



Council

Thursday, 19 September 2019

Community Infrastructure Levy

Report of the Executive Manager – Communities

1. Purpose of report

- 1.1. The Borough Council is in the process of introducing a Community Infrastructure Levy (CIL) across the Borough. The purpose of CIL is to help support the provision of new infrastructure. In order to reach the point where the Council can consider adoption of CIL, two formal stages of consultation have taken place – firstly, one on the proposed charging rates and, secondly, an examination in public which was held on 20 March 2019. The Examiner, in his report, has recommended that the proposed charging rates across the Borough are appropriate, and will not undermine development viability.
- 1.2. At this point, the Council has to make a decision whether CIL is brought into force across the Borough, and from what date.
- 1.3. The Local Development Framework Group, who support the recommendations below, has considered the report contained within Appendix A.

2. Recommendation

It is RECOMMENDED that Council:

- a) adopts the Community Infrastructure Levy Draft Charging Schedule, as set out in Annex 3 and Annex 4 of the Examiner's report, with it being brought into force on Monday 7 October 2019; and
- b) adopts the Community Infrastructure Levy Instalment Policy and Community Infrastructure Levy Payment in Kind Policy.

3. Reasons for Recommendation

- 3.1 To ensure that the impacts of development are mitigated as far as possible through securing funding for improvements to infrastructure across the Borough.

4. Supporting Information

- 4.1. The Local Development Framework Group has considered the contents of the report contained within Appendix A, the Examiner's report contained within

Appendix 1 of that report, the Instalment Policy contained within Appendix 2 of that report and the Payment in Kind Policy contained within Appendix 3 of that report. The Local Development Group has recommended that CIL be adopted and then brought into force across the Borough from 7 October 2019.

- 4.2. CIL will be chargeable on all new developments of 100m² or over and to all dwellings where a statutory exemption does not apply. Liability for CIL will be triggered by the granting of planning permission and will not apply retrospectively on sites that already have outline or full planning permission.

5. Alternative options considered and reasons for rejection

- 5.1. Cabinet considered a report on 10 July 2018 and approved the CIL draft charging schedule and supporting documentation and delegated to the Executive Manager – Communities in consultation with the Portfolio Holder for Housing, Planning and Waste Management, the final decision as to whether to proceed with the submission of a draft charging schedule, representations made and evidence base, together with any proposed modifications, forward to public examination.
- 5.2. There is an option not to adopt CIL. If CIL is not adopted, this would reduce the ability for the Borough Council to mitigate against the impacts of new development on infrastructure.

6. Risks and Uncertainties

- 6.1. Should CIL be introduced, the income raised is dependent on the state of the housing market and will vary year on year.

7. Implications

7.1. Financial Implications

There are preparatory costs to bring CIL into existence that are still yet to be fully quantified. Once CIL is implemented, there will be ongoing costs associated with officer time and administration of the scheme. It is anticipated that once CIL is fully generating receipts, these costs should be covered through a proportion of CIL receipts that the Borough Council is allowed to retain for such purposes.

7.2. Legal Implications

CIL is a discretionary charge. Authorities intending to take up the CIL regime are required to prepare a charging schedule setting out the CIL rates applicable in their area (s.211 Planning Act 2008). The charging schedule must have regard to matters including the total cost of the infrastructure requiring funding from CIL. Other sources of funding available and the potential effect of CIL on the viability of development in the area

7.3. Equalities Implications

There are considered to be no particular equality implications arising from matters covered in this report.

7.4. **Section 17 of the Crime and Disorder Act 1998 Implications**

There are considered to be no particular community safety implications arising from matters covered in this report.

8. **Link to Corporate Priorities**

8.1. The introduction of CIL will help support the Corporate Strategy themes of delivering economic growth to ensure a sustainable, prosperous and thriving local economy, and maintaining and enhancing our residents' quality of life through the provision of funding for infrastructure across the Borough.

9. **Recommendations**

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For more information contact:	Dave Mitchell Executive Manager - Communities Tel: 0115 9148267 dmitchell@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	Appendix A: Report to the Local Development Framework Group, 2 September 2019, which includes: <ul style="list-style-type: none"> Appendix 1: Report of the examination of Rushcliffe Borough Council Community Infrastructure Levy Draft Charging Schedule Appendix 2: Rushcliffe Community Infrastructure Levy Instalment Policy Appendix 3: Rushcliffe Community Infrastructure Levy Payment in Kind Policy