



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	COUNCIL
DATE:	9 JULY 2015
REPORT OF THE:	HEAD OF PLANNING AND HOUSING GARY HOUSDEN
TITLE OF REPORT:	COMMUNITY INFRASTRUCTURE LEVY – STATUTORY DECLARATION
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To agree a formal declaration that the Council has complied with the relevant legislation in preparing the Community Infrastructure Levy Draft Charging Schedule (DCS).

2.0 RECOMMENDATION(S)

2.1 It is recommended that Members agree:

- (i) The formal declaration at Appendix 1.
- (ii) Minor changes to the Council's Regulation 123 list as outlined in italics at Appendix 2.

3.0 REASON FOR RECOMMENDATION(S)

3.1 To ensure that the Draft Charging Schedule is submitted in accordance with the legislation and to ensure that the Regulation 123 list is clear in terms of the infrastructure which is intended to be funded through the Community Infrastructure Levy.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks associated with the recommendations. There is a greater risk to the Council if a statutory declaration is not submitted with the DCS.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Members are aware that this Council is committed to introducing the Community Infrastructure Levy as a means of funding infrastructure requirements. The Draft Charging Schedule has been produced in accordance with the legislation which requires formal consultation at a number of stages.

REPORT

6.0 REPORT DETAILS

- 6.1 Planning legislation, including the Planning Act 2008 and the Community Infrastructure Levy Regulations require that a charging authority must approve a declaration that it has complied with the legislation and used appropriate available evidence in producing the Draft Charging Schedule at a meeting of the authority.
- 6.2 The Draft Charging Schedule is ready to be submitted for examination to the Planning Inspectorate and Officers have discussed a submission date of the 10 July 2015 with the Planning Inspectorate.
- 6.3 It is considered that minor wording changes are needed to the Regulation 123 list in order to make it clear that CIL will not be used to fund off-site highway infrastructure improvements which are necessary to accommodate a specific development.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
No Direct Implications
 - b) Legal
The formal declaration is a statutory requirement
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
No Direct Implications

8.0 NEXT STEPS

- 8.1 The Draft Charging Schedule will be submitted to the Planning Inspectorate for examination on the 10th July 2015.

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Background Papers:
Community Infrastructure Levy Draft Charging Schedule

Background Papers are available for inspection at:
www.ryedale.gov.uk