



## **Planning and Economic Development Policy Advisory Group (SBDC)**

**Thursday, 1 February 2018 at 6.00 pm**

**Room 8, Capswood, Oxford Road, Denham**

### **A G E N D A**

This Policy Advisory Group meeting is not open to the public

Item

1. Apologies for absence

To receive any apologies for absence.

2. Minutes (*Pages 5 - 8*)

To receive the minutes of the meeting held on 30 November 2017.

3. Declarations of Interest

To receive any declarations of interest

4. Report from Members

To consider any reports/updates from the Portfolio Holder or Members on Outside Bodies.

5. Current Issues

The Portfolio Holder and Head of Service to update Members on Part I current issues relating to the PAG and to receive feedback from Members (if any).

*REPORTS LIKELY TO LEAD TO PORTFOLIO HOLDER  
RECOMMENDATION TO CABINET*

6. Statement of Community Involvement (*Pages 9 - 16*)

Members are asked to note and comment on the attached Cabinet report.

7. Community Infrastructure Levy Timetable (*Pages 17 - 20*)

Members are asked to note and comment on the attached Cabinet report.

*Appendix 1: CIL Timetable (Pages 21 - 22)*

8. Any other business

To consider any other business which the Portfolio Holder considers is urgent.

9. Exclusion of the Public

"That under Section 100(A)(4) of the Local Government Act 1972 following item of business is not for publication to the press or public on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act."

10. Memorandum of Understanding with Heathrow Airport Ltd (*Pages 23 - 26*)

*Reasons for restriction: Paragraph(s) 3* Information relating to the financial or business affairs of any particular person (including the authority holding that information

Members are asked to note and comment on the attached Cabinet report.

**Note:** All reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

**Membership: Planning and Economic Development Policy Advisory Group  
(SBDC)**

Councillors: J Read (Chairman)  
G Hollis  
J Jordan  
M Lewis  
G Sandy  
Vacancy

**Date of next meeting – Thursday, 8 March 2018**

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**PLANNING AND ECONOMIC DEVELOPMENT POLICY ADVISORY GROUP (SBDC)  
30 November 2017**

Present: J Read (Chairman)  
G Hollis and M Lewis

Apologies for absence: J Jordan and G Sandy

**76. MINUTES**

The Minutes of the meeting held on 7 September were agreed by the PAG.

**77. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**78. REPORTS FROM MEMBERS ON OUTSIDE BODIES (IF ANY)**

None.

**79. PORTFOLIO BUDGET 2018/19**

The Director of Resources provided Members of the PAG with information on the draft revenue budget for 2018/19. The following key points were highlighted:

- that the Council's Medium Term Financial Strategy identified 8 priority issues to address in the coming years which included financial stability owing to the end of government grants from 2017/18;
- that there were changes to cost share for all Policy Advisory Groups but the effect on the PAG budgets overall was minimal;
- that budget assumptions were also incorporated into the report which included an inflation assumption for salaries of 1%;
- that all services were now shared services. The budgets for the Planning Team were for the new shared service;
- the draft budget 2018/19 for the Portfolio was £932,000, a 16% decrease from the current year's budget;
- the table at 4.4 of the report explained the main changes around the budget which included savings relating to no longer providing for agency staff; and
- risks were highlighted in the report and it was noted that a significant amount was earmarked in the reserves for the Joint Local Plan.

Appendix A provided further detail on the budget.

Members enquired as to whether the cost of the Local Plan had increased and were advised that the evidence base continues to increase as the process goes on, requiring further funding. By way of example, the additional costs for procurement of consultants to do specialist work. It was noted that planning inspector fees and legal expenses during the examination process in particular would likely increase costs.

Having considered the advice of the PAG, the Portfolio Holder **AGREED** to **RECOMMEND** to Cabinet to approve:

- the 2018/19 revenue budget; and
- the 2018/19 fees and charges.

