

**Please ask for:** Wendy Rowe  
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28 November 2023

Dear Councillor,

**Economic Prosperity Scrutiny Committee**  
**6:00pm, Wednesday 6 December 2023**  
**Council Chamber, Civic Centre, Cannock**

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,



**T. Clegg**  
**Chief Executive**

To: Councillors:

Mawle, D. (Chair)  
Dunnett, M.J. (Vice-Chair)  
Bancroft, J.T.    Pearson, A.R.  
Cartwright, S.M.    Prestwood, F.  
Fisher, P.A.    Sutherland, M.  
Foley, D.    Theodorou, P.C.  
Haden, P.    Wilson, L.J.  
Jones, P.T.

# Agenda

## Part 1

### 1. Apologies

### 2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

(i) To declare any interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

(ii) To receive any Party Whip declarations.

### 3. Minutes

To approve the Minutes of the meeting held on 27 September 2023 (enclosed).

### 4. PDP 2023/24 - Quarter 2 Performance Report

To receive the Q2 performance information for the Economic Prosperity Priority Delivery Plan (Item 4.1 - 4.10).

### 5. UK Shared Prosperity Fund - update

Update from the Head of Economic Development and Planning.

### 6. Local Plan - update

Update from the Head of Economic Development and Planning

### 7. Scrutiny Reviews

#### (a) Administration of Community Infrastructure Levy

Briefing Note of the Head of Economic Development and Planning (Item 7.1 - 7.2 plus appendices)

#### (b) Support for Businesses

The Chair of the Review will provide an update to Members.

**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Economic Prosperity Scrutiny Committee**  
**Held on Wednesday 27 September 2023 at 6:00pm**  
**in the Council Chamber, Civic Centre, Cannock**

**Part 1**

**Present:** Councillors:

	Mawle, D. (Chair)
Dunnett, M.J. (Vice-Chair) - arrived at 6.04pm	
Aston, J. (substitute)	Jones, P.T.
Bancroft, J.T.	Pearson, A.R.
Cartwright, S.M.	Sutherland, M.
Fisher, P.A.	Theodorou, P.C.
Haden, P.	Wilson, L.J.

Also in attendance:

- Councillor J. Newbury (Regeneration & High Streets Portfolio Leader) and
- Councillor O. Lyons (Leader of the Opposition)

**9. Apologies**

Apologies for absence were received from Councillor D. Foley and F. Prestwood.

Notification had been received that Councillor Aston would substitute for Councillor Foley.

**10. Declarations of Interests of Members in Contracts and Other Matters and Restrictions on Voting by Members and Party Whip Declarations**

No declarations of interests in addition to those already confirmed by Members in the Register of Members Interests were made.

**11. Minutes**

**Resolved:**

That the Minutes of the meeting held on 18 July 2023 be approved.

**12. PDP 2023/24 - Quarter 1 Performance Report**

Consideration was given to the quarter 1 performance information for the Economic Prosperity Priority Delivery Plan 2023/24 (Item 4.1 - 4.9).

The Head of Economic Development and Planning advised that he had attended the UKReiiF event (Real Estate Investment and Infrastructure Forum) in May this year. The

event was useful to promote the district to prospective developers and investors. It was an exciting event and he confirmed that he would also be attending the event next year. Members noted that the Committee would receive a presentation on the Local Plan at the December meeting. The presentation would outline the process, confirm the timeline and current position, and Members would have the opportunity to ask any questions.

He confirmed that the liaison meetings with town and parish councils to discuss progress in respect of the Thriving Communities Funds had been held in September.

The Chair commented that the overall performance at the end of Quarter 1 was good, with the majority of actions being on target.

### **13. Proposed closure of Amazon Fulfilment Centre**

The Head of Economic Development and Planning updated Members on the current position in respect of the proposed closure of the Amazon Fulfilment Centre. He advised that Members would be aware of the announcement made by Amazon in June that they intended to close the Rugeley site and relocate the Fulfilment Centre to Sutton Coldfield. Amazon were the largest employer in the Cannock Chase District and the closure would therefore have an impact on the local community.

A task group involving the Council and key partners had been established to focus on supporting employees affected by the proposals. The task group had been very productive with all the agencies working together for the benefit of employees and residents. The Council had begun constructive discussions with Amazon and a response from them was awaited. Amazon continued to undertake consultation with the affected workforce and further information on the number of staff relocating to the new facility or choosing voluntary redundancy would be known in 4-5 weeks' time. He confirmed that there would be no compulsory redundancies and all staff would be offered alternative employment at the new facility or within the business. Key partners would support and signpost employees to other opportunities should they not wish to relocate to the new site in Sutton.

He confirmed the closure would go ahead in February 2024, on a phased basis, gearing up to the opening of the new facility in Sutton. As the facility would remain open during the Christmas period, checks were being made with Amazon on the position with the seasonal workforce.

