



## **COUNCIL**

**MEETING** : Thursday, 25th October 2018

**PRESENT** : Cllrs. J. Brown (Mayor), Hyman (Sheriff & Deputy Mayor), James, Watkins, Organ, Noakes, Cook, H. Norman, Pullen, Hilton, Tracey, Stephens, Lugg, Hanman, Lewis, Morgan, Wilson, Bhaimia, Haigh, D. Brown, Dee, Taylor, Hansdot, Patel, Toleman, D. Norman, Hampson, Brooker, Brazil, Coole, Hawthorne, Melvin, Ryall, Smith and Walford

**Others in Attendance**

Anne Brinkhoff, Corporate Director  
Jonathan Lund, Corporate Director  
Ian Edwards, Head of Place  
Tanya Davies, Policy and Governance Manager  
Cheryl Lester, Planning Solicitor, One Legal  
Adam Gooch, Principal Planning Officer  
Tony Wisdom, Democratic Services Officer

**APOLOGIES** : Cllrs. Gravells, Williams, Fearn and Finnegan

### **32. DECLARATIONS OF INTEREST**

32.1 No declarations were made on this occasion.

### **33. COMMUNITY INFRASTRUCTURE LEVY (CIL) FORMAL ADOPTION OF CHARGING SCHEDULE AND SUPPORTING POLICIES ALONGSIDE APPROVAL OF THE REGULATION 123 LIST FOR PUBLICATION AND SETTING A COMMENCEMENT DATE FOR CHARGING**

33.1 Council considered the report of the Cabinet Member for Planning and Housing Strategy which invited Council to adopt a Community Infrastructure Levy (CIL) Charging Schedule and supporting policies alongside a list of infrastructure that may be funded from CIL (Regulation 123 list) and to set a commencement date for charging of 1<sup>st</sup> January 2019.

33.2 Councillor Organ, Cabinet Member for Planning and Housing Strategy, thanked Members, Officers and Mr Barry leach for attending

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the meeting. He noted that CIL would ensure that the provision of infrastructure would keep pace with the pace of development and would replace some aspects of Section 106 funding.

- 33.3 He advised that the draft charging schedule had been the subject of two rounds of public consultation and the report of the Independent Examiner had been received in July 2018.
- 33.4 He also advised that two officers were employed jointly by the three JCS authorities to assist them in preparing for CIL.
- 33.5 Councillor Pullen thanked officers for the briefing sessions which had been organised for Members. He referred to paragraph 5.1 of the report and asked if the Council would be initiating Neighbourhood Development Plans; whether they would sit under the City Plan and how would consultation be carried out.
- 33.6 Councillor Hilton referred to paragraph 13.3 of the report and noted the importance of involving the community. He wished to see monies raised spent in the area of the development and, if necessary, the Constitution should be amended to ensure that this would be the case.
- 33.7 Councillor Coole believed that proposals for spending the 15 per cent neighbourhood portion should be examined by the Overview and Scrutiny Committee to ensure public engagement as he believed that transparency was the key. He believed that the funding should be used to create a legacy and asked how large developments would be treated.
- 33.8 Councillor Taylor called on all Members to support the recommendation. He advised that Neighbourhood Plans were the subject of a prescribed process and noted that the proposed Plan for Hempsted had not been completed.
- 33.9 Councillor Wilson asked how it could be ensured that the Council did not create an imbalance between CIL and Section 106 contributions as it could not use both.
- 33.10 Councillor Stephens supported the recommendation which would provide a more definite guide to the monies raised than Section 106 contributions. He noted that the Government expected CIL to raise more funding than Section 106 but expressed concerns as affordable housing was funded by Section 106 contributions.
- 33.11 He expressed concern that the proposed tariff for Gloucester was lower than that for the other Districts but noted that the charging schedule would be subject to review. He called for a written policy on the consultation mechanism and formal definition of terms.

