



REPORT TO: COUNCIL

DATE: 10 DECEMBER 2015

REPORT OF THE: HEAD OF PLANNING AND HOUSING
GARY HOUSDEN

TITLE OF REPORT: RYEDALE COMMUNITY INFRASTRUCTURE LEVY

WARDS AFFECTED: ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 For Council to agree to the introduction of the Community Infrastructure Levy (CIL) charge

2.0 RECOMMENDATION

- 2.1 That Council agree:
- (i) To the introduction of the CIL charges as outlined in the Ryedale CIL Charging Schedule (Appendix 1) from 1 March 2016.

3.0 REASON FOR RECOMMENDATION

- 3.1 Following the recommendations of the Inspector appointed to examine the CIL Charging Schedule, the Council is in a position to implement CIL charges. Members are aware that the CIL is an important source of revenue to fund the infrastructure necessary to support planned growth.
- 3.2 Any charge applied through the Community Infrastructure Regulations (2010) (as amended) can only be applied from the date that the introduction of the charge is approved by a meeting of Council.
- 3.3 The date included in the recommendation above takes account of the need to establish appropriate internal administrative processes necessary to implement the charge. It also allows a period of time for developers and land owners to understand the implications of the introduction of the charge and the implications this will have for planning applications submitted after this date.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant direct risks associated with the introduction of the CIL charges. However, it is important that administrative arrangements are in place to support the smooth implementation of the charges to avoid any confusion for those liable to pay the charge and to ensure that timely payments are received.

5.0 POLICY CONTEXT AND CONSULATION

- 5.1 Members are aware that on the 22nd September 2015 the Council's Draft Community Infrastructure Charging Schedule was formally examined by an independent Planning Inspector on behalf of the Secretary of State. Prior to this event the Draft Charging Schedule has been subjected to two formal stages of consultation.
- 5.2 The Inspector's report was released on the 14 October 2015. The Inspector concluded that the level of charge was appropriate: that the Council had evidence which demonstrated that the CIL charges were not going to put the overall development of the area, as set out in the adopted Development Plan (the Ryedale Plan-Local Plan Strategy) at risk.

6.0 REPORT

Ryedale District Council's Community Infrastructure Levy Charge

- 6.1 Members will recall that the CIL is a tariff-based fixed charge based on the net internal floor space (m²) of development to which the charge is applicable. The charges are outlined in the Ryedale CIL charging schedule which is appended to this report.(Appendix 1). Other types of development which are not listed on the Charging Schedule are not liable to a CIL charge.
- 6.2 Members are reminded that there are number of exemptions and relief from the charge. For example, affordable housing and self-build accommodation is not CIL liable. Additionally, Members are reminded that some CIL revenue (15%) goes directly back to the Parish and Town Councils in the areas from which it is generated. This figure increases to 25% if a Neighbourhood Plan is adopted and in place.

Administering and Implementing the Charge

- 6.3 The process by which the Levy is administered is complex and multi-staged and responsibilities of the Council and of those liable to pay the charge vary at different stages in the process.
- 6.4 In effect, CIL is a land charge/ taxation system and its implementation and administration is very similar to operating a system of Council Tax billing and receipting. Key stages in the process include the issuing of liability and demand notices; the collection/receipt of CIL (including enforcement action if necessary) and financial accounting; the spending of CIL and formal requirements to monitor and report CIL expenditure.
- 6.5 The administration of CIL is a corporate activity and will require co-ordination across service units within the Council, including finance, legal and planning.

Prior to the introduction of the charge, Corporate Management Team will establish the necessary internal procedures necessary to operate the charge.

6.6 Key elements of this will include:

- the procurement of technical software to administer the implementation of the charge
- establishing the roles and responsibilities of different service units in implementing the charge, including training for relevant staff
- working with Members to establish priorities for spending CIL. It is anticipated that this will require liaison with North Yorkshire County Council. NYCC are a key stakeholder for CIL. A number of the infrastructure improvements required to support growth (for which CIL is intended to be used to address) are services provided by NYCC.

6.7 The 1 March 2016 is seen by Officers as being a realistic starting point for the operation of the Levy, and will provide the appropriate timeframe for the necessary implementation measures to be established.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
The Council will need to procure the software necessary to administer the levy.
- b) Legal
Internal training required
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
Internal training required

8.0 NEXT STEPS

8.1 Notice of the intention to implement the levy will be given on the Council's web-site

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Background Papers:
The Ryedale Community Infrastructure Levy

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