

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
6 October 2015

**Subject: IMPLEMENTATION OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)  
CHARGING SCHEDULE**

**All Wards outside of the North York Moors National Park  
Portfolio Holder for Environmental & Planning Services: Councillor B Phillips**

---

### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 In April Council agreed the arrangements for implementing CIL in Hambleton. This allowed for direct payment of CIL as a charge or by payment in kind by donating land but did not consider payment in kind through direct provision of infrastructure.
- 1.2 Council has since agreed to accept direct provision of the North Northallerton Link Road in lieu of payments that would be due from the developers of the North Northallerton Development Area, currently the subject of a hybrid planning application. However, the adopted arrangements for CIL do not allow for this in other circumstances and whilst it is not expected to be a common occurrence it would assist the provision of agreed infrastructure to allow other developers the option of direct provision.

### **2.0 LINK TO COUNCIL PRIORITIES:**

- 2.1 Priorities for infrastructure investment in Hambleton are set in a list adopted by the Council under Regulation 123 of the Community Infrastructure Levy Regulations 2010. The amendment proposed would only apply to infrastructure projects prioritised by the Council in this way.
- 2.2 Paragraph 16 of the Hambleton District Council Community Infrastructure Levy Charging Schedule currently reads:

#### **Payment of CIL 'in-kind'**

Under CIL Regulations charging authorities may, at their own discretion, consider accepting land as payment in kind in lieu of CIL. This will only normally be considered for land in excess of that needed to deliver infrastructure required as a direct result of the permitted development (e.g. if the permitted development requires a children's play area on-site, that land will not be accepted as payment in lieu of CIL). The value of the land for in lieu payment will be determined by an independent valuer.

- 2.3 It is recommended that the following sentence is added:

The Council will also accept direct provision of infrastructure on its current Regulation 123 list with an equal reduction in any payment due from the development in question.

### **3.0 RISK ASSESSMENT:**

- 3.1 No risks are foreseen from accepting or not accepting the recommendation; the proposed change would make the implementation of CIL easier administratively in some circumstances.

**4.0 FINANCIAL IMPLICATIONS:**

4.1 No revenue or capital implications are foreseen; the value of any infrastructure provided would equate to the charge that would be payable in its place.

**5.0 LEGAL IMPLICATIONS:**

5.1 None are foreseen.

**6.0 EQUALITY/DIVERSITY ISSUES:**

6.1 None are foreseen.

**7.0 RECOMMENDATION:**

7.1 That Cabinet approves and recommends to Council that the Hambleton District Council Community Infrastructure Levy Charging Schedule is amended to allow for direct provision of infrastructure included within the Council's Regulation 123 list in lieu of a financial payment.

MICK JEWITT

**Background papers:** Hambleton District Council Community Infrastructure Levy Charging Schedule

**Author ref:** MDH

**Contact:** Mark Harbottle  
Head of Service – Planning & Housing  
01609 767115