

CIL ANNUAL REPORT REGULATION 62 STATEMENT

Head of Service/Contact: Ruth Ormella, Head of Planning
Urgent Decision?(yes/no) No
If yes, reason urgent decision required: N/A
Annexes/Appendices (attached): Annexe 1: Community Infrastructure Levy Regulation 62 Report October 2018
Other available papers (not attached):

Report summary

The Charging Authority is required under Regulation 62 of the Community Infrastructure Regulations 2010 (as amended) to prepare and publish an annual report that sets out how much CIL has been spent or allocated, and how much remains available. This is to ensure the levy is open and transparent. This report serves as an information item to the Committee, enclosing the CIL annual report, prior to it being published on the Borough Council's website.

Recommendation (s)

The Committee are asked to note the content of the latest Regulation 62 Report for the year April 2017/2018

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The Local Plan provides the spatial planning mechanism for the vision set out in the Sustainable Community Strategy, and it will assist in the achievement of all the Council's Key Priorities. The Community Infrastructure Levy (CIL) is the principle mechanism that will ensure that future developments contribute towards the delivery of community infrastructure that is needed to support growth.

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2 Background

- 2.1 The CIL is a local levy on new development that local authorities can choose to introduce to help fund the delivery of new infrastructure across their area. The implementation of CIL is closely guided by the Community Infrastructure Levy Regulations 2010 and subsequent Amending Regulations.
- 2.2 The CIL Regulations state under Part 7 (Regulation 62 (4)) that a charging authority must prepare a report for any financial year that it collects CIL. The Regulations require that such a report must include the following information:
- 2.2.1 the total CIL receipts for the reported year;
 - 2.2.2 the total CIL expenditure for the reported year;
 - 2.2.3 summary details of CIL expenditure during the reported year including –
 - i. the items of infrastructure to which CIL (including land payments) has been applied,
 - ii. the amount of CIL expenditure on each item,
 - iii. the amount of CIL applied to repay money borrowed, including any interest, with details of the infrastructure items which that money was used to provide (wholly or in part),
 - iv. the amount of CIL applied to administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation; and
 - 2.2.4 the total amount of CIL receipts retained at the end of the reported year.
- 2.3 The latest Regulation 62 Report covers the period during April 2017 until March 2018. It is our third published Report since the introduction of CIL. A copy is included under Annexe 1.

3 The Regulation 62 Report

- 3.1 Our latest Regulation 62 Report identifies that during the reporting period (April 2017 until March 2018), we raised invoices for payment from liable developments to the total value of £1,396,926.81. This is comparable to the £1,393,214 invoiced during the previous reporting period (April 2016 – March 2017). The liable developments that were invoiced for payment are detailed under Table 1.

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- 3.2 The Report further identifies those development proposals from which CIL receipts remained outstanding (at April 2018). These are identified under Table 2. It is noted that not all of these proposal will be implemented, and that some may be superseded by fresh applications. Nevertheless, this does provide an insight into how many additional Levy receipts may be forthcoming in the short-term.
- 3.3 Finally the Report sets out how collected Levy monies have been allocated (under Section 4). This was comprised of £73,150 allocated from the 5% administration fee towards Planning Policy Team salaries (directly supporting the implementation of CIL) and CIL advice, and £476,009 allocated from the 80% main CIL fund as top-up funding for the Plan E Epsom Town Centre Major Highway Improvement Scheme.

4 Financial and Manpower Implications

- 4.1 A staff resource is in place to ensure the day-to-day implementation of our CIL regime. This resource is directly funded from CIL funds, namely the 5% administrative fee.
- 4.2 Chief Finance Officer's comments: The Regulation 62 Statement at Annexe 1 details the CIL invoiced, collected and spent during 2017/18. Regulations require CIL to be applied to funding local infrastructure projects, although 5% may be used to fund the revenue cost of administering the CIL scheme.

5 Legal Implications (including implications for matters relating to equality)

- 5.1 A Charging Authority is required under Regulation 62 of the Community Infrastructure Levy 2010 (as amended) Regulations require that we produce a report for any financial year that we collect CIL and publish it by 31 December. The publishing of the enclosed Regulation 62 Statement will meet this requirement.
- 5.2 ***Monitoring Officer's comments: None arising from the contents of this report.***

6 Sustainability Policy and Community Safety Implications

- 6.1 None for the purposes of this report.

7 Partnerships

- 7.1 None for the purposes of this report.

8 Risk Assessment

- 8.1 As the CIL Charging and Collecting Authority we are required to be open and transparent in our activities associated with the Levy – particularly, in respect of how we distribute and spend collected monies. The publication of the Regulation 62 Statement will demonstrate transparency, fully minimising any risk that may have arisen from this process.

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9 Conclusion and Recommendations

- 9.1 Members of the Committee are asked to note the content of the latest Regulation 62 Report and that it will be published on the Borough Council's website before 31 December 2018.

Ward(s) affected: (All Wards);