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## Delivering Place Plans- Prioritising outcomes

### 1. Summary

This report summarises the outcomes from the annual Place Plan review (2013/14) and seeks approval for the LDF Implementation Plan and Community Infrastructure Levy (CIL) Regulation 123 List. In doing so, the paper sets out the priorities identified to support new development within Shropshire and makes recommendations on the most appropriate delivery mechanisms, taking into account different funding sources and the legislative and local requirements around the use of developer contributions including S106 obligations and CIL (Strategic, Local and Neighbourhood Fund).

The aim is to ensure an understanding of Shropshire's identified infrastructure requirements and the priorities considered to be most essential to delivering the development and growth in Shropshire's Local Plan. The paper therefore seeks to provide clarity both corporately and within local communities on the priorities, which must be addressed through the targeted use of developer contributions, to ensure the delivery of sustainable development. In making these recommendations, the Local Planning Authority has sought to balance the infrastructure requirements identified by local infrastructure and service providers, with those identified by the local community as part of the annual Place Plan review and has considered the most appropriate delivery mechanism for each identified item.

In making recommendations on the use of developer contributions, the paper makes clear that the cost of meeting all of Shropshire's infrastructure needs far exceeds the revenue available from developer contributions. This has been exacerbated by recent legislative changes to the Community Infrastructure Levy, which have meant that actual CIL income is, and will continue to be, significantly less than initial forecasts suggested. Whilst the annual Place Plan review process provides a framework for prioritising local requirements, there is a significant risk of a funding shortfall in meeting even the critical infrastructure requirements associated with new development. This is in addition to the needs prioritised by local communities as part of Shropshire's localised planning approach. The paper therefore recognises that difficult decisions will need to be made by Shropshire Council, in its role as Local Planning Authority and therefore the Accountable Body for developer contributions.

Whilst the paper focuses on the implementation role of the Place Plans for Shropshire's development strategy, it does also introduce the opportunity to develop

them more widely as the annual framework for identifying and prioritising Shropshire's investment needs. Through establishing links with the future evolution of the Local Joint Committees, the Place Plans have a role in providing a comprehensive local evidence base on which to inform decisions on how local service delivery is redesigned through the Council's locality commissioning work. This paper introduces this extended and complimentary role and seeks endorsement of the structure and format of the redesigned Place Plans as the annual framework for coordinating resources.

## **2. Recommendations**

- A. Cabinet notes the outcome from the Place Plan annual review (2013/14) and signs off the recommendations for use of developer contributions to be incorporated within the LDF Implementation Plan (Appendix B) and CIL Regulation 123 list (Appendix A);
- B. In signing off the recommendations for the use of developer contributions, Cabinet notes the risks associated with the prioritisation of infrastructure needs and endorses the coordination of all available resources to assist in infrastructure delivery, including use of the New Homes Bonus;
- C. Cabinet delegates responsibility to the Head of Economic Growth and Prosperity, in consultation with the Portfolio Holder for Planning Housing and Commissioning (Central), to allocate CIL monies to items not identified through the Place Plans and CIL Regulation 123 List, where an essential infrastructure requirement is identified during the Development Management process;
- D. Cabinet approves the format of the redesigned Place Plans (see example in Appendix C) as the annual framework for co-ordinating resources and delegates responsibility to the Head of Economic Growth and Prosperity to finalise the redesign across all 18 Place Plan documents using the identified infrastructure priorities (Appendix D) and wider investment priorities (Appendix E) from this year's annual Place Plan review.
- E. Cabinet commits the future role of Local Joint Committee's to incorporate the Place Plan annual review cycle