#### 80. **RESPONSE TO THE CONSULTATION ON REVISED DRAFT AIRPORTS NATIONAL POLICY STATEMENT**

The report examined changes and proposed issues to be included in the Council's response to the government consultation on the draft Airports National Policy Statement (NPS), which was their second consultation on the NPS this year. It was noted that the Council's official response would be considered by Cabinet prior to submission. Changes to the NPS were detailed in the report and the most significant change to the NPS was said to be resulting from analysis of the 2017 Air Quality Plan, as well as updates to passenger demand forecasts which makes airport expansion more imperative.

Members questioned as to whether the proposed flight routes would increase air traffic over Burnham and Beaconsfield, and the PAG were advised that the flight routes previously proposed had been reassessed and that officers were waiting to find out the new air traffic routes. The NPS indicated a potential air traffic problem in the Burnham Beeches area and Members were informed that the Council had commissioned air quality consultants to assess this. Heathrow offered to assess the anticipated air traffic problem although this did not meet the Council's timetable.

Members were advised that Spelthorne had proposed a light rail system as Heathrow were looking to increase service to the airport, and proposed stations within South Bucks if the Council so wished.. It was noted that the construction camps would be on the southern side of the M4.

The Council had decided not to prepare a joint response with Bucks County Council (BCC) to the consultation as BCC had different priorities they wanted to feed back in the consultation.

Having considered the advice of the PAG, the Portfolio Holder **AGREED** to **RECOMMEND** to Cabinet that

Cabinet delegate the response on this consultation to the Director of Services in consultation with the Portfolio Holder.

81. **AOB**

None.

82. **HS2 UPDATE REPORT**

The report provided an update to Members on the work for the HS2 project, including details of the various work streams being undertaken within the project. This covered the following areas:

- the Colne Valley Regional Park Panel;
- the Hillingdon Outdoor Activities Centre (HOAC) relocation;
- other works including the project management of the work on behalf of Chiltern and South Bucks District Councils; and
- an update on resources implications.

Members requested that HS2 update be a standing item on the PAG agendas going forward, and praised officers for their hard work on the project.

**RESOLVED**

- 1) that the current position of the Service Level Agreement and Funding Agreement between the Council and HS2 be noted.

And further

Having considered the advice of the PAG, the Portfolio Holder **AGREED** to **RECOMMEND** to Cabinet

- 2) That the existing budget for the project is retained for the duration of the project, and that £37,534 from the existing budget is rolled over to the end of the next calendar year to cover any project team costs not recovered from HS2. No new or additional funding is being sought.

The meeting terminated at 6.57 pm

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<b>SUBJECT:</b>	Statement of Community Involvement
<b>REPORT OF:</b>	Cllr Peter Martin / Cllr John Read Cabinet Member for Planning and Economic Development
<b>RESPONSIBLE OFFICER</b>	Andrew Ashcroft Interim Head of Planning & Economic Development
<b>REPORT AUTHOR</b>	David Waker Senior Planner (Policy), 01494 717042, <a href="mailto:dwaker@chiltern.gov.uk">dwaker@chiltern.gov.uk</a>
<b>WARD/S AFFECTED</b>	All

## 1. Purpose of Report

- 1.1 Members will be aware that the Government signalled its intent to legislate to require local plans to be regularly reviewed in last year's White Paper 'Fixing our broken housing market'. The purpose of this report is to explain the implications of the Government's intentions connected with the above for statements of community involvement (SCI) and implications for the Councils SCI.
- 1.2 The report also explains that the SCI is not part of the exiting delegation by Cabinet to the Joint Committee on issues relating to the Local Plan As such the report recommends that powers related to the SCI and other joint planning policy related matters are added to the delegated powers to Joint Committee as part of Shared Service and decision making arrangements.

