

# Public Document Pack



## NOTICE OF MEETING

<b>Meeting:</b>	<b>Overview and Scrutiny Committee</b>
<b>Date and Time:</b>	<b>Tuesday 15 December 2020 7.00 pm</b>
<b>Place:</b>	<b>Council Chamber, Committee Rooms One and Two</b>
<b>Telephone Enquiries to:</b>	<b>Helen Vincent</b>
<b>Members:</b>	<b>Worlock (Chairman), Axam, Davies, Dorn, Drage, Farmer, Lamb, Makepeace-Browne, Smith, Wildsmith and Wright</b>

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY  
FLEET, HAMPSHIRE GU51 4AE

---

## AGENDA

**This meeting is being administered under the provisioning of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meeting) (England and Wales) Regulations 2020. The Provision made in this regulation applies notwithstanding any prohibition or other restriction contained in the standing orders or any other rules of the Council governing the meeting and such prohibition or restriction had no effect.**

**This Agenda and associated appendices are provided in electronic form only and are published on the Hart District Council Website**

**1 MINUTES OF PREVIOUS MEETING (Pages 4 - 9)**

The minutes of the meeting of 17 November 2020 are attached to be confirmed and signed as a correct record.

**2 APOLOGIES FOR ABSENCE**

To receive any apologies for absence from Members\*.

**\*Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they will be absent.

### **3 DECLARATIONS OF INTEREST**

To declare disclosable, pecuniary and any other interests\*.

**\*Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they may have an interest to declare.

### **4 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)**

Anyone wishing to make a statement to the Committee should contact Committee Services at least two clear working days prior to the meeting. Further information can be found at [https://www.hart.gov.uk/sites/default/files/4\\_The\\_Council/Council\\_meetings/Public%20Participation%20leaflet%202020%20A4.pdf](https://www.hart.gov.uk/sites/default/files/4_The_Council/Council_meetings/Public%20Participation%20leaflet%202020%20A4.pdf)

### **5 CHAIRMAN'S ANNOUNCEMENTS**

### **6 SERVICE PERFORMANCE - HEADS OF SERVICE ATTENDANCE**

Head of Place to attend to discuss service performance.

### **7 COMMUNITY INFRASTRUCTURE LEVY (Pages 10 - 43)**

To provide an update on setting a Community Infrastructure Levy (CIL) Charging Schedule in Hart.

### **8 COMMUNITY SAFETY TRANSITION**

An update from Head of Community on the transition of the Community Safety service.

### **9 CRIME AND DISORDER COMMITTEE**

An update from Councillor Axam and Councillor Wildsmith of how the scrutiny work of the Crime and Disorder Committee is progressing.

### **10 CLIMATE CHANGE WORKING GROUP**

To invite the Leader or the Portfolio Holder for Environment to update the Committee on the interface between the Climate Change Working Group and the Overview and Scrutiny Committee.

### **11 COVID-19 PANDEMIC UPDATE**

Update from the Joint Chief Executive.

**12 CONFIDENTIALITY OF INTERNAL COUNCIL COMMUNICATIONS** (Pages 44 - 45)

To advise Member and Offices on the approach to confidentiality with respect to internal communications within the Council.

**13 2020-21 BUDGET MONITORING - POSITION STATEMENT AT 31 OCTOBER 2020 FOLLOWING LOCKDOWN 2.0** (Pages 46 - 48)

To advise Members of the position on revenue expenditure as an additional report following Lockdown 2.0. It is important that during these unprecedented times Members are regularly informed of significant changes to expenditure on a timely basis which may be outside the standard quarterly budget reporting cycle.

**14 UPDATE ON BUSINESS RATES GRANTS SCHEMES LOCKDOWN 2.0** (Pages 49 - 51)

To give an update on the process and performance regarding the two Lockdown 2.0 Business Rates Grant Schemes that the Government has introduced.

**15 CABINET WORK PROGRAMME** (Pages 52 - 56)

The Cabinet Work Programme is attached for information.

**16 OVERVIEW AND SCRUTINY WORK PROGRAMME** (Pages 57 - 60)

The Overview and Scrutiny Work Programme is attached for consideration and amendment.

**Date of Despatch: Monday, 7 December 2020**

## OVERVIEW AND SCRUTINY MEETING

**Date and Time:** Tuesday, 17 November 2020 at 7pm

**Place:** Council Chamber, Civic Offices, Fleet

**Present:**

## COUNCILLORS

Axam, Davies, Dorn, Drage, Farmer, Lamb, Makepeace-Browne, Smith, Tomlinson (substituting Wright), Wildsmith, Worlock (Chairman),

**In attendance:** Councillors Cockarill, Radley, Ambler

## Officers:

Daryl Phillips	Joint Chief Executive
Patricia Hughes	Joint Chief Executive
Emma Foy	Head of Corporate Services and S151 Officer
Mark Jaggard	Head of Place
Emma Whittaker	Planning Manager
Steven Bennett	Change and Digital Manager
Ashley Grist	Contracts and Procurement Manager
Celia Wood	Committee Services

## 51 MINUTES OF PREVIOUS MEETING

The minutes of the meeting of 10 October 2020 were confirmed and signed as a correct record.

## 52 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Wright, substituted by Councillor Tomlinson.

## 53 DECLARATIONS OF INTEREST

None.

## 54 CHAIRMAN'S ANNOUNCEMENTS

The Chairman brought to the attention of the Committee Members a recent communication regarding an Overview and Scrutiny mid-year review and a request for any suggestions they may have for agenda items.

## 55 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)

None.

## **56 MINUTES FROM CLIMATE CHANGE WORKING GROUP**

The Chairman proposed that an interface between the Climate Change Working Group and O&S for feedback be added to the O&S Work Programme at the next meeting.

Minutes from the meeting held on 8 October 2020 were noted.

## **57 MINUTES FROM CRIME & DISORDER COMMITTEE**

There was a query on accuracy of the minutes regarding the record of attendance for the Commander of the Aldershot Garrison and Kirsty Jenkins from Hart. Neither were present at the meeting.

Minutes from the meeting held on 21 September 2020 were noted and an oral update from the Head of Community Services on the progression of the transition of the Community Safety Team back to Hart was requested for the next O&S meeting.

## **58 MINUTES FROM FLOODING MULTI-AGENCIES MEETING**

Members were asked to consider how the parish flooding meetings could be structured in a way that would allow them to be held in a virtual format. Any suggestions to be forwarded to the Chair for a subsequent discussion.

Minutes from the meeting held on 12 October 2020 were noted.

## **59 FLEET ROAD PEDESTRIANISATION REMOVAL**

The Portfolio Holder for Place & Economic Development gave an oral update to confirm the decision to seek the removal of the Fleet Road pedestrianisation scheme (Executive Decision attached).

Members commented on the potential for future consultation should a similar scheme be proposed in the future. It was agreed that the cost associated with the Scheme both for its implementation, and removal to be circulated to all Members.

Councillor Cockarill asked for a note of thanks to the Hampshire Highways Team be recorded on the minutes for their quick and helpful responses.

## **60 NATIONAL COVID-19 RESTRICTIONS FROM 5 NOVEMBER 2020**

The Joint Chief Executive gave an oral update to Committee on the implications for the delivery of Council services from 5 November 2020 arising from the new national COVID-19 restrictions. It was highlighted that essentially the Council was better prepared to face the current 'lock-down' challenge and conventional decision making was likely to be maintained unless there was an absolute emergency. In the meantime the two new grant schemes will soon be available:

- Local Restrictions Support Grant - for businesses that are legally obliged to close as a result of the national restrictions. (Businesses that would have closed but have chosen to change their business to provide takeaway, click and collect or online with delivery services will be counted as closed).
- Additional Restrictions Support Grant (ARG) - not yet open - a discretionary grant scheme to help those businesses who are not legally obliged to close but who may have been severely impacted by the lockdown. Officers are currently reviewing the government guidance setting out the support available through the ARG as daily advice is still being issued by the Government on how it should be implemented.

Members discussed:

Could updates on any emergency decisions be circulated to all Members as they are made?

When could local businesses expect funds from grants to arrive in their accounts and were assured that regular updates will be sent albeit that the Government was still issuing advice on how the respective schemes were to be administered. Therefore, no firm date/timetable could be set at this time.

The redistribution of resources by moving Hart Officers around to fill gaps in the service over the pandemic period which may result in some delay in response times. Members were asked to prioritise enquiries to Officers through the use of the councillor enquiries email address and to recognise that in this prolonged period of uncertainty everyone's well-being was important.

Thanks, were expressed to all the Officers continuing to work throughout another lockdown to continue to maintain the delivery of an excellent level of service despite the difficulties and restrictions.

## **61 COMMERCIALISATION STRATEGY PRESENTATION (Digitalisation)**

The Digitalisation Portfolio Holder and Digital Manager gave a presentation.

Members considered the following issues:

- The impending launch of Mod.Gov (digitalisation of the Committee Services).
- Reduced costs involved in the production of papers and how this can be measured for future updates.
- How the Covid-19 pandemic has accelerated the move to working remotely and for improved digital platforms. In line with this, the support the Council can give to staff to work from home will form part of the Revitalise Hart Programme.
- What levels of assistance and/or up to date devices Members may require for the digitalisation changes. Email to be sent out to all Members inviting feedback.

Members thanked the Portfolio Holder and Digital Manager for their comprehensive update.

## **62 DEVELOPMENT MANAGEMENT SERVICE ACTION PLAN**

Members of the Overview & Scrutiny Committee Working Group on the Planning Peer Review reported back on the final version of the Development Management Service Action Plan.

Members discussed:

- That the exercise was invaluable and worked very well with the right mix of Councillors and Officers.
- The group recognised the actions from the Peer Review and tried to group those accordingly with action plans against those.
- Recognition that organisationally and culturally change is required in the areas came across in the review.
- One outstanding action remains to finish off performance measures.

### **DECISION**

That the Final Peer Review Action Plan be recommended to Cabinet for approval.

## **63 HALF YEARLY REVIEW ON TREASURY MANAGEMENT 2020/21**

Members considered the Council's treasury management activities and performance during the first half of the 2020/21 financial year (April-September).

The S151 Officer clarified some points on:

- Members workshops will be running on 3<sup>rd</sup> and 8<sup>th</sup> December to get a better understanding of what treasury management is and understand the different options available to us not yet explored.
- There is confidence that Hart will achieve the £200K forecast based on what is due to mature in the second half of the year.
- The numbers used to calculate the Capital financing requirements come from the approved capital budget each February.
- The capital finance figures to be emailed to Members.

### **DECISION**

That the report be noted and the Committee's observations be considered by Cabinet.

