



## AGENDA ITEM NO:6

### **Cabot, Clifton & Clifton East Neighbourhood Partnership 18<sup>th</sup> March 2013**

**Report of:** Jim Cliffe, Planning Obligations Manager, Bristol City Council

**Title:** Community Infrastructure Levy (CIL) Report

**Presented by:** Area coordinator

**Contact Telephone Number:**

#### **Decision for Neighbourhood Committee:**

**1. Agree that from 1<sup>st</sup> January 2013, the Cabot, Clifton & Clifton East Neighbourhood Partnership accepts responsibility for decisions over the spending of devolved Community Infrastructure Levy (CIL) receipts that are received from development taking place within the Neighbourhood Partnership area only after the Neighbourhood Partnerships priorities have been agreed as to how the CIL monies will be allocated**

1. Bristol has now implemented its CIL charges, and the majority of planning permissions for new development will be required to pay CIL. At the same time as implementing CIL, Section 106 has been scaled back to cover affordable housing and site-specific mitigation only. This means that we will no longer be seeking Section 106 contributions for open space.
2. It is important to note that Section 106 contributions secured from development that was granted planning permission before CIL was implemented would still be required to be paid. Consequently, the Council will continue to receive open space contributions for some while yet.
3. Site-specific transport contributions will continue to be sought, and once received they will be devolved to Neighbourhood Partnerships as is currently the case.
4. The Planning Minister recently released a statement regarding the “meaningful proportion” of CIL that is to be devolved to local communities (which in Bristol’s case are the Neighbourhood Partnerships). The statement confirmed that the level of the “meaningful proportion” would be as follows:

- 25% in areas that has a Neighbourhood Development Plan (NDP)
  - 15% in all other areas
5. This means that all Partnerships will automatically get 15% of each CIL receipt received from development that takes place in their area. However, where a NDP is in place, the Partnership will receive 25% of each CIL receipt from development that takes place in the NDP area, provided that it was granted permission after the NDP referendum was held.
  6. CIL monies can only be devolved to Neighbourhood Partnerships, and only Neighbourhood Committees can take decisions on how the devolved CIL monies are spent. CIL monies cannot be devolved to groups bringing forward NPD's, as those groups do not have authority to make decisions on the spending of Council funds.
  7. CIL monies are not ring fenced in the same way as Section 106 monies are. They are also not subject to time limits. Draft government regulation states that devolved CIL monies must be used **to support the development of the area**, "by funding-
    - the provision, improvement, replacement, operation or maintenance of infrastructure; or
    - anything else that is concerned with addressing the demands that development places on an area".
  8. It is understood that when the regulation becomes law (due in April 2013), government guidance will be produced that may provide clarification on the scope of the regulation. In the meantime, the following table provides examples of schemes that it is considered that devolved CIL monies can and cannot be applied to.

Items CIL can be applied to	Items CIL cannot be applied to
Parks improvements Community Buildings Library improvements Transport schemes Public Rights of Way Street Lighting Maintaining infrastructure (provided that it is in addition to, rather than replacing, the existing maintenance regime)	Local labour and training schemes  Employing staff (because continuing CIL receipts cannot be guaranteed) Affordable housing

9. The balance of CIL, i.e. the strategic element that is not devolved, will be allocated to major strategic infrastructure schemes on an annual basis as part of the Capital Programme. This will be done through the annual budget setting process.
10. Information relating to CIL monies will be provided on a monthly basis in the same way that Section 106 information is currently provided.

## **Equalities impact statement**

11. Neighbourhood Partnerships accepting responsibility for decisions over CIL spend is anticipated to have a positive impact on equalities communities as the needs of local people will be taken into account when the money is spent through detailed community engagement. Consideration of the equalities impact of each potential project and scheme that the money may be spent on will take place prior to decisions being made at the neighbourhood partnership meeting.