody (MW)      | Planning Lawyer  |
| Paul Greeno            | Senior Corporate and Governance Lawyer                         |
| Thorsten Dreyer (TD)   | Strategy & Projects Manager CLC                                |
| Tim Madelin (TM)       | Senior Public Health Strategist                                |
| Pat Watson (PW)        | Head of Building Development                                   |
| Helen Green (HG)       | S106 Project Manager   |
| Adele Maher (AM)       | Strategic Planning Manager                                     |
| Tope Alegbeleye (TA)   | Strategy, Policy & Performance Officer, CLC                    |
| Andy Scott (ASc)       | Head of Economic Development                                   |
| Andy Simpson (ASi)     | Programme Manager, D&R   |
| Matthew Pullen (MP)    | Infrastructure Planning Team Leader                            |
| Abdul Khan (AK)        | Service Manager, Energy and Sustainability                     |
| Paul Buckenham (PB)    | Development Manager, D&R                                       |
| Alison Thomas (AT)     | Head of Housing Strategy, Partnerships and Affordable Housing. |
| Richard Chilcott (RC)  | Asset Management   |
| <b>Other Attendees</b> |  |
| Chris Horton (CH)      | Infrastructure Planning  |
| Martyn Earl (ME)       | Infrastructure Planning  |
| Joseph Ward (JW)       | Team Leader, Development Viability                             |