## **64 2021/22 BUDGET & MEDIUM-TERM FINANCIAL STRATEGY**

Members were given an early consideration of the emerging budget for 2021/22 and the draft Medium-Term Financial Strategy (MTFS).

Members considered:

The Strategy assumes that if the new homes bonus is in place the Council can balance the budget with an assumed £5.00 Council Tax increase, keeping fees and charges as they are. If there are any further issues or shocks that will be a challenge to the Council's Financial Strategy.

The MTFS will remain prudent until further funding information is available from Central Government.

An appendix to the document with a breakdown of other budget pressures will be prepared for Cabinet for greater clarity.

*(Councillor Makepeace-Browne left at 9.11pm during this item)*

The Joint Chief Executive confirmed the point that the Edenbrook development would provide income to the Council by way of affordable market rent.

#### **DECISION**

That the issues around the emerging budget for 2021/22 and MTFS be noted.

#### **65 IT SECURITY AND ACCEPTABLE USE POLICY**

Members were asked to consider the Policy and recommend to Cabinet that it be adopted.

A quick guide to make the policy guidance easier to follow will be submitted to Cabinet as Appendix 1 on the back of the document.

#### **DECISION**

That the report be noted and the Committee's observations be considered by Cabinet.

#### **66 2020/21 BUDGET MONITORING – TO END OF SEPTEMBER**

Members were advised of the position on revenue and capital expenditure at the end of September before consideration by Cabinet.

Members noted:

An updated position statement will be brought to the next O&S Committee to make Members aware of some of the additional challenges the Council has faced this year as a result of Covid-19 which are not reflected in this statement.



A question was raised around the ongoing Leisure Centre arrangement and it was confirmed that the report does not include revised figures relating to a second lockdown.

A breakdown of budget pressures for 2021/2022 to be provided by the Head of Corporate Services.

#### **DECISION**

1. That the revised projections and reasons for the main revenue variations be noted.
2. That the current spending position for Capital be noted.

#### **67 QUARTER 2 PERFORMANCE REPORT - 2020/21**

The Committee was updated on the Council's performance indicator results for the second quarter of 2020/2021 (1 July 2020 – 30 September 2020).

#### **DECISION**

That the information be noted.

#### **68 CABINET WORK PROGRAMME**

The Cabinet Work Programme was considered and noted.

#### **69 OVERVIEW AND SCRUTINY WORK PROGRAMME**

The Overview and Scrutiny Work Programme was considered and amended as follows:

- Financial updated statement to be added in December
- Discussion on Member training in December or January.
- Update on business grants.

The meeting closed at 9.28pm

## **OVERVIEW AND SCRUTINY COMMITTEE**

**DATE OF MEETING:** 15 DECEMBER 2020

**TITLE OF REPORT:** COMMUNITY INFRASTRUCTURE LEVY

**Report of:** Head of Place

**Cabinet Member:** Councillor Graham Cockarill, Place

### **1 PURPOSE OF REPORT**

- 1.1 To provide an update on setting a Community Infrastructure Levy (CIL) Charging Schedule in Hart.

### **2 OFFICER RECOMMENDATIONS**

- 2.1 The report is an update as requested by the Overview & Scrutiny Committee in July 2020 and contains no specific recommendations. As the project proceeds, Overview & Scrutiny Committee will have the opportunity to consider the draft CIL charging schedule prior to both planned public consultations.

### **3 BACKGROUND**

- 3.1 CIL is a levy on new development to be spent on infrastructure. Overview & Scrutiny Committee expressed its support for a CIL in July 2020.
- 3.3 In September 2020 Cabinet decided to commence work on the establishment of a CIL Charging Schedule for Hart. Work has commenced and a project plan is attached at Appendix 1.
- 3.3 The national context has recently shifted with changes to the Use Classes Order (which were implemented in September 2020) and potentially more far reaching proposals in the Planning White Paper to replace the current CIL and section 106 arrangements with a single 'Infrastructure Levy'. These are discussed below but neither affect the decision to proceed with a CIL.

### **4 CHANGES TO THE USE CLASSES ORDER**

- 4.1 The recent changes to the Use Classes Order are set out at Appendix 2. The changes were made to provide greater flexibility for businesses and town centres uses, to aid economic growth. They took effect on 1<sup>st</sup> September 2020.
- 4.2 The changes will affect the CIL charging schedule in that different uses tend to attract different CIL rates. However, the implications for CIL are very minor and do not affect the decision to proceed with the project.

## **5 THE PLANNING WHITE PAPER**

- 5.1 The Planning White Paper proposes a radical overhaul of the planning system as a whole; to simplify, modernise, and speed up decision making.
- 5.2 One of the proposals is to replace the current regime of CIL and Section 106 agreements with a single mechanism – an Infrastructure Levy. The Council has responded to the White Paper consultation including comments on this issue (see background documents at the end of this report).
- 5.3 Cabinet was made aware of the White Paper proposals when taking its decision in September 2020. Given the uncertainties, and the likely timescales even if it does proceed, it was decided to progress with CIL under the current system, although clearly a watching brief is needed on what the Government does next. The evidence base (infrastructure planning and viability) will be useful in any event for future local plan work and the development management process.

## **6 CIL CHARGING SCHEDULE**

- 6.1 At the last Overview & Scrutiny Committee there were a number of questions about the CIL Charging Schedule and how it would operate. An example of a recently adopted and implemented CIL charging schedule is attached at Appendix 3, from Chiltern and South Bucks District Councils. It sets out what the CIL rates are for different types of development along with useful information on what rules apply, how it is administered, and how it operates alongside Section 106 agreements. In this case developments of 400 homes or more or on sites of 10 or more hectares are zero rated for CIL. This enables bespoke Section 106 agreements to include on-site provision of infrastructure. Up to 5% of CIL receipts are used to fund the cost of setting and administering CIL.

## **7 PROJECT PLAN**

- 7.1 A high level project plan is attached at Appendix 1. The key stages are:
1. Develop the evidence base on viability, infrastructure needs and funding gap. It is necessary to show a gap between infrastructure needs to support growth and funding to justify charging a CIL income. The viability work informs how much can realistically be charged without adversely affecting viability and deliverability of development. Viability will be the main issue at the examination.
  2. Prepare a *Preliminary* Draft Charging Schedule and consult on it for 6 weeks.
  3. Consider the feedback and amend if or as necessary.
  4. Prepare a Draft Charging Schedule and consult on it for 6 weeks.

5. Collate the feedback and submit the Draft Charging Schedule and supporting information for examination.
  6. Examination into the Draft Charging Schedule by an approved examiner (not necessarily the Planning Inspectorate). This could be by written representations but more likely will involve a short hearing.
  7. Subject to passing the examination, adopt the CIL charging schedule with a date for implementation.
- 7.2 Overall it should take around 18 months to create and adopt a CIL charging schedule. There are some estimates within the timelines, for example the evidence base studies which will need to be firmed up through discussions with the appointed consultants.
- 7.3 The CIL project is wider in scope than merely creating the Charging Schedule. There needs to be a system in place to administer and collect the levy, decide on and track expenditure, and report on revenue received and spent. This needs suitable software, processes and staff resources in place and will be looked at in more detail in the new year. For now, the focus is on the charging schedule and the background work that is needed for it to be found sound.

## **8 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 The main costs associated with the project are:
1. Consultant's fees for developing the evidence base: Viability Study, Infrastructure Delivery Plan and Funding Gap Analysis
  2. Consultancy/external specialist support to progress the CIL project (with oversight from the Planning Policy & Economic Development Manager and the Head of Place)
  3. Legal advice as or when necessary
  4. Programme Officer to help run the CIL examination
  5. Consultants to act as a 'critical friend'
  6. Examiner's fees (not necessarily the Planning Inspectorate).
- 8.2 In addition to creating the CIL charging schedule there will be costs around implementation i.e. the IT and human resources needed to administer the process, to ensure correct charges are applied, to deal with correspondence, to collect the revenue, and to monitor and report on receipts and expenditure.
- 8.3 Whilst all these costs are not covered within existing budgets, the CIL charges incorporate the costs of setting and implementing the CIL Charging Schedule (5% of all CIL receipts).

**Contact Details:**

Daniel Hawes [daniel.hawes@hart.gov.uk](mailto:daniel.hawes@hart.gov.uk) 01252 774120

**Appendices:**

Appendix 1: CIL Project Plan

Appendix 2: Use Classes Order Changes

Appendix 3: Chiltern and South Bucks District Councils CIL Charging Schedules

**Background documents:**

Planning For the Future White Paper, August 2020

<https://www.gov.uk/government/consultations/planning-for-the-future>

Hart District Council's response to the Planning White Paper, October 2020

[https://www.hart.gov.uk/sites/default/files/4\\_The\\_Council/Policies\\_and\\_published\\_documents/Planning\\_policy/Hart%20District%20Council%27s%20Response%20to%202020%20Planning%20White%20Paper.pdf](https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Planning_policy/Hart%20District%20Council%27s%20Response%20to%202020%20Planning%20White%20Paper.pdf)

# Hart Community Infrastructure Levy Charging Schedule

## Outline Project Plan

### Key roles

- 1.1 Project Sponsor: Mark Jaggard, Head of Place
- 1.2 Project Manager: Daniel Hawes, Planning Policy & Economic Development Manager

### Project purpose

- 2.1 To introduce a CIL Charging Schedule for Hart. The charging schedule will set out the cost per sq m that must be paid to the Council for certain types of development. It will help fund infrastructure needed to support growth.
- 2.2 The scope of this project does not yet include the work needed to administer CIL once it is implemented. This will be looked at separately in the new year.

### Key tasks and timeline

- 3.1 The Gantt chart attached sets out the key tasks with estimated timelines. Overall, it is expected to take until Summer 2022 for adoption – around 18 months.
- 3.2 The process for creating a CIL charging schedule is subject to regulations which include a requirement for public consultation and examination.
- 3.3 The charging schedule must be based on evidence to demonstrate that there is a funding gap for new infrastructure needed to support development, and that the charge is not set so high as to render development unviable.
- 3.4 The initial phase is to develop the evidence base. This involves tendering for the work; appointing consultants, and then working with those consultants so that they can update the Infrastructure Delivery Plan, identify the funding gap, and complete the viability study. This will take several weeks but is a vital part of the project.
- 3.5 The ***Preliminary Draft Charging Schedule*** will then be prepared, informed by the viability study. This goes out to public consultation to test initial views on appropriate CIL rates. At the same time the evidence base is made public, and comments are invited on the evidence base.
- 3.6 Responses will be considered before the ***Draft Charging Schedule*** is agreed for consultation. This is a statutory consultation preceding the examination. Representations made will be considered by the examiner.