Whilst the departure of Amazon was disappointing the Head of Economic Development and Planning confirmed that the Economic Development Team would continue to seek investment into the district and support local businesses. A further report would be submitted to Cabinet in the coming months.

Members had the opportunity to ask any questions. A Member asked whether the Council had considered providing transport to the new facility in Sutton for employees who lived in the district. The Officer confirmed that the Council was not looking at providing this; however, Amazon had been asked if they could provide transport and a response was awaited.

The Chair asked whether contact had been made with the owner in respect of the future use of the site. The Officer explained that contact had not been made with the owner, but once the current lease with Amazon was terminated, the owner would look at re-letting the site.

#### **14. Review of Work Programme 2023/24**

Members noted that two Task and Finish Groups had been established at the last meeting. One Group was set up to review Procurement and the other Group would review the administration of the Community Infrastructure Levy. The Chair invited Councillor Fisher, Chair of the CIL Review, to update the Committee on the work of the Group.

Councillor Fisher advised that the Working Group had met in August and Members noted that, in terms of the administration of CIL, most tasks were undertaken manually. Members were therefore interested in looking at investing in the EXACOM computer system and the Planning Services Manager would be providing costs at the next meeting. Members had also expressed a view that they would like S106/CIL monies to be spent in the area they originated from. A further meeting of the Group had been arranged for 4 October.

The Procurement Review to look at providing opportunities for local business to bid for Council tendered projects and services had not yet met. However, the Head of Economic Development and Planning explained that a discussion had taken place with Judith Aupers, Head of Transformation and Assurance and the lead on Procurement. She would attend the first meeting of the Working Group to provide Members with a presentation on the procurement policy and outline the changes in the legislation. This would enable the Group the opportunity to set the scope of the review. The meeting would be arranged in the next few weeks and would be held in the offices, rather than on MS Teams.

#### **15. Exclusion of Public**

**Resolved:**

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in paragraph 3 of the Local Government Act, 1972.

**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Economic Prosperity Scrutiny Committee**  
**Held on Wednesday 27 September 2023 at 6:00pm**  
**in the Council Chamber, Civic Centre, Cannock**

**Part 2**

**16. Levelling Up Fund Update**

The Portfolio Leader for Regeneration and High Streets and the Leader of the Opposition remained in attendance for this item.

The Head of Economic Development and Planning provided Members with a confidential update on the progress of the Levelling up Fund project. He also confirmed the position in relation to the outline planning application which had been deferred at the Planning Control Committee on 20 September to enable the applicant to respond to comments received from Highways. It was anticipated the planning application would be submitted to the next Planning Control Committee on 18 October.

He confirmed that it was intended to provide updates about the progress of the project in the public part of the meeting in the coming months.

Members were then offered the opportunity of asking questions and making comments.

The meeting closed at 6:40pm.





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**Chair**

## Priority Delivery Plan for 2023-24

### PRIORITY 1 - ECONOMIC PROSPERITY “To reinvigorate the economy and create a District that thrives”

#### Summary of Progress as at end of Quarter 2

				N/A	Total Number of Projects
Action completed	Work on target	Work < 3 months behind schedule	Work > 3 months behind schedule	Action not yet due	
<b>3</b>	<b>13</b>	<b>4</b>	<b>0</b>		<b>20</b>



#### Summary of Successes as at Quarter 2

Good progress being made with the Council's UKSPF Investment plan with a number of key projects underway and the Cannock Construction excellence project nearing completion.




#### Summary of Slippage as at Quarter 2



Levelling Up Fund - outline planning application deferred to October/November Planning Control Committee. Business plan for managed workspace element of the scheme has slipped due to delay with design work, and submission of Project Adjustment Request to DLUHC.




Cannock Railway Station - while further work has been undertaken in relation to the design and feasibility of achieving a transformational upgrade to the station, the Council is not yet in a position to develop a detailed business case, and there are no active opportunities to bid for external funding to fund the project.




Projects	Actions and Milestones	Qtr 1	Qtr 2	Qtr 3	Qtr4	Progress Update	Symbol
<b>Attract investment to develop the District's economy</b>							
Deliver the Levelling Up Fund regeneration scheme for Cannock Town Centre, creating a new cultural hub and high-quality public realm	<ul style="list-style-type: none"> <li>Secure outline planning consent for LUF scheme</li> <li>Approval of design and cost plan</li> <li>Commence demolition and clearance of existing sites</li> <li>Compulsory Purchase Order approval from Secretary of State</li> </ul>	X				<p>Outline planning application deferred at September Planning Control Committee; will go back to Committee in either October or November.</p> <p>RIBA 3 Design and cost plan produced and finalised.</p> <p>X</p> <p>X</p> <p>CPO has been formally submitted to Secretary of State. The Council is currently engaging with objectors to the CPO with the aim of addressing any concerns and/or reaching a negotiated position.</p> <p>Council will be submitting a formal Project Adjustment Request (PAR) to DLUHC to request an extension to the project timeframe.</p>	
Work in partnership to secure investment in major projects to create confidence in our district	<ul style="list-style-type: none"> <li>Participate in the UKReIFF 2023 event to promote the district to developers/investors</li> </ul>	X				<p>As noted in the Q1 update, the Head of Economic Development and Planning attended UKReIFF event as part of the 'We are Staffordshire' team. Preparation is now starting for the 2024 event.</p>	