## **REPORT**

### **3. Risk Assessment and Opportunities Appraisal**

#### *Delivering Sustainable Development*

- 3.1 The National Planning Policy Framework (NPPF) states the purpose of the planning system is to contribute to the achievement of sustainable development including the delivery of infrastructure. As such, local authorities are required to work with partners to develop and deliver the infrastructure necessary to support development. In seeking contributions towards infrastructure provision, the Local Planning Authority must make sure that the scale of obligations and policy burdens do not undermine the viability of development. A careful balance therefore needs to be struck between ensuring that appropriate funding

is available to deliver infrastructure whilst not impacting on the overall viability of Shropshire's development strategy. Whilst this balance was considered through examination of the CIL Charging Schedule, recent legislative changes to CIL mean that actual CIL income is significantly less than initially forecast, in particular due to the exemption of self build developments. As such, there is a high risk of a funding shortfall in meeting even the critical infrastructure requirements associated with new development, in addition to the needs prioritised by local communities as part of Shropshire's localised planning approach.

- 3.2 In terms of delivering Shropshire's development strategy, the funding shortfall poses an immediate and very significant risk. Some infrastructure requirements are considered to be critical as they pose a constraint to development taking place. Given the current lack of a five year housing land supply, it is vital that permitted development proceeds in a timely manner as any constraints to site delivery may impact on the ability to demonstrate a five year supply in future years. Consequently, there are significant risks to Shropshire Council in not prioritising and delivering particular infrastructure items. As a Local Planning Authority, Shropshire Council is responsible for ensuring development is sustainable. This National Planning Policy Framework requirement is supported locally by Shropshire's Adopted Core Strategy (March 2011) Policy CS9, which identifies certain infrastructure as 'critical', such as water, electricity, access and transport facilities, without which development will simply not be allowed to take place. This is followed by 'priority' infrastructure items, which are considered essential by the Local Planning Authority to enable the development of sustainable communities, such as affordable housing and schools.
- 3.3 However, alongside the requirements of the planning system, there are statutory duties placed on the Local Authority meaning Shropshire Council has a legal duty to provide certain types of infrastructure. For example the provision of sufficient primary and secondary schools is a requirement under the Education Act, 1996 (Section 14). Without careful consideration and management, the decisions made on the priority items of infrastructure could pose a risk either to the Local Planning Authority's ability to achieve sustainable development or Shropshire Council's ability to fulfil its other statutory duties. This risk is evidently more significant in light of current financial constraints, where both alternative sources of funding for delivery and the sums of money available are restricted.
- 3.4 It is recognised that developer contributions will simply not be sufficient to deliver all infrastructure requirements. The annual Place Plan review therefore seeks to ensure widespread understanding of the priorities within a given year, allowing the coordination of all available resources to enable delivery. As part of this approach, the Local Planning Authority has an important role in balancing the different contributions made by new development (design, S106 and CIL payments) ensuring the infrastructure impacts of new development are addressed. However, it does also require corporate commitment to the wider coordination of resources, including funds available through the Local Enterprise Partnership and the New Homes Bonus. Collectively these can be used to address Shropshire's prioritised infrastructure requirements which are

annually identified through the Place Plans. However, whilst a packaged approach is essential, it should be noted that any changes to how the individual funding sources are targeted within a given year, poses a risk to overall delivery.

