

**EXTRACT FROM THE DRAFT MINUTES OF THE FINANCE AND
PERFORMANCE SCRUTINY COMMITTEE 8TH SEPTEMBER 2021 –**

***These Minutes are Subject to Approval at the next meeting of the Committee ***

The Director of Prosperity and Development presented his report to Members to seek Committee's comments to be forwarded onto Cabinet in respect of the contents of the CIL Annual Monitoring Report and proposed changes to the regulation 123 List.

In accordance with the Community Infrastructure Levy Regulations 2010 (as amended), the Director attached to his report at Appendix A the CIL Annual Monitoring Report detailing the CIL income and expenditure. Also attached to the report as Appendix B was the Regulation 123 List, which required Members' approval for publication on the Council website for a period of 28 days consultation.

The Director referred Members to paragraph 5.2 of the report and advised Members that the total CIL income received in 2021/22 was £176,332.59. This included:-

- 80% as Strategic income = £24,481.84
- 15% Local income = £150,320.64
- 5% Administration income = £1530.12

The Director emphasised that the 80% Strategic income is less than the 15% Local income due to the amount being off-set against the cost of the new primary school at the Llanilid development as this was a CIL payment in lieu of a financial contribution.

A further reference was made to paragraph 5.4 of the report and the Director explained that there had been no expenditure of Strategic CIL income to date, however, he emphasised that Cabinet agreed on 20th September 2018 to spend £395,000 of Strategic CIL on Ffynnon Taf Primary School. Members were informed that the project will include a new build extension (4 classrooms and a hall) and refurbishments to the current school buildings for school and community use. The £395,000 Strategic CIL money is proposed to be spent by the end 2021/22.

Members were further informed of the proposed changes to the regulation 123 List, however, the broad thrust of the List remains the same as it proposes highway and education projects that support and mitigate the growth anticipated through the Council's Local Development Plan. Members were referred to Appendix C for the proposed changes.

The Director advised Members that there was one proposed change to the transportation project part of the List, which is to remove the Mountain Ash Cross Valley Link as it has progressed without the need for CIL funding. There was also one proposed change to the education project part of the List, which was to remove the new/additional education provision to serve Station Road, Church Village as this infrastructure project is to be funded using S106 education contributions

Following this, Members had the opportunity to scrutinise the report.

Councillor Caple queried whether the Council was able to use the CIL funding towards flooding prevention infrastructure in light of Storm Ciara and Storm Dennis. The Director advised Members that in theory it could be used, however, he reminded Members that the purpose of the CIL was for new infrastructure to support growth identified in the Local Development Plan.

Mr Fish, the Voting Parent / Governor Representative, queried what happens to the CIL commitment in light of the changes to Church Village. The Director advised that any CIL received isn't linked to the impact of the development it is received from and it is for the Council to spend strategically on infrastructure anywhere with the County Borough.

Discussions continued and Councillor James noted his concern that there is an Area such as Church Village that had substantial growth in terms of housing where the educational provision would be removed and other areas that do not have the same level of growth but continue to receive funding. Councillor James also queried what impact would be made on CIL with the Welsh Government's review of the roads being built throughout Wales. The Director advised that in terms of educational provision in Church Village, the removal had no reflection on the new educational provision in that area and the education provision previously referred to in the 123 List would get developed without the need for CIL funding. The Director also advised that the Council was currently undertaking a review of the Local Development Plan and that the review would look at where the growth pressure is in that area and what education provision is needed to meet that growth. In terms of the Welsh Government's review of the road building strategy, the Director advised that the role of the CIL and the Regulation 123 List is to identify what infrastructure is necessary to mitigate the impact of developments in the future and whether changes to the List need to be made in light of the Welsh Government's announcement will remain under review.

Councillor Bradwick queried the size of the school to be built at Llanilid and questioned whether a £1million would be sufficient to build a new school. The Director advised that Persimmon would build the whole school at their cost but whatever the total cost of their development is it would be subtracted from their overall CIL liability.

Councillor Yeo noted that CIL contributions should be invested across the County Borough as a whole and that all aspects of the County Borough should be treated the same. Councillor Yeo also noted the importance of reviewing how much CIL is being paid, the percentage of the CIL and the importance of getting value for money in light of the vast amount of houses being built. The Director acknowledged that a large amount of houses being built does have an impact on the wider Llanilid area and emphasised that in addition to the school, Persimmon are obligated to deliver a village centre, which will include new shops, a medical practice etc.

Discussions continued and Councillor James clarified that he is not against development elsewhere in the County Borough but that the point of the CIL is to help with the growth element and to tackle it within the Local Development Plan. He noted that as in Appendix B most of the areas proposed are in the south of the County Borough.

Following discussion, Members **RESOLVED** to:

1. Present the CIL Annual Monitoring Report (Appendix A) to Cabinet for approval;
2. Present the Regulation 123 List (Appendix B) to Cabinet for proposed publication on the Council website for a period of 28 days and consultation; and,
3. Agree for the Committee's comments and Feedback to be reported back to the next meeting of the Cabinet.