

CABINET

5 MARCH 2024

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**GOVERNANCE OF PLANNING OBLIGATIONS - STRATEGIC INFRASTRUCTURE GROUP
AND ALLOCATION OF COMMUNITY INFRASTRUCTURE LEVY**

1. Decision:

The Cabinet approved:

- 1.1 The revised membership of SIG in Table 1 of the Cabinet report.
- 1.2 The creation an annual 'Infrastructure List' within the Infrastructure Funding Statement (IFS) which would set out a shortlist of strategic projects and/or types of projects that would be eligible for applications for CIL funding that year.
- 1.3 The revised CIL governance and administration procedures (Appendix A of the Cabinet report), and the allocation and spend of CIL additional guidance (Appendix B of the Cabinet report) documents to reflect the proposed changes.

2. Statement of Reasons:

The purpose of the Cabinet report is to inform Cabinet of the issues with the current governance for allocating and monitoring S106 and Community Infrastructure Levy (CIL). In response to these issues the report proposes changes to governance arrangements, including revisions to the membership of the Strategic Infrastructure Group (SIG) and the process for allocating CIL. The Cabinet report also provides a broad overview as to how we secure infrastructure across the district and the various types including financial obligations.

3. Any Alternative Options:

1. To not amend the SIG membership as proposed and maintain current procedures. SIG will not be able to operate effectively under the current structure due to the departure of several key members of staff including the SIG Chair who was the former Head of Economic Growth. This would mean the council cannot comply with its own adopted procedures. As such, a new approach would need to be established to ensure the Council undertakes its duties in respect of planning obligations.
2. Establish an alternative approach to the governance and administration of CIL monies to that proposed, including the other options outlined at paragraph 3.7 of the Cabinet report. The Council can adopt any approach it sees fit, however the one proposed has regard to best practice from other authorities.
3. Change the structure of SIG but not change the current process of open bidding. This may result in a larger number of projects bidding for CIL monies and risks CIL being awarded to projects that do not support the Local Plan but score highly using the current criteria.

LOCAL PLAN UPDATE

1. Decision:

The Cabinet:

- 1.1 Noted the initial work that has started on a new local plan following the successful withdrawal of the Local Plan 2040.
- 1.2 Approved the publication of the revised Local Development Scheme 2024 (Appendix A of the Cabinet report).
- 1.3 Approved the proposal to establish 'Local Plan Member Briefing and Information Sessions'.
- 1.4 Delegated authority to the Cabinet Member for Housing & Local Plan, in consultation with the Policy & Strategy Manager for the following:
 - Update and publish the council's Local Development Scheme as required when the timetable for local plan progression has changed.
 - Review and publish on the council's website the technical studies that form the evidence base that will underpin the new local plan when it becomes available.
 - Review and agree to the submission of formal responses on behalf of the council on neighbouring authorities local plan consultations, neighbourhood plan consultations, national government consultations or other consultations on plan-making matters where appropriate, and to sign agreements with neighbouring authorities on plan-making matters including Statements of Common Ground.

2. Statement of Reasons:

Following the withdrawal of the Local Plan 2040 from examination in October 2023, we have begun work on a new local plan for the district which will ultimately replace the adopted Local Plan Strategy and Allocations documents. The initial work we have done so far includes initial evidence gathering and undertaking a call for sites to help inform the new plan as it progresses.

We are required to set out the proposed timetable to produce our Local Plan through a document called the Local Development Scheme (LDS); the Cabinet report includes a revised LDS setting out our proposed timetable.

So that the new local plan can progress as expediently as possible, we need to ensure that the governance and procedures we use are fit for purpose. As part of a review of governance, it is proposed that Local Plan Briefing and Information Sessions are established to help steer the new local plan and ensure active member engagement throughout the production of the plan. It is also proposed that delegated authority is granted to the Cabinet Member for Housing & Local Plan for several matters relating to the production of the new local plan, its associated evidence base and future engagement on other neighbouring authorities' local plans.

3. Any Alternative Options:

1. To not begin work on a new local plan and await clarity on the introduction of the new approach to plan-making enabled by the Levelling-Up and Regeneration Act. At present further detail is required to be set out through secondary legislation.

2. Cabinet recommends an alternative timetable for the new local plan. For example, the inclusion of additional public consultations. Such an approach could lead to lengthening of the timetable. An alternative timetable to further shorten the timetable could be proposed. However, the timetable proposed takes account of the required regulatory stages and timetable for preparing appropriate evidence. Additionally, it is unlikely any such timetable would enable the plan to be delivered by June 2025.
3. Decide not to set up the Member Briefing and Information Sessions and maintain current approach which sees local plan matters considered by Overview & Scrutiny and Cabinet only. It is considered the briefing sessions will enable greater member engagement with the plan-making process throughout plan production.
4. Choose not to delegate authority for matters as set out at paragraph 2.4 of the Cabinet report and maintain existing authorities. Such an approach would potentially lead to delays in the plan-making process, including the publication of technical evidence which is used to inform the plan as it progresses.

SALE OF 29 TO 33 LEVETTS FIELD, LICHFIELD

1. Decision:

The Cabinet:

- 1.1 Accepted the offer detailed within confidential APPENDIX B of the Cabinet report and agreed to the disposal of 29 to 33 Levetts Field, Lichfield.
- 1.2 Delegated authority to the Cabinet Member for Finance and Commissioning and the Assistant Director Finance and Commissioning to complete all legal agreements necessary to complete the disposal.
- 1.3 Recommended to Council to update the Medium Term Financial Strategy to include a project in the Capital Programme of up to £250,000 for Strategic Priorities within the District funded by the net capital receipt.

2. Statement of Reasons:

The Council has owned 29 to 33 Levetts Field, Lichfield since 1996 and it has until recently been used as the base for Citizens Advice of South East Staffordshire (CASES) under a 99 year lease.

However following negotiations, the CASES team have been provided with accommodation within the District Council Offices and the Council acquired vacant possession of the building in October 2023.

The CASES team are co-located with the Council's Customer Services Team and therefore the aim is to provide a more customer focussed service to residents.

The Council has no current plans for the asset and has received a speculative offer for the building and is seeking approval from Cabinet to accept the offer and commence with disposal.

3. Any Alternative Options:

1. The Council could retain ownership and undertake redevelopment work either through the Council or using LWMTS.
2. To undertake a full open sale process.