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- 33.12 He believed that the development of Neighbourhood Plans presented a role for the Council and for Ward Members in particular.
- 33.13 Councillor Melvin believed that there should be a charge for developments of less than ten dwellings. She expressed concerns that the tariffs were lower than Cheltenham and Tewkesbury and did not reflect the incredible achievements of regeneration in the City.
- 33.14 Councillor James, Leader of the Council, responded to the points raised as follows:-
- Neighbourhood plans could be based on communities within ward areas.
  - There was no intention that Cabinet would make decisions on the neighbourhood portion without community input.
  - Officers would be aware of ‘double dipping’ and he noted that CIL can be used to contribute to larger infrastructure projects.
  - There had been a struggle to provide affordable housing through Section 106 agreements due to viability issues and he had met with a Housing Association that day to discuss delivery of affordable housing.
  - The Charging Schedule had been the subject of an Independent Examination which had been informed by viability issues.
- 33.15 Councillor Organ thanked Members for their contributions and made the following points:-
- It was important to involve communities and people in neighbourhood planning.
  - The cross-party Planning Policy Members Working Group had been set up to make recommendations on such matters.
  - The differing tariffs between the Districts reflected differences in land price and market values.
- 33.16 Paul Hardiman, JCS CIL Manager, drew Members’ attention to the Regulation 123 list which would ensure the right amount of contributions were apportioned to correctly to CIL or Section 106. He advised that the list was a crucial document which could be reviewed.
- 33.17 Mr Hardiman advised that Section 106 remained in the National Planning Policy Framework as CIL Regulation 122. Section 106 funding had to be closely related to the development or essential to the development whereas no development could be reliant on CIL contributions. It was therefore essential that the Regulation 123 list was able to secure what was needed to make a development work.
- 33.18 **RESOLVED that:**
- (1) **The Gloucester City Council Community Infrastructure Levy Charging Schedule, as modified in line with the recommendations of the Independent Examiner, be adopted.**

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- (2) The following supporting CIL policies be adopted:**
  - a. Payment by instalments (Regulation 69b)**
  - b. Request for Review and Appeals (Part 10)**
- (3) The Regulation 123 List for Gloucester City Council be approved for publication.**
- (4) Commencement date for charging of the 1<sup>st</sup> January 2019 be set, in line with JCS partner authorities.**

**34. GLOUCESTER, CHELTENHAM AND TEWKESBURY JOINT CORE STRATEGY - ISSUES AND OPTIONS**

- 34.1 Council considered the report of the Cabinet Member for Planning and Housing Strategy which sought approval for publication of and consultation on the Joint Core Strategy 'Issues and Options' document.
- 34.2 Councillor Organ advised that a new National Planning Policy Framework had been published which required a full review every five years and that plans should cover a period of fifteen years.
- 34.3 He noted that the other JCS authorities had approved the document for consultation on 15<sup>th</sup> October 2018.
- 34.5 Councillor Hilton believed that a full review of the Strategy after only one year was premature. He believed that priority should be given to the completion of the City Plan as the last plan dated from 1983. He noted that he still had not seen a list of new policies for the City Plan and expressed concerns that the public could be confused by a review of the JCS. He also expressed concern that sites outside the City boundary would cost less to develop than brownfield sites within the City.
- 34.6 Councillor Pullen thanked officers for the briefing and stated that he appreciated the reasons for the review of the JCS.
- 34.7 Councillor James, Leader of the Council , noted that the Inspector had directed that two sections of the JCS be reviewed immediately. He stated that City Plan would not be delayed.
- 34.8 He noted that a 'brownfield first' policy had been considered but was not considered to be practical as all sites would be required. He confirmed that it was the Council's intention to bring forward the brownfield sites as quickly as possible.
- 34.9 Councillor Organ stated that the JCS process had taken ten years to complete. Councillors had a role in helping to convey the message and he confirmed that the development of brownfield sites was very much the Council's intention.

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**34.10 RESOLVED that**

- (1) The JCS Review Issues and Options consultation document (Appendix 1), be approved for public consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- (2) The Head of Place be authorised, after consultation with the Cabinet Member for Housing and Planning, to make minor amendments to the text of the document and appropriate changes to the design prior to its publication for consultation.

**Time of commencement: 6.30 pm hours**

**Time of conclusion: 7.16 pm hours**

**Chair**