- 3.5 The Council's Economic Growth Review, currently underway, includes work on the prioritisation and delivery of Council strategic projects (including infrastructure) as a means of stimulating resilient growth. A number of these priorities have been identified through the Marches LEP Strategic Economic Plan and the new European Structural and Investment Funds Strategy 2014-2020 as part of the new EU funding programme. As the Place Plans provide the mechanism for annually prioritising and coordinating actions, these strategic projects will be reflected with the updated Place Plans as part of the annual review process. The Marches LEP will play a key role in delivery for the strategic projects, as a conduit to work and direct funding streams. In addition there are those funds associated with the EU referred to above as well as the New Homes Bonus and possibly work arising in developing the new University for Shropshire. With limited capital available from the Council Capital Programme, it will be important to coordinate available funds to ensure the delivery of prioritised schemes. This will form part of the work of the Economic Growth Review with some initial progress already made through the establishment of a Strategic Economic Project Board to identify and approve projects for inclusion within the Marches Strategic Economic Plan. However, there is a need to review the role of this Board, particularly in relation to the Strategic Infrastructure Forum which was established to identify and prioritise Shropshire's strategic infrastructure needs as part of the delivery of Shropshire's Local Plan. There is potential for the Strategic Economic Board to assist in project managing the delivery of strategic projects identified and prioritised through the Strategic Infrastructure Forum.
- 3.6 In balancing different developer contributions certain legislative requirements apply which, without careful management, could pose a risk to the Council. Due to concerns from developers that they may be charged twice, the regulations require a clear distinction between how CIL and S106 obligations are used. The introduction of CIL resulted in a tightening of the S106 tests, with the scope of S106 agreements narrowed to the delivery of affordable housing and the provision of necessary and directly related infrastructure associated with a particular development proposal. Consequently, the Local Planning Authority is not able to negotiate a S106 agreement for anything included on the annual CIL list. In addition, the legislative requirements state that no more than five S106 obligations can be negotiated for the same infrastructure item or project. The Local Planning Authority must demonstrate compliance with these legislative requirements and is increasingly monitored by the development industry wanting evidence of how their contributions are applied. To maximise the delivery of sustainable development, it is recommended that the Local Planning Authority ensures the annual CIL list is focused on known priorities within a place, thereby allowing site specific needs to be negotiated via a S106 obligation as and when this is considered to meet the relevant tests, which may only be identified at the point of a planning application.

- 3.7 Carefully balancing these legislative requirements does pose limits on what can be achieved through developer contributions. The Government sees the majority of infrastructure requirements being delivered through CIL. This may be realistic in the south east of the country where development viability means CIL rates can be set sufficiently high to cover the majority of infrastructure costs but is not the case within a rural county such as Shropshire where development viability is more finely balanced. It is evident that CIL alone will not provide sufficient revenue to address all Shropshire's infrastructure priorities. In particular, the CIL rate is not negotiated according to particular infrastructure needs but is a fixed rate, based on viability evidence and established through the CIL Charging Schedule. Whilst Shropshire Council has committed to keeping its CIL Charging Schedule under review, any future changes will need to be considered as part of an independent examination, which takes time and has significant resource implications. In addition, the CIL Regulations set out specific criteria for how CIL monies can be used, further limiting the infrastructure items to which the funds can be applied. Fundamentally, the CIL must be used on infrastructure to support sustainable development and evidence is therefore required on the relationship between the development taking place and the infrastructure need. The CIL Regulations do not allow the funds to be used to remedy pre-existing deficiencies in infrastructure unless it can be demonstrated that those deficiencies are made worse by new development. Furthermore, CIL monies must be used on the capital costs of infrastructure provision and only on revenue expenditure where that is associated with the capital provision. It is important that there is a comprehensive understanding of how CIL monies can be used both corporately and within local communities to carefully manage expectations of what can be achieved. As the Accountable Body it is also vital that the Local Planning Authority can demonstrate that the decisions it makes on how CIL monies are used are in accordance with these regulatory requirements.
- 3.8 Infrastructure requirements inevitably relate to the level and location of development which is taking place at a particular point in time. Therefore whilst the Place Plans seek to build consensus and coordinate action around an agreed set of priorities, it is vitally important that the Local Planning Authority maintains some flexibility on the use of developer contributions to ensure critical infrastructure items, identified through the planning process are addressed and new development proceeds in a timely and sustainable manner. It is therefore recommended that the Local Planning Authority has delegated responsibility to react to needs arising from development, thereby minimising the risk of development related infrastructure not being in place to support growth. However, in addressing specific development pressures, other identified infrastructure may need to be reprioritised resulting in those projects taking longer to deliver or needing alternative funding to support their implementation. This requires careful management with partners, including the local community, to manage expectations. In particular, there may be some instances where the Local Planning Authority prioritises use of CIL funds for infrastructure which is not recognised by the local community as a priority through their Place Plan but which is needed in order to support a particular development scheme or indeed Shropshire's development strategy. Early and continuing dialogue with communities will therefore be important to ensure

understanding of the specific infrastructure priorities generated by development and to prevent undermining Shropshire's localised planning approach.

