

**REPORT OF THE DEPUTY LEADER AND CABINET MEMBER
FOR DEVELOPMENT, TRANSPORT AND THE ECONOMY.**

**COMMUNITY INFRASTRUCTURE LEVY CHARGING
SCHEDULE - ADOPTION.**

1. Purpose of Report

- 1.1 To seek approval:
- To adopt the Community Infrastructure Levy (CIL) Charging Schedule.
 - For the CIL Charging Schedule to take effect on Monday 4th January 2016.

2. Background

- 2.1 The CIL is a mechanism to secure funding to contribute to the infrastructure needed to support the growth of the city. Once adopted, CIL has the potential to generate funds for the City Council which can be used to support the provision of infrastructure required to support the implementation and growth within Birmingham (BDP). It is a mandatory charge per square metre on certain developments and the CIL Regulations 2010 (as amended) outline the stages which must be followed in order to adopt a CIL.
- 2.2 In early 2012, external consultants GVA were appointed to examine the viability of different types of development across the city and propose CIL charges for public consultation. This Preliminary Draft Charging Schedule was approved by Cabinet for public consultation for a period of eight weeks during December 2012 and January 2013. This consultation also included specific meetings with the development sector and public drop in sessions.
- 2.3 Taking into account comments received during this consultation process, the charges were revised by GVA and these revised charges were published for consultation for six weeks from September 2014 to November 2014. This consultation again followed Cabinet approval.
- 2.4 The revised charges contained within the Draft Charging Schedule were more favourably received and were duly submitted to the Planning Inspectorate for Examination on 4th February 2015, unaltered.
- 2.5 The Examination in Public was held on 30th April 2015 and the City Council received the Examiner's report on 4th June 2015. The report is to be welcomed and concludes that the proposed charges "provide an appropriate basis for the collection of CIL in our area" and that "CIL will

secure an important funding stream for infrastructure necessary to support the planned growth in the city”. Only two minor modifications are proposed by the Examiner. The first is a clarification that all Use Class C2 development will be zero rated for CIL purposes. The second is to increase the retail convenience size threshold at which CIL would apply from 2,000sq.m. to 2,700sq.m.

- 2.6 The Examiner suggests that the CIL charges are reviewed within three years of adoption to ensure the charges remain appropriate and relevant. It should also be noted that Birmingham City Council are one of the first (and few) local authorities to receive approval to commence charging our CIL in advance of an adopted Development Plan which is testament to the detail contained within the draft BDP.

4 Next Steps

- 4.1 Section 213 of the Planning Act 2008 (as amended) states that a Charging Authority must approve a Charging Schedule at a meeting of the authority and by a majority of votes of Members present.
- 4.2 A report was presented to Cabinet on 27th July 2015 (see appendices) recommending that Cabinet approved the report and recommending to the City Council that the CIL Charging Schedule be adopted and commences charging on Monday 4th January 2016.
- 4.3 Following adoption, CIL will be charged on all relevant applications at the time planning permission first permits development (i.e. when the Planning Decision Notice is issued), irrelevant of date of submission of planning application.

Motion

That the City Council:

- 1) Approves the adoption of the Community Infrastructure Charging Schedule.**
- 2) Approves to commence charging the Community Infrastructure Levy on Monday 4th January 2016.**

Background Papers

- Community Infrastructure Levy – Preliminary Draft Charging Schedule Consultation 29 October 2012
- Community Infrastructure Levy – Draft Charging Schedule Consultation 15 September 2014

Appendices

- Adoption of the Community Infrastructure Levy Charging Schedule – 27 July 2015
- Community Infrastructure Levy Charging Schedule
- Community Infrastructure Levy Examiner's Report
- Community Infrastructure Levy Equality Analysis