

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CORPORATE SERVICES SCRUTINY COMMITTEE**

**MINUTES** of the special meeting of the Corporate Services Scrutiny Committee held at the County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale, on Tuesday, 18<sup>th</sup> November 2014 at 4.30 pm.

**Present:**

County Borough Councillor M A Norris – in the Chair

**County Borough Councillors:**

H Boggis	S Carter	(Mrs) J Cass
(Mrs) M E Davies	P Griffiths	G Stacey
(Mrs) M Tegg	(Mrs) J S Ward	P Wasley
E Webster	C Willis	R Yeo

**Officers:**

Mr P J Lucas – Director of Legal & Democratic Services  
Mrs J Cook – Director of Regeneration & Planning  
Mr S Gale – Service Director, Planning

**34. APOLOGIES**

Apologies for absence were received from County Borough Councillors J David, S Lloyd, S Rees-Owen and D W Weeks.

**35. DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, there were no declarations of interest made in relation to the agenda.

**REPORT OF THE DIRECTOR OF LEGAL & DEMOCRATIC SERVICES**

**36. IMPLEMENTATION OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)**

The Director of Legal and Democratic Services reported on the request of Cabinet that the appropriate scrutiny committee should consider implementation of the CIL with particular regard to the Regulation 123 list and engagement with Town and Community Councils. He explained that it was intended that the report in respect of the implementation of the CIL would be presented to Council in December but that it was for the Committee to consider what scrutiny arrangements could be put in place to monitor the CIL with regard to the issues highlighted by Cabinet. He proposed that due to the technical nature of the issue that the Committee might feel that the matter would be better dealt with by way of a scrutiny working group. Before asking the Committee to make a decision he invited the Service Director, Planning to comment.

The Service Director reported that the issue of the Charging Zones was always going to be a difficult and contentious issue and he appreciated that some Members had concerns. He explained that the District Valuer had been asked to undertake the independent review of the CIL proposals and had concluded that the proposals provided an appropriate basis for the collection of the levy in the area. He also reported that the draft CIL had also undergone extensive consultation which had included developers and development agencies.

The Service Director provided Members with a brief explanation of the Regulation 123 list and explained that developers would not be expected to contribute twice and therefore a Section 106 could not be tagged to a development in the charging zones. It was therefore important that during the implementation period developments did not fall between the two. He reported on the three specific areas where it had been identified that there was a need for infrastructure to support growth but explained that there could be a need for this to change in the future.

With regard to Community Councils, the Service Director explained that regulations required that 15% of any money raised in a community or town council area is passed to that organisation to be spent on community infrastructure projects. If there are no community or town councils in that area, the income is retained by the Council but must be spent on community infrastructure projects in the area where the money was collected. Whilst there is a cap on the amount which can be collected it was his opinion that it was unlikely to occur in Rhondda Cynon Taf. He pointed out that some Community or town councils might be better placed to deal with this new responsibility than others and that the Council would need to assist in using the money. He also explained that the CIL guidance does not prescribe the detail of the process to be followed and that this was an issue which he felt the Corporate Service Scrutiny Committee could assist. He pointed out that it could be around 18 months before the Council would be in the position to hand over any money and therefore time for the matter to be given careful consideration prior to engaging with the Community Councils.

Members questioned Officers in relation to the operation of the Regulation 123 list and in particular the infrastructure relating to the Sainsbury development in Talbot Green area and also asked whether the regulations in respect of the percentage of CIL to be passed onto the Community Councils was set at 15% or is it between 15 and 25%. In response, the Director of Regeneration and Planning confirmed that the Section 106 obligations attached to the Sainsbury development would remain in place. With regard to the CIL Regulations, the Service Director, Planning explained that these regulations were not devolved to Wales and it was his understanding that the 25% level was only applicable to England and was linked to their Neighbourhood Planning agenda. A Member questioned whether the work of any review group would need to be revisited should there be changes to local authority boundaries and Members agreed that this would need to be kept in mind.

Following discussion it was unanimously agreed that a scrutiny working group be set up and that the Scrutiny Support Officer would write to Members seeking nominations with the aim if possible of holding the first scoping meeting before the Christmas period.

**RESOLVED** that a scrutiny working group be formed to consider in detail the issues in relation to the review of the Regulation 123 list and the processes to be adopted in delivering the Community benefits.

M A Norris  
Chairman

The meeting closed at 4.55 pm

