



Council

13 November

**Subject: Recommendation from Prosperous Communities Committee - Adoption of the West Lindsey Community Infrastructure Levy Charging Schedule**

Report by:

Chief Operating Officer

Contact Officer:

Rachael Hughes  
01427 676 548  
[rachael.hughes@west-lindsey.gov.uk](mailto:rachael.hughes@west-lindsey.gov.uk)

Purpose / Summary:

To accept the recommendation from the Prosperous Communities Committee which seeks adoption of the Community Infrastructure Levy Charging Schedule for West Lindsey.

#### **RECOMMENDATION(S):**

**That Members accept the RECOMMENDATION from the Prosperous Communities Committee that: -**

- 1. The modifications set out in the West Lindsey Community Infrastructure Levy (CIL) Examination Report (Appendix A) to the Draft Charging Schedule be approved and incorporated into the West Lindsey CIL Charging Schedule.**
- 2. The West Lindsey CIL Charging Schedule, (Appendix B), which has been amended to reflect the Examiner's modifications, be adopted.**
- 3. The position statement provided by Lincolnshire County Council, as requested by the Prosperous Communities Committee, be accepted.**
- 4. The supporting policies Instalments and In-Kind and Regulation 123 List (Appendix C, D & E), that were consulted upon alongside the Draft CIL Charging Schedule consultation, also be approved**
- 5. The CIL Charging Schedule be implemented on a date as**

soon as is practicable on or after 1 January 2018 and in alignment with the other Central Lincolnshire authorities

**6. The Chief Operating Officer be authorised to:**

**-set the implementation date as per recommendation 5 above**

**-make minor changes to improve the presentation of the CIL Charging Schedule**

**-improve the presentation, and where necessary, clarification of supporting policy documents**

**7. A maximum 5% administration charge be agreed when CIL is adopted**

## **IMPLICATIONS**

### **Legal:**

**These are as set out in legal implications box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

### **Financial : FIN/104/18**

**These are as set out in financial implications box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

### **Staffing :**

**These are as set out in staffing implications box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

### **Equality and Diversity including Human Rights : N/A**

**Risk Assessment :**

**Please see the body of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

**Climate Related Risks and Opportunities : none**

**Title and Location of any Background Papers used in the preparation of this report:**

**These are as set out in background papers box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

**Yes**

☐

**No**

☐

**Key Decision:**

A matter which affects two or more wards, or has significant financial implications

**Yes**

☐

**No**

☐

## **1 Introduction**

- 1.1 At its meeting on 24 October 2017, the Prosperous Communities Committee considered the report attached at Appendix 1.
- 1.2 The Minute arising from this meeting is set out below: -

### **64 ADOPTION OF CIL FOR WEST LINDSEY**

Members gave consideration to a report regarding proposals for West Lindsey District Council (WLDC) to formally adopt the Community Infrastructure Levy (CIL). The Committee was asked to accept the recommendations in the report and recommend these to Full Council for formal adoption. The report had previously been considered by the Challenge and Improvement Committee who had supported the recommendations.

The Developer Contributions Officer explained the concept of the CIL and Members were provided with a list of frequently asked questions and corresponding answers to assist with their understanding of the scheme. Discussion ensued about the level of charges and how they had been capped. The Developer Contributions Officer explained that the charges and capping had been set by the Inspector and could not be changed by the Council. It was noted that, should the CIL be formally adopted, guidance notes and training sessions would be provided, to include parish councils, once the scheme was implemented. Information would also be made available on the Council's website.

Debate ensued and some Members indicated slight concern that the proposals would be adopted prior to any workshops, however it was also acknowledged that the partnership arrangements had not necessarily made this feasible on this occasion.

Clarification was sought as to whether the rates could be increased in the future or alternately reduced in the future, and as such whether there was a review mechanism. Clarification was also sought as to whether payment in kind was acceptable for smaller developments.

Whilst Members welcomed the distribution of funds to communities affected directly by development, it was noted that usually it would be the services of the larger nearby settlements which would be put under strain and this arrangement would not offer those communities additional funding.

In response, Officers outlined how such impacts could and were mitigated.

Some Members did not consider that the 25% being offered to communities was enough considering the amenities they would need to provide to offer the healthy communities strived for.

In response Officers clarified that CIL would work in conjunction with S106s,

and whilst CIL would contribute to the large infrastructure projects identified, this being the Lincoln Eastern Bypass and secondary education, there would still be opportunity for other stakeholders, such as Health to secure a contribution from developers through S106, if deemed necessary and appropriate. Equally public open space could still be secured through a Section 106. Furthermore the Policy was now more flexible and did not necessarily require a percentage of land to be contributed but could require contributions to upgrade current facilities, focussing on quality not just quantity. CIL did not replace all the other avenues available to the Authority to mitigate the impact of development on communities.

**RESOLVED** that it be **RECOMMENDED** to Full Council that: -

- (a) The modifications set out in the West Lindsey Community Infrastructure Levy (CIL) Examination Report (Appendix A) to the Draft Charging Schedule be approved and incorporated into the West Lindsey CIL Charging Schedule.
- (b) The West Lindsey CIL Charging Schedule, (Appendix B), which has been amended to reflect the Examiner's modifications, be adopted;
- (c) The position statement provided by Lincolnshire County Council, as requested by the Prosperous Communities Committee, be accepted;
- (d) The supporting policies Instalments and In-Kind and Regulation 123 List (Appendix C, D & E), that were consulted upon alongside the Draft CIL Charging Schedule consultation, also be approved;
- (e) The CIL Charging Schedule be implemented on a date as soon as is practicable on or after 1 January 2018 and in alignment with the other Central Lincolnshire authorities;
- (f) The Chief Operating Officer be authorised to:
  - set the implementation date as per recommendation 5 above
  - make minor changes to improve the presentation of the CIL Charging Schedule
  - improve the presentation, and where necessary, clarification of supporting policy documents; and
- (g) A maximum 5% administration charge be agreed when CIL is adopted

1.3 This report has also been the subject of pre-scrutiny by the Challenge and Improvement Committee, who resolved to support the recommendations, Section 9 of the report attached at Appendix 1 provides the arising minute.

### **3. Recommendations**

- 3.1 That Members accept the RECOMMENDATION from the Prosperous Communities Committee and approve recommendations (a) – (g) set out above and on the cover of this report.