Projects	Actions and Milestones	Qtr 1	Qtr 2	Qtr 3	Qtr4	Progress Update	Symbol
	<ul style="list-style-type: none"> <li>Re-development of former Rugeley Power Station as a Zero Carbon community - owner to commence build out of development scheme</li> </ul>				X	Awaiting further details on ownership of site and programme for development.	
	<ul style="list-style-type: none"> <li>Cannock Railway Station - transformational upgrade. Detailed business case and funding strategy.</li> </ul>	X				Further design and feasibility work has now been completed by Network Rail on behalf of the client team, with a decision to be taken on next steps for the project. Part of this will be to identify potential funding streams and further work needed to develop the business case.	
Identify a pipeline of future projects to support economic growth opportunities and the rejuvenation of our town centres across Rugeley, Hednesford, Cannock and the surrounding villages and maximise investment and funding into the district	<ul style="list-style-type: none"> <li>Delivery of projects set out in the Council's approved UK Shared Prosperity Fund (UKSPF) Investment Plan</li> </ul>	X	X	X	X	<p>West Midlands Grant Programme, Net Zero Pathfinder, Go Digital Accelerator &amp; Cannock Construction Excellence Initiative have all signed their grant agreements.</p> <p>Net Zero Pathfinder and Go Digital Accelerator launched in August.</p> <p>Issues with West Midlands SME Grant Programme arose with the Birmingham City Council's issuing of their S114 Notice - officers are working to understand any implications of this before launching the programme.</p> <p>Cannock Construction Excellence work has been completed and launch event is scheduled for 27 October.</p>	

Projects	Actions and Milestones	Qtr 1	Qtr 2	Qtr 3	Qtr4	Progress Update	Symbol
						<p>Agreement from the UKSPF Project Board in July to progress the Enterprise Advice &amp; Support Programme - in draft agreement stage.</p> <p>Youth Aspiration and Life Skills projects will be competitively tendered.</p> <p>Beat the Cold is also in draft grant agreement stage</p>	
<b>Encourage entrepreneurship, promote apprenticeships, and support business</b>							
Seek to identify and promote employment sites for new and growing businesses	<ul style="list-style-type: none"> <li>New employment allocations to be identified via new Local Plan</li> </ul>		X	X	X	Employment Land Needs Assessment currently being refreshed as part of the Regulation 19 stage of the Local Plan.	
	<ul style="list-style-type: none"> <li>Develop proposal for business workspace in Levelling Up Fund project</li> </ul>		X			The requirements for business workspace have been built into the LUF RIBA stage 3 design work. Demand assessment identifies potential market for small business workspace and lack of existing provision. Officers will now progress the next stage of the project which will be to develop a business plan and delivery model.	

Projects	Actions and Milestones	Qtr 1	Qtr 2	Qtr 3	Qtr4	Progress Update	Symbol
Work with established Growth and Skills Hubs to streamline and simplify access to business support services, access to training and apprenticeships	<ul style="list-style-type: none"> <li>Promote availability of support from existing Growth and Skills Hubs to increase business referrals</li> </ul>	X	X	X	X	E-bulletins sent to businesses on our database as and when information is shared with the Economic Development Team	
Continue to work with partners to secure additional funding to be able to continue business growth and start-up schemes	<ul style="list-style-type: none"> <li>Commission and procure new start up support provision utilising UKSPF funding</li> </ul>		X			<p>Agreement from UKSPF Board in July 2023 for Staffordshire County Council to deliver the Enterprise Advice &amp; Support Programme funded through UKSPF which will cover Working for Yourself/Loans to step up businesses/Get started and Grow.</p> <p>West Midlands SME Grant Programme when launched will provide grants for start-up and growing businesses</p>	
<b>Attract modern, green and skilled industries, and create jobs</b>							
Work with our colleges and training providers to equip young people and all residents with skills they need to access employment opportunities	<ul style="list-style-type: none"> <li>Commission and fund Cannock Construction Excellence project (South Staffordshire College) utilising UKSPF allocation</li> </ul>	X	X	X	X	The construction of the new facility is virtually complete with the new centre due to be formally opened on 27 October	




