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PLANNING (STRATEGIC) COMMITTEE

19 July 2011

Present:- Councillor Fear in the Chair

Councillors Boden, Cairns, Clarke D, Cooper, Matthews, Miss Reddish, Studd, Mrs Williams and Williams

Apologies for absence were received from Councillors Mrs Burke, Clarke M, Howells and Lawton

198. * **COMMUNITY INFRASTRUCTURE LEVY**

Consideration was given to a detailed report advising Members about the Community Infrastructure Levy (CIL) process and seeking their views in respect of the Council taking the necessary steps to become a charging authority under the Community Infrastructure Levy Regulations 2010 (as amended) before a decision on whether or not to introduce a charging schedule was taken by the Cabinet.

It was explained that CIL gave powers to local planning authorities to set a local levy that would pay for a wide range of infrastructure when new development took place. Accordingly, the CIL had the potential to impact on the future level of development investment in the Borough and the level of revenue available to finance infrastructure projects. It was indicated that infrastructure investment was vital to support the planned growth identified in the Core Spatial Strategy 2009-2026 as a consequence of which both the establishment of a levy and the amount of funding raised would be critical to the regeneration prospects of both the Borough and the North Staffordshire sub-region as a whole.

The report explained how the CIL regulations gave Councils new powers to choose to set standard charge on most types of new buildings in their administrative area, following an assessment of local infrastructure needs and consultation with their local community.

It was indicated that all new buildings and extensions over 100sqm of gross internal floor space, all new dwellings would be liable for CIL, with the exception of affordable housing. This included changes of use where an increase of floor space above the threshold was involved and different types and sizes of development would potentially pay different amounts depending on local needs to help ensure that the new infrastructure needed to maintain sustainable growth was provided.

With this in mind the Committee agreed that careful consideration was required when setting the local levy so as not to deter small scale developers from building in the Borough and that the existing Developer Contributions Supplementary Planning Document would need to be revised to reflect the CIL regulations.

It was indicated that a Staffordshire CIL group had been established involving each local authority in the county with a view to sharing knowledge and

developing best practice processes, particularly in relation to assessing viability and cross boundary infrastructure matters. The City Council intended to work towards the setting of a levy and early on had acknowledged the need for close and effective partnership working across North Staffordshire to ensure that the introduction of a CIL charging regime in the one area was not to the detriment of an adjacent local authority.

The financial and resource implications regarding the preparation of the Charging Schedule was outlined in the officers' report together with an indicative programme for the implementation of the CIL by November 2013.

The officers' report concluded by summarising the issues surrounding the introduction of a CIL charging schedule as follows:-

- (i) CIL allowed variable tariffs for contributions to be placed on a much stronger legal footing and in particular would support the use of variable rates of charge and of collecting contributions from a wider range of developments to meet strategic infrastructure need that may be less directly related to the development in question. Furthermore CIL was designed to be a predictable charge, levied on all development, which would not (except in exceptional circumstances) be subject to negotiations and would have very limited exceptions. It was also designed to facilitate the collection of funds to address the cumulative and sub-regional infrastructure impacts of development.
- (ii) However, whilst the introduction of CIL gave some certainty about the funding available to finance an area's strategic infrastructure requirements over a plan period it did not provide guaranteed income for all the items of infrastructure identified during the rate setting process, because the Council's priorities could be subject to change. A new charging schedule could be adopted if the infrastructure requirements of the Borough changed significantly and/or to adapt to changing economic circumstances, although it would be necessary to repeat the CIL process, which would be very costly.
- (iii) The link between CIL and economic viability would almost certainly mean that in areas like Newcastle, with lower land values and/or inherently higher development costs, the rate of CIL would need to be set at the lower end of the scale to avoid stifling development altogether. Also any levy set would need to ensure that the Council did not place itself at a competition disadvantage with neighbouring authorities.

Resolved:- (a) That the Cabinet be recommended to agree to the Council taking the necessary steps to become a charging authority under the Community Structure Levy Register 2010, as amended, in accordance with the timetable set out in the officer's report.

(b) That a further report be submitted for approval once a preliminary draft charging schedule has been prepared for consultation.

199. * **DRAFT REGISTER OF LOCALLY IMPORTANT BUILDINGS AND STRUCTURES IN NEWCASTLE-UNDER-LYME - SPD CONSULTATION DRAFT (359/11)**

Reference was made to the above resolution and consideration given to a detailed report recommending that the draft Register of Locally Important Buildings and Structures in Newcastle-under-Lyme Supplementary Planning Document (SPD) be approved for consultation purposes between 1 August and 23 September 2011.

Resolved:- (a) That the submitted document be approved for consultation purposes.

(b) That subject to a valid nomination being received, the property known as The Villas, High Street, Silverdale be considered for inclusion in the Register.

(c) That all Councillors and LAP's be reminded of the procedures that need to be followed when nominating a building for inclusion on the Register of Locally Important Buildings and Structures in Newcastle.

**A FEAR
Chair**