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## **FULL COUNCIL REPORT**



Date Written	19 November 2013
Report Author	Craig Watkins
Service Area	Town Planning
Exempt/Non Exempt	Non Exempt
Committee Date	4 <sup>th</sup> December 2013

*To: Mayor, Ladies and Gentlemen*

# **Community Infrastructure Levy – Section 211 & 212 Declaration**

### **PURPOSE OF THE REPORT:**

In accordance with Section 212 of the Planning Act 2008, this report seeks Council approval for the declaration at Appendix 1 that confirms that Merthyr Tydfil County Borough Council has complied with the appropriate statutory requirements and has used appropriate available evidence to inform the preparation of its Community Infrastructure Levy (CIL) Draft Charging Schedule

## **1.0 INTRODUCTION AND BACKGROUND**

- 1.1 Merthyr Tydfil County Borough Council submitted its Draft Charging Schedule for a joint examination with Caerphilly County Borough Council on 31<sup>st</sup> October 2013.
- 1.2 In order to comply with Section 212 of the Planning Act 2008 and the CIL Regulations 2010 (as amended), the Council is required to approve the CIL Draft Charging Schedule: Planning Act 2008 – Section 211 and 212 Declaration at a meeting of Full Council, for submission to the Planning Inspectorate.

## **2.0 SECTION 211 & 212 DECLARATION**

- 2.1 In accordance with Section 212 of the Planning Act 2008, the draft charging schedule submitted to the examiner i.e. the Planning

Inspectorate must be accompanied by a declaration (approved under subsection (5) or (6)) that:

- a) The Charging Authority has complied with the requirements of Part 11 of the Planning Act 2008 and the CIL Regulations 2010 as amended by the CIL Regulations 2011, 2012, 2013 (including the requirements to have regard to the matters listed in section 211(2) and (4) of the Planning Act 2008);
- b) The Charging Authority has used appropriate available evidence to inform the Draft Charging Schedule;
- c) Any other matters prescribed by the CIL Regulations 2010 as amended have been dealt with.

2.2 In order to comply with the Regulations, a declaration has been prepared and is attached as Appendix 1 to this report.

### **3.0 FINANCIAL IMPLICATION(S)**

3.1 There are no financial implications associated with this report

### **4.0 SINGLE INTEGRATED PLAN AND SUSTAINABILITY IMPACT SUMMARY**

4.1 The Single Integrated Plan and Sustainability Impact Assessment has been completed and the proposals positively impact on a number of aspects of the Single Integrated Plan, including improving the financial sustainability of public services and helping to create a vibrant, attractive, safe and sustainable place to live, work and visit. No negative impacts have been identified.

### **5.0 EQUALITY IMPACT ASSESSMENT**

5.1 It has been identified that an Equality Impact Assessment (EqIA) is not required for the purpose of this report. A copy of the EqIA screening form is available in the electronic library.

### **6.0 RECOMMENDATION(S) that**

6.1 Council approve the Section 211 & 212 Declaration attached as Appendix 1 to this report for submission to the Planning Inspectorate.

**GARY THOMAS**  
**DIRECTOR OF CUSTOMER SERVICES**

**BACKGROUND PAPERS**

<i>Title of Document(s)</i>	<i>Document(s) Date</i>	<i>Document Location</i>

***Consultation has been undertaken with Executive Board in respect of each proposal(s) and recommendation(s) set out in this report.***