3.7 The examination could in theory be by written representations, but a hearing is commonplace. At this stage of the project timelines are largely dictated by the examiner and whether a consultation on further changes to the charging schedule are required.

**Resources**

- 4.1 CIL is new to Hart and there is insufficient capacity and expertise in-house to take it forward without external assistance. Consultants with expertise in this field will be used to help deliver the project, in particular the evidence base (viability work, Infrastructure Delivery Plan, and funding gap analysis) and the creation of the draft charging schedules. Council officers will manage the consultants, undertake the public consultations, appoint the examiner and programme officer for the examination, submit the documentation for the examination and meet any other requirements of the project including internal reporting procedures.
- 4.2 An examiner and a programme officer will need to be appointed for the examination. The examiner need not necessarily be the Planning Inspectorate.
- 4.3 The costs of setting and implementing the CIL Charging Schedule can be recouped through an admin charge (5% of future CIL receipts).

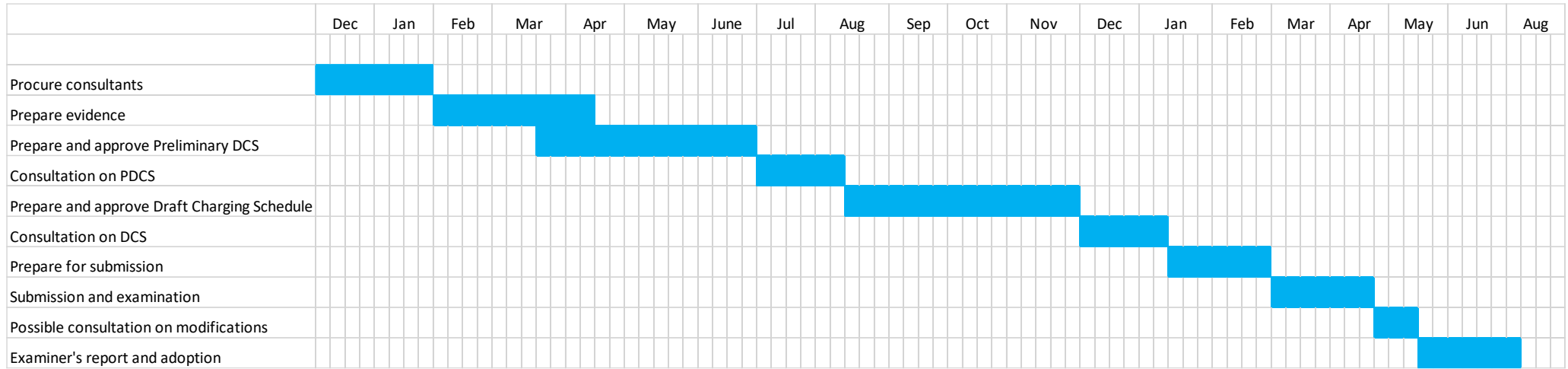
**Risks and mitigation**

Risk	Mitigation / Comment
<p>The Planning White Paper proposes an alternative mechanism to CIL and Section 106 – an <b>Infrastructure Levy</b>. There is therefore a risk of abortive work.</p>	<ul style="list-style-type: none"> <li>• There is currently too much uncertainty over this proposal to recommend aborting the CIL project.</li> <li>• Evidence base work (viability and infrastructure planning) will be useful in any event both for the next local plan and the development management process.</li> <li>• The position will be monitored, and a decision taken when necessary if it becomes clear that it is not worth proceeding with CIL any further.</li> </ul>
<p>Estimated timelines prove to be over optimistic – project takes longer than intended.</p>	<ul style="list-style-type: none"> <li>• The timelines are challenging but considered to be reasonable estimates. They may need refining during the life of the project, for example in light of discussions with consultants, or in light of the volume and complexity of comments received during public consultations.</li> <li>• At the examination we will to some extent be in the hands of the examiner regarding timescales, but the scale, timescales, and costs</li> </ul>

Risk	Mitigation / Comment
	of a CIL examination are much smaller than for a local plan.
Covid-19	<ul style="list-style-type: none"> <li>This could affect the ability of consultants or officers to deliver the project in a timely fashion. For example, if officers are diverted into priority 'response' activities.</li> </ul>
Viability work renders a CIL unviable	<ul style="list-style-type: none"> <li>This is highly unlikely given the current evidence that was prepared for the local plan examination (but which must be updated) demonstrates that a CIL is clearly viable alongside planning policies including for affordable housing.</li> </ul>
CIL fails the examination	<ul style="list-style-type: none"> <li>This risk is small provided the CIL rates selected are supported by the evidence. A critical friend review is proposed prior to the statutory consultation on the DCS and again prior to submission in light of any comments received at that stage.</li> </ul>



## CIL Charging schedule summary Gantt chart



Summary of Use Class Order changes<sup>1</sup>

Use	Use Class up to 31 <sup>st</sup> August 2020	Use Class from September 2020
Shop – not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services	A2	E
Food and drink / café or restaurant	A3	E
Pub, wine bar or drinking establishment	A4	Sui generis <sup>2</sup>
Takeaway	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research & development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8
Hotels, boarding & guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3

<sup>1</sup> Source: Ashtons legal at <https://www.ashtonslegal.co.uk/insights/business-news/changes-to-the-use-classes-order-in-england-from-1-september-2020/#:~:text=Changes%20to%20the%20Use%20Classes%20Order%20in%20England,or%20call%20001223%20431121.%203%20New%20Classes%20Table>

<sup>2</sup> Uses which do not fall within a specified use class

<b>Use</b>	<b>Use Class up to 31<sup>st</sup> August 2020</b>	<b>Use Class from September 2020</b>
Small house in multiple occupation 3-6 residents	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education & training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

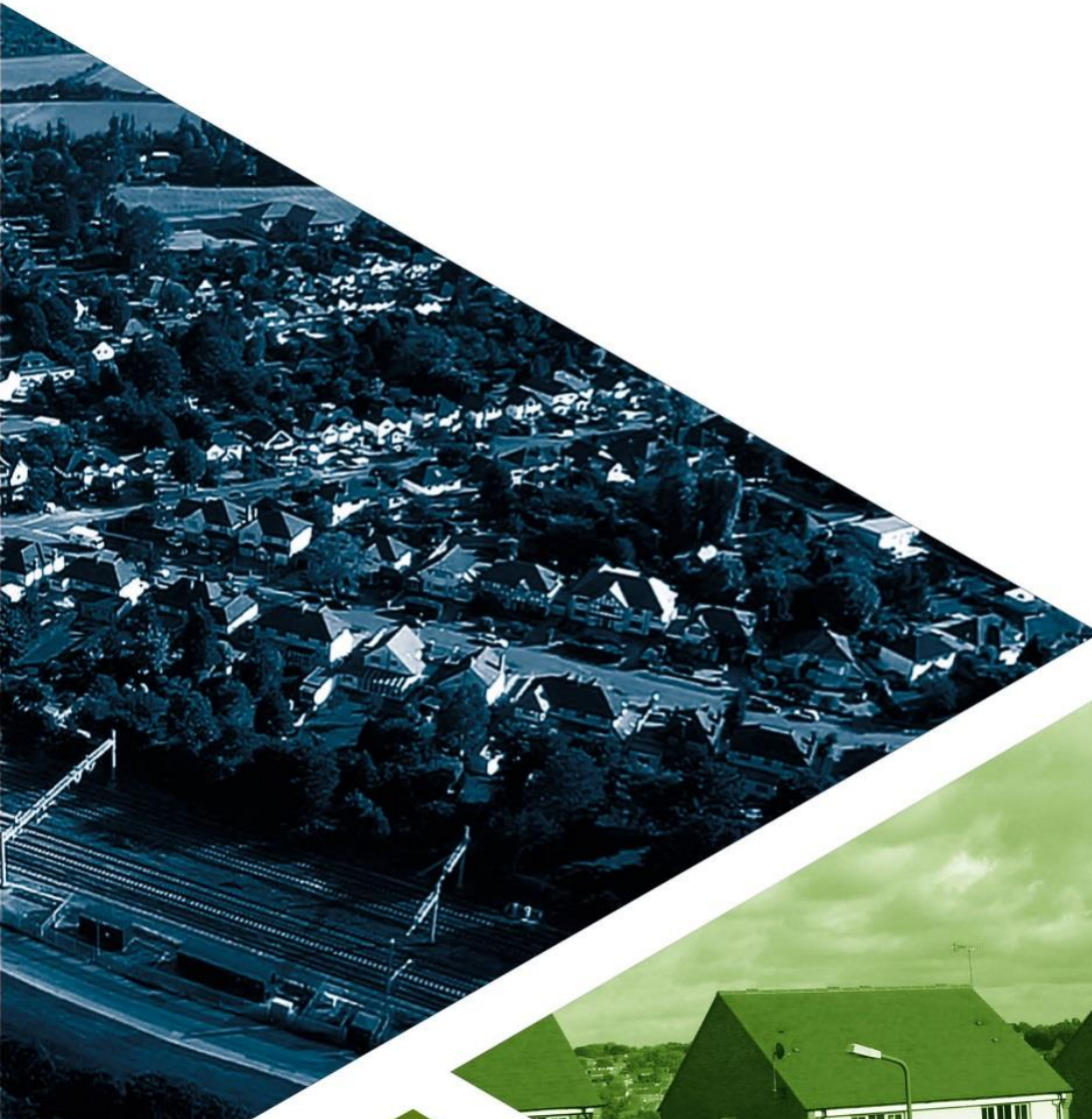


CHILTERN  
District Council



SOUTH BUCKS  
District Council

Stronger in partnership



# Community Infrastructure Levy (CIL) Chiltern and South Bucks District Councils Charging Schedules

Adopted

South Bucks District  
Council 15 January 2020

Chiltern District Council

7 January 2020

The Community Infrastructure Levy (CIL) Charging Schedule (CS) was adopted by South Bucks District Council 15 January 2020 and Chiltern District Council 7 January 2020.

CIL became effective on 17 February 2020. The definition of 'large sites' was corrected on 17 March 2020 in accordance the Examiners Modification in his report of 13 December 2019.

