

Overview and Scrutiny Report

Collection

- CIL collection occurring since 11/4/2016
- **MSDC:**
- Collected since 11 April 2016 - £778,833.03 [123 = £623,504.22, Parishes = £116,387.16, Admin = £38,941.65]
- Paid to Parishes as of Oct 17 - £103,917.36
- **BDC**
- Collected since 11 April 2016 - £456,654.75 [123 = £363,752.28, Parishes = 70,069.74, Admin = £22,832.73]
- Paid to Parishes as of Oct 17 - £58,655.87
- Service audited in September 2016 – audit” high standard” - no further improvements required albeit it is likely that CIL will be audited again December 2017 onwards (routine)
- Working towards updating all section 106 records so that we can move forward with a Public Facing Module of our Software so that everyone can see BMSDC CIL and s106 data in real time. Estimated implementation Spring 2018 onwards (software being tested by producers)
- Full integration with Uniform - estimated Spring 2018

Debt recovery

- 6-7 cases running at any one time where people have not paid. However, the cases become resolved and none have been to Court. Most have been resolved through face to face meetings taking into account pre CIL and post CIL decisions. Some have been resolved so that the applicant has not had to pay; other cases have resulted in payment. Some cases where payment has been due have resulted from lost CIL exemption (because no form 6 submitted or because they started work before they issued their commencement notice or because the development is unauthorised)
- 2 pre-Court Notices issued but not followed up as people settled

Regulation 113 Reviews of CIL charging

- This is where somebody disagrees with the amount of CIL charged (normally the measurement of the chargeable area). Several of these so far - charges can go up or down as a result of this. Set process and timescale to be followed. Only appeal is to the Valuation Office (VOA) and within 28 days of first Liability Notice

Appeals

- Only one so far but PINS registered an invalid appeal, admitted their error and ultimately the appeal was withdrawn. No further action required.

Reporting to Committee

- Regulation 62 of the CIL Rags requires a report about collection and expenditure to be placed on our Web site – going to Cabinet shortly – results to be published on the web site by the 31st December 2017.

Expenditure of CIL

- Thinking is reasonably advanced around a process and system.
- Currently drafted to be on a bi-annual Bidding round with an annual CIL Business Plan (with some flexibility through delegation to Cabinet Member).
- Likely to be infrastructure led and based on the developing Infrastructure Delivery Plan which is currently being produced alongside the Joint Local Plan. Iterative draft being produced which will be honed over the coming months to coincide with the 2nd Draft of the Joint Local Plan.
- Priorities and assessment criteria for CIL expenditure will be needed to prioritise bids, but delegated powers are likely to be needed to safeguard Development Management decisions on CIL spend to make decisions sustainable. Current work with DM on Recommendations in Planning Committee reports to support this.
- Governance is key and needs to be determined – hybrid approach likely with some delegation to allow us to be ‘fleet of foot’ and Member decisions through either Planning Committee or Cabinet on CIL spend likely
- May involve creating stimulus for groups working towards Neighbourhood Development Plans. Regulations require 15% to Parish, 25% to those with NDP – within our gift to give 25% to those working towards a NDP if Members want to do that. Need to understand impact and implications.
- Devising and agreeing approach needs to be inclusive to ensure scheme is shared and that views are collected, and scheme reviewed accordingly.
- Route Map – reasonably advanced – hoping to have system in place by start of financial year 2018; process as follows
 - Continued development of thinking and approach – November /December 2017/ January 2018
 - Development of CIL Yearly Business Plan and templates- November/December 2017/ January 2018
 - SLT Briefing week beginning 4th December 2017
 - PFH Briefing week beginning 4th December 2017
 - Corporate Manager Network meetings – updates on 7th December 3rd January 1st February 7th March 5th April 2018
 - Overview and Scrutiny 18th December 2017
 - Member briefing session – 20th December 2017 – 5.30pm EH
 - Context and current position of approach – CIL expenditure seeking series of meetings with PFHs to take CIL scheme forward - January 2018

- Development of Priorities and Spending criteria January 2018
- Development of Scheme of Delegation and Public speaking scheme if one required in January 2018
- Engagement with Infrastructure providers in January 2018 onwards
- Engagement with Parishes in January 2018
- Further Member session – 6th February 2018 – 5.30pm EH
- Completion of series of meetings with PFHs in February and presentation of scheme to Cabinet in February 2018
- Consideration of scheme in February/March 2018
- Scheme sign off in March and launch bidding process in March ready for April 2018 Bidding round to begin

Government Review of CIL (2018)

- mentioned in Autumn statement - SIT and LIT had been purported but no LIT likely now and only Mayoral SIT – await Spring statement

Review of CIL as part of the Joint Local Plan

- Charging regime will need to be updated alongside the Joint Local Plan

Communication and refresher briefings– for Members, Parishes Infrastructure providers and Planning Agents

- Briefings around expenditure required to land the process and fully brief everyone (including Corporate Managers and their teams - where appropriate)
- Work with Parishes required around “their” and “our” CIL spend – launch of Parish Investment Infrastructure document (PIIPs)
- Suggest general yearly briefings for Members and Parishes with training for both when the Public Facing Module (containing information on all s106 and CIL monies) is launched. This will make the whole process much more transparent and accessible than it has ever been.
- Member briefing sessions will also occur as part of the Joint Local Plan process - suggest infrastructure is picked up in this as well
- Briefing sessions for all Infrastructure Providers - (continue current discussions but introduce twice yearly meetings to assist with the progression of the Infrastructure Delivery Plan).
- Launch Planning Agents briefings following work done with DM for Client-Side Panel from February 2018 onwards
- Take soundings from Members about general communications about CIL expenditure (what when and how) - in addition to the normal Parish money pay out communications which occur at present.

Christine Thurlow – 5th December 2017

Professional Lead – Key Sites and Infrastructure