## RECOMMENDATIONS

1. **To agree the production of a joint Statement of Community Involvement as part of the Chiltern and South Bucks Planning and Economic Development Shared Service arrangements.**
2. **Cabinet delegate to the Head of Planning and Economic Development in agreement with the Cabinet Member for Planning and Economic Development to prepare and publish a joint Statement of Community Involvement (SCI) for Chiltern and South Bucks District Councils based on the issues set out in the report.**
3. **That Cabinet agree to amend the Local Development Scheme by the insertion of a timetable specifically covering the update and review of the SCI and delegate authority to the Head of Planning and Economic Development to determine and amend as necessary the timetable.**

**Cabinet are also recommended to recommend to Council:**

4. **That the Inter Authority Agreement delegated powers to the Joint Committee be extended to include updates to the SCI (after Recommendation 1 above has been implemented), CIL and other Planning**

**Policy matters considered relevant to the Joint Committee under the Shared Service arrangements.****2. Executive Summary**

2.1 Local planning authorities are required to publish a document called a Statement of Community Involvement (SCI) . The SCI set out the minimum requirements of how councils will involve the public and interested parties in their planning policy formulation. It also set out how councils will involve the public in the determination process for major planning applications.

2.2 The Government has signalled its intent to require councils to review local plans every 5 years and are bringing forward necessary arrangements soon to achieve this. New regulations coming into effect in April 2018 will require councils to also review their SCI documents. In addition regulations are expected to require councils to include in their SCI documents a sections setting out how the councils will assist parishes or other community groups in the neighbourhood planning process. The requirement to review the SCI would mean that the Councils SCI would need to be reviewed now and if necessary updated by the end of the year and regularly thereafter. However, the additional requirement to include a section on the neighbourhood planning process, depending on timing, could mean that the SCI may need to be updated on a further occasion.

2.3 Chiltern and South Bucks District Councils' are preparing a joint Local Plan with delegated decisions to the Joint Committee and now have a complete Planning and Economic Development Shared Service, including a team in Development Management considering major planning applications. Effectively each council should produce an SCI but given the Councils joint arrangements one joint SCI document covering joint Local Plan, neighbourhood plans and major application publicity and public involvement is appropriate.

2.4 When the two Councils' respectively agreed to produce a joint Local Plan the respective Cabinets agreed – to amend paragraph 4.1 of the Inter Authority Agreement covering the functions of the Joint Committee to include the following:

'4.1.3.7 To make decisions and recommendations in relation to the Chiltern and South Bucks Local Plan.'

The SCI and other Shared Service policy matters such as Community Infrastructure Charging schedule (see separate report on this agenda) are not part of the Local Plan and although the intention of the delegation may have been to cover all local plan related matters it is not considered that the two items mentioned fall under the exiting delegated powers. Therefore it is recommended that the delegated authority from both

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Councils' is amended to include any joint planning policy related matters and specifically the SCI and CIL.

### **3. Reasons for Recommendations**

3.1 The Council has agreed to produce a joint local plan and to operate a Shared Service for all planning matters therefore although an SCI should be a council based document there is no logic in having two identical SCI documents for a shared service area. A revision to the SCI needs to be included in a revised Local Development Scheme Timetable.

3.2 The SCI will need to be amended shortly and potentially soon after and periodically thereafter. The recommended delegations are designed to enable the Council(s) to efficiently and effectively respond to the changing requirements for the SCI over the next few months and thereafter through the Joint Committee.

### **4. Content of Report**

#### **Background**

4.1 The Government recent Housing White Paper made a number of suggestions to improve the planning system and speed up local plan making. One of the proposals was to alter planning regulations to require local authorities to review their local plans at least every five years.

4.2 In addition to the above the Neighbourhood Planning Act made a number of changes to the neighbourhood planning regime one of which was to require (subject to regulations), local authorities to state in their SCI's how councils will assist communities in producing neighbourhood plans.

4.3 The Government published the required regulations requiring local plans to be reviewed at least every five years on the 13<sup>th</sup> December 2017. The section of the regulations relating to reviewing Local Plans doesn't come into force until April 6<sup>th</sup> 2018.

#### **Implications for the Councils Statement of Community Involvement**

4.4 What was not clear from the Governments' stated intention to require local authorities to review their local plans more regularly was that the regulations would also apply this requirement to SCI documents. However the regulations do specifically refer to SCI's and as such the Council will need to respond to this if it is to remain legally compliant.

