

CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE**27 November 2013****Minute Extract**

394. **COMMUNITY INFRASTRUCTURE LEVY: ADOPTION OF DRAFT CHARGING SCHEDULE AND INTRODUCTION OF CIL CHARGE**
(Report CAB2529 (LDF) Refers)

At the invitation of the Chairman, Councillor Izard sought clarification of the Community Infrastructure Levy (CIL) timetable. The Head of Strategic Planning stated that CIL would come into operation from April 2014 and would be spent on infrastructure such as off-site open space, new libraries, etc. Requirements specific to the development itself, such as ecological mitigation specific to the development, on-site open space and highway improvements specifically to serve the site, would continue to be the subject of Section 106 agreements. Parishes would be made aware that they will receive 15% of CIL payments which become due from development in their area from 7 April 2014, but the money might not be received by the Parish for some time thereafter (as CIL is only payable when development is commenced).

Councillor Hutchison asked about the role of the Winchester Town Forum in the use of the CIL, and in particular whether it would receive the 15% of CIL contributions paid in the Town area that a parish council would have received. The Corporate Director agreed that in respect of Recommendation 4 and the development of the "Regulation 123 List", this should be taken to the meeting of the Winchester Town Forum to be held on 12 March 2014 in advance of being taken to Cabinet on 19 March 2014. The role of the Winchester Town Forum would be discussed with the Leader, including the process of managing the Regulation 123 List and 15% of CIL contributions.

It was noted that as the South Downs National Park (SDNP) would not be adopting CIL in its area until May 2015, a complex situation could exist in parishes that were part in the Council's area and part within the National Park. For the twelve month period before the SDNP adopted CIL, developer contributions in the National Park area would continue to be covered by Section 106 agreements (as at present). As the SDNP would be about 12 months behind the City Council in its introduction of CIL, the City Council would continue to operate the open space contribution scheme on its behalf.

The Committee agreed to the following for the reasons set out above and outlined in the Report.

RECOMMENDED (TO CABINET AND COUNCIL):

- 1. That Council be recommended to adopt the City Council's Community Infrastructure Levy (CIL) Charging Schedule, incorporating the Council's Modifications published in July 2013 and the recommendations made by the Examiner's Report of October 2013**
- 2. That Council be recommended to bring the CIL Charging Schedule into effect in relation to development which is 'first permitted' on or after 7 April 2014.**

RECOMMENDED (TO CABINET):

1. That authority be delegated to the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, to prepare and publish the adopted Charging Schedule, as modified, and associated guidance notes and publicity material in advance of the Levy being brought into effect.
2. That the 'Regulation 123 List' be developed, taking account of current and expected government advice, and submitted for consideration by Winchester Town Forum at its meeting of 12 March 2013, and approval by Cabinet no later than its meeting of 19 March 2014.
3. That officers develop a mechanism for prioritising projects for CIL funding based upon the development of a programme of infrastructure projects, in consultation with the Portfolio Holder for Built Environment and taking account of the content of section 4 of this report, with the final programme to be presented for agreement by Cabinet. Thereafter this programme shall be reviewed and up-dated annually by Cabinet.
4. That the development and implementation of a phased payments policy and mechanism for the collection of CIL payments relating to larger scale developments be delegated to the Assistant Director (Built Environment), in consultation with the Portfolio Holder for Built Environment.