

## **BARNSLEY METROPOLITAN BOROUGH COUNCIL**

**This matter /is not a Key Decision within the council's definition and has/has not been included in the relevant Forward Plan**

**Report of the Executive  
Director of Development  
Environment and Culture**

### **Community Infrastructure Levy - Draft Charging Schedule**

#### **1. Purpose of report**

- 1.1** The report requests authority to proceed with consultation on a Draft Charging Schedule as part of the ongoing adoption of the Community Infrastructure Levy, (CIL), within Barnsley.

#### **2. Recommendations**

**2.1** **It is recommended that:**

**Approval is provided to proceed with consultation on the Community Infrastructure Draft Charging Schedule as outlined within this report.**

- 2.2** **That the budget for the implementation of CIL as outlined in Appendix A to this report be approved and the PLACE revenue and capital budgets be amended accordingly.**

**Cabinet note that a further report will be provided following completion of the consultation exercise.**

#### **3. Introduction**

- 3.1** This report has been prepared in order seek approval to proceed with consultation on a Draft Charging Schedule as part of the ongoing adoption of the Community Infrastructure Levy, (CIL), within Barnsley.

#### **4. Proposal and justification**

- 4.1** CIL is a charge on new buildings, above a certain size, that local planning authorities may choose to set and which is designed to help fund local and sub-regional infrastructure identified in their development plans. CIL would primarily be paid by owners and developers of land that is developed.
- 4.2** The adoption of CIL within Barnsley will help to ensure that financial contributions are provided through the determination of planning applications which will directly contribute to delivery key infrastructure projects linked to the economic aspirations of Barnsley.

- 4.3 An initial consultation on a proposed CIL framework for Barnsley was undertaken summer 2015. The consultation on a preliminary draft charging schedule ran for a six week period between 15<sup>th</sup> June 2015 and 24<sup>th</sup> July 2015. Appendix B of this document provides an overview of the process and key messages arising from that consultation.
- 4.4 Responses received from the preliminary draft charging schedule have been used to inform the creation the draft CIL charging schedule document which can be found in Appendix C of this document.
- 4.5 The formal adoption of CIL will need to be progressed through a number of key stages as outlined by the CIL Regulations. The key implementation stages are described in more detail below:

Stage	Purpose	Indicative Timescales
Viability Assessment	<p>The Council is required to carry out a viability assessment on development within the borough. The viability assessment identifies whether or not a CIL rate can be introduced that supports the provision of infrastructure without restricting development from taking place.</p> <p>The viability assessment directly informs the CIL charges that can be applied within the Barnsley area.</p>	Completed March 2015
Preliminary Draft Charging Schedule consultation	The Council is required to prepare a preliminary draft CIL charging schedule and make this available for a formal public consultation.	Completed 24 <sup>th</sup> July
Draft Charging Schedule consultation	The Council is required to prepare a draft CIL charging schedule and make this available for a formal public consultation	17th October 2016 for a six week period ending 27 <sup>th</sup> November 2016
Examination in public	<p>A finalised charging schedule will be prepared incorporating the outputs from the draft charging schedule consultation.</p> <p>The finalised charging schedule will then</p>	Summer 2017 linked to Local Plan Examination

Stage	Purpose	Indicative Timescales
	be subject to a formal independent examination in public.	
Adoption	The Council will be formally required to adopt the CIL charging schedule via Full Council approval following completion of the examination in public. This will signify the implementation of the CIL charging framework.	Autumn 2017

4.6 Progressing with the adoption of CIL will require and implementation budget specifically to fund the examination in public stage and for the procurement of a supporting IT System. Initial benchmarking research with other local authorities have identified that examination costs are in the region of £20,000 and a budget of £45,000 is felt to be sufficient to fund the procurement of an IT System. Total costs around the adoption of CIL are projected to be in the region of £65,000.

4.7 It is proposed to fund CIL adoption costs through the Future Council Investment framework. A bid of £65,000 has been submitted in order to cover the cost of adoption whilst providing a modest contingency budget.

4.8 This report therefore seeks authorisation to move forward with public consultation on the Community Infrastructure Draft Charging Schedule and supporting documentation. The consultation process will commence on the 17/10/16 and will run for a six week period ending on the 27/11/16.

## **5. Implications for local people / service users**

5.1 There are no specific implications for local people or service users in relation to this consultation phase. The actual longer term implementation of the Community Infrastructure Levy will result in implications as the payment of the levy will be required in respect of qualifying planning applications.