4.5 The regulations introduce a requirement to review Local Plans and SCI at least every five years from the date of adoption. To comply with this requirement local authorities must every five years from the adoption of the Local Plan/SCI carry out

an assessment of whether it remains relevant and effectively addresses the needs of the local community or whether it needs updating.

- 4.6 The Chiltern adopted SCI was in January 2012 / and South Bucks SCI in July 2013– this effectively means that when the regulations come into force in April 2018 the Chiltern SCI would have to be reviewed immediately and consideration would need to be given to reviewing the South Bucks SCI soon after. However, the expected requirement to include reference to how councils will assist in neighbourhood planning effectively means that both SCI documents are also soon to be out of date and will need to be reviewed. The SCI could also helpfully be reviewed to take account of experience from recent consultations and in particular the increased role of social media in the Councils' communications to local residents and shared service arrangements for major planning applications.
- 4.7 Neighbourhood planning regulations are expected to be published in January which also expect to require local authorities to set out in their SCI documents their policies for giving advice or assistance to neighbourhood planning groups and their policies for involving communities and other groups in the early stages of plan making particularly in relation to the survey stage and in the setting of the Local Development Scheme – the local plan and related document production timetable.

#### **New Joint SCI or separate SCI's?**

- 4.8 Technically an SCI is a local planning authority's statement on how it will involve the public and interested parties in its plan making and major planning application procedures added to this is the additional requirement to set out how the Council will assist in neighbourhood planning. However, as Chiltern and South Bucks Councils have agreed to produce a Joint Local Plan and associated documents such as the Local Development Scheme and potentially associated supplementary planning documents plus have a Development Management Shared Service there is logic in creating a joint SCI.
- 4.9 Officers sought advice from the Government official responsible for the new regulations on the issue of producing a joint SCI, and in their view given the Councils are producing a joint Local Plan it would be sensible to produce a joint SCI document.
- 4.10 Although the two Councils' agreed to produce a joint local plan and delegated decisions on the joint local plan to the Joint Committee the delegation only refers to 'decisions and recommendations in relation to the Chiltern and South Bucks Local Plan'. The SCI is not the local plan and indeed its content covers the Councils procedures for involving the public in major planning applications and soon to also be neighbourhood planning and as such a proposed Joint SCI document will need to be approved by both Councils' respective Cabinets. However, given the continuing need to review the SCI and the likely decision that

the SCI should be a joint document it is considered that the two Cabinets should be invited to consider delegating future decisions on amending the SCI document to the Joint Committee. As a side issue it is recommended that the scheme of delegation should also be considered to be extended to other Planning Policy matters being jointly brought forward by the Councils' such as the Community Infrastructure Levy (see separate report on the Agenda). If agreed the Inter Authority Agreement will need amending to cover these additional delegated powers.

## SCI Content

- 4.11 As a general point both Councils SCIs are very similar and have both proved effective such that amendments are expected to be minor other than the additional requirements needing to be added and consideration of whether advances in communication such as the popularity of social media should be added.
- 4.12 Social media - The two existing SCI documents were updates of the two Council's respective original SCI documents dating from the early 2000's. Given this and the advances in social media in more recent time's neither of the documents specifically refer to these areas as a means to involve the public. It seems sensible given the Councils desire to go paperless and to use modern technology where possible to include such social media means of publicity within the SCI. Social media also has the potential to better engage with younger residents, often a hard to reach group for local plan matters.
- 4.13 Commitment to levels of Publicity - Both the SCI's were written in such a way as to make sure the Councils complied with the minimum national requirements for publicity whilst suggesting other methods of publicity may be used. Given the large resource implications in undertaking focussed publicity (exhibitions – individual; household newsletters/info leaflets etc) the SCI needs to be clear not to commit the Councils' to undertake levels of publicity that cannot be resourced or become a financial drain. If required and wished for by members at a particular stage or for a particular local plan document there would be nothing stopping the Councils' from undertaking wider forms of publicity than those set out in the SCI. However members should be aware that to do so could be seen to set a precedent and put pressure on the Councils' to 'normalise' extra consultations through future SCI updates. The minimum forms of publicity set out in the SCI must be undertaken and indeed is one of the aspects of the local plan process that the Examination Inspector has to determine before considering the local plan itself. As such levels of publicity as set out in the SCI need to be manageable, consistent and with 'front loaded' consultation to early plan stages.
- 4.14 Major Planning Applications – the SCI is required to set out how the Councils' will involve the public in publicising major planning applications. Given the recent bringing together of the Councils' respective development management teams into a shared service, the setting up of a major planning applications team and