## Table of Contents

<b><i>The Community Infrastructure Levy</i></b> .....	<b>4</b>
<b>Charging Authorities - Charging Areas</b> .....	<b>4</b>
<b>Statutory Compliance</b> .....	<b>4</b>
<b>About the Community Infrastructure Levy</b> .....	<b>4</b>
<b>CIL Geographic Charging Differentials</b> .....	<b>5</b>
<b>CIL Liable Developments</b> .....	<b>5</b>
<b>CIL Exemptions</b> .....	<b>6</b>
<b>CIL and Existing Planning Permissions</b> .....	<b>6</b>
<b>CIL Preliminary Charging Schedule (PDCS) and Draft Charging Schedule (DCS) Consultations</b> .....	<b>7</b>
<b>Infrastructure Delivery Plan &amp; Funding Gap</b> .....	<b>7</b>
<b>CIL and Local Plan Viability Assessment</b> .....	<b>7</b>
<b>Adopted Charging Schedules</b> .....	<b>9</b>
<b>Table 1: Chiltern District Council area CIL Rates</b> .....	<b>9</b>
<b>Table 2: South Bucks District Council area CIL Rates</b> .....	<b>10</b>
<b>Annual Index linking of CIL Rates</b> .....	<b>10</b>
<b>Discretionary Relief from CIL</b> .....	<b>10</b>
<b>Payments in kind</b> .....	<b>11</b>
<b>Payment of CIL and Instalments Policy</b> .....	<b>11</b>
<b>CIL Administration Fee</b> .....	<b>11</b>
<b>Parish &amp; Town Councils' Neighbourhood Portion</b> .....	<b>12</b>
<b>Councils CIL Fund</b> .....	<b>12</b>
<b>CIL and Section 106 Planning Obligations</b> .....	<b>12</b>
<b>CIL Administration</b> .....	<b>13</b>
<b><i>Appendix 1: Chiltern District Council's CIL Charging Areas</i></b> .....	<b>14</b>
<b><i>Appendix 2: South Bucks District Council's CIL Charging Areas</i></b> .....	<b>15</b>

**Appendix 3: Guide to the Use Classes Order & Definitions..... 16**  
**Appendix 4: CIL Payments Instalments Policy ..... 18**  
**Appendix 5: CIL Administration..... 19**  
**Appendix 6: Measuring CIL liable floor space ..... 21**  
**Appendix 7: Liability for CIL..... 23**



## Charging Authorities - Charging Areas

The two charging authorities are Chiltern District Council and South Bucks District Council. The charging schedule for the administrative area of Chiltern is set out in Table 1. The charging schedule for the administrative area for South Bucks is set out in Table 2. Both schedules contain the same charges.

CIL is a charge on development; it is tariff-based and enables local authorities to raise funds to pay for infrastructure. The CIL Charging Schedules set out the CIL rates that the Councils propose to charge on development within their administrative areas. Charges are set out as '£s per square metre' and are only chargeable on developments set out in Tables 1 and 2 of this document.

## Statutory Compliance

The provisions for CIL are set out by Part 11 of the Planning Act 2008, the Localism Act 2011, and the CIL Regulations 2010 (as amended).

The Government's guidance on CIL and the CIL Regulations can be accessed via the following web link: <https://www.gov.uk/guidance/community-infrastructure-levy#introduction>

## About the Community Infrastructure Levy

Most new development has an impact on infrastructure and therefore it is reasonable to expect developers to contribute to the cost of providing or improving that infrastructure. CIL in conjunction with S106 and S278 planning obligations provides a mechanism to collect funds to ensure this happens. Unlike S106 which focuses on affordable housing and site specific infrastructure, CIL charges can be collected on a wider range of developments and be spent on strategic infrastructure.

When setting rates, CIL Regulation 14 requires Councils to strike an appropriate balance between the desirability to fund infrastructure through CIL and the potential effect (taken as a whole) of the levy, on the economic viability of development in the geographical area in which CIL charges apply. When looking at infrastructure, the Councils also needed to estimate the cost of the infrastructure required to support development and consider sources of funding, including CIL that could be available.

Regulation 14 of the CIL Regulations 2010 (as amended) provides:

*'14. - (1) In setting rates (including differential rates) in a charging schedule, a charging authority must strike an appropriate balance between:*

- (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking account of other actual and expected sources of funding; and*
- (b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.*

Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed. The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development.

The levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. This definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant Plan (the Local Plan in England). Charging authorities may not use the levy to fund affordable housing.

The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.

CIL Regulation 13 makes provision, where relevant, for the setting of differential rates for different geographical areas /zones, different development types/uses, and scale of development size; or a combination of these factors. Any differential rate needs to be justified by viability assessments and evidence.

### CIL Geographic Charging Differentials

The viability assessment for both Chiltern District Council and South Bucks District Council has established a uniform charge across both administrative geographies. This means that the CIL liability in Tables 1 and 2 applies across both districts without any differentials in geography.

By contributing to investment in the infrastructure of the area and combining this with other funding sources, CIL is expected to have a positive effect on growth, development and the environment.

### CIL Liable Developments

CIL is charged on a £s per square metre basis according to the rates set out in Tables 1 and 2. The charging schedule for Chiltern District Council and South Bucks District Council collects the levy based on:

- the net additional gross internal floor space of all new residential units, regardless of their size;
- the erection of, or extensions to, other buildings creating over 100 square metres net new additional gross internal floor space; and
- the conversion of a building which is no longer in lawful use, and which has not been in use for a continuous period of 6 months over the last 3 years.



Liability to pay CIL on qualifying developments applies whether development requires planning permission or is enabled through permitted development orders (General Permitted Development Order, Local Development Orders, Neighbourhood Development Orders, and Enterprise Zones).

Once the CIL charging schedule is adopted by Chiltern District Council and South Bucks District Council, the levy charged is non-negotiable. CIL collection is triggered when the developer notifies the Council that the development due to commence.

## CIL Exemptions

The Regulations exempt some development from CIL liability, including:

- Development of less than 100 square metres new build floor space measured as gross internal area (GIA), unless it results in the creation of one or more dwellings (Regulation 42);
- The conversion of any building previously used as a dwelling house to two or more dwellings, which doesn't create net additional new floor space, and which has been in use for 6 months continuous use in the last 3 years
- Development of buildings and structures into which people do not normally go into, or enter under limited circumstances (for example an electricity sub-station, or wind turbine, or for the purpose of inspecting or maintaining fixed plant or machinery) (Regulation 5(2));
- Buildings for which planning permission was granted for a limited period;
- Full relief is applied on all those parts of chargeable development that are to be used as social/affordable housing, subject to an application by a landowner for CIL relief (criteria set out in Regulation 49/49A);
- Development by charities for charitable purposes subject to an application by a charity landowner for CIL relief (CIL regulation 43-48) (mandatory charitable relief);
- Houses, flats, residential annexes and residential extensions, which are built by self-builders, subject to an application for exemption by homeowners (CIL regulations 42A, 42B, 54A and 54B);
- The conversion of or works to a building in lawful use that affects only the interior of the building;
- Mezzanine floors of less than 200 square metres inserted into an existing building, unless they form part of a wider planning permission, which seeks to provide other works;
- Vacant buildings brought back into use (Regulation 40), where there is no net gain in floor space, provided a building has been in use for 6 continuous months during the last 3 years; and
- When a CIL charge is calculated as £50 or less, a CIL payment will not be charged by a Charging Authority.

## CIL and Existing Planning Permissions

CIL only applies to developments in the relevant district when the charging schedule is adopted by Chiltern District Council or South Bucks District Council. Development proposals that already have planning permission when a CIL Charging Schedule comes into force are not liable for CIL. This

includes any subsequent reserved matters applications following the granting of outline planning permission.

However, if proposed developments with planning permission are not started within the time limit stipulated on the decision notice, any subsequent application which in effect seeks a renewal may be liable to CIL where the Charging Schedule has been adopted.

Where an application is made under Section 73 of the Town and Country Planning Act 1990 for development without compliance with conditions which govern a planning permission, CIL is only chargeable on any additional floorspace over and above that approved by the original permission.

## CIL Preliminary Charging Schedule (PDCS) and Draft Charging Schedule (DCS) Consultations

The Councils consulted on a CIL PDCS during November and December 2018. The Councils then consulted on the CIL DCS during June to August 2019.

Comments on both consultations were received from Town & Parish Councils, residents' groups, agents, landowners, developers, statutory bodies and residents.

An Examination in Public took place on 5 November 2019 and the Examiners report was published on the 13 December.

## Infrastructure Delivery Plan & Funding Gap

An Infrastructure Delivery Plan has been prepared which sets out the infrastructure likely to be required to support the delivery of housing and commercial growth to 2036. This is a live document and will be occasionally updated.

An Infrastructure Funding Gap statement identifies that the likely CIL receipts from the anticipated new developments will be less than the costs of the infrastructure identified in the draft Infrastructure Delivery Plan. It confirms that CIL would contribute to, but not by itself, generate enough funds to pay for all the major infrastructure needs identified in the Infrastructure Delivery Plan.

## CIL and Local Plan Viability Assessment

Chiltern District Council and South Bucks District Council commissioned consultants to undertake a CIL viability assessment for housing and commercial development in Chiltern and South Bucks. The findings have informed the residential and commercial CIL rates set out in Tables 1 and 2, the Councils charging schedule.

The viability assessment indicates that it is appropriate for large sites to be CIL zero rated and should continue to rely on S106 planning obligations; this is due to the scale of site-specific development mitigation and infrastructure requirements from large sites, such as new schools and roads.

The assessment also considers that uniform CIL charging rates across both Chiltern and South Bucks should be levied at £150 per square metre for residential uses; £150 per square metre for retail and related uses; and £35 per square metre for commercial and other specific development categories.

## Adopted Charging Schedules

Tables 1 and 2 detail the residential, commercial and other CIL rates for Chiltern District Council and South Bucks District Council.

The CIL rates are presented for each Council area in accordance with the Government's CIL Regulations, which requires rates to be attributed to an individual Charging Authority. The administrative areas of the districts can be viewed in appendices 1 and 2. For Tables 1 and 2 below, see appendix 3 for a guide to the Use Classes.

Table 1: Chiltern District Council area CIL Rates

<b>Table 1: Chiltern District Council area CIL Rates</b>	
<b>Development type (Use Class)</b>	<b>CIL Rate/square metre</b>
A1 Shops	£150
A2 Finance and professional services	£150
A3 Restaurants and cafés	£150
A4 Drinking establishments	£150
A5 Hot food takeaways	£150
B1 Business	£35
B2 General industrial	£35
B8 Storage or distribution	£35
C1 Hotels	£35
C2 and C2A Residential institutions and Secure Residential Institutions	£35
C3 Dwelling homes*	£150
C4 Homes in multiple occupation	£150
D1 Non-residential institutions	£35
D2 Assembly and leisure	£35
Sui Generis	£35
All development types unless stated otherwise in this table	£35
Large sites of 400 homes or more (gross) or 10 hectares or more (gross) irrespective of land use**	£0
*C3 includes all self-contained accommodation, including elderly and sheltered accommodation and self-contained student accommodation.	
**Large Sites are defined as any site allocated in an emerging/adopted Local Plan with 400 homes or more (gross) or 10 hectares or more (gross), irrespective of land use and include any parcel within a Large Site irrespective of the size of the parcel.	

