

Community Infrastructure Levy: Allocating and Spending CIL: Additional Guidance

Report of the Cabinet Member for Economic Growth, Environment & Development Services:
Councillor I. Pritchard



Date: 12th June 2018
Agenda Item: 5
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Key Decision? Yes
Local Ward All wards
Members

CABINET

1. Summary

- 1.1 On the 19th April 2016 Full Council approved the adoption of the Community Infrastructure Levy (CIL) Charging Schedule (CS). Full Council also agreed to commence charging CIL on the 13th June 2016.
- 1.2 CIL funding will be used to support infrastructure requirements identified within the adopted Regulation 123 list (February 2017).
- 1.3 In July 2016 Cabinet adopted the CIL Governance Structure and Administrative Arrangements.
- 1.4 To facilitate the allocation of CIL funding there is a requirement to put in place an application process.

2. Recommendations

- 2.1 It is recommended that the Cabinet approves the adoption of the proposed Allocating and Spending CIL: Additional Guidance as set out at Appendix A to this report.

3. Background

- 3.1 The Local Plan Strategy adopted in February 2015, sets out the strategic spatial policy context for the development and use of land in Lichfield District. It is recognised that there is a requirement for significant investment in infrastructure to support the level of sustainable development identified through the Local Plan Strategy.
- 3.3 CIL is a planning charge on development, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. On the 19th April 2016 following formal public consultation and an examination in public, the District Council adopted a CIL Charging Schedule enabling it to apply charges to qualifying development for the purposes of delivering key infrastructure. Approval was also given to commence charging CIL from the 13th June 2016.
- 3.4 CIL Regulation 123 is the requirement for a published list of infrastructure projects or types of infrastructure that the Charging Authority (District Council) intends will be, or may be, wholly or partly funded by CIL. The District Council adopted a Regulation 123 list on the 19th April 2016 and adopted and update in February 2017.

- 3.4 Cabinet adopted the overarching arrangements in July 2016 (CIL Governance Structure and Administrative Arrangements) which set out the strategic context for CIL and created a structure that would enable scrutinised recommendation to be made to Cabinet.
- 3.5 To facilitate the allocation of CIL funding to those infrastructure requirements identified on the Regulation 123 list there is a requirements for a suitable application process to be put in place. Details of a proposed allocation process are set out in Appendix A. The Cabinet is asked to consider the proposals and if agreeable endorse these.

Alternative Options	<ol style="list-style-type: none"> 1. To allocate funding without the support of guidance. Without the Additional Guidance it is likely that funded projects would not represent priorities nor robust delivery responses. 2. Cabinet suggest variations to the guidance. The guidance has been considered by both SIG and JMOG whose members have expert technical knowledge which is reflected within the current guidance. There is a risk that such knowledge is lost or eroded if significant amendments are endorsed.
Consultation	<ol style="list-style-type: none"> 1. The Allocating and Spending CIL: Additional Guidance has been considered by the Strategic Infrastructure Group (SIG) and the Joint Members Officer Group (JMOG). Both groups support the recommendation articulated within section two recommendations of this report.
Financial Implications	<ol style="list-style-type: none"> 1. Developer Contributions arising from CIL will contribute towards infrastructure requirements identified in the Infrastructure Delivery Plan and support the sustainable delivery of the Local Plan Strategy. CIL by its nature will not and cannot meet all the costs of infrastructure needed to support the Local Plan and there will be a need to access other funding sources including Section 106 and Section 278 funding, Local Growth Deal. An application process which sits under the already adopted Governance Structure will facilitate the meaningful allocation of CIL contributions, ensuring development in the District is sustainable, thus reducing the impact on Council resources.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The Allocating and Spending CIL: Additional Guidance when approved and adopted by the Council will assist in the allocation of CIL funds which will deliver infrastructure requirements to support the Lichfield District Local Plan Strategy. The Local Plan Strategy is aligned with the themes and aims of the District Council's Strategic Plan 2016-20.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. None 2. An equality impact assessment checklist has been completed and shows that CIL and the proposed administrative arrangements will not harm or prejudice the interests of any particular section of society.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. Options to build in crime prevention through environmental design will be explored where applicable.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	That the Allocating and Spending CIL: Additional Guidance does not facilitate the appropriate allocation of CIL, therefore placing at risk the sustainable delivery of the Local Plan Strategy.	The Additional Guidance has been developed with input from a range of officers and Members through the previously adopted CIL Governance Structure and Administration	Yellow

	Arrangements. A review of the guidance will be required in the future which would address the risk.	
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Background documents

Local Plan Strategy Adopted February 2015

Infrastructure Delivery Plan 2015

Lichfield District Council Community Infrastructure levy Charging Schedule.

Lichfield District Council Regulation 123 list

CIL, Governance Structure and Administration Arrangements

Relevant web links

<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Local-plan/Local-Plan-Strategy.aspx>

<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Community-Infrastructure-Levy-CIL.aspx>

<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Evidence-base/Infrastructure/Infrastructure-delivery-plan-IDP.aspx>

<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Community-Infrastructure-Levy-CIL/CIL-governance-administration-procedures.pdf>