Projects	Actions and Milestones	Qtr 1	Qtr 2	Qtr 3	Qtr4	Progress Update	Symbol
Work with partners to identify and support businesses to become more carbon efficient and identify opportunities to create green jobs in our district	<ul style="list-style-type: none"> <li>Commission and fund Staffordshire Net Zero pathfinder project</li> </ul>	X	X	X	X	Staffordshire University and Cannock Chase Council issued press releases in August launching both the Net Zero Pathfinder and Go Digital Accelerator programmes	
<b>Rejuvenate our town centres</b>							
Identify opportunities to improve public realm in our town centres	<ul style="list-style-type: none"> <li>Cannock Town Centre - LUF investment in public realm enhancements - sign off of detailed scheme and cost plan</li> </ul>		X			Public realm enhancements included as part of RIBA Stage 3 design work; these include proposed new connection into the town centre (Northern Gateway) and creation of new public square adjacent to the refurbished Prince of Wales Theatre and wider cultural hub.  The RIBA 3 work and cost plan has now been completed and will be presented to the LUF Board for final sign off in Q3.	
	<ul style="list-style-type: none"> <li>Rugeley Boardwalk - replacement scheme - review inflation and construction cost pressures and present options to Cabinet</li> </ul>			X		Report presented to Cabinet on 12 October. Cabinet agreed that the cost of the replacement scheme may be considered for the 2024/25 Capital Programme.	

Projects	Actions and Milestones	Qtr 1	Qtr 2	Qtr 3	Qtr4	Progress Update	Symbol
Work with town and parish councils, local businesses and traders to support the development of initiatives to increase vibrancy of our town centres and increase footfall	<ul style="list-style-type: none"> <li>Regular liaison meetings with town and parish councils to identify opportunities for joint working</li> </ul>	X	X	X	X	Meeting took place in August 2023 with five of the Thriving Communities areas to discuss project progress, share experiences and try to establish joint working	
	<ul style="list-style-type: none"> <li>Launch the Thriving Communities project and invite town and parish councils to bid for funding</li> </ul>	X	X	X	X	Thriving Communities project launched in February 2023, an allocation of funds has been set aside for seven town and parish council areas. Each area is using the funds to enhance their local area and arrange events to encourage more footfall in their high streets.	
<b>Support the development of our visitor economy</b>							
Work with Destination Staffordshire (DMP) to promote our key attractions, accommodation providers and events	<ul style="list-style-type: none"> <li>Work with DMP to deliver the county-wide visitor economy strategy</li> </ul>	X	X	X	X	Local Visitor Economy Partnership application submitted to Visit England by DMP. Decision on application expected in November 2023.	
	<ul style="list-style-type: none"> <li>Participate in joint marketing initiatives and development of themed campaigns</li> </ul>	X	X	X	X	Cannock Chase continues to participate in Enjoy Staffordshire marketing campaigns as part of its membership of the DMP.	

Projects	Actions and Milestones	Qtr 1	Qtr 2	Qtr 3	Qtr4	Progress Update	Symbol
	<ul style="list-style-type: none"> <li>Evaluation of Destination Staffordshire investment</li> </ul>				X	Awaiting publication of the Economic Impact Assessment from Destination Staffordshire to inform future decisions on Council investment. DMP has requested districts/boroughs enter into a partnership agreement, pending the decision on LVEP accreditation.	
	<ul style="list-style-type: none"> <li>Work with McArthurGlen on encouraging overnight stay packages in the district</li> </ul>	X	X	X	X	Regular meetings take place to discuss progress at McArthurGlen and opportunities for joint working. McArthurGlen have submitted a reserve matters application for phase 2 of the development and this should be presented to Planning Control Committee during Quarter 3.	
Maximise the legacy of the 2022 Commonwealth Games by using the event to help boost the district's profile	<ul style="list-style-type: none"> <li>Explore options for new visitor accommodation/eco accommodation to encourage those visiting Cannock Chase Forest to stay in the district</li> </ul>			X	X	Meeting to be arranged with Forestry England during Q3.	

## Appendix 2

**Key Performance Indicators (KPIs) for 2023/24 - as at end of Quarter 2**

<b>Symbol</b>	<b>Description</b>	<b>Number of KPIs</b>
	Performance exceeds target	8
	Performance on target	6
	Performance below target	5

## KPIs for Priority 1 - The Economy

Indicator	Target	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Year End	Symbol	Comments
<b>Planning</b>								
Major Planning Applications determined within time	60%	N/A	100%				★	
Non-major Planning Applications determined within time	70%	96.6%	95.5%				★	
<b>Building Control</b>								
Applications registered and acknowledged within 3 days of valid receipt	90%	100%	98%				★	
Full plans applications with initial full assessment within 15 days of valid receipt	70%	95%	92%				★	



<b>Briefing Note of:</b>	<b>Head of Economic Development and Planning</b>
<b>Contact Officer:</b>	<b>Sushil Birdi</b>
<b>Telephone No:</b>	<b>01543 464 326</b>

**Economic Prosperity Scrutiny Committee**  
**6<sup>th</sup> December 2023**  
**Administration of Community Infrastructure Levy Review**

**1 Purpose of Briefing note**

- 1.1 This briefing note provides details of the work carried out by the Community Infrastructure Levy Working Group and to outline the Group's recommendations.

