

**FORMAL RESPONSE OR CONSULTATION REQUESTS FROM THE CABINET AND/OR  
SELECT COMMITTEES FOLLOWING MATTERS REFERRED BY THE COMMITTEE**

(a) Community Infrastructure Levy (Response from Cabinet – 14 June 2012)

This matter was considered under Minute 12 of the minutes of the meeting of the Cabinet held on 14 June 2012.

In order to begin charging a Community Infrastructure Levy (CIL), Sevenoaks District Council would be required to prepare a Charging Schedule, setting out what developers would need to pay per square meter of new buildings and any variations by area of type of development. The consultation document would form the first formal stage in the Council's preparation of CIL. It was proposed that there would be a six week consultation between June/July and August 2012. This was the first part of the process and further reports would be bought back once the consultation period had ended.

The Portfolio Holder for Planning and Improvement introduced the report and highlighted that the District Council would maintain control over any income generated from the CIL. The two different charges that would be levied across the District were a result of differences in average land values. The Senior Planning Officer reported that guidance from government around the charges had been clear; charges should be as straight forward as possible. As a result of this the decision had been taken to base charges on ward boundaries across the District.

Members considered whether Kent County Council would be able to utilise any of the funding and the Senior Planning Officer confirmed that it would be down to the discretion of the District Council. One of the questions in the consultation document focused on where funding should be allocated. In the past consultees had favoured schools and highways which fell within the remit of Kent County Council, however, the District Council would be able to put safeguards in place which meant that funding was ring-fenced for use within the District.

Visiting Members expressed concerns surrounding the levels of charges, noting that the proposed charges for Sevenoaks appeared to be higher than those for other authorities. Those Members felt that the high charges would stifle development within the District. The Leader commented that 90% of the District was made up of green belt and therefore opportunities for development were limited and land values high. The Environment Select Committee had noted that developers were largely supportive of CIL as it was more predictable than Section 106 agreements and could be more easily factored into costings.

The Portfolio Holder for Planning and Improvement reported that the CIL cost on a development would be considerably less than the current cost of affordable housing and was therefore unlikely to influence the majority of development across the District.

In response to a question, the Senior Planning Officer reported that in the majority of cases developers would not have to pay CIL and Section 106 contributions for

infrastructure. This may occur where there are infrastructure projects directly related to the development, such as major highway improvements necessary to allow a development to proceed. There were also restrictions to the number of Section 106 that could be utilised when developing a piece of infrastructure, and this restriction had been set to a maximum of five. The Leader requested that after the consultation Officers provide Members with a comparison with the current cost of section 106 contributions for infrastructure.

A Member noted that the Environment Select Committee had raised concerns surrounding Gypsy and Traveller sites and asked what these concerns had been. The Senior Planning Officer explained that the CIL could be charged on new buildings. Moving a caravan onto a site or establishing a mobile home would not attract the CIL, although there was a debate to be had around planning law affecting when a mobile home became a building.

Resolved: That

- a) the CIL Preliminary Draft Charging Schedule Consultation Document be published for consultation;
- b) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments, including any changes to the proposed charging levels as a result of the completion of the CIL Viability Study, prior to publication to assist the clarity of the document; and
- c) copies be made available for sale at a price to be agreed by the Portfolio Holder.