CABINET
HELD ON 17 OCTOBER 2018
(FROM 5.34 PM TO 6.05 PM)

PRESENT: Councillor Richard Cooper in the Chair. Councillors Mike Chambers, Phil Ireland, Stan Lumley and Graham Swift.

Late Arrivals: None

Early Departures: None

49/18 – APOLOGIES FOR ABSENCE: Apologies for absence had been received from Councillors Rebecca Burnett and Andy Paraskos.

(5.34 pm)

50/18 – DECLARATIONS OF INTEREST: Councillor Phil Ireland declared an interest in respect of Minute 55/18 on the basis that he had been invited to join Knaresborough Community Land Trust. Councillor Ireland left the meeting room for the debate and vote on the item.

Councillors Mike Chambers, Richard Cooper and Stan Lumley declared an interest in respect of Minute 57/18 on the basis that they were Members of North Yorkshire County Council. The Monitoring Officer had granted these Members a dispensation under Section 33 of the Localism Act 2011 as without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the Cabinet as to impede the transaction of the business. The dispensation enabled them to remain in the meeting room, participate in the debate and vote on the item.

(5.34 pm)

51/18 – MINUTES: The Minutes of the meeting of Cabinet held on 19 September 2018 were approved unanimously as a correct record and signed by the Chair.

(5.36 pm)

52/18 – EXEMPT INFORMATION:

RESOLVED (UNANIMOUSLY):

That, in accordance with Section 100A(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the public during the discussion of Minute 57/18 below as there will be a disclosure of exempt information as defined in Section 100I of the Act.

The exempt information in question relates to the financial or business affairs of any particular person, including the authority holding that information, as defined in paragraph 3 of Schedule 12(A) to the Act, as amended.

The Appendix to Minute 56/18 was also deemed to be exempt, discussion on the item however took place in open session.

(5.51 pm)
53/18 – COMMUNITY INFRASTRUCTURE LEVY: DRAFT CHARGING SCHEDULE: The Executive Officer Policy and Place submitted a written report on the Community Infrastructure Levy (CIL) Draft Charging Schedule, which was attached at Appendix 1. The Planning Act 2008 contained powers for the introduction of a CIL which would enable Councils to secure funding to deal with the cumulative impact of development on infrastructure needs. The Community Infrastructure Levy Regulations empowered Local Planning Authorities to set a charge per square metre for new development and for the proceeds to be spent on local and sub-regional infrastructure to support the new development.

The report detailed the process for preparation of a CIL, and in particular the Economic Viability Assessment, which would ensure that the proposed levy rates would not threaten the ability to viably develop sites. A Preliminary Draft Charging Schedule (Appendix 2) had been prepared based on this assessment, and consultation on the preliminary draft had not provided any evidence to justify that the charging rates proposed were inappropriate. Different charging rates were proposed for different zones within the district and types of development, as set out at paragraph 5.13 of the report.

The District Development Committee would be considering the Draft Charging Schedule at its meeting to be held on 18 October 2018, and its comments would be brought back to Cabinet on 14 November 2018. The recommendations from that Cabinet meeting would be submitted to Council on 5 December 2018.

The Principal Planner advised that no charge would be made for developments in urban areas, based on the viability assessments and as they were largely brownfield sites, and there would also be no charge for residential development at the strategic sites. The viability assessment had also demonstrated that an exception should be made for development of the greenfield allocations adjacent to Ripon, where there would be no charge made for residential development.

RECOMMENDED (UNANIMOUSLY):

That the District Development Committee be requested to provide the Cabinet with its comments and recommendations on the proposed content of the CIL Draft Charging Schedule (Appendix 1).