**2 Key Issues**

- 2.1 The Economic Prosperity Scrutiny Committee agreed to a review of the Community Infrastructure Levy (CIL) function within Planning Services at its meeting of 18<sup>th</sup> July 2023.
- 2.2 The CIL Working Group met on two occasions, 16<sup>th</sup> August 2023 and 4<sup>th</sup> October 2023.

**3 Detail**

- 3.1 The Community Infrastructure Levy Review Working Group comprising of six Members, chaired by Councillor Paul Fisher was established to carry out the review. The Working Group would report its findings to a future meeting of the Economic Prosperity Scrutiny Committee.
- 3.2 The Working Group formally met on two occasions. Agendas, Minutes and documents related to the review are included as appendices to this Briefing Note.
- 3.3 At the inaugural Working Group meeting held on 16<sup>th</sup> August 2023, Members received a presentation providing an overview of the Planning Obligations including Section 106 Agreements and Unilateral Undertakings and Community Infrastructure Levy from the Planning Services Manager supported by the Planning Policy Consultant (Interim Planning Policy Manager) and the Planning Obligations (CIL0S106) Officer. Members had the opportunity to ask questions. The presentation provided details of the legislative framework within which the Local Planning Authority can set out the requirements for seeking planning obligations and the range of contributions that are sought and their purpose.

- 3.4 At the Working Group meeting held on 4<sup>th</sup> October 2023 Members received information arising from agreed actions from the August meeting relating to EXACOM software; a case study relating to a planning application where development viability was negotiated; an example of a CIL funding allocation with grant offer letter including conditions; The CIL Infrastructure List and CIL Infrastructure List Update Form; details of ward funds and processes relating to approval, spending and delivery and discussion on staff resources. The Working Group agreed the following recommendations:
- (A) That the detailed information in relation to the EXACOM system outlining the various packages and charges be forwarded to Members once clearance had been received from the company that the information could be released.
  - (B) That a visit to Stafford Borough Council be arranged for Officers and Members to have a demonstration of the EXACOM system.
  - (C) That the purchase of the EXACOM system be supported in principle and this should be investigated further.
  - (D) That a copy of the Cabinet report from 23 July 2015 (CIL Funding Decisions Protocol) be forwarded to Members.
  - (E) That the Group advise Officers if there was any further information they wished to receive.
- 3.5 In relation to point A, a summary note was produced and distributed by the Planning Services Manager. Point B would be held over should a future meeting of the Group be arranged; however the review has now concluded. The request referred to in Point D was actioned and on Point E, no further requests have been received.

#### **4 Implications (if applicable)**

- 4.1 The EXACOM software system purchase and installation costs would be explored pending a commitment to invest in the system. This would be considered as part of the budget setting and transformation agenda.

#### **5 Appendices**

Appendix A: CIL Scrutiny Review Working Group Agenda 16<sup>th</sup> August 2023.

Appendix B: CIL Scrutiny Review Working Group Notes of meeting 16<sup>th</sup> August 2023

Appendix C: CIL Scrutiny Review Working Group Agenda- 4<sup>th</sup> October 2023

Appendix D: CIL Scrutiny Review Working Group Notes of Meeting 4<sup>th</sup> October 2023



# Administration of Community Infrastructure Levy Review - Scrutiny Task & Finish Group

**Time:** 4:00pm

**Date:** Wednesday 16 August 2023

**Venue:** Remote meeting via MS Teams

## 1. Apologies

## 2. Declarations of Interest from Members

To declare any personal, pecuniary, or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

## 3. Administration of Community Infrastructure Levy Review

Members will receive a presentation providing an overview of the Community Infrastructure Levy and agree the scope of the review.

### Councillors:

P. Fisher (Chair)  
S. Cartwright  
P. Haden  
P. Jones  
A. Pearson  
L. Wilson

### Officers:

S. Birdi (Planning Services Manager)  
C. Faulkner (Interim Development Management Team Leader)  
J. March (Planning Policy Consultant)  
W. Rowe (Senior Committee Officer)

Date Despatched: 9 August 2023

**CANNOCK CHASE COUNCIL**  
**NOTES OF THE**  
**SCRUTINY REVIEW WORKING GROUP - COMMUNITY INFRASTRUCTURE LEVY**  
**WEDNESDAY 16 AUGUST 2023 AT 4.00 P.M.**  
**REMOTE MEETING VIA MS TEAMS**

Present:

Councillor P. Fisher (Chair)  
Councillor P. Haden  
Councillor P.T. Jones  
Councillor A. Pearson  
Councillor L. Wilson

Officers: S. Birdi (Planning Services Manager)  
J. March (Planning Policy Consultant)  
A. Jackson (Planning Obligations (CIL/S106)  
Officer  
W. Rowe (Senior Committee Officer)

**1. Apologies**

An apology for absence was received from Councillor S. Cartwright.