Table 2: South Bucks District Council area CIL Rates

<b>Table 2: South Bucks District Council area CIL Rates</b>	
<b>Development type (Use Class)</b>	<b>CIL Rate/square metre</b>
A1 Shops	£150
A2 Finance and professional services	£150
A3 Restaurants and cafés	£150
A4 Drinking establishments	£150
A5 Hot food takeaways	£150
B1 Business	£35
B2 General industrial	£35
B8 Storage or distribution	£35
C1 Hotels	£35
C2 and C2A Residential institutions and Secure Residential Institutions	£35
C3 Dwelling homes*	£150
C4 Homes in multiple occupation	£150
D1 Non-residential institutions	£35
D2 Assembly and leisure	£35
Sui Generis	£35
All development types unless stated otherwise in this table	£35
Large sites of 400 homes or more (gross) or 10 hectares or more (gross) irrespective of land use**	£0
*C3 includes all self-contained accommodation, including elderly and sheltered accommodation and self-contained student accommodation.	
**Large Sites are defined as any site allocated in an emerging/adopted Local Plan with 400 homes or more (gross) or 10 hectares or more (gross), irrespective of land use and include any parcel within a Large Site irrespective of the size of the parcel.	

### Annual Index linking of CIL Rates

CIL Regulation 40 enables charging authorities to make an annual index linked increase to their CIL rates at a set time of the year, which is normally from 1 January.

The CIL Regulations current method is to use the All-in Tender Price Index, published by the Building Cost Information Service (BCIS).

### Discretionary Relief from CIL

A charging authority can choose to offer discretionary relief to a charity landowner where the greater part of the chargeable development will be held as an investment, from which the profits are applied for charitable purposes (CIL regulation 44).

It can choose to offer exceptional circumstances relief (CIL regulation 55) where the charging of CIL would have an unacceptable impact on the economic viability of a development, and where the

exemption of a charitable institution from liability to pay CIL would constitute State Aid (CIL regulation 45) and would otherwise be exempt from liability under regulation 43.

Chiltern and South Bucks District Councils are not proposing to make available either discretionary charity relief or the exceptional circumstances relief (CIL regulations 44, 45 and 55).

### Payments in kind

In circumstances where the liable party and the Councils agree, payment of the levy may be made by transferring land or conducting works to an equivalent value. The agreement cannot form part of a planning obligation, and must be agreed before the chargeable development is commenced and is subject to fulfilling the following:

- the acquired land or works, is used to provide or facilitate the provision of infrastructure within the Districts;
- the land is acquired, or works are conducted, by the Councils or a person nominated by the Councils;
- the transfer of the land, where relevant, must be from a person who has assumed liability to pay CIL;
- the land must be valued by an independent person agreed by the Councils and the party liable to pay CIL, whereby the party liable to pay CIL meets the cost of the land valuation; and
- 'Land' includes existing buildings and other structures, land covered with water, and any estate, interest, easement, servitude or right in or over the land.

The Councils intend to consider payments in kind on a discretionary basis within the terms set out above.

### Payment of CIL and Instalments Policy

The CIL Regulations default position is that CIL payment is due within 60 days of the commencement of development. Charging Authorities can however set out an appropriate CIL payments instalments policy.

The Councils intend to operate a CIL Instalments policy according to the schedule set out by Appendix 4.

### CIL Administration Fee

The CIL Regulations allow the Councils to use up to 5% of total CIL receipts to refund and meet the costs associated with the establishment and on-going administration of CIL.

## Parish & Town Councils' Neighbourhood Portion

At least 15% of CIL receipts are allocated to Parish and Town Councils where CIL liable developments have taken place. This is known as the Neighbourhood Portion. If a Parish or Town Council area is covered by a 'made' Neighbourhood Plan, then the amount increases to 25% of CIL receipts from the area covered by the Neighbourhood Plan.

There is a cap of £100 (indexed) per council taxed home within a Parish or Town Council area per financial year, in areas without a made Neighbourhood Plan, but no cap if one is in place.

All Councils must pass over the Neighbourhood Portion of levy receipts from development to Parish or Town Councils if they are the accountable body. As the Chiltern and South Bucks areas are fully covered by Parish or Town Councils, the money (subject to any cap) will be passed to the relevant Parish or Town Council. CIL guidance recommends however that Charging Authorities and receiving Parish or Town Councils should engage and work closely to agree how best to spend these funds.

The CIL Regulations allow for the Neighbourhood Portion of levy receipts to be used for:

- The provision, improvement, replacement, operation or maintenance of infrastructure; or
- Anything else that is concerned with addressing the demands that development places on an area.

Provisions for the recovery of CIL monies by a Charging Authority are available, if Parish or Town Councils do not spend the Neighbourhood Portion of CIL receipts within five years of receiving it.

## Councils CIL Fund

The remaining funds, after administration and neighbourhood portion deductions will be allocated by the Councils to infrastructure projects. The Councils are required to publish on their website an Infrastructure Funding Statement; no later than the 31 December each calendar year which includes:

- a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) ("the infrastructure list");
- a report about CIL, in relation to the previous financial year ("the reported year"), which includes the matters specified in paragraph 1 of Schedule 2 ("CIL report");
- a report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule ("section 106 report").

## CIL and Section 106 Planning Obligations

CIL funds can be used to provide infrastructure to support the development of a whole area, whereas S106 obligations are used to make individual planning applications acceptable in planning terms.

Section 106 agreements and Section 278 highways agreements will continue to be used to secure site-specific mitigation and affordable housing.

There are advantages and disadvantages in both S106 and CIL regimes. On the plus side, S106 contributions can be used to support the timely delivery of essential infrastructure, in support of specific developments. CIL funds can on the other hand be deployed with a greater degree of flexibility in supporting delivery of infrastructure across a wider area.

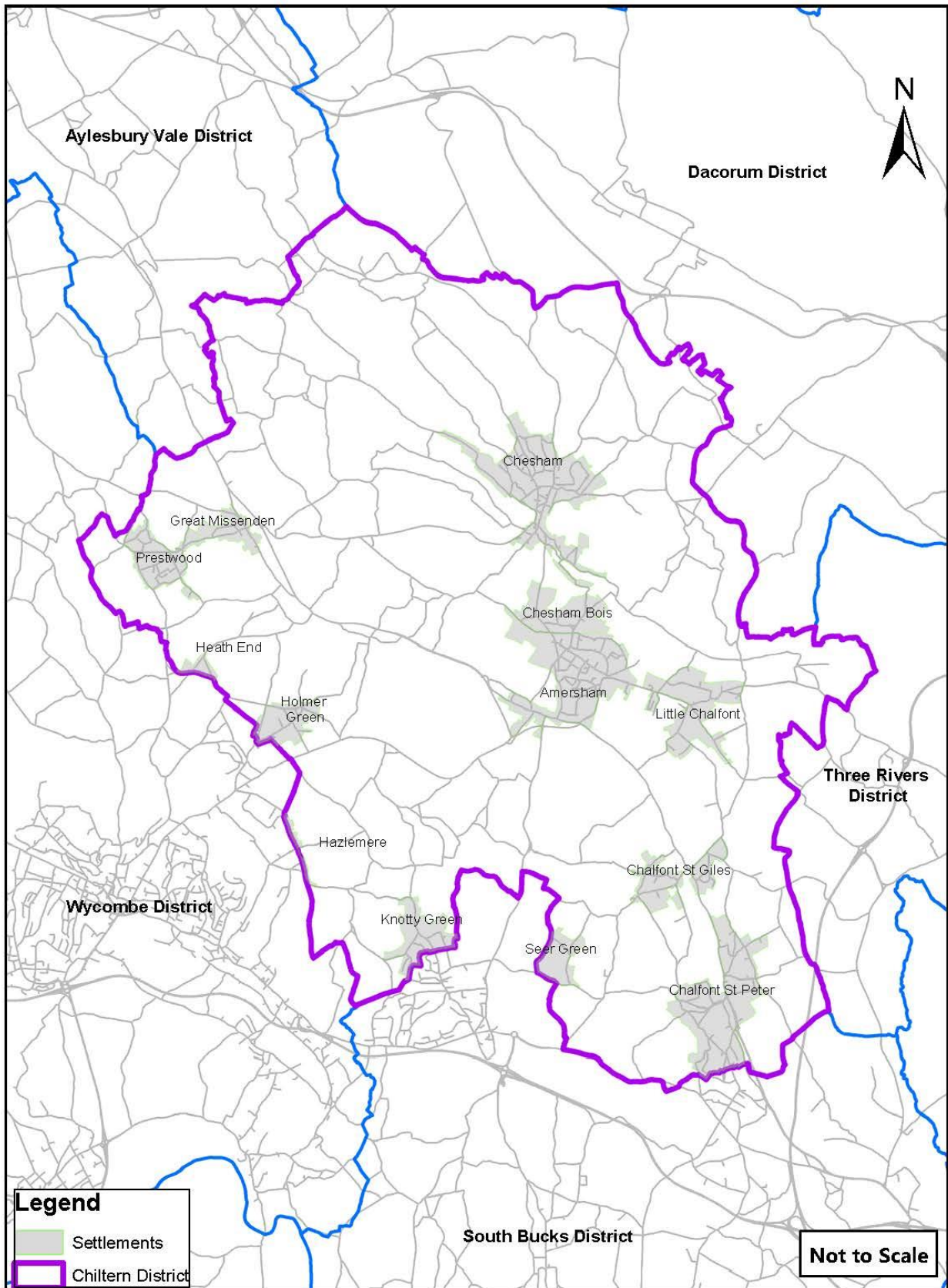
The Council is setting a threshold whereby developments of 400 homes or more or on sites of 10 hectares or more will be CIL zero rated. On these developments, financial contributions will be negotiated and legally bound through S106 and S278 agreements. Below these thresholds CIL will apply to all relevant development and the financial contributions will be based on the Charging Schedules. An exception to this is affordable housing which is legally required to be agreed through S106 agreements.

## CIL Administration

Appendix 5 provides further information on CIL administration and information for developers on some of the implementation issues that they will need to be aware of, in relation to CIL liable planning consents and permitted developments.