*Working with local communities*

- 3.9 Shropshire's localised planning approach means that a direct link has been made between development and its contribution to local community needs. As such, the annual Place Plan review places significant onus on Town and Parish Councils with their Local Member to identify and prioritise their own infrastructure requirements with the aim of establishing some local 'ownership' over Shropshire's planning process. This aligns well with the Councils wider work on locality commissioning, with an opportunity to further develop this work. The annual Place Plan conversation provides a mechanism to identify and prioritise all the investment needs within a locality and thereby offers a robust set of evidence to drive change in local service delivery through improved partnership working between the public, private, voluntary and community sectors. As part of this collaborative approach, there is opportunity to embed the annual Place Plan conversation within the evolution of LJsCs, which is not intended to duplicate the individual conversations with Town and Parish Councils but assist in building capacity within local communities to take more control and responsibility. Through active engagement with the Place Plans, the LJsCs will have a shared view of the place based priorities and how resources are coordinated around delivery. Whilst this may include the targeted use of developer contributions, it could equally inform the Council's own service delivery plans and asset management strategies.
- 3.10 However, rather than a 'wish list' of needs within a locality it is important that the Place Plans provide a focused 'delivery framework' for action. It is therefore recommended that the Place Plans are redesigned, in accordance with the example in Appendix C, to separate the development led infrastructure priorities from the wider investment priorities within an area, thereby maintaining the implementation role of the Place Plans for Shropshire's development strategy whilst also developing them into a robust evidence base which provides a focus on priority outcomes for locality commissioning.
- 3.11 In providing a prioritised set of agreed outcomes through collaborative working, the Place Plans are important in managing expectations around delivery. It is therefore important that the Place Plans provide some direction on the most appropriate delivery mechanisms for each identified need, in order to inform the coordination of resources and assist understanding of what can realistically be achieved at a given point in time. Whilst this will naturally include the targeted use of funds for which Shropshire Council is responsible, such as CIL, it will also include identification of those priorities most suitably addressed through alternative mechanisms, sitting outside of Shropshire Council control, such as the Neighbourhood Fund. However, whilst the Place Plans aim to encourage coordination of resources around the delivery of agreed priorities, there is a risk that partner resources may be targeted at alternative needs prioritised by individual stakeholders and budget holders. An important role of the LJsCs will therefore be in maintaining a continual process of engagement with the different partners to build consensus around the outcomes to be delivered and the mechanisms for achieving them.

#### 4. Financial Implications

4.1 Whilst it is intended that the role of the Place Plans is broadened, the current focus of the Place Plans and LDF Implementation Plan is to provide local evidence to support the allocation and spend of CIL revenue. In this way the documents inform the content of the CIL Regulation 123 List, which identifies those infrastructure projects that will be funded through use of CIL.

4.2 The CIL is a charge imposed on new development to help pay for infrastructure to support the development of the area. In Shropshire, developments involving the creation of a new dwelling (unless it is an affordable dwelling) and residential extensions of 100sqm or more new build floorspace are required to pay CIL. However, recent legislative changes to the CIL Regulations do now mean that self build developments comprising new dwellings, extensions and annexes are exempt from paying CIL. The levy rates for development within Shropshire are set within the CIL Charging Schedule, which came into effect on the 1 January 2012. These are as follows.

- £40/sqm of new residential development in Shrewsbury, the market towns and key centres;
- £80/sqm of new residential development elsewhere;
- Nil levy rate for affordable housing;
- Nil levy rate for employment related and other non residential type of development.