**2. Declarations of Interests from Members**

Nothing declared.

**3. Scrutiny Review of the Community Infrastructure Levy**

Sushi Birdi, Planning Services Manager introduced Amy Jackson, Planning Obligations (CIL/S106) Officer, and Jemma March, Planning Policy Consultant, to Members of the Group. Claire Faulkner, Interim Development Management Team Leader was on annual leave and was therefore not in attendance.

He then explained that he would give a presentation which would provide an overview of the Community Infrastructure Levy. The presentation would also cover information about Section 106 Agreements and Unilateral Undertakings, as follows:-

- What are planning obligations?
- When can planning obligations be sought by the local planning authority?
- How do planning obligations relate to other contributions?
- Where should policy on seeking planning obligations be set out?

- Can planning obligations be pooled to fund infrastructure?
- Are planning obligations negotiable?

He then outlined in detail the Cannock Chase Community Infrastructure Levy explaining that it was introduced by the Planning Act 2008 and was a tool for local authorities to help deliver infrastructure to support the development of their area. He explained that it came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 and he outlined the reasons why the existing system required reform.

Members noted that the Community Infrastructure Levy was effectively a tax on all developments (where viable). It was a tariff-based system, which was fairer, faster, more certain, and transparent. It funds a wide range of infrastructure needed as a result of development (e.g., new or safer road schemes, flood defences, schools, hospitals and other health and social care facilities, parks, open spaces, cultural and sports facilities, district heating systems and police stations but NOT affordable housing). It was charged on a square metre basis and was more flexible - intended to address cumulative impacts of development.

Members noted that small sites still had to pay, there were a few exemptions, and the Local Plan would need to be viability tested, taking account of all plan policy requirements e.g., building standards, affordable housing, CIL.

Members were advised of the process for setting the CIL Levy, the charging schedule rates and how the Levy was collected. The Group noted that relief was available and there were national exemptions.

Members noted that in terms of how the Levy was spent :-

- LA's decide what infrastructure was needed
- Not to remedy pre-existing deficiencies unless made more severe by new development
- Increase capacity of existing infrastructure or repair of failing infrastructure
- Allocation of meaningful proportion of levy revenues back to neighbourhoods where development proposed
- 5% of levy to recover costs of administration
- Charging authorities can pass money outside of area to deliver infrastructure e.g. Environment Agency - flood defences or in 2 tier areas, County Council - Education

Members received further information on the fund distribution and noted that with regard to Parish and Town Councils, 15% of CIL funds are generated from developments taking place in their areas (annual cap of £100 per existing Council Tax dwelling). Where a Neighbourhood Plan was adopted, 25% of CIL funds were generated from developments taking place in their areas (no cap imposed). In non-parished areas, the Council consulted with local communities in each area to determine how the locally generated 15% should be used. The SAC mitigation fee was pre-sliced from CIL liable permissions (currently £329.83 per net dwelling).

The Group was advised that the CIL receipts for the end of 2022/23 amounted to £1,068,138.34. The allocations made so far in the district since 2019 were outlined for the benefit of Members along with the neighbourhood funds available.

The Group noted that the CIL Allocations process was approved by Council in July 2015. A competitive bidding process was carried out in June for projects identified on the CIL infrastructure list. Bids were assessed by the CIL Joint Member/Officer Working Group and decisions were reported to Council in February alongside the Councils Budget Report. The timetable for the Allocations Process was then outlined for Members information.

In terms of spending the 15% of local funds retained for Ward areas, Members were advised that, in accordance with the existing allocations protocol, Ward Members in non-parished areas should be consulted in relation to potential projects. Although this allowed more flexibility on the spending of CIL ward funds, it provided little guidance on an appropriate protocol to spend these funds. Often, projects proposed by Ward Members cannot be delivered as there was no one to implement the projects or there was no clear process on releasing the funds to external bodies.

The Officer outlined how the CIL Levy should be monitored in an open and transparent way and referred to the CIL Audit report undertaken in 2018 which resulted in 6 recommendations: -

- Resources - Principal Planners appointment to Development Control and dedicated CIL Officer
- Issues for CCDC (in context of shared services with SBC)
- Transfer management system for CIL from spreadsheet to APAS
- Further legal advice to agree way forward to close off issues on relief and exemptions
- Improve retention of paper records for audit purposes and when key officers not available
- May still be insufficient resources to deal with CIL workload

It was noted that some of the recommendations had already been actioned. In the longer term the Audit recommended that consideration should be given to investing in an alternative computer system to provide a more automated approach to CIL administration (EXACOM).

The lengthy process for administering CIL was then outlined along with any risks that were involved. Members noted that most of these tasks were done manually.

