

Contact Officer: Leigh Webb

KIRKLEES COUNCIL

ECONOMY AND NEIGHBOURHOODS SCRUTINY PANEL

Tuesday 28th January 2020

Present: Councillor Harpreet Uppal (Chair)
Councillor Martyn Bolt
Councillor Richard Murgatroyd
Councillor John Taylor
Councillor Richard Eastwood

Co-optees Chris Friend

In attendance: Mathias Franklin
Steven Wright

Observers: Councillor Peter McBride
Councillor Graham Turner
Councillor Rob Walker

Apologies: Eilidh Ogden (Co-Optee)
Councillor Yusra Hussain
Andrew Bird (Co-Optee)

1 Membership of the Committee

Apologies were received from Councillor Yusra Hussain, Andrew Bird and Eilidh Ogden.

2 Minutes of the Previous Meeting

That the minutes of the meeting held on 20 December 2019 be agreed as a correct record.

3 Interests

Councillors John Taylor and Martyn Bolt declared an 'other' interests in respect of item 7, Community Infrastructure Levy, as Parish and Town Councillors.

The Chair, Councillor Uppal declared an 'other' interest in respect of item 7, Community Infrastructure Levy, as a Councillor of a ward with a specific site referred to in the report.

4 Admission of the Public

All items were considered in public session.

5 Deputations/Petitions

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No deputations or petitions were received.

6 Public Question Time

No questions were asked under this item.

7 Community Infrastructure Levy (CIL)

The Committee received a report setting out details of the Community Infrastructure Levy (CIL) Charging Schedule. The CIL is identified in the Council's Local Development Scheme and is intended to outline the amount developers must contribute towards infrastructure costs in different parts of Kirklees (charging zones and rates applicable) once the CIL Charging Schedule is adopted by the Council.

It was reported that the CIL Charging Schedule was subject to examination by an independent Inspector (known as an Examiner in this CIL process) including a public hearing that had taken place on 16th September 2019. The Inspector recommended approval of the CIL Charging Schedule subject to modifications, which were set out in the report.

The CIL is intended as a means of contributing to the funding of infrastructure required to support growth in the District and deliver the policies and proposals in the Local Plan. It replaces part of the system of Planning Obligations (Section 106 Agreements). The CIL will help to meet the District's priorities by generating funding to provide infrastructure while being set at appropriate rates that will continue to attract investment, create jobs, and deliver new housing.

John Buddle, Principal Planning Officer, gave a presentation which included details of how the system works; details of changes in legislation; a summary of the Inspector's recommendations; and the submitted CIL rates.

It was reported that the next steps would be to establish governance arrangements and seek adoption by Council prior to implementation.

Questions and comments were invited from Panel Members and the following issues were raised:

- Councillor J Taylor highlighted that under the process small and medium sized business will be required to provide funds up front and in full whereas large developers will benefit from being able to pay in instalments. The Principal Planning Officer explained that instalments were applicable for larger scale developments but acknowledged the fact that this would be of benefit to large developers who are undertaking these projects.
- Councillor Bolt raised concerns about a potential democratic deficit in respect of neighbourhood forums, it was explained that in the absence of parish or town council, any group must be an established constituted body which is ultimately accountable to the Council.
- Discussion took place about existing structures in place to engage with communities, namely place based working, and the importance of aligning the process with existing structures where possible. The ongoing work

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around place based working and citizens engagement is well placed as a means of engaging with the public.

- Members highlighted the fact that infrastructure spending will not necessarily be spent within the zone where a development is undertaken. Monies from one development could fund infrastructure improvements in an alternative area.
- In response to a request for further information relating to the definition and rate for retirement living, an undertaking was given to provide further information on the matter.

RESOLVED -

1. That the Panel notes the Community Infrastructure Levy Charging Schedule process and implications of the Inspector's report.
2. That the following feedback be provided in respect of the Community Infrastructure Levy:
 - That further consideration be given to the instalment policy and the potential negative effect on small and medium size companies
 - That clarification be sought on the role of neighbourhood forums and links be forged with existing structure and mechanisms around place based working.
 - The importance of being able to communicate the rationale behind decisions where infrastructure spending from a development in a particular area being spent in a different area. A clear policy is needed that justifies how money is allocated across the borough.

8 Work Programme 2019/20

That the Panel's Work Programme and forthcoming items/activities was submitted.

RESOLVED –

That the Panels Work Programme and forthcoming items/activities be noted.