

London Borough of Havering

Record of Decision of CABINET on 8 August 2018

1. **TITLE:** Havering Community Infrastructure Levy - Draft Charging Schedule

2. **DECISION MADE BY:** Cabinet on 8th August, 2018

3. **DECISION:**

Cabinet:

Agreed to receive the supplementary Cabinet agenda and **noted** the amendments to the report as detailed therein.

Cabinet:

- (a) **Approved** the Council's responses to the representations submitted during the consultation in 2015 on the Preliminary Draft Charging Schedule **(Appendix 1 of the report)**;
- (b) **Approved** for public consultation, the following Proposed Submission documents, prior to their submission to the Secretary of State :
 - the Havering CIL Draft Charging Schedule **(Appendix 2)** as revised and updated from the Preliminary Draft Charging Schedule;
 - the draft Regulation 123 list **(Appendix 3)** ;
 - the procedural and evidence based documentation supporting the Draft Charging Schedule as listed below :
 - (i) Consultation Statement following consultation on the Preliminary Draft Charging Schedule (2018) **(Appendix 1)**
 - (ii) Infrastructure Funding Gap Report (2018) **(Appendix 4)**
 - (iii) Viability Assessment (2018) **(Appendix 5)**
 - (iv) Infrastructure Delivery Plan (2018) **(Appendix 6)**
- (c) **Delegated** authority to the Director of Neighbourhoods, following consultation with the Leader, to finalise and approve the proposed Submission documents, as set out in 1(b) (above) for submission to the Secretary of State, including to:
 - (i) make modifications to the Submission documents arising from consultation;

- (ii) submit the Draft Charging Schedule, the draft Regulation 123 list, the Council's responses to the representations submitted to the Preliminary Draft Charging Schedule, and the necessary procedural and evidence base documentation, together with any proposed modifications, to the Secretary of State;
 - (iii) make submissions to the Examiner in support of the Submission Draft Charging Schedule (including the supporting procedural and evidence base documentation);
 - (iv) make modifications to the Submission documents during, and as a result of, the Examination process;
 - (v) undertake any further consultation required during the Examination ;
- (d) **Approved** the revocation of the Havering Planning Obligations Supplementary Planning Document (2013) on adoption of the CIL

4. **REASON FOR DECISION**

- 1.1. Improved infrastructure provision is necessary to support and complement development in Havering and to ensure that it is a place where people want to live and have a high quality of life and where businesses will want to invest.
- 1.2. The Council has to look at every opportunity to secure funding towards the cost of infrastructure given the constraints on resources.
- 1.3. A Community Infrastructure Levy scheme provides the opportunity for the Council to secure funding towards the cost of infrastructure necessary to support change and growth in Havering in line with its planning and regeneration strategies.

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 1. The Council's Planning Obligations Strategy Supplementary Planning Document (SPD) (adopted 2013) was prepared in the recognition that financial contributions from developers would be combined to be used towards the funding of infrastructure. It was envisaged that in due course the SPD would, with appropriate revisions and updating of the evidence base, assist the Council in bringing forward a Community Infrastructure Levy scheme for Havering.
- 2. There are very limited genuine alternative options to preparing a Havering CIL. Boroughs without a CIL are currently constrained as to how they can use funding secured from developments towards infrastructure because of the restrictions on 'pooling' contributions.
- 3. The change and growth envisaged in the emerging Havering Local Plan (and other strategies such as the draft London Plan) must be accompanied by significant investment in infrastructure if that change and growth is to be accommodated effectively and to have a good 'fit' with existing development and communities.
- 4. A Havering CIL will provide an important income stream towards the cost of that infrastructure. It will not, however, be sufficient in itself to cover the total cost of the infrastructure. The Council and other stakeholders will have a continuing responsibility to explore scope for other funding sources and to take steps to secure

that (often in competition with other stakeholders).

5. Havering bringing forward a CIL scheme responds to the current limitations identified elsewhere in this report from using Section 106 planning obligations to assist in funding infrastructure (including the 'pooling' restrictions).
6. The proposed CIL charging rates and the geographical areas to which they will apply have been carefully considered by the consultants. On balance, they are considered to achieve the best balance of potential CIL income against early adoption of the Havering CIL. In the view of the consultants, the proposed CIL rates retain adequate / reasonable viability for developers and will not put the delivery of development and the Local Plan at risk. Consideration was afforded to recommending higher CIL rates and or additional charging zones, but this was felt to have an increased risk of both successful challenge and delay to the adoption of CIL.

6. **DOCUMENT CONSIDERED:** final Cabinet report
Amendment
APP1HaveringCILPDCSConsultationResponses270
718
APP2Havering CIL_DCS V3.0
APP3DraftRegulation123listJuly290718
APP4Havering CIL_IFGR V3.0
APP5LBH CIL Report 270718 (3)
APP6HaveringIDP2018