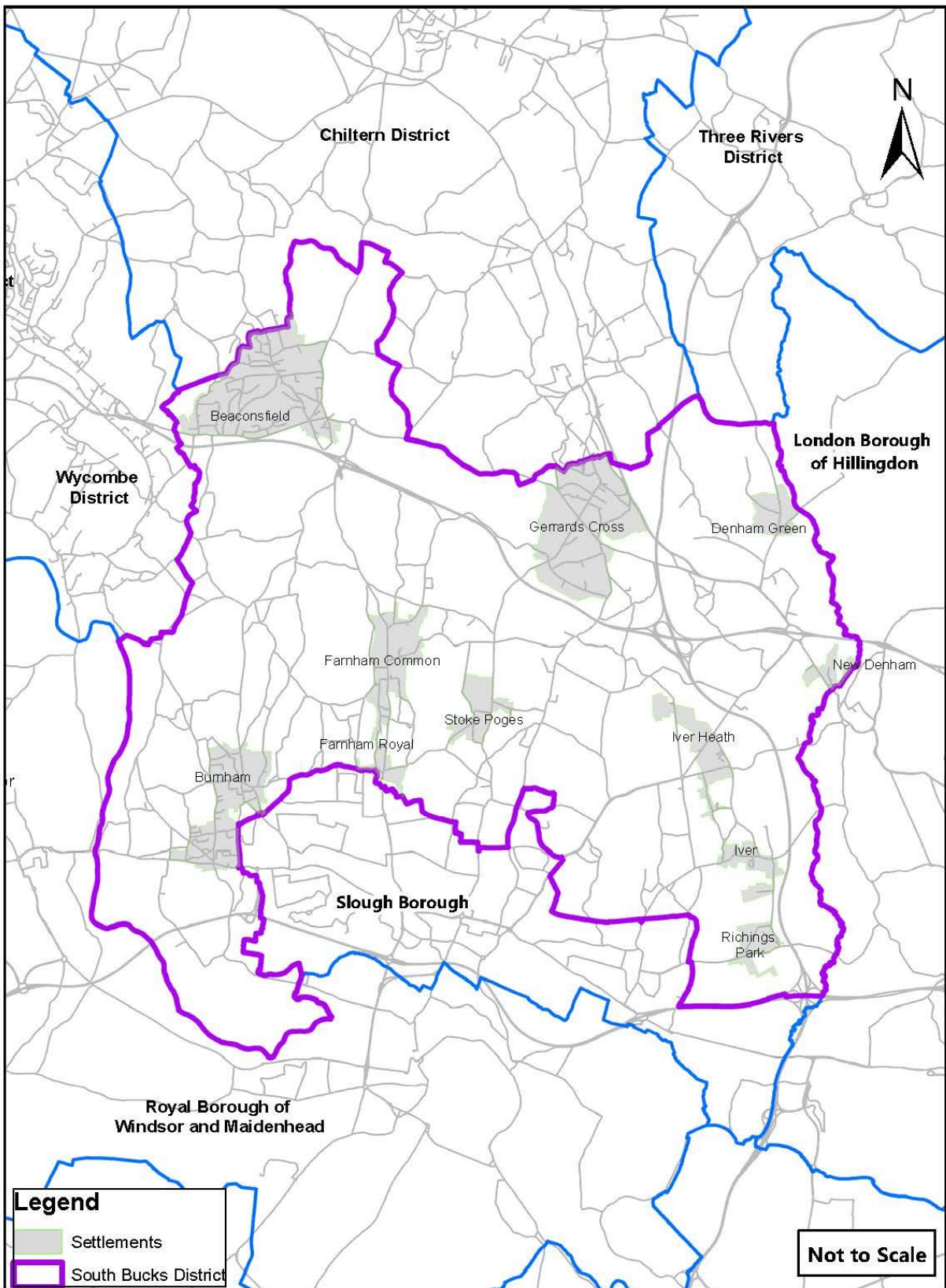


# Appendix 1: Chiltern District Council's CIL Charging Areas



This map is reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution and civil proceedings. © Crown Copyright and database right 2019. Ordnance Survey 100023578.

## Appendix 2: South Bucks District Council's CIL Charging Areas



This map is reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution and civil proceedings.  
© Crown Copyright and database right 2019. Ordnance Survey 100023578.

## Appendix 3: Guide to the Use Classes Order & Definitions

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. The following list is based on the Government's guide to Use Classes. It is not a definitive source of legal information. The list gives an indication of the types of use which may fall within each use class. Please note it is for local planning authorities to determine the use class a particular use falls into.

### **Part A**

- **A1 Shops** - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafés.
- **A2 Financial and professional services** - Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies. It does not include betting offices or pay day loan shops - these are now classed as "sui generis" uses (see below).
- **A3 Restaurants and cafés** - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.
- **A4 Drinking establishments** - Public houses, wine bars or other drinking establishments (but not night clubs) including drinking establishments with expanded food provision.
- **A5 Hot food takeaways** - For the sale of hot food for consumption off the premises.

### **Part B**

- **B1 Business** - Offices (other than those that fall within Class A2), research and development of products and processes, light industry appropriate in a residential area.
- **B2 General industrial** - Use for industrial processes other than those falling within Class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).
- **B8 Storage or distribution** - This class includes open air storage.

### **Part C**

- **C1 Hotels** - Hotels, boarding & guest houses where no significant element of care is provided (excludes hostels).
- **C2 Residential institutions** - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
- **C2A Secure Residential Institution** - Use for a provision of secure residential accommodation, including use as a prison, young offenders' institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
- **C3 Dwelling houses** - this class is formed of three parts:
  - C3 (a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

- C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
- C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.
- **C4 Houses in multiple occupation** - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

#### **Part D**

- **D1 Non-residential institutions** - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training centres.
- **D2 Assembly and leisure** - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

#### **Sui Generis**

- Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include betting offices/shops, pay day loan shops, theatres, larger houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses and casinos.

This policy is made in line with Regulation 69B of the CIL (Amendment) Regulations 2011. The Councils will allow the payment of CIL as outlined in the points below:

1. Where the chargeable amount is less than £200,000, the chargeable amount will be required within 60 days of commencement.
2. Where the chargeable amount is between £200,000 and £2 million, the chargeable amount will be required as per the following four instalments:

1 <sup>st</sup> instalment	2 <sup>nd</sup> instalment	3 <sup>rd</sup> instalment	4 <sup>th</sup> instalment
25% within 60 days	25% within 160 days	25% within 260 days	25% within 360 days

3. Where the chargeable amount is over £2 million, the chargeable amount will be required as per the following four instalments:

1 <sup>st</sup> instalment	2 <sup>nd</sup> instalment	3 <sup>rd</sup> instalment	4 <sup>th</sup> instalment
25% within 60 days	25% By end of year 1	25% By end of year 2	25% By end of year 3

Commencement will be taken to be the date advised by the developer in the commencement notice under CIL Regulation 67.

**Notes:**

N1: When the Councils grant an outline planning permission which permits development to be implemented in phases, each phase of development is a separate chargeable development and the instalment policy will apply to each separate phase.

N2: This policy will not apply, and will be superseded by a default payment position allowed by the CIL Regulations, if:

- a) A commencement notice is not submitted prior to commencement of the chargeable development.
- b) Nobody has assumed liability to pay CIL in respect of the chargeable development prior to the intended day of commencement.
- c) Failure to notify the Council of a disqualifying event before the end of 14 days beginning with the day the disqualifying event occurs.
- d) An instalment payment has not been made in full after the end of the period of 30 days beginning with the day on which the instalment payment was due.

## Calculating the chargeable amount

The Councils will calculate the amount of CIL chargeable using the locally set rates multiplied by the gross internal area of the new buildings and enlargements to existing buildings, taking demolished floor space into account. The formal calculation methodology is set out by CIL Regulation 40, as follows:

**PART 5  
CHARGEABLE AMOUNT**

**Calculation of chargeable amount**

**40.**—(1) The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.

(2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.

(3) But where that amount is less than £50 the chargeable amount is deemed to be zero.

(4) The relevant rates are the rates, taken from the relevant charging schedules, at which CIL is chargeable in respect of the chargeable development.

(5) The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_p}{I_c}$$

where—

A = the deemed net area chargeable at rate R, calculated in accordance with paragraph (7);

$I_p$  = the index figure for the year in which planning permission was granted; and

$I_c$  = the index figure for the year in which the charging schedule containing rate R took effect.

(6) In this regulation the index figure for a given year is -

(a) the figure for 1st November for the preceding year in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors(1); or

(b) if the All-in Tender Price Index ceases to be published, the figure for 1st November for the preceding year in the retail prices index.

(7) The value of A must be calculated by applying the following formula—

$$G_R - K_R - \left( \frac{G_R \times E}{G} \right)$$

where—

G = the gross internal area of the chargeable development;

$G_R$  = the gross internal area of the part of the chargeable development chargeable at rate R;

$K_R$  = the aggregate of the gross internal areas of the following—

- (i) retained parts of in-use buildings, and
- (ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;

E = the aggregate of the following—

- (i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and
- (ii) for the second and subsequent phases of a phased planning permission, the value  $E_x$  (as determined under paragraph (8)), unless  $E_x$  is negative, provided that no part of any building may be taken into account under both of paragraphs (i) and (ii) above.

(8) The value  $E_x$  must be calculated by applying the following formula—

$$E_P - (G_P - K_{PR})$$

where—

$E_P$  = the value of E for the previously commenced phase of the planning permission;

$G_P$  = the value of G for the previously commenced phase of the planning permission; and

$K_{PR}$  = the total of the values of  $K_R$  for the previously commenced phase of the planning permission.

(9) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish that a relevant building is an in-use building, it may deem it not to be an in-use building.

(10) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish—

(a) whether part of a building falls within a description in the definitions of  $K_R$  and E in paragraph (7); or

(b) the gross internal area of any part of a building falling within such a description, it may deem the gross internal area of the part in question to be zero.

(11) In this regulation—

“building” does not include—

(i) a building into which people do not normally go,

(ii) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery, or

(iii) a building for which planning permission was granted for a limited period;

“in-use building” means a building which—

(i) is a relevant building, and

(ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development;

“new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings;

“relevant building” means a building which is situated on the relevant land on the day planning permission first permits the chargeable development;

“relevant charging schedules” means the charging schedules which are in effect—

(i) at the time planning permission first permits the chargeable development, and

(ii) in the area in which the chargeable development will be situated;

“retained part” means part of a building which will be—

(i) on the relevant land on completion of the chargeable development (excluding new build),

(ii) part of the chargeable development on completion, and

(iii) chargeable at rate R.”

