

1. **TITLE:** Community Infrastructure Levy - Consultation on Draft Charging Schedules

2. **PURPOSE OF DECISION**

To seek comments and endorsement from Cabinet for:

1. The proposed responses to the main issues raised in the comments received on the Preliminary Draft Charging Schedule (October 2012) and associated documentation; and
2. Approval to go out for consultation with the Draft Charging Schedule

4. **DECISION MADE BY:** Cabinet

5. **DECISION:**

1. That the Draft Charging Schedule and Regulation 123 List together with the supporting documentation be published for a period of six weeks to allow for public representations and sent to each of the consultation bodies.
2. That the Statement of the Representations Procedure be approved.
3. That the Portfolio Holder for Leisure and Development be authorised to consider the representations received and be approve any changes the Council would propose to make in light of those representations.
4. That the Draft Charging Schedule, Regulation 123 List, supporting documentation and representations received together with the changes the Council would propose to make in light of those representations will be submitted to the Planning Inspectorate for examination.
5. That the cost of the examination will be met from the Efficiency and Innovation Reserve.

6. **REASON FOR DECISION**

The production of a Community Infrastructure Levy has been previously recommended by Cabinet in accordance with the Community Infrastructure Levy Regulations 2010.

7. **ALTERNATIVE OPTIONS CONSIDERED**

Local Authorities do not have to use Community Infrastructure Levy but from 6th April 2014 they will be limited by the Community Infrastructure Levy Regulations from leveraging general contributions from new development for community infrastructure.

One option is not to progress CIL. However, if CIL is not progressed then there is less opportunity to fund strategic infrastructure (which is more difficult to fund through traditional

s106 agreements). The other impacts would be that funding of infrastructure would be:-

- less fair, because CIL widens the contribution base, catches the 'free riders' and requires almost all to contribute.
- less fair on larger developments which, where they are first in or last out of an area, tend to over-pay.
- less certain, because the charging schedule combined with the planning permission will determine the amount payable reasonably precisely.
- slower, because it removes the element of individual negotiation around the quantum of the payment.

Other options would be to introduce different levels of CIL, either higher or lower than the rates proposed. However, CIL has to be justified by appropriate evidence to demonstrate that the rates proposed are viable. As such, if rates were higher then this would prevent sites from coming forward for development. If rates were lower then this would not generate sufficient funding to bring forward the required infrastructure.

8. PRINCIPAL GROUPS CONSULTED:

- 9. DOCUMENT CONSIDERED:** Cabinet report
Appendix A
Appendix B
Appendix C
Appendix D
Appendix E
Appendix F
Appendix G
Appendix H

10. DECLARED CONFLICTS OF INTEREST: None.

11. DISPENSATIONS GRANTED: None.