


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)	3 March 2017
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	To recommend the publication of the Council's Proposed Modifications to the Community Infrastructure Levy Draft Charging Schedule, and the submission of the proposed modifications to the CIL Examiner (an independent Inspector). The proposed modifications respond to responses received during the consultation on the CIL Draft Charging Schedule December 2016 Modifications, and updated viability evidence. Following submission to the CIL Examiner, the proposed changes and the Inspector's Issues and Questions will be sent to those who have made representations on CIL. These parties will have the opportunity to comment to the CIL Examiner on the proposed changes within their Issues and Questions statements. The CIL Examiner will consider the changes proposed as part of the examination process and will make a decision as to whether to recommend changes are made to the CIL Charging Schedule in his report.
Reasons for decision	To respond to responses received during the consultation on the CIL Draft Charging Schedule December 2016 Modifications, and updated viability evidence. To ensure that up-to-date proposed modifications are available to assist and inform the Examination Hearing into the Council's Proposed CIL. To, where possible, address concerns raised by representees ahead of the Examination Hearings.
Alternative options rejected	Failing to respond to representees concerns and new viability evidence could cause delay to the CIL Examination Hearings. This is therefore not considered appropriate.
Legal implications	The CIL Draft Charging Schedule has been prepared in

	accordance with relevant legislation including the Community infrastructure Regulations 2010 (as amended).			
Financial implications	The failure to collect developer contributions could prevent the delivery of sustainable development by not providing clear guidance 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	03/03/2017
	Finance	Rhona Bellis	Accepted	02/03/2017
	Human resources	N/A	N/A	N/A
	Sustainability	N/A	N/A	N/A
	Diversity and equality	Cheryl Reeves	Accepted – suggested modification to Reg 123 List	27/02/2017
	Communications	Andy Roberts	Accepted synopsis	16/02/2017
	Strategic Management Board	David Hill	Accepted	21/02/2017
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	N/A			
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>3 March 2017</u>			

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

For Democratic Services office use only		
Form received	Date: 3/3/17	Time: 15:10
Date published to all councillors	Date: 3/3/17	
Call-in deadline	Date: NOT APPLICABLE	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.