standardisation of processes this would also support a joint SCI. The Planning Policy Team will work closely with the Major Applications Team to update the section of the SCI relating to major planning application publicity to incorporate any new procedures resulting from the new shared service.

- 4.15 Neighbourhood Planning – officers in the Planning Policy Team have provided advice thought the neighbourhood planning process most notably Chalfont St Peter and Chalfont St Giles neighbourhood plans to date and advice on the setting up of neighbourhood areas and the Community Right to Build Order to parishes in South Bucks and Chiltern. Officers have indicated that this work can be and is often time consuming and so can only commit to levels of support that would not divert staffing resources from their focus on the joint local plan. There could be pressures for support from seven parishes across both Districts' that currently have declared neighbourhood areas. Again therefore it is considered that the reference to providing the Councils support to the neighbourhood planning process should go no further than the levels of support given at present. ie advising on neighbourhood planning procedures and the content of neighbourhood plan draft documents. Members could also consider charging parishes for staff time for some neighbourhood planning processes/advice and the view of the Planning Policy Joint Member Reference Group (JMRG) has been sought on this and will be reported at the meeting.
- 4.16 Officers will draft a revised SCI document to take account of the above and any other views expressed at the JMRG and both Chiltern and South Bucks Cabinets. This could be subject to change as at the time of writing this report the regulations in relation to the neighbourhood planning requirements and any transitional arrangements were not published by the Government. Given this uncertainty and the imminent production of the new regulations it is considered prudent to delegate the production of the new SCI as set out in the recommendations.

### **Revision to Local Development Scheme**

- 4.17 The Government requirement is that should a local plan or in this case the SCI need to be updated the timetable for updating that document should be included in the Local Development Scheme (LDS). Members will beware that the Government only require the LDS timetable to be published and that the Councils current LDS timetable in relation to the Joint Local plan and the timetable for the production of a Community Infrastructure Levy (to be reviewed – see separate report on the Agenda) is published on the website. Rather than amend that timetable officers consider the most practicable solution to meet the new requirements would be to publish a separate LDS timetable showing the time frame for producing the new SCI document.

## 5. Consultation

5.1 There is no requirement in the regulations to consult on the content of the SCI document. The Councils SCI makes no specific commitment to consult on SCI revisions. As such it is not considered necessary to consult on the content of a document which spells out how the Council will consult the public on other local plan documents/major planning applications.

## 6. Options (if any)

6.1 Given the imminent change to the regulations the Councils would have to update their respective SCI documents. The two options open to the Councils would be to produce two largely similar SCI documents one for each council or given the decision to produce a joint Local Plan and to establish a joint Planning and Economic Development service to produce one joint SCI document. Given the legal requirement to have an up-to-date SCI document in place there are no other alternative options.

## 7. Corporate Implications

7.1 *Financial* – in relation to the production of the document the only costs would be staff time. Depending on the commitments as set out in the approved SCI document to certain levels of publicity future costs in terms of printing and or postage sots, cost is relation to the hiring of premises etc for public exhibitors etc will impact on service budgets and will need to be considered as part of the SCI review – however if recommendations are followed as set out in this report costs would expect to be covered in the current and next financial year budget and would need to be considered in future budget setting processes .

7.2 *Legal* – the Councils' are required to have an adopted SCI in place setting out their planning publicity arrangements. The new regulations will require these to be regularly reviewed and up to date. The additional requirements to include references to the Councils' assistance on neighbourhood planning means the documents would have to be amended/updated and at this time it is logical to combine into one document. The submitted local plan has to show how it has complied with the publicity.

