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| MEETING / DECISION MAKER: | CABINET MEMBER |
| DATE: | 17 JANUARY 2013 |
| TITLE OF REPORT: | TASK & FINISH GROUP REPORT – COMMUNITY INFRASTRUCTURE LEVY |
| REPORT BY: | ANDREW ASHCROFT |
| CABINET MEMBER(S) ONLY | SCRUTINY COMMITTEE FINAL CALL IN DATE: 22 JANUARY 2013 |
| | DATE DECISION MAY BE IMPLEMENTED:23 JANUARY 2013 |

1. Classification

Open

2. Key Decision

This is not a key decision.

3. Wards Affected

County-wide.

4. Purpose

To report the findings of the Task and Finish Group on the Community Infrastructure Levy and to make recommendations for future actions.

5. Recommendation(s)

THAT:

- (a) **Cabinet agree the schedule of responses to the Task and Finish Group report as set out in Appendix A.**

6. Key Points Summary

- A Task and Finish Group was established to provide advice to Cabinet on the roll-out

Further information on the subject of this report is available from Andrew Ashcroft, Assistant Director - Economic, Environment and Cultural Services on 01432 383098

of the Community Infrastructure Levy in the County.

- The Group met between 17 September and 20 November 2012 and carried out research, undertook interviews and visited counterparts in Shropshire County Council.
- The Group's findings were considered and endorsed at the General Overview and Scrutiny Committee meeting on 10 December 2012.

7. Alternative Options

- 7.1 Clearly there will be a wide range of responses to the ten recommendations made by the Task and Finish Group.
- 7.2 There would be an option not to proceed with any CIL payments. However given the range of infrastructure projects likely to be included in the Infrastructure Delivery Plan and viability information both Task and Finish Group members and officers do not consider that this is a realistic option worthy of pursuit.

8. Reasons for Recommendations

- 8.1 The package of recommendations from the Task and Finish Group together with the suggested Cabinet responses to these recommendations will provide a sound way forward on this issue in general, and in the context of financial viability in particular.

9. Introduction and Background

- 9.1 The item is reported to Cabinet in order to secure appropriate responses to the work of the Task and Finish Group. Proposed responses are set out in Appendix A. The report itself is reproduced in Appendix B.
- 9.2 The Community Infrastructure Levy is a new planning charge, introduced by the Planning Act 2008. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. Development may be liable for a charge under the Community Infrastructure Levy (CIL), if your local planning authority has chosen to set a charge in its area.
- 9.3 The Community Infrastructure Levy charging authorities (charging authorities) in England will be district and metropolitan district councils, London borough councils, unitary authorities, national park authorities, The Broads Authority and the Mayor of London. In Wales, the county and county borough councils and national park authorities will have the power to charge the levy.
- 9.4 Most buildings that people normally use will be liable to pay the levy. But buildings into which people do not formally go, and buildings into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery, will not be liable to pay the levy. Structures which are not buildings, such as pylons and wind turbines, will not be liable to pay the levy. Any new-build – that is a new building or an extension – is only liable for the levy if it has 100 square metres, or more, of gross internal floor space, or involves the creation of one dwelling, even when that is below 100 square metres.
- 9.5 The trigger for payment will be commencement of development, though payment may be made in instalments if the charging authority has a payment by instalments policy. The

money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes transport schemes, flood defences, schools, hospitals and other health and social care facilities, parks, green spaces and leisure centres. The levy Charging Authority must produce an annual report for the financial year detailing the total receipts for the reported year, total expenditure and a summary of the items of infrastructure to which these receipts were applied.

10. Key Considerations

- 10.1 The Task and Finish Group has worked with officers to understand current practice on the application of CIL throughout the United Kingdom. At this stage it is relatively under-developed, and many other authorities are at a similar stage of preparing their intentions and charging levies.
- 10.2 At this stage Cabinet is being asked to consider the Task and Finish Group's recommendations, and which are giving a healthy pointer to future direction of travel.
- 10.3 Consultation will take place with local communities and the development industry in March-May 2013 as part of the wider LDF consultation exercise.

11. Community Impact

- 11.1 The implementation of the CIL will have a significant impact on the delivery of the sustainable communities strategy in the County.
- 11.2 In particular the evolving Infrastructure Delivery Plan will seek to include all key commitments in Council published plans and policies.

12. Equality and Human Rights

- 12.1 None at this stage.

13. Financial Implications

- 13.1 The Community Infrastructure Levy will underpin the delivery of key infrastructure projects in the County throughout the period of the Local Development Framework (2011-2031).

14. Legal Implications

- 14.1 No direct implications at this stage.
- 14.2 Detailed implications will be set out in the report to Cabinet in February 2013.

15. Risk Management

- 15.1 None at this stage.
- 15.2 Details risks will be set out in the report to Cabinet in February 2013.

16. Consultees

- 16.1 As part of its work the Task and Finish Group had meetings with selected town and parish

councils, and met with colleagues in Shropshire County Council.

- 16.2 Consultation on the principles/timetable for CIL has already taken place with the development industry.

17. Appendices

- 17.1 Appendix A – Responses to Task and Finish Group Recommendations.
Appendix B – Task and Finish Group report.

18. Background Papers

- 18.1 None identified.