

REPORT OF CABINET

(Meeting held on 4 April 2012)

1. COMMUNITY INFRASTRUCTURE LEVY – DRAFT CHARGING SCHEDULE (REPORT A) (MINUTE NO. 79)

Following the Cabinet's approval of the Community Infrastructure Levy Preliminary Draft Charging Schedule in January 2012 (minute 58 refers) it was the subject of an extensive consultation exercise between 16 January and 27 February 2012. In all, 24 representations were received. While this is a relatively low number, this reflects the experience of other planning authorities at this stage in the process, and indicates that the Council's proposals were not the cause for concern amongst affected parties. Details of the responses received, together with officer comments and recommendations for action, were included in Appendix 3 to the report considered by the Cabinet.

In response to the representations received it is proposed to make one change to the proposed CIL charges, to make it explicit that the retail levy will only be applied to Use Class A1 retail uses, for developments that are greater than 1000 square metres in size, and also make a number of changes to the supporting documentation, namely:

- Modification to the instalment policy for the payment of CIL to allow developers more flexibility with the payment terms.
- Modification to set out that the Council will accept applications for discretionary charitable relief (above the statutory relief) and applications for relief in exceptional circumstances.
- Modification to set out that the Council will be willing to accept payment of CIL monies by payment in kind (e.g. in the form of land).

The change to the Community Infrastructure Levy, from the old S106 developers' contributions system, has been generally welcomed as it allows much greater transparency on what developers will need to pay, while allowing much more flexibility in the way the money is used. A more strategic approach will be able to be taken to addressing the effects of individual and cumulative developments, and the Authority will be able to determine priorities for the use of the money. By aggregating the money, more substantive projects will also be able to be implemented, which is currently impossible, with the fragmentation of the potential use of developers' contributions. The Portfolio Holder advised the Cabinet that separate proposals are being developed to allow the most effective management and use of S106 monies in the future, in the light of the challenges posed by the progressive reduction in the pool of money available for use through this mechanism.

The next stage is for the Draft Charging Schedule to be published for a statutory 4 week period during which all interested parties have an opportunity to make formal representations which will be considered at the public examination. The process is still on schedule to hold a joint public examination, with the Sites and Development Management Development Plan Document, in the summer.

The Portfolio Holder thanked the officers for their work to progress the Community Infrastructure Levy proposals to this point.

RECOMMENDED:

That, insofar as they are empowered to do so by law, the Council agree to publish the Community Infrastructure Levy Draft Charging Schedule and Context and Rationale Document, as attached as Appendices 1 and 2 to Report A considered by the Cabinet, for a statutory period of representation.

**2. PROJECT INTEGRA ANNUAL ACTION PLAN 2012-13 (REPORT B)
(MINUTE NO. 80)**

Project Integra continues to be a very successful partnership for the handling of waste and achieves the best performance by any County grouping for diverting waste away from landfill. The partnership operates through an annual action plan which gives the Project Integra Board its mandate to work, and also sets out the costs of running the Board and associated joint activities for the partnership. This year the situation is slightly more complex as all the changes necessary following the fundamental review of the partnership have not yet been agreed. It is anticipated that final proposals on the members' meeting structure of Project Integra, a revised Municipal Waste Management Strategy and the structure of the Executive that is needed to support the new operating arrangements will be considered by the Project Integra Board in July.

Once this process has been completed the Annual Action Plan will need to be revised to take account of the updated Waste Management Strategy. In future, it is hoped that the Action Plan will be approved by the Project Integra Board in October each year, so that Project Integra's budget can be reflected in each partner authority's budgets as they are developed. In effect, therefore, this current action plan, which was attached as Appendix A to Report B to the Cabinet, is only anticipated to last for about 6 months, until the new Annual Action Plan has been agreed.

One welcome change following the decisions that have already been taken about the future operating arrangements of Project Integra is that the scrutiny function has reverted to the scrutiny panels of each of the partner councils. In addition, the calculation for partner subscriptions has been amended and will now be based on households rather than population numbers. This is one factor that has contributed to a slight reduction of £868 in this Council's contribution for 2012/13, which will now be £36,602.

RECOMMENDED:

That the Project Integra Annual Business Plan, as attached as Appendix A to Report B to the Cabinet, be approved.

**3. ANTI FRAUD, BRIBERY AND CORRUPTION POLICY (REPORT C)
(MINUTE NO. 81)**

The Council's existing Anti Fraud and Corruption Policy has had to be updated to reflect the Bribery Act 2010. The policy sets out the requirements for the Council in relation to combating fraud, bribery, corruption and dishonest dealings within and against the Council.

RECOMMENDED:

That the Anti Fraud, Bribery and Corruption Policy, as attached at Appendix 1 to Report C to the Cabinet be approved and adopted.

**Cllr B Rickman
CHAIRMAN**