These rates are subject to annual indexation using the BCIS All-In Tender Price Index, in accordance with the national CIL Regulations. Payments are made following the commencement of development, in accordance with the Shropshire's Instalment Policy. As such, the timing of payments is largely dictated by development activity, which places a degree of uncertainty over the timeframe for the delivery of local infrastructure projects.

4.3 As the Accountable Body, the Local Planning Authority is responsible for applying CIL to infrastructure to support the development of the area. As such, Shropshire Council is required to manage CIL finances, in accordance with the legislative requirements, including accounting and auditing their use. Shropshire has taken a localised approach to the use of CIL, supporting the community focus within Shropshire's development strategy and recognising the important link between new development and local infrastructure. This approach has been further supported by Government, who require that a 'meaningful proportion' of CIL income be passed as a Neighbourhood Fund to the Town or Parish Council, in whose area the development has taken place.

4.4 The following table provides an overview of how CIL income will be distributed in Shropshire:

CIL Fund	Proportion of Total CIL Funds	Responsible Party	Geographical area for spend
Administrative fee	<ul style="list-style-type: none"> <li>• 5% of total</li> </ul>	Shropshire Council	To cover administrative expenses incurred with implementing and enforcing CIL
Neighbourhood Fund	<ul style="list-style-type: none"> <li>• 25% where there is a Neighbourhood Plan or</li> </ul>	Town & Parish Councils	To use within the Town/Parish Council administrative area

CIL Fund	Proportion of Total CIL Funds	Responsible Party	Geographical area for spend
	Neighbourhood Development Order <ul style="list-style-type: none"> <li>15% where there is not a Neighbourhood Plan (capped at £100 per council tax dwelling)</li> </ul>		
<b>And of the remainder</b>			
Strategic Infrastructure	<ul style="list-style-type: none"> <li>10% of remaining amount (after deducting the admin fee and Neighbourhood Fund)</li> </ul>	Shropshire Council with input from infrastructure providers	To use on strategic infrastructure priorities across Shropshire
Local Infrastructure	<ul style="list-style-type: none"> <li>90% of remaining amount (after deducting the admin fee and Neighbourhood Fund)</li> </ul>	Shropshire Council with input from Town and Parish Councils and infrastructure providers	To use on local infrastructure priorities to meet the needs of the area where the development has taken place, as identified within the Place Plans.

4.5 The total amount of CIL collected from the date of introduction to the end of the last financial year (1 January 2012- 31 March 2014) is £712, 841, which is split accordingly into the following funding pots:

Administration Fee	£35,642,
Neighbourhood Fund	£19,006,
Strategic CIL	£65,819
Local CIL	£592,373 (divided geographically into the areas where development has taken place)

Additional CIL monies are anticipated from developments which have been granted planning permission although application of the CIL Regulations by individual developers make it difficult to forecast this future CIL income. In addition, the CIL instalment policy allows payments to be made over a period of time throughout the implementation of the development scheme rather than in a lump sum. Whilst the Place Plans provide information on the infrastructure priorities to which these funds will be applied, it is recognised that further feasibility and planning work is now needed in order to fully develop projects which address the identified needs. This project planning work will develop more accurate costings for project delivery and will therefore identify the additional CIL funding which needs to be accrued or the likelihood of a significant funding gap which in turn will inform the coordination of funds.

4.6 CIL payments to date have therefore focused on the Neighbourhood Fund, which Shropshire Council has committed to providing annually, alongside the annual precept. As the Neighbourhood Fund was introduced on the 24<sup>th</sup> April 2013, the first payment only covered the period 24 April 2013 to 31 December 2013 and is therefore relatively low, as set out below. However, it is anticipated that the Neighbourhood Fund will significantly increase in value over future years, particularly given the current lack of a five year land supply and the subsequent increase in development activity.



