

Report of: Head of Scrutiny and Member Development

Report to: Sustainable Economy and Culture Scrutiny

Date: 17th September 2013

Subject: The Community Infrastructure Levy – Draft Charging Schedule

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		ALL
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

- Members are familiar with the Community Infrastructure Levy (CIL), and are aware that in Leeds we are working towards a target of adoption of the CIL by April 2014. Sustainable Economy and Culture Scrutiny considered the call-in request of February's Executive Board decision on the CIL Preliminary Draft Charging Schedule. Development Plan Panel on 27th August considered an explanation of the changes which are now proposed following the Preliminary Draft consultation, including reference to further background information and analysis.
- Executive Board on 9th October will consider a report outlining changes from the Preliminary Draft Charging Schedule. Scrutiny Board is therefore requested to consider that report. The full Executive Board report and appendices are provided and contain the proposed Draft Charging Schedule, the Council's detailed response to all the representations on the Preliminary Draft, further evidence and justification documents including on retail rates and evolution of the housing zones, and the Draft Regulation 123 List.
- The Executive Board report does not make any recommendations on spending priorities or local apportionment, other than explain the relationship with the Regulation 123 List, as these are separate matters and not directly concerned with the approval of the Charging Schedule itself.
- Subject to approval by Executive Board the intention is to commence the formal 6 weeks of public consultation by the end of October in order to start consultation on the Draft Charging Schedule before amended Regulations come into force. This would be followed by Examination in early 2014 (subject to progress of the Core

Strategy and capacity of the Planning Inspectorate). It is currently intended to adopt the CIL by April 2014 following resolution by Full Council, although this may move back slightly if the Government announces its intention to move back the deadline from which S106s can no longer be pooled. This would allow the property industry and the Council more prior notice to determine outstanding planning applications/S106s ahead of adoption of the CIL.

Recommendations

5. In recognition of the valuable role of the Scrutiny Board, including previous consideration by the Housing and Regeneration Scrutiny Board it is requested that this report is discussed in advance of Executive Board at the Sustainable Economy and Culture Scrutiny meeting on 17th September. The outcome of the Scrutiny discussion will be presented to Executive Board to help them in decision making.

Therefore Members are requested to:

- i) Discuss and agree the content of the Draft Charging Schedule, in order to present the Board's recommendation for approval at Executive Board and proceed with 6 weeks of formal public consultation.
- ii) Agree the scope of the evidence base and associated documents supporting the setting of the CIL rates, including the Regulation 123 List in order to present the Panel's recommendation for approval at Executive Board..

1 Purpose of this report

- 1.1 Members are familiar with the Community Infrastructure Levy (CIL), and are aware that in Leeds we are working towards a target of adoption of the CIL by April 2014. Sustainable Economy and Culture Scrutiny considered the call-in request of February's Executive Board decision on the CIL Preliminary Draft Charging Schedule. Development Plan Panel on 27th August considered an explanation of the changes which are now proposed following the Preliminary Draft consultation, including reference to further background information and analysis.
- 1.2 Executive Board on 9th October will consider a report outlining changes from the Preliminary Draft Charging Schedule. Scrutiny Board is therefore requested to consider that report. The full Executive Board report and appendices are provided and contain the proposed Draft Charging Schedule, the Council's detailed response to all the representations on the Preliminary Draft, further evidence and justification documents including on retail rates and evolution of the housing zones, and the Draft Regulation 123 List.
- 1.3 The Executive Board report does not make any recommendations on spending priorities or local apportionment, other than explain the relationship with the Regulation 123 List, as these are separate matters and not directly concerned with the approval of the Charging Schedule itself.
- 1.4 Subject to approval by Executive Board the intention is to commence the formal 6 weeks of public consultation by the end of October in order to start consultation on

the Draft Charging Schedule before amended Regulations come into force. This would be followed by Examination in early 2014 (subject to progress of the Core Strategy and capacity of the Planning Inspectorate). It is currently intended to adopt the CIL by April 2014 following resolution by Full Council, although this may move back slightly if the Government announces its intention to move back the deadline from which S106s can no longer be pooled. This would allow the property industry and the Council more prior notice to determine outstanding planning applications/S106s ahead of adoption of the CIL. This report gives an explanation of the changes to the CIL Draft Charging Schedule which are now proposed following the Preliminary Draft consultation, including reference to further background information and analysis.

- 1.5 The Draft Charging Schedule and associated evidence documents are provided as appendices. Please note that this is a late item report to take account of a Cabinet discussion on 22nd August.

2 Background information

- 2.1 Please see Executive Board Report 9th October 2013.

3 Main issues

- 3.2 Please see Executive Board Report 9th October 2013.

- 3.3 Set out below are the proposed CIL Draft Rates and charging zones for reference.

Type of development in Leeds	CIL Charge per square meter
Residential – City Centre	£5
Residential – Inner	£5
Residential – Outer	£23
Residential – South	£45
Residential – North	£90
Convenience Retail ≥ 500 sqm in City Centre	£110
Convenience Retail ≥ 500 sqm outside of City Centre	£175
Comparison Retail ≥ 1,000 sqm in City Centre	£35
Comparison Retail ≥ 1,000 sqm outside of City Centre	£55
Offices in City Centre	£35
Development by a predominantly publicly funded or not for profit organisation, including sports and leisure centres, medical or health services, community facilities, and education	Zero
All other uses not cited above	£5

4 Corporate Considerations

4.4 Consultation and Engagement

4.4.1 See Executive Board Report 9th October 2013.

4.5 Equality and Diversity / Cohesion and Integration

4.5.2 See Executive Board Report 9th October 2013 and in particular the associated Equality Impact Assessment Screening.

4.6 Council Policies and City Priorities

4.6.3 See Executive Board Report 9th October 2013.

4.7 Resources and Value for Money

4.7.4 See Executive Board Report 9th October 2013.

4.8 Legal Implications, Access to Information and Call In

See Executive Board Report 9th October 2013.

4.9 Risk Management

4.9.5 See Executive Board Report 9th October 2013.

5 Conclusions

5.10 Executive Board on 9th October will consider a report outlining changes from the Preliminary Draft Charging Schedule. Scrutiny Board is therefore requested to consider that report in order to present any comments to Executive Board to help them in their decision making.

6 Recommendations

6.11 Members are requested to:

- i) Discuss and agree the content of the Draft Charging Schedule, in order to present the Board's recommendation for approval at Executive Board and proceed with 6 weeks of formal public consultation.
- ii) Agree the scope of the evidence base and associated documents supporting the setting of the CIL rates, including the Regulation 123 List in order to present the Panel's recommendation for approval at Executive Board.

7 Background documents¹

7.1 There are no background documents associated with this report.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.