



COUNCIL - 19TH NOVEMBER 2013

SUBJECT: COMMUNITY INFRASTRUCTURE LEVY

REPORT BY: ACTING CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 In accordance with Section 212 of the Planning Act 2008, this report seeks Council approval for the declaration at Appendix 1 that confirms that Caerphilly County Borough Council has complied with the appropriate statutory requirements and has used appropriate available evidence to inform the preparation of its Community Infrastructure Levy (CIL) Draft Charging Schedule

2. SUMMARY

- 2.1 In order to comply with Section 212 of the Planning Act 2008 and the Community Infrastructure Regulations 2010 (as amended), the Council is required to approve the *Community Infrastructure Levy – Draft Charging Schedule : Planning Act 2008 – Section 211 and 212 Declaration* at a meeting of the authority, and by a majority of votes of members present, for submission to the Planning Inspectorate.

3. LINKS TO STRATEGY

- 3.1 The CIL will directly assist in the delivery of the council's land use objectives as set out in the Caerphilly County Borough Local Development Plan (LDP). CIL will expand upon LDP policy SP7 Planning Obligations, which sets out the strategic policy basis for securing S106 Agreements where they are necessary to remove obstacles to planned development.
- 3.2 CIL will be one of the mechanisms for making direct contributions toward the provision of many of the allocations set out in the LDP. Overall CIL will be a significant tool for the delivery of the Council's aspirations in terms of infrastructure that cannot be funded through other means and for which no alternative funding mechanisms are available

4. THE REPORT

- 4.1 On 8 October 2013, the Council resolved to submit the Community Infrastructure Levy (CIL) Draft Charging Schedule to the Planning Inspectorate for Examination.
- 4.2 In accordance with Section 212 of the Planning Act 2008, the draft submitted to the examiner i.e. the Planning Inspectorate must be accompanied by a declaration (approved under subsection (5) or (6)) that:
- a) the Charging Authority has complied with the requirements of Part 11 of the Planning Act and the Community Infrastructure Levy Regulations 2010 as amended by the CIL Amendment Regulations 2011, 2012 and 2013 (including the requirements to have regard to the matters listed in section 211(2) and (4) of the Planning Act 2008);

b) the Charging Authority has used appropriate available evidence to inform the Draft Charging Schedule;

c) any other matters prescribed by the CIL Regulations 2010 as amended have been dealt with.

4.3 In order to comply with the Regulations the *Community Infrastructure Levy – Draft Charging Schedule : Planning Act 2008 – Section 211 and 212 Declaration* is attached to this report at Appendix 1. The Council are now required to approve this declaration at a meeting of the authority, and by a majority of votes of members present, to be submitted to the Planning Inspectorate.

5. EQUALITIES IMPLICATIONS

5.1 None

6. FINANCIAL IMPLICATIONS

6.1 None

7. PERSONNEL IMPLICATIONS

7.1 None

8. CONSULTATIONS

8.1 All consultation responses are reflected in the report.

9. RECOMMENDATIONS

9.1 To approve the *Community Infrastructure Levy – Draft Charging Schedule: Planning Act 2008 – Section 211 and 212 Declaration* for submission to the Planning Inspectorate

10. REASONS FOR THE RECOMMENDATIONS

10.1 In order to comply with Part 11 of the Planning Act and the Community Infrastructure Levy Regulations 2010 as amended by the CIL Amendment Regulations 2011, 2012 and 2013 (including the requirements to have regard to the matters listed in section 211(2) and (4) of the Planning Act 2008).

11. STATUTORY POWER

11.1 Part 11 of the Planning Act and the Community Infrastructure Levy Regulations 2010 as amended by the CIL Amendment Regulations 2011, 2012 and 2013 (including the requirements to have regard to the matters listed in section 211(2) and (4) of the Planning Act 2008).

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Appendices:

Appendix 1 *Draft Charging Schedule: Planning Act 2008 – Section 211 and 212 Declaration*