Town or Parish Council	Neighbourhood Fund paid in April 2014
Atcham Parish Council	£255.46
Baschurch Parish Council (NB: Have requested that SC retain the funds this year)	£349.65
Bayston Hill Parish Council	£401.79
Bitterley Parish Council (NB: Have requested that SC retain the funds this year)	£88.31
Chetton Parish Council	£217.46
Farlow Parish Council	£178.75
Great Ness and Little Ness Parish Council	£348.00
Ightfield Parish Council	£39.25
Knockin Parish Council	£153.19
Llanymynech and Pant Parish Council	£2,834.84
Ludlow Town Council	£2,063.83
Oswestry Rural Parish Council	£231.45
Oswestry Town Council	£45.54
Shifnal Town Council	£1,713.37
Shrewsbury Town Council	£1,204.42
Weston Rhyn Parish Council	£326.99
Whitchurch Town Council	£63.33
Woore	£1,094.14

## 5. Background

- 5.1 The 18 Place Plans and the LDF Implementation Plan set out and prioritise the infrastructure needs of Shropshire's market towns, key centres, Community Hubs and Clusters, and villages in the 'countryside'. They are central to the delivery of sustainable places and to the settlement strategies set out within the SAMDev Plan, providing local evidence to support investment activities, including the allocation and spend of CIL revenue. As 'live' documents there is an established annual review process for the Place Plans, which commences each September and culminates in the publication of updated Plans and the recommendations for the prioritised use of developer contributions set out within this paper.
- 5.2 As with previous year's reviews, a questionnaire and explanatory letter was sent to each Town and Parish Council in September 2013. This asked Town and Parish Councils to confirm whether the current Place Plan was a true reflection of local investment needs. Areas likely to see some development through implementation of the SAMDev Plan were also asked to prioritise the infrastructure requirements to assist in guiding the use of CIL.
- 5.3 In total, responses were received from 97 Town and Parish Councils. Whilst several councils re-affirmed their existing position, many others took the opportunity to re-prioritise or highlight new infrastructure needs. In addition, other councils indicated they were awaiting the outcome of an updated community led plan. Continuing member involvement in this process remains

critical to our understanding and appreciation of local issues, and to the success of future reviews of the Place Plans.

- 5.4 Responses naturally vary, depending on the particular needs within a Town or Parish Council area, but a number of infrastructure needs were frequently identified across the County, this included: traffic/highway improvements; improved broadband provision; improved community facilities/village halls; and additional sports and recreation facilities.
- 5.5 In addition to gathering evidence on local investment priorities via Town and Parish Councils, the annual Place Plan review also includes annual conversations with local infrastructure and service providers. As this years review has coincided with the final stages of the preparation of the SAMDev Plan, discussions with local service providers has inevitably focused on identifying the infrastructure requirements necessary to support the level and location of development within Shropshire's Local Plan. As such, collaborative working has been established with the water companies, Highways Agency, Environment Agency, Local Education Authority, local transport team and leisure and recreation team. These discussions have resulted in significant changes to the Place Plans, as more detailed knowledge has developed through the SAMDev Plan on the scale and exact location of future development.
- 5.6 As a result of this years review, changes are proposed to each of the Place Plans and the LDF Implementation Plan. This coincides with the need to redesign the Place Plans as they evolve into focused delivery frameworks for locality working. It is intended that the updated format (see example in Appendix C) will be more user friendly, providing clarity on the development related infrastructure, including the use of developer contributions, alongside wider investment priorities which will start to shape the design of service delivery as part of the Council's move towards commissioning.
- 5.7 The publication of a CIL Regulation 123 List is one of the legislative requirements governing the use of developer contributions, as a means of identifying those infrastructure needs which will be delivered through the use of CIL. However, as indicated in paragraph 3.5, the inclusion of items on the CIL list restricts the ability for the Local Planning Authority to negotiate a S106 obligation where it is considered to be appropriate and meets with the relevant tests. As specific infrastructure requirements are often not known until the point of a planning application, it is important that the Local Planning Authority is able to negotiate a S106 where site specific infrastructure needs are identified. It is also important to note that items not included within the CIL Regulation 123 List may still be delivered through CIL funds. It is therefore recommended that the annual CIL list for 2014/15 remains focused on clear and deliverable priority infrastructure projects for a place. However, the Place Plans will seek to provide longer term transparency on all the identified infrastructure needs for Shropshire and the most appropriate delivery mechanism for achieving them. As the Place Plans are currently being redesigned, Appendix D summarises all the identified infrastructure priorities from this year's Annual Review which has informed the preparation of the CIL Regulation 123 List. The Local Planning Authority's recommended CIL Regulation 123 List for 2014/15 (Appendix A) therefore focuses on those strategic infrastructure projects which require long