## Appendix 6: Measuring CIL liable floor space

Calculating CIL liability depends on the amount of CIL liable floor space that forms part of a proposal, using Gross Internal Area (GIA) measured in accordance with the Royal Institute of Chartered Surveyors (RICS) Code of Measuring Practice. The table below is based on the RICS's Code of Measuring Practice (6th edition, with amendments). The full Code of Measuring Practice is available on the RICS website at [www.rics.org](http://www.rics.org)

GIA is the area of a building measured to the internal face of the perimeter walls at each floor level.

### *Including:*

- Areas occupied by internal walls and partitions
- Columns, piers, chimney breasts, stairwells, lift-wells, other internal projections, vertical ducts, and the like
- Atria and entrance halls, with clear height above, measured at base level only
- Internal open-sided balconies, walkways, and the like
- Structural, raked or stepped floors are property to be treated as a level floor measured horizontally
- Horizontal floors, with permanent access, below structural, raked or stepped floors
- Corridors of a permanent essential nature (e.g. fire corridors, smoke lobbies)
- Mezzanine floor areas with permanent access
- Lift rooms, plant rooms, fuel stores, tank rooms which are housed in a covered structure of a permanent nature, whether or not above the main roof level
- Service accommodation such as toilets, toilet lobbies, bathrooms, showers, changing rooms, cleaners' rooms, and the like
- Projection rooms
- Voids over stairwells and lift shafts on upper floors
- Loading bays
- Areas with a headroom of less than 1.5m\*
- Pavement vaults
- Garages
- Conservatories

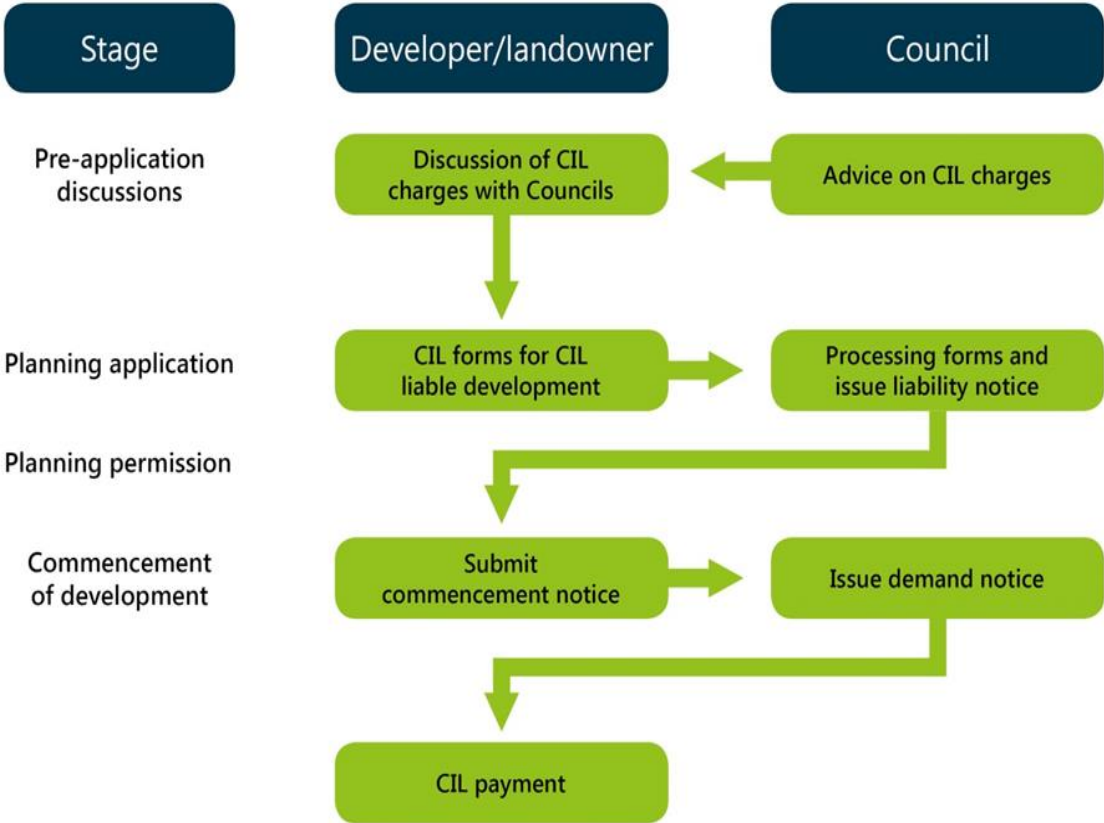
### *Excluding:*

- Perimeter wall thicknesses and external projections
- External open-sided balconies, covered ways and fire escapes
- Canopies
- Voids over or under structural, raked or stepped floors
- Greenhouses, garden stores, fuel stores, and the like in residential



GIA is the basis of measurement in England and Wales for the rating of industrial buildings, warehouses, retail warehouses, department stores, variety stores, food superstores and many specialist classes valued by reference to building cost (areas with headroom of less than 1.5m being excluded except under stairs).

Once planning permission is granted, the CIL Regulations encourage any party, (such as a developer submitting a planning application, or a landowner), to assume liability to pay the CIL charge. CIL liability runs with the land. If no party assumes liability to pay before development commences, land owners will be liable to pay the levy. The Councils will put in place procedures that relate to establishing CIL liability and making the relevant payments, modelled on the flow-chart diagram below.



**Collection of CIL**

The Councils are to be the collecting authority for the purpose of Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

When planning permission is granted, the Councils will issue a liability notice setting out the amount of CIL payable, and the payment procedure.

In the case of development enabled under permitted development orders, the person(s) liable to pay will need to consider whether their proposed development is chargeable, and to issue the Councils with a notice of chargeable development.

The diagram above provides a summary of the collection process. A key trigger for collection of CIL is commencement of a development on site, with payment due thereafter in accordance with the Council’s CIL instalments policy.

**Appeals**

A liable person can request a review of the chargeable amount by the charging authority within 28 days from the issue of the liability notice. The CIL Regulations allow for appeals on:

- The calculation of the chargeable amount following a review of the calculation by the Councils.
- Disagreement with the Councils' apportioned liability to pay the charge.
- Any surcharges incurred on the basis that they were calculated incorrectly, that a liability notice was not served or the breach did not occur.
- A deemed commencement date if considered that the date has been determined incorrectly.
- Against a stop notice if a warning notice was not issued or the development has not yet commenced.

**DOCUMENT END**

## OVERVIEW AND SCRUTINY COMMITTEE

**DATE OF MEETING:** 15 DECEMBER 2020

**TITLE OF REPORT:** CONFIDENTIALITY OF INTERNAL COUNCIL COMMUNICATIONS

**Report of:** Monitoring Officer

### 1 PURPOSE OF REPORT

- 1.1 To advise Member and Offices on the approach to confidentiality with respect to internal communications within the Council.

### 2 OFFICER RECOMMENDATION

- 2.1 This is an information report only.

### 3 BACKGROUND

- 3.1 All Council business is subject to transparency rules such as (but not limited to) the Freedom of Information Act, the Environmental Information Regulations and the Subject Access provisions of the Data Protection Act etc.
- 3.2 The Council, however, also needs safe space to think in private. There are occasions where a safe space is needed to give sensitive information, develop ideas, debate live issues, and reach decisions away from external interaction and distraction. This is why sometimes internal communication should be kept within the Council.
- 3.3 The need for a safe space will be strongest when the issue is still live. There may also be a need however, of a safe space for a short time after a decision is made in order to properly promote and explain its key points.

### 4 Considerations

- 4.1 The most effective approach to the question of confidentiality is to adopt a simple 'traffic light' approach:

**WHITE** or **GREEN** - This is the default approach. Unless otherwise identified as having some element of confidentiality, **disclosure is not limited**. Any communication can be made public and shared with third parties. It can be downloaded, copied, reused, and published on social media for example.

**AMBER** – **This is sensitive information intended for internal Council use only**. It can be shared internally within the Council's business environment, but it must **not** be shared with anyone outside the Council. For emails for example, this means that it must **stay within** the Council's Office 365 environment. The content can however, be modified and downloaded, but it cannot be copied and printed.

**RED** – **Not for disclosure, restricted to participants only**. This is the highest confidentiality. It will be used only **rarely** where there is **specific** justification. Recipients **must not share** any part of the information or content with anyone else, even within the Council's business environment. For emails for example, they cannot be shared, forwarded, printed, or content copied.

## **Working Groups**

### Formal Arrangements

- 4.2 Where formal Working Groups are set up, they will have terms of reference that will include reference to the approach to confidentiality. Working Groups do not meet in public although it is good practice to publish minutes where appropriate. Attendance, therefore, will be by invitation only in accordance with the Group's terms of reference. Working Groups may often discuss matters that require either a safe space or address issues that are properly to be dealt with confidentially. While it will be a matter for each Working Group to decide, sometimes on a case by case basis, it is reasonable to expect that activity of Working Groups will often fall within either **AMBER** or even some **RED** matters of confidentiality.

### Informal Working Groups

- 4.3 There are occasions where Members come together informally to discuss matters of common interest. Such informal arrangements will **not** normally be the subject to any restraint on confidentiality. The expectation should be that information gathered from such arrangements can be shared.

### Member Briefings

- 4.4 Member Briefings are important to keep Members apprised on current topics of interest. In general, these briefings will be **WHITE/GREEN** with the information being open to sharing **unless** a matter of confidentiality is specifically identified.

## **5 CONCLUSION**

- 5.1 Openness and transparency is the default unless Members are otherwise specifically advised of a matter of confidentiality. The 'traffic light' system will help this understanding. Its use of three categories is simple, if not simplistic. There will always however, be cases where it is not suited to the situation. Its simplicity, however, makes it ideal for most Council business scenarios.

**Contact Details: Daryl Phillips, email: [daryl.phillips@hart.gov.uk](mailto:daryl.phillips@hart.gov.uk)**

## OVERVIEW AND SCRUTINY COMMITTEE

**DATE OF MEETING:** 15 DECEMBER 2020

**TITLE OF REPORT:** 2020-21 BUDGET MONITORING – POSITION STATEMENT AT 31 OCTOBER 2020 FOLLOWING LOCKDOWN 2.0

**Report of:** Head of Corporate Services

**Cabinet Member:** Councillor James Radley

### 1 PURPOSE OF REPORT

1.1 To advise Members of the position on revenue expenditure as an additional report following Lockdown 2.0. It is important that during these unprecedented times Members are regularly informed of significant changes to expenditure on a timely basis which may be outside the standard quarterly budget reporting cycle.

### 2 OFFICER RECOMMENDATION

2.1 To note the revised projections and reasons for the main revenue variations shown in this report.

### 3 BACKGROUND

3.1 In September, the Council agreed a revised budget to reflect the first wave of Covid-19. This was always recognised to be an interim position statement because the pandemic was still ongoing, and its full effects could not yet be fully quantified.