Following the presentation, Members of the Group asked various questions of Officers and raised several issues. Members considered that investing in the EXACOM computer system should be looked at and noted staff resources were stretched. The Planning Services Manager advised that there had been a discussion about investing in the EXACOM system prior to the pandemic, but budgets and funding had since been reduced. However, he would investigate the cost of the system and consider using the 5% administration charge to cover the

costs involved.

Following this, it was AGREED that: -

- (A) The Group be provided with information on a case study of a viability assessment following a planning consent.
- (B) The Group be provided with further information and costs of the EXACOM computer system.
- (C) The Protocol for the CIL Allocations process be submitted to the Group.
- (D) The Group be provided with an example of a grant offer along with the list of conditions.
- (E) The Group be provided with the Protocol for Ward portions and further information be provided on the Ward funds that were unable to be delivered along with the reasons for this.
- (F) Further information on staff resources and resilience be provided to the Group.
- (G) The Group be provided with information on how Ward funds were spent and how they were approved.
- (H) Details on how a project can be included on the infrastructure list be provided to the Group.
- (I) The slides of the presentation be emailed to Members following the meeting.

The meeting ended at 5.25pm.



# Administration of Community Infrastructure Levy Review - Scrutiny Task & Finish Group

**Time:** 4:00pm

**Date:** Wednesday 4 October 2023

**Venue:** Remote meeting via MS Teams

## 1. Apologies

## 2. Declarations of Interest from Members

To declare any personal, pecuniary, or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

## 3. Notes of previous meeting

To agree the notes of the previous meeting held on 16 August 2023

## 4. Administration of Community Infrastructure Levy Review

- EXACOM
- Viability
- CIL Allocation Process including grant offer and conditions
- CIL infrastructure List
- Ward funds - approval/spend/delivery
- Staff resources

**Councillors:** P. Fisher (Chair)  
S. Cartwright  
P. Haden  
P. Jones  
A. Pearson  
L. Wilson

**Officers:** S. Birdi (Planning Services Manager)  
C. Faulkner (Interim Development Management Team Leader)  
J. March (Planning Policy Consultant)  
A. Jackson (Planning Officer)  
J. Purle (Planning Obligations (CIL/S106) Officer) - to observe  
W. Rowe (Senior Committee Officer)

Date despatched 26 September 2023



**CANNOCK CHASE COUNCIL**  
**NOTES OF THE**  
**SCRUTINY REVIEW WORKING GROUP - ADMINISTRATION OF THE COMMUNITY**  
**INFRASTRUCTURE LEVY**

**WEDNESDAY 4 OCTOBER 2023 AT 4.00 P.M.**

**REMOTE MEETING VIA MS TEAMS**

Present:

Councillor P. Fisher (Chair)  
Councillor P. Haden  
Councillor P.T. Jones  
Councillor A. Pearson  
Councillor L. Wilson

Officers: S. Birdi (Planning Services Manager)  
J. March (Planning Policy Consultant)  
C. Faulkner (Interim Development Management  
Team Leader)  
J. Purle (Planning Obligations (CIL/S106)  
Officer - observing  
W. Rowe (Senior Committee Officer)

**4. Apologies**

An apology for absence was received from Councillor S.M. Cartwright.

**5. Notes of previous meeting**

The notes of the previous meeting held on 16 August 2023 were agreed.

**6. Declarations of Interests from Members**

Nothing declared.

**7. Scrutiny Review of the Community Infrastructure Levy**

Sushi Birdi, Planning Services Manager introduced the Officers in attendance and welcomed Julie Purle, the new Planning Obligations (CIL/S106) Officer who would be observing the meeting.

It was explained that he would provide a presentation and give verbal updates, along with some supporting documents, in relation to the outstanding items from the previous meeting, as detailed on the agenda.

**(i) EXACOM**

Members received a presentation on the EXACOM system. The Planning Services Manager explained that the company offered three main products: a main suite allowing the effective management of CIL, S106 and Project data and two public systems to enable the public to access the data. The various packages and charging information along with any discounts offered were outlined for Members information. The price included installation, full personalisation of the system, staff training, upgrades resulting from legislative changes and helpdesk support. The costs included the purchase price plus an annual maintenance charge. The Officer explained that once he had received clearance that the information could be released, he would forward it to Members.

Members noted that Staffordshire Borough Council already had the software package which was used to manage S106 payments.

The Planning Services Manager explained that the current manual system, with the use of spreadsheets, had the potential for human error. He believed that, if the EXACOM system was purchased, it would pay for itself in a few years' time. He would therefore be prioritising the purchase of this system for the Planning team.

Members were then offered the opportunity to ask questions. A Member asked whether the maintenance costs would rise or were they a set price. The Officer confirmed that they would rise, but maybe not each year. Another Member asked whether there would be any effect on physical jobs should the system be purchased. It was confirmed that it was not intended for the system to replace any individual; it would supplement the work being done.

In response to a question the Officer confirmed that Stafford Borough Council had been using the EXACOM system since at least 2019 to manage their S106 payments. Officers over in the Stafford office were very complimentary of the system as it had reduced the processes required to manage S106 payments.