7.3 *ICT* – the Councils' have committed to a more electronic business model moving where possible to electronic means of communication and reduction in the use of paper. Therefore it is sensible for the new SCI document to include reference to up-to-date electronic means of communication such as social media and use of the Council websites.

*7.4 Partnership - a joint SCI with reference to the assistance to be given to neighbourhood planning groups will show partnership working between the two Districts and between the two districts parish councils and other community groups.*

*7.5 Social Inclusion – by stating clearly how the Councils' will consult on planning and neighbourhood planning matters the SCI will show how the Council aim to include all in the planning process.*

*7.6 Sustainability – the promotion of electronic means of communication will help the Councils' reduce the use of paper and thus improve their sustainability.*

## **8. Links to Council Policy Objectives**

8.1 The production of an up-to-date SCI document containing references to increase use of electronic communication and involvement of the public together with the Councils' stating how they will work with parishes and community groups on neighbourhood planning will meet the following Council key aims and objectives.

### South Bucks

We will deliver cost- effective, customer- focused services

1. Provide great value services

- Optimise the effectiveness of our resources and assets
- Reduce costs through the shared services programme with Chiltern District Council
- Better use ICT to drive through savings whilst providing more flexible service delivery

2. Listen to our customers

- Consult with you on key issues and respond to results
- Communicate widely and embrace social media

We will work towards safer and healthier local communities

3. Promote local communities

- Support the voluntary sector and promote volunteering
- Engage with Parish and Town Councils and local neighbourhoods

We will strive to conserve the environment and promote sustainability

2. Promote Sustainability

- Produce a new Joint Local Plan with Chiltern District Council to help meet local development needs

Key Objectives available here:

<http://www.southbucks.gov.uk/prioritiesandperformance>

## **9. Next Step**

9.1 The Councils' produce a new joint SCI document and the Joint Committee delegated powers are amended.

<b>Background Papers:</b>	Documents contained on the Councils' websites.
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<b>SUBJECT:</b>	<i>Community Infrastructure Levy Update Report</i>
<b>REPORT OF:</b>	<i>Cabinet Members for Sustainable Development (Chiltern District Council) and Planning and Economic Development (South Bucks District Council)</i>
<b>RESPONSIBLE OFFICER</b>	<i>Andrew Ashcroft, Interim Head of Planning and Economic Development</i>
<b>REPORT AUTHOR</b>	<i>Shereen Ansari, Senior Planning Officer (Policy), 01494 732 929</i>
<b>WARD/S AFFECTED</b>	<i>All</i>

### 1. Purpose of Report

- 1.1 To recommend a revised timetable for the introduction of a Community Infrastructure Levy (CIL), following announcements in the Housing White Paper and the Autumn Budget.

### RECOMMENDATIONS

- 1. To publish a timetable as part of the Local Development Scheme for the preparation of the necessary Community Infrastructure Levy Documents as set out in Appendix 1 to this report**

### 2. Reasons for Recommendations

- 2.1 Following the Councils decision to pursue CIL in Chiltern and South Bucks Districts in December 2016, work was temporarily halted due to uncertainties regarding the continuation of the CIL system nationally. However, the Governments Autumn Budget has clarified that there is no intention to replace CIL with an alternative system, and that Government is instead seeking to make alterations to the current CIL regime. Therefore work can now resume on the implementation of CIL in Chiltern and South Bucks Districts. A revised timetable as part of the Local Development Scheme is required to be published on the Councils websites in this respect. The proposed timetable (Appendix 1) seeks to maximise efficiencies between the development of CIL in the two Districts with the production of the joint Local Plan.

### 3. Content of Report

#### **Background**

- 3.1 The Community Infrastructure Levy (CIL) was introduced through the 2008 Planning Act and came into force in April 2010. It is a tool for local authorities to raise funds from development in order to deliver infrastructure to support development in their area. CIL takes the form of a charge that is payable on specified new development which creates net additional floorspace.
- 3.2 Once CIL is adopted by a Local Authority it is a fixed, non-negotiable charge on development, unless specified as exempt in the CIL Regulation 2010 (as amended). A Local Planning Authority wishing to implement CIL must produce and approve a Charging Schedule setting out the levy rates in its area. In the case of Chiltern and South Bucks District Councils, although the Councils are jointly preparing a new Local Plan, separate Charging Schedules for each district would need to be produced and approved.

