

## Housing & Regeneration Scrutiny Panel Scoping Report– Community Infrastructure Levy

Review Topic	Community Infrastructure Levy
<b>Rationale</b>	<p>The Community Infrastructure Levy (CIL) was introduced as part of the Planning Act 2008 to help pool local development contributions to support major infrastructure needs. Contributions derived from the CIL are different to those from S106 in that theses can be used to fund <i>general</i> infrastructure development programmes (as set out in Regulation 123 List) whereas S106 monies can only be used to mitigate the impact of site specific development.</p> <p>The CIL is charged at a £ per square<sup>2</sup> for proposed new development and rates are determined locally. There are 3 rates in Haringey: £265 (western), £165 (central) and £15 (eastern). Haringey's CIL Charging Schedule was adopted by decision of Full Council on 21 July 2014 and was implemented on 1 November 2014.</p> <p>THE CIL can be used to fund a wide range of infrastructure including transport, schools, hospitals and other health and social care facilities. The CIL is intended to focus on the provision of new infrastructure or develop and extend capacity of existing infrastructure and details are set out in the Regulation 123 List<sup>1</sup>.</p> <p>In general the CIL receipts should be spent:</p> <ul style="list-style-type: none"> <li>• on infrastructure needed to support the development of the area;</li> <li>• It can be spent on infrastructure outside the CA's area, and spent by another body</li> <li>• Doesn't have to spent on the infrastructure referred to in your charge setting evidence but.. the links should be clear</li> <li>• It is advisable to publish a list of the infrastructure you intend to use CIL for (Reg 123 list)</li> <li>• You cannot spend CIL on affordable housing.</li> </ul>

<sup>1</sup> The Regulation 123 list sets out the types of infrastructure that may be funded by Community Infrastructure Levy (CIL) in the Borough.

	<p>At least 15% of CIL receipts must be allocated for spending in agreement with the local community in the area where development is taking place. Where a neighbourhood plan is in place this increases to 25%.</p> <p>The process for agreeing how the neighbourhood proportion of the CIL is not prescribed, only that the processes for determining this should:</p> <ul style="list-style-type: none"> <li>• Use existing consultation and engagement processes</li> <li>• Include local neighbourhood groups, forums, councillors and businesses; and</li> <li>• Be proportionate to level of receipts and scale of proposed development.</li> </ul> <p>The council must prepare a report for any financial year (31<sup>st</sup> December) in which it receives CIL receipts. The report must include:</p> <ul style="list-style-type: none"> <li>• The total CIL receipts for the reported year</li> <li>• The total CIL expenditure for the reported year</li> <li>• Summary of the items to which CIL has been applied and the amount of CIL expenditure on each item.</li> </ul> <p><a href="#">Highgate Neighbourhood Forum</a> has an established neighbourhood plan which the Council should acknowledge in local governance arrangements for CIL allocation. It is expected that CIL receipts will come on stream in the latter part of 2015/16.</p> <p>Scrutiny involvement this area would focus on developing local governance arrangements for allocation and spending of CIL receipts, particularly in relation the community or neighbourhood element.</p>
<p><b>Scrutiny Membership</b></p>	<p>The review will be undertaken by members of the Housing and Regeneration Scrutiny Panel: Cllrs Akwasi-Ayisi (Chair), Engert, Gallagher, Griffiths, Gunes, Ibrahim and Newton. Other non-executive members will be invited to participate in the review.</p>