Another Member asked whether there would be any opportunity to save any money given that the two Councils were now sharing services. The Officer confirmed this was unlikely as a separate licence would be required. Both Councils would be maintaining their own separate identity despite sharing services. He commented that he had outlined the discounts offered depending on which packages were purchased, at the start of the presentation.

A Member asked whether the system could accommodate any changes given that there was speculation that CIL could be replaced in the future. The Officer advised that the software would be compatible with any new regime.

The Planning Services Manager added that it might be useful to arrange a visit to Stafford Borough Council and have a demonstration of the EXACOM system. Members may wish to attend along with officers.

**(ii) Viability**

In response to a request at the previous meeting, the Planning Services Manager and the Interim Development Management Team Leader outlined a case study of a viability assessment following a planning consent. The example given was in relation to an application for outline planning consent for 12 apartments on Walsall Road, Cannock. The application had been approved subject to a S106 contribution of £59,616 for affordable housing. The applicant had then submitted a viability assessment demonstrating that the site was unviable with the obligation attached stating that the development would only generate a marginal profit of 14%. He confirmed that the Government's Planning Practice Guidance states that a 20% gross development value was a suitable return for a property developer. The Council therefore commissioned its own viability assessment to present with the scheme when it was taken back to the Planning Committee.

In this case, the reserved matters application was not submitted to the Planning Control Committee, but a full application was, along with the viability assessment. The Committee resolved to approve the application with a reduced S106 contribution. However, there was a condition attached to the permission for the contribution to be reassessed should there be any market changes within 2 years.

Members noted the case study.

**(iii) CIL Allocation Process including grant offer and conditions**

The Planning Services Manager showed Members the Cabinet Report from 23 July 2015 which was prepared when CIL had been implemented. The report adopted a protocol for the allocation of CIL funds to infrastructure projects. A copy of the report would be forwarded to Members.

A summary of the overall process and annual timetable was outlined for the benefit of Members. The timetable began by inviting bids from stakeholders for inclusion in the three-year CIL infrastructure capital programme by 30 June each year and ended the following February when the Cabinet/Council report was considered.

The Group was also given an example of an offer letter along with conditions. It was explained that a project management form was prepared every quarter until the project was completed and signed off.

**(iv) CIL Infrastructure List**

The Infrastructure List Update Form was displayed for the benefit of the Group. The officer took Members through the process of completing the form.

**(v) Ward funds - approval/spend/delivery**

In terms of Ward funds, the Officer explained that several projects had been submitted seeking funding from CIL Ward allocated budgets. These were the Chadsmoor High Street Improvement Scheme, the Family Centre in Chadsmoor and a scheme to locate defibrillators on buildings. These had not been progressed for various reasons, for example - defibrillators not being classed as infrastructure and difficulties in the project demonstrating a link to pressures from new development that justified infrastructure investment. Guidance to assist applicants in assessing whether proposals would be eligible was being developed in consultation with legal services and a process would then be put in place and publicised. It was recognised that support to Ward members and communities needed to be improved to assist with the allocation and delivery of projects. The Team would look into this.

It was likely that allocation of Parish/Neighbourhood funds would need Cabinet approval. The report would consider whether the matter could be delegated in future so as not to delay implementation.

**(vi) Staff resources**

Members had requested further information on staffing resources at the previous meeting. The Planning Services Manager explained that the proposed additional resources from the Development Control Team had never materialised when CIL had been introduced and therefore, the administration of CIL had always been undertaken by Amy Jackson. He confirmed that Julie Purle had now taken over the role of the Planning Obligations (CIL/S106) Officer. As the possibility of purchasing the EXACOM system was being investigated and shared services was also progressing, no supplementary resources were currently being proposed to manage the CIL process. Julie was previously the Customer Services Assistant which meant there was a gap in this part of the team.

He added that staff resources within the team would be addressed through the shared services agenda moving forwards.

Members were asked to consider if there was any further information they wished to receive. The Group agreed to have a discussion outside of the meeting and should there be anything further they wished to receive they would inform officers accordingly.

Members commented that they were in support of the purchase of the EXACOM system in principle and this should be investigated further. They acknowledged there would be cost implications to consider but as the system would be beneficial to the Team it would be cost effective in the long term.

Following this, it was AGREED: -

- (A) That the detailed information in relation to the EXACOM system outlining the various packages and charges be forwarded to Members once clearance had been received from the company that the information could be released.
- (B) That a visit to Stafford Borough Council be arranged for Officers and Members to have a demonstration of the EXACOM system.
- (C) That the purchase of the EXACOM system be supported in principle and this be investigated further.
- (D) That a copy of the Cabinet report from 23 July 2015 (CIL Funding Decisions Protocol) be forwarded to Members.
- (E) That the Group advise Officers if there was any further information they wished to receive.

The meeting ended at 5.15pm.