



## **MINUTES OF CABINET MEETING HELD 7 APRIL 2015**

### **PRESENT:**

**Cabinet Members:** Councillor Holdich (In the Chair), Councillor Elsey, Councillor Fitzgerald, Councillor Hiller, Councillor North, Councillor Seaton and Councillor Serluca.

**Cabinet Advisers:** Councillor Casey.

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Cereste, Councillor Scott and Councillor Lamb.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. MINUTES OF THE CABINET MEETING HELD ON 20 MARCH 2015**

The minutes of the meeting held on 20 March 2015 were agreed as a true and accurate record.

### **STRATEGIC DECISIONS**

#### **4. PETERBOROUGH COMMUNITY INFRASTRUCTURE LEVY (CIL) – DRAFT CHARGING SCHEDULE**

Cabinet received a report which followed the Examination in Public of the Peterborough Community Infrastructure Levy (CIL) Draft Charging Schedule (PDCS). The report explained the outcome of the Examiner's report on the Schedule, the proposed modifications to the final charging schedule and associated policies and proposed a formal adoption date of 24 April 2015.

Councillor Hiller introduced the report highlighting the main issues contained within. He further highlighted the positive strides made across the city relating to housing, schooling, jobs provision and healthcare, to name a few, and summarised how the CIL would work, the rate structure, the current scheme it would replace this being the Planning Obligation and Implementation Scheme and confirmed that Section 106 contributions would continue alongside the new scheme. Cabinet was asked to recommend the Schedule to Council and to approve the associated Developer Contributions Supplementary Planning Document.

Cabinet debated the report and key points raised and responses to questions included:

- There were only a few other Local Authorities who had adopted a CIL, however the rates proposed were in line with those authorities who did have a CIL;
- The Schedule included a zero rate charge for new businesses;

- It was accepted that potentially the CIL would not cover all new required infrastructure and there would be an element of shortfall. In this instance prioritisation of projects would need to be undertaken;
- The Draft Regulation 123 List, as presented to Cabinet, defined which projects and/or types/sections of infrastructure that the Council may fund in whole or part through CIL revenue. Members could put projects forward to officers for consideration and the governance arrangements for the list were currently being worked upon;
- A neighbourhood proportion of the CIL would be passed onto local communities where development had taken place. Where development took place in a Parish Council area the neighbourhood proportion would be passed to that Parish Council and unparished areas would not hold CIL funds;
- Guidance as to how the Scheme would work had been widely disseminated and there was a clear 'commonly asked questions' guide available;
- The POIS Scheme was due to become unlawful in April and therefore a replacement scheme was required; and
- It would be for the Council to decide how the central pot of money was to be utilised.

Cabinet considered the report and **RESOLVED** to:

1. Recommend to Council that:
  - A. The Examiner's Report into the Draft CIL Charging Schedule was considered and the recommendations and conclusions that underpin them were accepted;
  - B. The Peterborough Community Infrastructure Levy (CIL) Charging Schedule was adopted, with CIL to come into effect for all planning applications approved on or after 24 April 2015;
  - C. The Council's CIL Supporting Policies Document (including Regulation 123 List, Instalment Policy, Payment in Kind Policy and Statement of Exceptional Circumstances Relief) be adopted and published;
  - D. Delegated authority be given to the Director of Growth and Regeneration (a) to take all steps necessary to implement the Community Infrastructure Levy Regulations 2010 (as amended), and (b) to take all necessary enforcement action under the Community Infrastructure Levy Regulations 2010 (as amended);
  - E. Local Validation Requirements be amended to require the submission of CIL liability details from 24 April 2015;
  - F. 5% of CIL be retained for the administration and governance costs incurred by the Council, in accordance with the CIL Regulations; and,
  - G. The Community Infrastructure Levy be added to the Council's Major Policy Framework and to approve the consequential Constitutional amendments resulting.
2. Approve the Developer Contributions Supplementary Planning Document (SPD) for adoption, with the SPD coming into effect on 24 April 2015; and
3. Revoke the Planning Obligations Implementation Scheme (POIS) SPD, effective from 24 April 2015.

## **REASONS FOR THE DECISION**

Government had introduced changes to the way developer contributions could be collected and spent. Charging Authorities had the option of adopting a CIL. From April 2015, the use of the existing methodology for collecting and pooling developer contributions (POIS) would become unlawful and so unless a CIL was adopted, the collection and use of developer contributions would be severely limited from that date.

## **ALTERNATIVE OPTIONS CONSIDERED**

The option to not adopt a CIL had been considered and rejected. There were limited genuine alternatives to adopting the CIL Charging Schedule. Although CIL was not a statutory requirement, authorities without a charging schedule from April 2015 would generally not be able to take into account, as a reason for approval, pooled contributions towards strategic infrastructure. There was no option to amend the Charging Schedule without doing further research and going through the consultation and adoption process again.

Chairman  
10.00am – 10.23am