

## **SCRUTINY BOARD (SUSTAINABLE ECONOMY AND CULTURE)**

**THURSDAY, 7TH MARCH, 2013**

**PRESENT:** Councillor M Rafique in the Chair

Councillors J Akhtar, D Cohen, M Lyons,  
P Wadsworth, R Harington, M Ingham,  
J McKenna, Wilkinson and N Walshaw

### **113 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents.

### **114 Exempt Information - Possible Exclusion of the Press and Public**

There were no resolutions to exclude the public.

### **115 Late Items**

There were no late items.

### **116 Declaration of Disclosable Pecuniary and Other Interests**

No declarations were made.

### **117 Apologies for Absence and Notification of Substitutes**

Apologies for absence were received from Councillor J Marjoram, Councillor G Wilkinson was in attendance as substitute. Apologies for absence were received from Councillor B Urry, Councillor N Walshaw was in attendance as substitute.

### **118 Call In Decision - Briefing Paper**

The Principal Scrutiny Officer informed Members of the Call In arrangements in accordance with the Council's Constitution and the options of action available to the Board. It was reported that the following options were available to the Board:

- Release the decision for implementation or;
- Recommend that the decision be reconsidered.

### **119 Call In - The Community Infrastructure Levy - Preliminary Draft Charging Schedule.**

The report of the Head of Scrutiny and Member Development presented the background papers to a decision which had been Called In in accordance with the Council's Constitution. The decision was an Executive Board decision on

the Community Infrastructure Levy (CIL) – Preliminary Draft Charging Schedule.

The Chair welcomed the following to the meeting:

- Councillor R Finnigan – Signatory to the Call In;
- George Hall – Author of supporting document to Call In (also a co-opted member of the Housing and Regeneration Scrutiny Board);
- Councillor N Taggart – Chair of the Development Plan Panel;
- Steve Speak – Deputy Chief Planning Officer; and
- Lora Hughes – Principal Planner.

At this point in the meeting Councillor Cohen called for a vote on whether to continue with the Call In on the grounds that the request for Call in related to how the CIL will be distributed which is a decision that has not been made yet. This was seconded by Councillor Wadsworth. The motion was defeated by a majority.

Councillor Finnigan and Mr Hall presented their arguments for calling in the decision. These included the following:

- The distribution of CIL money and its potential unfairness to communities who face development and its effect on local infrastructure;
- The lack of consultation with communities likely to be affected by the CIL and lack of commitment for future consultation;
- The potential that communities affected by development could be worse off now than they are under the current Section 106 system; and
- That the figures presented to the Executive Board on which they based their decision might not have been accurate.

The Principal Planner presented to Members an overview of exactly what the CIL was and how it would be implemented. Also outlined to Members was what the CIL money can be spent on and how it would be spent. Finally the consultation process was set out.

Councillor Taggart, Chair of Development Plan Panel and representing the Executive Member for Neighbourhoods, Planning and Support Services who supported the release of the decision took the Board through the process that had been followed in relation to the creation of the CIL.

Explanation was given about the different charging zones and it was highlighted to the Board that the charging rates could be changed in the future. Further Councillor Taggart informed the Board that Development Plan Panel had thoroughly reviewed and debated the CIL and that this panel was a cross party panel.

The Deputy Chief Planning Officer clarified that developers had not been consulted on proposed charging rates and that national guidance had been followed in terms of setting them. Finally it was put to the Board that the CIL would not be able to fund all infrastructure needs following development just as Section 106 doesn't.

Members then questioned officers and Members present. It was established that Leeds currently has no neighbourhood plans adopted but 13 areas have been designated, with more expected.

Members considered that consultation should continue to take place with regards to the CIL.

Members established that if the Council does not have a CIL in place by 2014 there could be financial implications therefore the current timetable needed to be maintained.

Councillor Finnigan was invited to summarise the reasons for calling in the decision and re-iterated his earlier comments with regards to a lack of commitment to meaningful consultation regarding the distribution of the CIL.

Members were asked to consider the options available to them.

#### **120 Outcome of Call In**

Following a vote by Members present, it was:

**RESOLVED** - to release the decision for implementation.

#### **121 Date and time of next meeting**

10am Tuesday 9<sup>th</sup> April 2013 (pre meeting at 09:30 for Board Members).