

COMMUNITY INFRASTRUCTURE LEVY
Joint task & finish report of all five Scrutiny Committees.

Background

1. The first meeting of the Scrutiny Cross Committee Task & Finish Exercise on the Community Infrastructure Levy was held on the 23 November 2015. The task group comprised nine Members, including the five scrutiny Chairs representing each of Cardiff's five scrutiny committees. The group were given the task of reviewing options for the implementation of the Community Infrastructure Levy in Cardiff. The report attached at **Appendix A** summarises the findings of the task group.
2. The agreed terms of reference for the inquiry were for the Joint Committee Task & Finish Exercise to consider the options for introducing a Community Infrastructure Levy to Cardiff. In reviewing the various options the group drew upon a number of information sources including:
 - Witnesses from other local authorities who had delivered the Community Infrastructure Levy (CIL);
 - Witnesses from / associated to the building and construction industry;
 - Witnesses from within Cardiff Council's planning service;
 - Cardiff Council's Cabinet Member for Transport, Planning & Sustainability and the Chair of Cardiff's Planning Committee;
 - Evidence gathered by Cardiff's Scrutiny Research Team and presented in a report titled 'Selected Local Authorities' Charging Structures, Strategies and Experiences on the Community Infrastructure Levy (CIL)'.

3. Members of the Task & Finish group were:

- Councillor Paul Mitchell (Chair);
- Councillor Mary McGarry;
- Councillor Richard Cook;
- Councillor Nigel Howells;
- Councillor Roderick McKerlich;
- Councillor Jim Murphy;
- Councillor Lynda Thorne;
- Councillor Huw Thomas.

4. During the course of the inquiry the Task & Finish Group received evidence from the following witnesses:

- Councillor Ramesh Patel, Cabinet Member for Transport, Planning & Sustainability;
- Councillor Michael Michael, Chair of Cardiff's Planning Committee;
- Simon Gilbert - Operational Manager, Development Management (Strategic & Place Making);
- Michael Barnett – Planner;
- Scott Caldwell – Director for Development at Savills;
- Rhian Kyte - Team Leader, Strategic & Development Plans at Caerphilly County Borough Council;
- Mark Felgate – Peter Brett Associates;
- Russell Porter - Peter Brett Associates;
- Jim Cliffe - Planning Obligations Manager, Bristol City Council;
- Gladys Hingco, Scrutiny Research Manager;
- Luke Catterson, Scrutiny Research Officer.

5. The draft report of the Task & Finish Group is attached as **Appendix A**, followed by the eight appendices to the report. Members' attention is particularly drawn to the 13 Recommendations on **pages 12-14**, which are supported by a series of key findings. These are based on the evidence heard throughout the Task & Finish Inquiry.

Way Forward

6. Members may wish to consider the report, make any amendments and agree whether to approve the content of the report. Members will need to decide if they are happy with the content of the draft report; if so they will have the opportunity to endorse it for submission to the Cabinet.
7. Should the Policy Review & Performance Scrutiny Committee endorse the draft report, the Chair will present it to the Cabinet at the next available Cabinet Meeting. The Cabinet will then respond to the report and their response will be brought back to this Committee for discussion.

Legal Implications

8. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken

having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

9. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

Recommendations

The Committee is recommended to:

- Consider and where necessary revise the draft report of the Task and Finish Group.
- If no further alterations are required, endorse the report for submission to the Cabinet.

David Marr

Interim Monitoring Officer

6 April 2016