

**Decision Maker:** Development Control

**Date:** 6 March 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **MAYORAL COMMUNITY INFRASTRUCTURE LEVY - LOCAL INFORMATION REQUIREMENTS LIST FOR PLANNING APPLICATIONS**

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**Chief Officer:** Bob McQuillan

**Ward:** Boroughwide

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1. Reason for report

The Mayor of London's Community Infrastructure Levy becomes payable after 1 April for developments for which planning permission is granted (subject to a floorspace threshold). To assist in assessing whether developments will be CIL liable, it is proposed that a CIL form be required to be submitted for relevant developments, and this form be included in the Local Information Requirements.

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2. **RECOMMENDATION(S)**

2.1 The Bromley form for the Mayoral CIL be added to the Local Information Requirements.

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Quality Environment.
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### Financial

1. Cost of proposal: Estimated cost net nil
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £3.359M
  5. Source of funding: income generated from 4% of Mayoral CIL
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### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
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### Legal

1. Legal Requirement: <please select> Part 11, Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 and 2011
  2. Call-in: Call-in is not applicable.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Boroughwide
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

- 3.1 At the meeting on 14<sup>th</sup> February, the committee received an information report about the implementation of the Mayoral CIL on 1<sup>st</sup> April 2012.
- 3.2 To assist in identifying planning applications that are CIL liable, the Planning Portal has provided a form that applicants can complete to set out existing and proposed floorspace. This is intended to assist local planning authorities in establishing whether or not developments are liable for a charge and if so to calculate it accurately.
- 3.3 The Mayoral CIL will apply to buildings of 100 sq m of gross internal floorspace or proposals creating a dwelling (including where this is below this figure). It will be calculated according to the amount of additional floorspace a new development will produce, hence it is necessary to know the floorspace of buildings to be demolished.
- 3.4 It is proposed to adapt the Planning Portal form and request applicants for developments that may be CIL liable to complete it.
- 3.5 On 8<sup>th</sup> February 2011 the Committee resolved that the Local Information Requirements list of documents that may be required to validate planning and other applications be adopted. This is on the Council website and is a useful tool in ensuring that a high quality of documentation is submitted with applications.
- 3.6 The CLG “Guidance on information requirements and validation” sets out the principles to guide preparation of Local Information Requirements – they should be based on necessity, precision, proportionality, fitness for purpose and assistance. In this case there is relevant national legislation, generally the form will only be required for buildings with proposed floorspace of 100 sq m or more (and new dwellings), the requirement is to complete a simple brief form and there is information about CIL on the Council and Mayor of London websites and the Planning Portal.
- 3.7 It is suggested that a Bromley form for the Mayoral CIL be added to the Local Information Requirements. A draft or final version of this will be circulated at the meeting.

### **4. POLICY IMPLICATIONS**

- 4.1 Bromley’s Supplementary Planning Document (SPD) on Planning Obligations was adopted in December 2010 and complies with the Community Infrastructure Levy Regulation and The London Plan 2008.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 From April 2012 the London Borough of Bromley will be responsible for collecting a Mayoral CIL on behalf of the Mayor.
- 5.2 Acting as a collecting body, Bromley is permitted to retain 4% of the CIL (estimated to be between £30k to £45k per annum) to cover both the initial set-up costs and the on-going administration costs. Additional staffing will be required to carry out this administration, however officers are aiming to automate as much of the process as possible.

### **6. LEGAL IMPLICATIONS**

- 6.1 The Council has a statutory responsibility under Part 11 of the Planning Act 2008 and the CIL regulations 2010 and 2011 to collect and administer the Mayor CIL within Bromley.

## 7. PERSONNEL IMPLICATIONS

- 7.1 The Mayoral CIL involves a provision for the Council to retain 4% towards the costs of its administration and collection of the monies on behalf of the Mayor. This is new responsibility the Council and the additional work may require additional staff resources. However, it is envisaged that this can be paid for by the sums retained by the Council from CIL.

<b>Non-Applicable Sections:</b>	-
Background Documents: (Access via Contact Officer)	<p>Planning Act 2008</p> <p>The London Plan 2011</p> <p>DCC report 20<sup>th</sup> October 2009 – Community Infrastructure Levy</p> <p>CLG – Community Infrastructure Levy Regulation – April 2010</p> <p>Mayor’s Preliminary Draft Charging Schedule – January 2011</p> <p>DC and Executive reports: ‘Consultation on the Mayoral Community Infrastructure Charging Schedule’ 2<sup>nd</sup>, 8<sup>th</sup> and 14<sup>th</sup> February 2011</p> <p>Executive report: ‘Proposals for a Mayoral Community Infrastructure Levy: Consultation on draft Charging Schedule 30<sup>th</sup> June 2011</p> <p>Executive report ‘Community Infrastructure Levy – DCLG consultation on detailed proposals and draft regulations for reform’ 14<sup>th</sup> December 2011</p> <p>DCC report 14<sup>th</sup> February 2012 “Mayoral Community Infrastructure Levy”</p>