## **6. Financial implications**

6.1 Consultations on the financial implications have taken place with representatives of the Director of Finance Property & Information Services during the preparation of this report.

6.2 The capital cost of the IT requirements needed for the implementation of CIL is estimated to be £45,000 including a small contingency sum.

6.3 The revenue cost of the public examination is estimated to be £20,000.

6.4 It is anticipated that this expenditure will be financed as part of the recently established Future Council Investment framework. However, if the bid proves

to be unsuccessful the expenditure will be contained within the existing revenue and capital budgets for the Place Directorate.

- 6.5 It is currently estimated that the introduction CIL charges will generate receipts of £1.495M based on 1,100 dwellings per annum (aspirational Housing Growth estimate) or £0.687M based on 500 dwellings (minimum projected level of housing completion rates). These receipts will be available for the Council to invest in its own infrastructure priorities.

## **7. Employee implications**

- 7.1 There are no specific employee implications associated within this report.

## **8. Communications implications**

- 8.1 The consultation process will be managed in conjunction with Corporate Communications. This will include the development of a communications strategy around the consultation process utilising all access channels that are available including the Councils social media presence.

## **9. Consultations**

- 9.1 Consultations have taken place with key stakeholders within the Council during the creation of this report.
- 9.2 Internal stakeholders will also be actively engaged during the live consultation period of the Draft Charging Schedule.
- 9.3 A list of stakeholders consulted during the preparation of this report includes Economic Regeneration, Planning Policy, Planning Development Management, Legal, Finance, Risk Management, Better Barnsley, Communities, Customer Services, Environment & Transport, Culture Housing & Regulation, Corporate Communications, Corporate Performance, Equalities, Public Health, CYP&F Infrastructure for Learning and S106 Strategic Panel.

## **10. Community Strategy and the Council's Performance Management Framework**

- 10.1 This report does not seek or request any alterations to existing council policy nor does it have any current policy implications. The report seeks approval to undertake initial consultation which will help to shape future CIL policy which will be subject to further cabinet reports.
- 10.2 The adoption of CIL and the associated infrastructure funds generated would have a direct contribution to the delivery of economic infrastructure contributing to the attainment of Outcomes 1, 2, 3 and 4 of the Corporate Plan.

## **11. Risk Management Issues**

- 11.1 There are minimal risks for the Council associated with moving forward with consultation on the Draft Charging Schedule.

- 11.2 The implementation project is supported with a dedicated risk register. A summary of the risk assessment undertaken is shown in the table below:

<b>Risk Description</b>	<b>Solution/ Mitigation</b>	<b>Risk Level</b>
Poor levels of engagement in the consultation process	The main mitigation to this risk is to proactively promote the consultation event. The provision of a stakeholder engagement event is seen as being a key mitigation. A supporting communication strategy will be developed as mitigation for this risk.	Low
Negative media coverage in relation to CIL	Through working with colleagues within Corporate Communications it is hoped that the positive aspect of the consultation exercise can be promoted.	Low
National changes to the CIL framework	There is a risk that government may review or change the CIL framework nationally. The main mitigation to this risk is to monitor the situation providing an opportunity to proactively respond to any proposed changes. Progressing with the DCS will see CIL adoption moving forward within Barnsley placing the Council in stronger position to be able to respond to any policy changes.	Low

## **12 Promoting Equality & Diversity and Social Inclusion**

- 12.1 An initial assessment of the impact on diverse groups of the Community Infrastructure Levy is that there are not likely to be any significant inequalities. This initial assessment will be reviewed as and when the CIL scheme is itself next reviewed or revised.

## **13 Glossary**

CIL	Community Infrastructure Levy
DCS	Draft Charging Schedule
PDCS	Preliminary Draft Charging Schedule
NPPF	National Planning Policy Framework
POS	Planning Officers Society
PPG	Planning Policy Guidance
SPD	Supplementary Planning Document
S106	Section 106 Agreements

## **14**    **List of Appendices**

Appendix A – Financial Implications

Appendix B – Preliminary Draft Charging Schedule Consultation Summary

Appendix C – Draft Charging Schedule

Appendix D – CIL Guidance Document & Supporting Policies

Appendix E – CIL Rate Calculation Methodology

Appendix F – S106 Collection Rates

Appendix G – Draft Infrastructure Delivery Plan

Appendix H – Statement of Representation

Office Contact: Paul Clifford	Telephone No: 5772	Date: 13/09/16
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