

## **MID DEVON DISTRICT COUNCIL**

### **MINUTES of an EXTRAORDINARY MEETING of the MID DEVON DISTRICT COUNCIL held on Wednesday 21 January 2015 at 6.00 pm**

#### **Present**

##### **Councillors**

E J Berry (Chairman)  
Mrs H Bainbridge, M D Binks,  
Mrs D L Brandon, R J Chesterton,  
Mrs F J Colthorpe, D R Coren, N V Davey,  
W J Daw, R M Deed, C J Eginton, R Evans,  
Mrs S Griggs, P H D Hare-Scott, P J Heal,  
Mrs L J Holloway, T G Hughes,  
Mrs B M Hull, D J Knowles, M R Lee,  
D F Pugsley, R F Radford (Vice Chairman),  
Mrs J Rendle, Mrs J Roach, F R Rosamond,  
C R Slade, T W Snow, J D Squire,  
Mrs M E Squires, R L Stanley,  
Mrs M E Turner, K D Wilson and  
Mrs N Woollatt

#### **Apologies**

##### **Councillors**

Mrs E M Andrews, J M Downes,  
A V G Griffiths, Mrs C Heal, M A Lucas,  
P F Williams and R Wright

#### **107 Chairman's Announcements**

The Chairman had no announcements to make.

#### **108 Public Question Time**

There were no members of the public present at the meeting.

#### **109 Presentation by Mid Devon District Council Officers and Dixon Searle (Consultants advising the Council on the Community Infrastructure Levy Draft Charging Schedule)**

The Council had before it a report \* from the Head of Planning and Regeneration proposing an amended Community Infrastructure Levy (CIL) Draft Charging Schedule and associated policies. This had been prepared in response to the Council decision of 17 December 2014 not to approve the CIL Draft Charging Schedule. The report before Members proposed amendments to CIL and contained additional information and explanation as requested at the last meeting. It also contained information on the impact on the Local Plan Review and subsequent consultation period.

Dixon Searle LLP Consultants had been invited to the meeting to provide a presentation to Members, along with District Council Officers, in order to explain what

CIL was, what it was used for, how CIL charges were calculated and what CIL charges were proposed.

The following was explained:

- CIL was a mechanism for collecting developer contributions.
- It incorporated a charge per square metre of floorspace.
- It was fixed in advance and not negotiated on each planning application
- CIL was used to help pay for infrastructure needed to support new development.
- Councils must spend the income on infrastructure but could decide on what specifically.
- The percentage to Parish Councils would be either 15% or 25% dependent on whether they have a neighbourhood plan in place.
- Regarding S106 obligations – there were new limitations on planning obligations from smaller developments.
- An appropriate balance needed to be struck between the desirability of funding the infrastructure gap to support the development of the area from CIL and the potential effects of the imposition of CIL upon the economic viability of development across the area.
- The Council was required to undertake two consultations on the CIL (specifically on the CIL charging schedule), the first of which took place in July 2014
- Amendments were proposed to the CIL Draft Charging Schedule which reflected the priority of the Council, following the decision on 17 December 2014, to increase the target for the delivery of affordable housing
- The amendments proposed included having a target of 28% affordable housing instead of 25% in urban areas and a CIL charge of £40/square metre in urban areas instead of £60. The impact of this would be an increased target for affordable housing delivery but a reduction in CIL revenue, likely to be in the region of £2m.

Discussion took place regarding:

- Though there was a cap on the amount of contributions to Parish Councils, the limited scale of development proposed in most would mean that the contribution would likely only be limited by the amount of development within the parish, for example, a parish with higher housing numbers would receive more CIL, if CIL was charged in those areas.
- Concern was expressed at the amount of profit which could be generated for developers - although it was explained that developers needed to make a profit to reflect the risk involved; on-costs to developers were significant, and net profit would take the profit figure much lower than the 20% cited.
- CIL would not pay for all infrastructure, additional funding would come from a variety of Central Government sources.
- The Council, in partnership with Devon County Council, would have to agree which would be the priority items of infrastructure which would be funded by CIL.
- Concern was expressed regarding an inability to reach current Affordable Homes targets set in the adopted Local Plan.

- It was suggested that the situation be closely monitored and that it be reviewed in two year's time. Mention was also made of a software package that could be useful in monitoring CIL. The Head of Planning and Regeneration stated that the review period should only be stipulated at the point CIL was adopted, as approval was only currently being sought for the charging schedule to go out to consultation.
- The Head of Planning and Regeneration assured Members of the Council that all would be done within available resources to advertise the forthcoming consultations and roadshows to the public.

Note: \* Report previously circulated; copy attached to the signed Minutes.

## 110 Notices of Motion

### **Motion No 509 (Councillors: R J Chesterton, C J Eginton, P H D Hare-Scott, N V Davey and Mrs B M Hull – 24 December 2014)**

The following Motion had been submitted under Procedure Rule 17.2:

- (a) That a Draft Community Infrastructure Levy Charging Schedule, similar in form to that attached as Appendix 1 to Item 5 of the Cabinet Agenda on 11th December 2014, is approved for consultation;
- b) That, after the consultation, the Draft Community Infrastructure Charging Schedule is submitted to the Planning Inspectorate for examination;
- c) That the Draft Infrastructure Plan, Draft Regulation 123 List and Draft policy on the use of Section 106 are published for consultation and then submitted with the Draft Charging Schedule; and
- d) That approval to make minor changes to these documents is given to the Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning.

In accordance with Procedure Rule 13.4 the Chairman of the Council had ruled that the **MOTION** should be debated at this meeting.

Cllr R J Chesterton sought permission of the Council to **AMEND** the **MOTION** in accordance with Procedure Rule 15.6(a). That was **AGREED**.

The **MOTION** was **MOVED** by Councillor R J Chesterton and seconded by Councillor R L Stanley in the following terms:-

- “a) That a Draft Community Infrastructure Levy Charging Schedule, similar in form to that attached as Appendix 1 to Item 5 of the Cabinet Agenda on 11th December 2014, is approved for consultation;
- b) That, after the consultation, the Draft Community Infrastructure Levy Charging Schedule is submitted to the Planning Inspectorate for examination;
- c) That the Draft Infrastructure Plan, Draft Regulation 123 List and Draft policy on the use of Section 106 are published for consultation and then submitted with the Draft Charging Schedule;
- d) That approval to make minor changes to these documents is given to the Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning;

- e) That the relevant policies of the Local Plan Review are amended to incorporate the proposed changes to affordable housing percentages and Community Infrastructure Levy; and
- f) That the Local Plan Review and Community Infrastructure Levy consultation periods be amended to 9<sup>th</sup> February – 30<sup>th</sup> March 2015.

Following debate and upon a vote being taken, the **MOTION** as **AMENDED** was declared to have been **CARRIED**.

Notes: (i) Councillors Mrs F J Colthorpe and R F Radford declared personal interests in their role as County Councillors, since they were members of the Devon and Somerset Fire and Rescue Service;

(ii) Cllr Mrs J R Rendle declared a personal interest as she was a member of the Tiverton Children's Centre Local Action Group.

(The meeting ended at 7.40 pm)

**CHAIRMAN**