**Introduction**

3.3 Members will recall considering the implementation of CIL in Chiltern and South Bucks Districts at the Joint Committee meeting on 19<sup>th</sup> December 2016. At this time, the Committee resolved to:

1. Endorse the principle of introducing a CIL in Chiltern and South Bucks Districts
2. Authorise the Head of Finance to add £100,000 to the 2017/18 budget to fund the CIL development work, to be funded 50/50 by CDC and SBDC from their respective planning reserves
3. Delegate authority to the Head of Sustainable Development (now Planning & Economic Development) to undertake and commission the necessary work to pursue the introduction of a CIL in Chiltern and South Bucks Districts
4. Publish a Local Development Scheme setting out the proposed timetable for the preparation of the necessary CIL documents
5. Agree the principle of pooling CIL revenues between the two Districts to fund and deliver infrastructure priorities across the joint Local Plan area
6. Delegate authority to the Head of Sustainable Development to seek agreement from the Secretary of State for the Local Plan and two district Charging Schedules to be examined jointly
7. Delegate authority to the Head of Sustainable Development in consultation with the two Cabinet Members for Sustainable Development to review the decision to pursue CIL if required, following the publication of the Government's Housing White Paper

3.4 Shortly after this meeting, in February 2017, the Government published its Housing White Paper, which included a commitment to examine the options for reforming the system of developer contributions (including CIL), the outcome of which was due to be announced in the Autumn Budget. Alongside the Housing White Paper, the recommendations of the CIL Review Panel were also published, which recommended the replacement of CIL with an alternative low level tariff system. Given these uncertainties around the continuation of CIL nationally, a decision was taken to put work on the development of CIL in Chiltern and South Bucks Districts on hold, pending the Autumn Budget, in order to avoid incurring abortive costs if CIL were to be progressed only to then be replaced by Government with an alternative system.

3.5 The Government has now announced the Autumn Budget which includes a commitment that DCLG will consult on changes to the CIL system, including changes to current restrictions on the pooling of S106 contributions, speeding up the process of setting and revising CIL, allowing authorities to set rates which better reflect the uplift in land values between a proposed and existing use and changing the indexation of CIL rates to house price inflation rather than build cost. Although no further information has been provided regarding the timetable for this consultation, the Autumn Budget has clarified that Government does not propose the replacement of CIL. Therefore, although there are some uncertainties around the details of the proposed CIL reforms, it is likely that CIL will continue to be used as a mechanism for securing funding for infrastructure. As such, Chiltern and South Bucks Councils should now resume work in developing CIL Charging Schedules for the two districts. The proposed timetable assumes that Government changes to CIL will as intended deliver a quicker easier CIL process however, if this does not occur then the proposed timetable may have to be revised.

**Timetable**

- 3.6 In order to determine appropriate CIL rates and to approve CIL Charging Schedules for the two Districts, the processes set out in the CIL Regulations 2010 (as amended) must be followed, unless to be changed. These include the preparation of significant evidence in support of the proposed Charging Schedules, consultation on Preliminary Draft Charging Schedules, consultation on the Draft Charging Schedules, and Examination in Public.
- 3.7 The evidence required to prepare the Charging Schedules will be dependent on the emerging Local Plan and supporting evidence for this, including the scale and quantum of development proposed in the Districts, the infrastructure likely to be required to support development and the associated costs of these (to be set out in the Infrastructure Delivery Schedule) and other emerging policy requirements that could impact upon development costs and development viability such as Affordable Housing targets and accessibility standards.
- 3.8 Therefore the preparation of CIL Charging Schedules should ideally coincide with the appropriate stages of plan preparation and ideally the examination of the CIL Charging Schedules would closely follow examination of the joint Local Plan, or form part of a joint examination.
- 3.9 The timetable set out in Appendix 1 would enable the CIL Charging Schedules to be examined either jointly with or following on from the Local Plan examination, thus reducing the costs associated with Examination in Public and maximising the ability to rely on a shared CIL/Local Plan evidence base.

