


Record of Cabinet portfolio holder decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Cabinet Member for Planning: Cllr Roger Cox
Key decision?	NO
Date of decision (same as date form signed)	9 December 2016
Name and job title of officer requesting the decision	Adrian Duffield Head of Planning
Officer contact details	Tel: 07801 203553 Email: adrian.duffield@southandvale.gov.uk
Decision	<p>To recommend the publication of Proposed Modifications to the Council's CIL Charging Schedule, and associated documents and subject to minor corrections by officers, for consultation from 15 December 2016 to 26 January 2017.</p> <p>Documents recommended for publication consist of:</p> <ol style="list-style-type: none"> 1. Proposed Modifications to the Council's CIL Charging Schedule. 2. Updated CIL Charging Schedule. 3. Updated Regulation 123 List. 4. Updated Viability Report. 5. Updated Infrastructure Delivery Plan (IDP). 6. Updated CIL Infrastructure and Funding Report.
Reasons for decision	To facilitate the commencement of an Examination Hearing into the Council's Proposed CIL Charging Schedule to allow the Council, subject to the findings of an Independent Planning Inspector, to adopt its CIL Charging Schedule.
Alternative options rejected	The delivery of strategic infrastructure is essential to facilitate the delivery of sustainable development. The Community Infrastructure Levy (CIL) is the main mechanism available to secure contributions for strategic infrastructure that are non-site specific. The alternative option of not adopting CIL is not considered to be an appropriate course of action.
Legal implications	The Council has prepared its CIL Submission Charging Schedule in accordance with relevant legislation including: the Planning Act 2008 (as amended), the Community Infrastructure Levy Regulations 2010 (as amended) and

	statutory guidance under Section 221 of the Planning Act 2008 (as amended).			
Financial implications	The failure to adopt and collect CIL could prevent the delivery of sustainable development by not providing a suitable mechanism to secure financial contributions from developers to contribute towards the funding of strategic non-site specific infrastructure.			
Other implications	None			
Background papers considered	Cabinet Member Briefing Paper (Appendix 1)			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillors	N/A	N/A	N/A
	Legal	Ian Price	Accepted	08/12/2016
	Finance	Paul Sheppard	Accepted	08/12/2016
	Human resources	N/A	N/A	N/A
	Sustainability	N/A	N/A	N/A
	Diversity and equality	Cheryl Reeves	The proposed modifications do not appear to have any negative equality impact.	08/12/2016
	Communications	Patsy Cusworth	Accepted	08/12/2016
	Strategic Management Board	David Hill	Accepted	08/12/2016
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	The CIL Charging Schedule will be available for Scrutiny to consider prior to adoption following Independent Examination.			
Has this been discussed by Cabinet members?	Yes			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature  _____ Date <u>9th December 2016</u>			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 9-12-16	Time: 16:20
Date published to all councillors	Date: 9-12-16	
Call-in deadline	Date: —	Time: —

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence. Tel. 01235 540306 or extension 7306.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days). The decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing the decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If the decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.