term commitment and those projects considered to be deliverable whilst Appendix D provides the full detail of all known infrastructure priorities for inclusion within the redesigned Place Plans. In reviewing the recommendations and signing off the annual CIL List, it is important that Members are aware of the legislative requirements governing the use of developer contributions and the risks to both the delivery of Shropshire's development strategy and relationship with local communities, as set out in section 3 of this paper. It is also important to note that some identified needs from this year's annual review concern wider investment requirements within a community rather than development related infrastructure. These wider investment needs are set out within Appendix E and will be incorporated within a separate chapter in the redesigned Place Plans to provide clarity on what can be delivered through new development and the local needs which should form the focus of future partnership through the Council's service planning and locality commissioning.

- 5.8 The CIL Regulations do allow for a CIL liability to be paid through in kind contributions through the provision of land to an equivalent value or through the provision of infrastructure. It is important that strict controls on the use of in kind payments are applied as the administrative fee and Neighbourhood Fund will need to be paid by the charging Authority regardless of any in kind payments. It is for Shropshire Council to agree in kind payments and it is therefore intended that only infrastructure items identified on the CIL List will be suitable for in kind payments. Only in very exceptional circumstances will in kind payments be agreed for items not included on the CIL List.
- 5.9 Whilst it is important that the annual CIL list is focused, it is vital that there is clarity on the infrastructure priorities which have been identified within each locality. The Place Plans therefore provide a place based list of infrastructure priorities identified through this years Place Plan review, alongside the recommended delivery mechanism for each identified item, which takes account of legislative requirements and the associated funding criteria.
- 5.10 However, whilst the Place Plan review and annual CIL List is aimed at gaining widespread consensus on the use of CIL monies, it is important that some flexibility is maintained by the Local Planning Authority to react to any critical infrastructure requirements emerging through the development management process. The CIL regulations do allow for this flexibility by providing Charging Authorities the opportunity to use CIL for items not identified on the CIL list. This is only likely to occur on major developments (50 dwellings or more) where the scheme generates specific infrastructure requirements, which, whilst not identified on the annual CIL list, will be agreed as part of determining the relevant planning application through Planning Committee. It is therefore recommended that Cabinet delegates responsibility to the Local Planning Authority for use of CIL monies on items not identified through the Place Plans and CIL Regulation 123 List, where it is required to support a particular development.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

- Community infrastructure Levy (CIL) Governance Arrangements for Spend- Portfolio Holder Decision, 14<sup>th</sup> February 2014

**Cabinet Member (Portfolio Holder)**

Councillor Mal Price, Portfolio Holder for Strategic Planning and Built Environment

**Local Member**

N/A

**Appendices**

- A. Annual CIL list (2014/15);
- B. LDF Implementation Plan;
- C. Example of Redesigned Place Plan.
- D. Summary of development related infrastructure priorities from 2103/14 Place Plan review
- E. Summary of wider investment needs from existing Place Plans and from 2013/14 Place Plan Review

**Note; APPENDICES D AND E ARE AVAILABLE VIA THE COUNCIL'S WEBSITE AND A COPY IS ALSO AVAILABLE IN THE MEMBERS LIBRARY**