**Risks and Unknowns**

- 3.10 It is important to note that this timetable will likely be challenging and because of current staff vacancies that preparation of CIL Charging Schedules will largely be dependent on our consultants. Progress is also reliant on the completion of key elements of the evidence base for the joint Local Plan, such as the Infrastructure Delivery Schedule, Affordable Housing and Viability work.
- 3.11 Additionally, agreement must be sought from the Planning Inspectorate (PINs) for the two Charging Schedules to be examined jointly and ideally following directly on from the Joint Local Plan. Should the PINs not agree to this, or should the timetable for producing the Charging Schedules slip, then a separate Examination would be required, with associated additional costs.
- 3.12 It is also important to note that Government has committed to consulting on changes to the CIL regime (see above). Although these changes are expected to be minor, and no timescale has been put forward by Government for the consultation, further adjustments to our timetable may be required as a result.

**4. Consultation**

- 4.1 Not applicable for introducing the CIL timetable however the process has built in public consultation stages.

## 5. Options

5.1 As explained above, the timetable proposed should maximise the efficiency between preparation of shared evidence base documents and joint examination of the joint Local Plan. Should this timetable not be met then additional costs related to separate Examination in Public would be incurred. An alternative option could be to seek to introduce CIL after adoption of the Local Plan however this will result in additional staff and budget costs and a delay which could result in significant loss of income that would have otherwise been generated with an earlier introduction of CIL. 'Lost revenue' from CIL would undermine infrastructure delivery, a key consultee concern raised as part of the Local Plan, and potentially could undermine the soundness of the Local Plan at Examination as soundness includes ability to deliver.

## 6. Corporate Implications

6.1 Financial – Financial implications will be largely in 2018/19 and has been considered as part of the current budget setting process. If insufficient funding is budgeted then costs may be required from the Planning Reserve. It should also be noted that costs in setting up CIL can be recovered from CIL changes over time through an admin levy.

6.2 Legal – None, other than those defined in the CIL Regulations 2010 (as amended) and the Planning Act 2008.

6.3 Social Inclusion – Potential implications for the provision of Affordable Housing as the cumulative impacts of CIL, planning obligations and other policy requirements may render development unable to provide full or any affordable housing contributions however this implication should be taken into account as part of the work necessary for setting an appropriate CIL rate.

## 8. Links to Council Policy Objectives

8.1 The introduction of CIL in accordance with the proposed timetable will help deliver the objective to deliver cost effective, customer focused services. It would also potentially contribute directly to safe, healthy and cohesive communities and promote sustainability with the timely provision of infrastructure benign a key component of sustainable development.

## 9. Next Step

9.1 A revised CIL Local Development Scheme (LDS) will be published on the Councils websites.

9.2 The necessary evidence base work will be undertaken jointly towards producing a CIL Charging Schedule for each District, with a view to be examined jointly alongside the joint Local Plan.

9.3 Government proposed changes to CIL legislation will be considered in due course and if necessary the CIL timetable may have to be reviewed again.

<b>Background Papers:</b>	Available on the Councils Planning Policy website pages.
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**Appendix 1: Timetable for the Production of CIL Charging Schedules for Chiltern and South Bucks**

Key Dates and Milestones	2018												2019											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
<b>Consultation on Preliminary Draft Charging Schedule (Regulation 15)</b>								C																
<b>Publication of Draft Charging Schedule (Regulation 16)</b>										P														
<b>Submission (Regulation 19)</b>													S											
<b>Examination Period (to be examined jointly with the Local Plan)</b>																	E							
<b>Approval and Publication of CIL Charging Schedule (Regulation 25)</b>																							A	

The Community Infrastructure Levy is to be produced in accordance with The Community Infrastructure Levy Regulations 2010 (as amended)

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