<b>Terms of Reference (Purpose of the Review / Objectives)</b>	<p>The project will aim to address the following objectives:</p> <ul style="list-style-type: none"> <li>• Assess current local policy framework for and allocation of CIL receipts:</li> <li>• Assess what governance arrangements for the administration of CIL are in place at early adopter London Boroughs to indentify good practice with a view to inform the development of local policy and practice:</li> <li>• Consult with specialist planning practitioners and policy advisers to ensure that key elements of governance arrangements for CIL are complaint with necessary legalisation;</li> <li>• Assess best use of CIL receipts , particularly in relation as an ‘enabling’ fund to secure larger bids / plans for development e.g. health service, HLF etc.</li> <li>• Assess current consultation and community engagement and involvement process to underpin CIL priority setting;</li> <li>• Officials need to prepare thoroughly to ensure allocation and monitoring mechanisms work efficiently</li> <li>• Assess how the allocation of CIL receipts are aligned with other community resourcing e.g. Ward Budgets</li> </ul>
<b>Links to the Corporate Plan</b>	<p>This scrutiny project will link to Corporate Priority 4 - Drive growth and employment from which everyone can benefit. In particular, the project will contribute to meeting the following objective:</p> <ul style="list-style-type: none"> <li>• We will enable growth, by securing infrastructure - including transport, broadband, schools and health services</li> </ul>
<b>Evidence Sources</b>	<p>The review will look at the following key documents:</p> <p><a href="#">Planning Portal</a> – Spending the CIL guidance</p> <p>LB Haringey <a href="#">SPD Planning Obligations</a></p> <p>CIL advice from <a href="#">Planning Officers Association</a></p> <p>Haringey Regulation 123 List</p>
<b>Witnesses</b>	<p><b>Internal officers:</b></p> <ul style="list-style-type: none"> <li>• Stephen Kelly, AD for Planning Service</li> <li>• Emma Williamson, Head of Development Management</li> <li>• Matthew Patterson, Health of Planning Policy</li> </ul>

	<ul style="list-style-type: none"> <li>• Section 151 Officer / Matthew Gaynor – finance framework for CIL, to identify any CIL spending commitments</li> <li>• Stephen McDonnell, AD for Environmental Services and Community Safety – possible links to ward budgets</li> </ul> <p>There are a number of early adopter London Boroughs may be contacted to provide comparative evidence, these may include:</p> <ul style="list-style-type: none"> <li>• London Borough of Croydon</li> <li>• London Borough Southwark</li> <li>• London Borough Redbridge</li> <li>• London Borough Wandsworth.</li> </ul> <p>The project will consults and involve a number of specialist planning agencies which may include:</p> <ul style="list-style-type: none"> <li>• Planning Advisory Service</li> <li>• Town &amp; Country Planning Association</li> <li>• Planning Officers Association</li> </ul> <p>Local Community Planning Groups</p>
<b>Methodology/Approach</b>	<p>Given the focused nature of this review, it is proposed that the format will take the form of scrutiny in a day, with all witnesses encouraged to attend on the same day. This conference type approach will facilitate continuity of evidence:</p> <p>Part 1 - local policy and practice – Haringey officers</p> <p>Part 2 – Other local authorities - London Boroughs</p> <p>Part 3 - Developers</p> <p>Part 4 – Specialist Advisers</p> <p>Part 5 - Community</p>
<b>Equalities Implications</b>	<p>Any emerging equalities issues will be assessed and highlighted for inclusion in final recommendations for governance arrangements for the CIL.</p>

<b>Timescale</b>	<ul style="list-style-type: none"> <li>• August – September 2015 - project scoping</li> <li>• October 8th – Agreement of Scope by Housing &amp; Regeneration Scrutiny Panel</li> <li>• 19th October Confirmation by Overview &amp; Scrutiny Committee</li> <li>• Late October – Background briefing report prepared ahead of evidence gathering</li> <li>• Late October (date TBA) – Evidence gathering –scrutiny in a day</li> <li>• 16<sup>th</sup> November/ 18<sup>th</sup> January - Report to Housing &amp; Regeneration Scrutiny Panel</li> <li>• Final report to OSC (Nov/Dec/Jan) dependent on above.</li> <li>• Spring 2016 - Cabinet</li> </ul>
<b>Reporting arrangements</b>	AD for Planning, Stephen Kelly is the lead for Corporate Priority 4.
<b>Publicity</b>	<p>The project will be publicised through the scrutiny website and scrutiny newsletter providing details of the scope and how local people and community groups may be involved.</p> <p>The outcomes of the review will be similarly published once complete.</p>
<b>Constraints / Barriers / Risks</b>	<p>Risks:</p> <p>Not being able to get key evidence providers to attend on the agreed date of evidence gathering.</p> <p>Not being able obtain evidence from key informants e.g. local authorities</p>
<b>Officer Support</b>	Lead Officer; Martin Bradford, Policy Officer, 0208 489 6950 <a href="mailto:martin.bradford@haringey.gov.uk">martin.bradford@haringey.gov.uk</a>