

Record of Decision

Community Infrastructure Levy

Decision Taker

Mayor on 18 March 2016

Decision

That the proposed Community Infrastructure Levy (CIL) Draft Charging Schedule, attached to this Record of Decision, be published for six week consultation prior to consideration at the Council meeting on 11 May 2016 and then submits it to the Planning Inspectorate for examination.

Reason for the Decision

Torbay Council has undertaken viability assessment of Community Infrastructure Levy (CIL) in 2012, 2014 and 2016. It has consulted on its proposed CIL in December 2011 and February 2015. It has been necessary to adopt the new Local Plan before proceeding with adoption of a CIL Charging Schedule.

Torbay's Proposed CIL Charging Schedule has changed since the last round of consultation and further consultation is required ahead of the Council meeting on 11 May 2016.

Implementation

This decision will come into force and may be implemented on 18 March 2016, to allow further 6 week consultation on CIL starting 18 March 2016. Council will then consider a report on the CIL proposals, including any representations received as a result of fresh consultation on 11 May 2016.

Information

Community Infrastructure Levy (CIL) is a levy on new floor space created by development. It is regulated by the Community Infrastructure Levy regulations 2010 (as amended). CIL must be set having regard to viability and cannot be used as a planning tool to influence the location of development. The Regulations (14.1) require charging authorities "to strike the appropriate balance between desirability of funding infrastructure through a CIL and the potential effects of imposing a CIL on their area". CIL must be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. Torbay's proposed Draft CIL Charging Schedule includes the following:

Zone	Site size (£ per sq m)		
	1-3 dwellings	4-14 dwellings	15+ Dwellings
1. Built up areas within top 20% deprivation (Community Investment Areas+)	Zero	£30	£30
2. Elsewhere in the built up area	£30	£70	£70
3. Outside the built up area	£70	£70	£140
4. Future Growth Area	S106 will be used to secure infrastructure funding.		

The CIL Regulations require a list of infrastructure items that CIL is intended to fund (known as the Regulation 123 List) to be published with the CIL Charging Schedule. That list is limited, in the draft document, to the South Devon Highway and mitigation of impacts on increased visitors to Berry Head (Special Area of Conservation).

Alternative Options considered and rejected at the time of the decision

A range of options have been considered, following viability assessment work, and consulted on.

Is this a Key Decision?

Yes – Reference Number: I023353 (General Exception)

Does the call-in procedure apply?

No, as it is the start of the consultation process and the final document will be presented to the Council meeting on 11 May 2016.

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

18 March 2016

Signed: _____
Mayor of Torbay

Date: 18 March 2016