



<u>Committee and Date</u> Council 12 May 2011	<u>Item</u> 15 Public
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CIL CHARGING SCHEDULE, DECLARATION REQUIRED UNDER SECTION 212 OF THE PLANNING ACT 2008

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Recommendation

That Council approve the Declaration attached at Appendix A.

REPORT

1. On 16th March Cabinet approved a Draft Charging Schedule for publication, with authority delegated to the Corporate Head of Strategic Planning, in consultation with the Portfolio Holder for Housing and Planning, to submit the representations received to an independent Inspector for the purposes of an independent examination in due course.
2. Representations on the Draft Charging Schedule were invited over the period 18th March - 21st April, which together with the Draft Charging Schedule and accompanying evidence are now ready to be submitted to the examiner.
3. Section 212 (4) of the Planning Act 2008 requires submission of the Draft Charging Schedule to be accompanied by a Declaration that the Planning Act and CIL Regulations have been complied with, and that the charging authority has used appropriate available evidence to inform the draft charging schedule. This Declaration is attached at Appendix A. Under Section 212(5) of the Planning Act 2008, the Declaration must be approved by a meeting of the authority before the Draft Charging Schedule can be submitted for independent examination.
4. Details of how Shropshire Council has complied with the legislation are provided in Appendix B.

List of Background Papers

Cabinet report 16th March 2011 on a Draft Community Infrastructure Levy Charging Schedule

Human Rights Act Appraisal

The Community Infrastructure Levy applies in a fair and equal manner to all qualifying development, and does not conflict with Human Rights legislation.
<p>Environmental Appraisal</p> <p>The Levy will assist in providing infrastructure of benefit to the environment (eg. sustainable transport, drainage and open spaces) as well as infrastructure that may have environmental impacts.</p>
<p>Risk Management Appraisal</p> <p>The Declaration minimises the risk that the examiner will reject the Charging Schedule.</p>
<p>Community / Consultations Appraisal</p> <p>Referred to in Appendix B</p>
<p>Cabinet Member</p> <p>Malcolm Price, Portfolio Holder for Housing and Strategic Planning</p>
<p>Local Member</p> <p>All</p>
<p>Appendices</p> <p>A. Declaration required under Planning Act 2008, Section 212 Subsections 4 & 5</p> <p>B. Compliance with the legislative requirements for preparing and submitting a Draft Charging Schedule</p>