

# INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	13TH NOVEMBER 2019	9
<b>COMMUNITY INFRASTRUCTURE LEVY - UPDATE</b>			

## PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY OF INFORMATION

The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities on new development in their area to help them deliver the infrastructure needed to support development. A review of the operation of the CIL Regulations considered that the CIL process was too complex and uncertain and was acting as a barrier to the delivery of housing. Accordingly, on 1 September 2019, the Regulations that govern the introduction of CIL and its operation alongside Section 106 agreements were revised. Full details of the changes can be found via the link to the Government's guidance below, but in summary the main changes to the Regulations:

- removing the requirement to consult on a preliminary draft charging schedule;
- Remove the pooling restriction (Regulation 123) that restricted the number of S106 agreements that can be charged against a single infrastructure project or type to 5.
- Replace the list of projects intended to be funded by CIL (Regulation 123 List) with an annual infrastructure funding statement, with the first required to be published by 31 December 2020.
- Allow CIL and Sn 106 payments to be combined to fund a particular infrastructure project.
- Allow charges to be made to recover the cost of monitoring obligations so long as they are reasonable and reflect the cost of that monitoring.
- Simplify indexation, commencement procedures and payment of CIL in regard to developments that are revised as a result of amended planning permissions.

Fylde Council has commenced work on the introduction of a CIL, but this was placed on hold pending the adoption of the local plan and the publication of the updated Regulations. Now the revised Regulations have been published, work on a CIL for Fylde can recommence. However, this will have to await the partial revision of the local plan as a CIL will need to have regard to any revisions to, and a revised viability assessment of, the local plan. Until a CIL is adopted, Fylde will continue to utilise Sn 106 agreements in order to secure essential infrastructure. Any proposals to recover the cost of monitoring Sn 106 agreements from a developer will be reported to the Planning Committee at the time an application is determined as part of the terms of each individual agreement.

### SOURCE OF INFORMATION

Ministry for Housing, Communities and Local Government and Head of Planning & Housing

**LINK TO INFORMATION**

[The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#)

[Community Infrastructure Levy – MHCLG Guidance](#)

**WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?**

In order to inform members of recent changes to the Community Infrastructure Levy Regulations and to provide an update on the adoption of CIL for Fylde.

**FURTHER INFORMATION**

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