



## CABINET – 4TH JUNE 2014

**SUBJECT: COMMUNITY INFRASTRUCTURE LEVY (CIL) – APPROVAL AND IMPLEMENTATION OF THE CAERPHILLY COUNTY BOROUGH CIL CHARGING SCHEDULE**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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- 1.1 The attached report was presented to the Regeneration and Environment Scrutiny Committee on 20th May 2014. Members of the Scrutiny Committee who are also members of community councils declared an interest in this item. The report seeks approval for the Council's Community Infrastructure Levy Charging Schedule and recommends that CIL be implemented on 1st July 2014.
  - 1.2 In Wales, where all or part of a chargeable development is within the area of a community council then the charging authority i.e. the County Borough Council must pass 15% of the relevant CIL receipts to that community council. Whilst the CIL Regulations make provision for the community councils to spend their CIL funds according to their own priorities, the report recommends that the council provide guidance notes and assessment forms to assist in ensuring that the CIL is used to fund infrastructure in accordance with the CIL Regulations.
  - 1.3 The report also recommends that officers negotiate with community councils to agree annual payments of the CIL receipts, to make the administration of CIL less complex and to ensure the funding is considered as an integral part of the Council's own budgetary procedures. CIL Regulation 62A requires that all community councils must prepare a report for any financial year in which it receives CIL receipts. The Council will work in conjunction with community councils in preparing their monitoring report and offer guidance as necessary. .
  - 1.4 Whilst not a requirement, the CIL Regulations allow the Council to make an appropriate proportion of CIL receipts available to fund appropriate infrastructure in those areas that do not have a community council. The report recommends that the Council administer a ring-fenced pot of finance for the provision of infrastructure in those areas.
  - 1.5 Following consideration of the issues relating to the administration of CIL and the prioritisation of CIL spend, the CIL Steering Group made 11 recommendations for consideration and approval by Members.
  - 1.6 Arising from the ensuing discussion, it was proposed that officers arrange a seminar to brief and advise the Community and Town Councils on CIL. A Member commented that the report did not adequately set out the role of elected members in determining CIL spend and that it was unclear what role the councillors had.
  - 1.7 Following consideration and discussion, the Regeneration and Environment Scrutiny Committee unanimously endorsed the recommendations in the report and recommended to Cabinet and thereafter Council, that for the reasons contained therein:-

- (i) The Charging Schedule, as modified by the Examiner, be approved for implementation on 1st July 2014.
- (ii) The Regulation 123 list and the 4 Guidance Notes be approved for publication in accordance with the implementation of CIL.
- (iii) The 11 Recommendations from the CIL Steering Group be agreed.
- (iv) The setting up and implementation of appropriate processes and procedures be agreed to enable the implementation of the CIL Charging Schedule on 1st July 2014.
- (v) Officers commence discussions with the Community Councils to agree payment periods for paying the Community Councils their 15% of CIL receipts.

1.8 Members are asked to consider the above recommendations.

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Appendices:

Appendix 1 Report to Regeneration and Environment Scrutiny Committee on 20th May 2014 – Agenda Item 7(2).