

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....14th July 2011

1. Title of Item/Report

Community Infrastructure Levy

2. Record of the Decision

Members considered a report relating to a new planning charge which came into force on 6th April 2010 under the Community Infrastructure Levy Regulations 2010. It allowed local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money could be used to fund a wide range of infrastructure that was needed as a result of development. This included transport schemes, flood defences; schools, hospitals and other health and social care facilities, parks, green spaces and leisure centres.

However it required the setting of a Levy which reflected the costs of the infrastructure, was proportionate, was sound and robust, and had been subject to consultation and testing by an independent Examiner.

The setting of the Levy required the preparation, and publication for consultation, of a Preliminary Draft Charging Schedule and evidence base documents. Following consultation and any amendments, the resultant document, known as the Draft Charging Schedule was submitted for independent examination and if approved, adopted and implemented by the Council.

The Regulations did not allow for the publication of a Draft Charging Schedule unless there was an adopted Core Strategy in place. The Stockton Core Strategy was being reviewed, and the distribution of housing in the Borough and consequently the scale and type of supporting infrastructure required could change. It was noted that this might have an impact on the range of infrastructure items in the Infrastructure Schedule. Nevertheless, the Council could undertake the viability assessment work necessary to prepare the Preliminary Draft Charging Schedule, in expectation that the Core Strategy Review would be completed in a timely fashion. There was a mechanism whereby a Draft Charging Schedule could be examined at the same time as the Core Strategy. This was an option that could be considered in due course.

Other work would include a review of the Open Space, Recreation and Landscaping Supplementary Planning Document (SPD) and Planning Obligations SPD to make sure that they did not include charging formulae for those items that fell under the definition of infrastructure.

It is envisaged that further reports be taken to Cabinet, in due course, to agree the Preliminary Draft Charging Schedule for consultation, to report on the outcome of that consultation, and to agree a resulting Draft Charging Schedule for consultation. Consideration would also need to be given, at a later date, to the method by which spending priorities would be determined.

Members received a report of the Corporate Director of Development and Neighbourhood Services to Planning Committee of 12 January 2011, which provided further details of the preparation and application of the Levy.

RECOMMENDED to Council that

1. the contents of the report be noted.
  2. the Levy as the principal means of funding infrastructure through developer contribution be adopted.
  3. preparatory work being undertaken to inform the setting of a levy charging schedule.
  4. delegated powers be granted to the Head of Planning to prepare a Preliminary Draft Charging Schedule for consultation.
  5. that further reports be taken, in due course, to agree a Preliminary Draft Charging Schedule for consultation, to report on the outcome of that consultation, and to agree a Draft Charging Schedule for consultation.
3. Reasons for the Decision

CIL would be the principal means by which in the funding of infrastructure from developer contributions, with S106 contributions making a more limited contribution. The Levy would provide funding for infrastructure beyond that allowed via S106 contribution. The system would make sure that all development, where economically viable and without relief, contributed to the wider infrastructure upon which it make a demand.

It would provide certainty to developers to be able to plan for

infrastructure contributions, and give some certainty to the Council regarding the quantum and timing of contributions to better plan for infrastructure provision.

The preparation of the various versions of the levy Charging Schedule, the supporting evidence, including an Infrastructure Delivery plan is long and complicated. It involved consultation and independent examination. It was vital that the work began as soon as possible.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable

7. Date and Time by which Call In must be executed

Not applicable

Proper Officer  
18 July 2011