3.2 There has now been a second lockdown (Lockdown 2.0) between the 5<sup>th</sup> November and 2<sup>nd</sup> December which has further impacted the Council's ability to collect fees and charges and has increased the number of services that we are required to deliver.

### 4 REVENUE BUDGET MONITORING

4.1 In the September Quarter 2 Budget monitoring report, it was forecasted that there would not be a significant overspend or underspend at the 31<sup>st</sup> March 2021. However, since that monitoring was carried out the national and local landscape has significantly changed, and the ongoing implications of the pandemic are still being refined. As a result, it is sensible to reconsider the latest forecast position.

4.2 The latest forecast is:

Table 4.4A

Service Area	Revised Budget full year 20/21 £'000	Budget expenditure to 31/10/20 £'000	Actual expenditure to 31/10/20 £'000	Variance Actual against Budget £'000	Revised Full Year Forecast £'000	Variance Forecast against Budget £'000
Corporate	5,208	(3,868)	(3,980)	(112)	5,525	317

<b>Community</b>	<b>1,030</b>	<b>64</b>	<b>(£167)</b>	<b>(231)</b>	<b>1,026</b>	<b>(4)</b>
<b>Technical &amp; Environmental</b>	<b>3,083</b>	<b>1,739</b>	<b>£850</b>	<b>(889)</b>	<b>3,634</b>	<b>551</b>
<b>Place Services</b>	<b>2,098</b>	<b>1,368</b>	<b>£1,204</b>	<b>(164)</b>	<b>2,298</b>	<b>200</b>
<b>Total</b>	<b>11,419</b>	<b>(697)</b>	<b>(2,093)</b>	<b>(1,396)</b>	<b>12,483</b>	<b>1,064</b>
<b>Accounting Adjustments</b>	<b>(1,987)</b>	<b>(420)</b>	<b>(522)</b>	<b>(101)</b>	<b>(2,079)</b>	<b>(92)</b>
<b>Net Cost of Services</b>	<b>9,432</b>	<b>(1,117)</b>	<b>(2,615)</b>	<b>(1,497)</b>	<b>10,404</b>	<b>972</b>

- 4.3 Table 4.4A shows that the revised full year forecast at a net cost of services level sits at £10.404m which exceeds the September budget position by £972K. This budget pressure is made up of a combination of further spend required by Covid-19 new burdens and additional lost income which wasn't budgeted for and arose as a result of the second peak of the virus.
- 4.4 These figures do reflect known compensation for fees and charges lost during the first lockdown but do not reflect the additional claims we will now be making as a result of Lockdown 2.0. Additional costs are being incurred as a result of additional burdens in distributing business grants, self-isolation payments and hardship payments. Unfortunately, due to the instantaneous requirements to set-up, assess and pay grants it is still very difficult to provide an informed estimate of the true costs of providing these additional services particularly as in many instances the Government has not yet confirmed that the Council will receive any further grant support. We are also unsure of how long we will be required to provide these additional services.
- 4.5 The key reasons for the amendment to forecast are detailed below:

Income Loss – Parking, Planning, Leisure, Bulky Waste	£520K
IT additional costs	£96K
Pension Additional Costs	£60K
Loss in recycle income	£264K
Miscellaneous	£32K

- 4.6 The Council holds a number of earmarked reserves for specific purposes which can be justly drawn upon to offset additional expenditure. For example, we have spent an £25K of expenditure on providing all staff with the digital technology they need to be able to work remotely and this has been funded from the revenue budget. On reflection, the Council holds a digital transformation reserve which was set up to deliver exactly the same digital transformation. Clearly that ear marked reserve should be used to offset the expenditure.
- 4.7 In January, a report will be taken to Cabinet to consider in these unprecedented times the use of appropriate drawdowns from specific earmarked reserves which will help to recompense the General Fund Reserves from some of the impact of the pandemic. The Government itself is also in the process of considering what, if any, further funds should be made available to local government to compensate it for lost income. This will enable us to adjust our forecast further for income lost due to Lockdown 2.0.

## **5 MANAGEMENT OF RISK**

- 5.1 The monthly budget monitoring process examines all income and expenditure against budgets. It highlights at an early stage where expenditure is being incurred but where insufficient or no budgetary provision exists. Unfortunately, the pandemic is ongoing and therefore it must be acknowledged that in many instances the Council's response will have to be reactive rather than proactive.

## **6 CONCLUSION**

- 6.1 The latest budget forecast is prudently estimated at £972K overspend before additional work carried out to understand compensation, new burdens payments and draw downs from earmarked reserves.

**Contact Details: Emma Foy, email: [Emma.Foy@Hart.Gov.uk](mailto:Emma.Foy@Hart.Gov.uk)**



## OVERVIEW AND SCRUTINY COMMITTEE

**DATE OF MEETING:** 15 DECEMBER 2020  
**TITLE OF REPORT:** UPDATE ON BUSINESS RATES GRANTS SCHEMES  
LOCKDOWN 2.0  
**Report of:** Head of Corporate Services  
**Cabinet Member:** Councillor James Radley

### 1 PURPOSE OF REPORT

- 1.1 To give an update on the of the process and performance regarding the two Lockdown 2.0 Business Rates Grant Schemes that the Government has introduced.

### 2 OFFICER RECOMMENDATION

- 2.1 This is an update report only.

### 3 BACKGROUND

- 3.1 On the 12 November the Department for Business, Energy and Industrial Strategy (BEIS) set out its requirements for Local Authorities to pay businesses grants to support them through the second lockdown (Lockdown 2.0) which ran from 5 November to 2 December 2020.
- 3.2 There are two grant schemes which businesses can apply for to compensate them for loss of trade during Lockdown 2.0. The first scheme known as the 'closed' or 'standard' scheme is for business that have been forced to closes a direct result of Lockdown 2.0 (for example non-essential retail or hospitality type uses). The second scheme, the Additional Restrictions Grant (ARG) is a discretionary scheme that is less prescriptive than the closed scheme.

### 4 The Closed Scheme

- 4.1 This scheme went live on 16 November. The Application process was via an e-form. The applicant is asked to provide the following information:
- Information to verify the business
  - business rates confirmation
  - accounts and a declaration that they have been forced to close due to imposed restrictions.
  - bank account details.
- 4.2 This scheme was administered by the Council jointly with Capita. Learning lessons from the past, a two-stage approach was adopted.
- (i) Capita initially process the information form the E-form. This was done as a remote initial verification check. A pre-payment checklist was then sent to Hart for hart Officers to do a local knowledge check
  - (ii) Subject to satisfactory pre-payment recommendation from Capita, Hart Officers then competed a light touch local knowledge test final check. the Council to give final approval or rejection of the claim. Capita then implemented payment.

4.3 A dedicated email address and telephone number for businesses to contact to obtain an update on their claim was created and a separate email address for Members to request information as part of their individual casework [MembersBGEquires@hart.gov.uk](mailto:MembersBGEquires@hart.gov.uk) was also made available

4.4 Businesses were able to claim the following amounts of support:

Property Ratable Value	Grant payment/Month
Less than £15k	£1,334
£15k to £50k	£2,000
Greater than £50k	£3,000

4.5 At the time of writing this report on the 4<sup>th</sup> December, the Council had received 264 applications for this grant and had made 198 payments to eligible businesses.

4.6 There have been applications from businesses claiming to have closed but which has been found to be open and trading. This makes it even more important that the Council carries out proper due diligence and informed full pre-payment and fraud checks to satisfy the requirements of Department for Business, Energy & Industrial Strategy (BEIS) and HM Revenue & Customs (HMRC). We have also received claims from businesses no longer trading and from businesses trying to claim multiple grants.

**5 The Additional Restrictions Grant (ARG)**

5.1 The Government has awarded £1.974m to the Council be used between now and the 31<sup>st</sup> March **2022** to support businesses both during the second wave and through the recovery process. ARG is intended to support business that whilst not having been legally required to close as a result of any lockdown, nevertheless, require support as consequence of lockdowns. It is only very limited funding and the Government has confirmed that hereon after there will be no further funding for any future lockdowns. It will be for Councils to demine whether all the funds are used immediately or spread over the whole of the recovery period (i.e. up to the end of March 2022).

5.2 Following a review with peer authorities and national discussions the following approach to allocation of ARG is recommended:

Allocation over three major circumstances.

- (i) This period – business affected by the Autumn lockdown (£750k)
- (ii) Post-Christmas impact such as any future lockdowns should they occur (£750k)
- (iii) Recovery (£441k) with expenditure anticipated summer 2021

5.3 The Council itself is administering the ARG. A simple E-form has been designed to capture all businesses in the district who meet the following criteria

- Businesses that are legally required to close, but do not pay business rates
- Businesses that are not legally required to close, but have been severely impacted by new restrictions

- 5.4 A business is not eligible for the grant if it:
- (i) was not trading immediately before 5 November 2020
  - (ii) is in administration, is insolvent or a striking-off notice has been made  
AND/OR
  - (iii) has already received grant payments equal the maximum state aid limits
- 5.5 Businesses can only be in receipt of one grant and the value of the ARG in total £1300.
- 5.6 This first tranche of the ARG opened on the 23 November and initially was to run the 6<sup>th</sup> December. However, despite Facebook boosting, press releases and local radio exposure only 100 applications had been received. The application window has therefore been extended for a further week supported by further publicity.
- 5.7 Businesses that apply for the 'Closed' scheme and are unsuccessful will automatically be transferred into the ARG scheme providing that their application was not found to be incorrect or fraudulent.
- 5.8 Any further applications received between 12<sup>th</sup> and 20<sup>th</sup> December will still be processed but payment is not guaranteed to be made before the 24<sup>th</sup> December.

## **6 CONCLUSION**

- 6.1 Both the Closed scheme and ARG were implemented in a timely manner as a result of Government requirements. However, there can be no short cuts and a full audit trail is required.
- 6.2 Updated performance will be provided orally at the meeting.

**Contact Details: Emma Foy, email: [Emma.Foy@Hart.Gov.uk](mailto:Emma.Foy@Hart.Gov.uk)**

## CABINET

### KEY DECISIONS/ WORK PROGRAMME, AND EXECUTIVE DECISIONS MADE

January 2021

Cabinet is required to publish its Key Decisions and forward work programme to inform the public of issues on which it intends to make policy or decisions. The Overview and Scrutiny Committee also notes the Programme, which is subject to regular revision.

Report Title	Date item agreed for report	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y? Note 1	Cabinet Member (Note 2)	Service (Note 3)	* This item may contain Exempt Information
Car Boot Sales	Sep 20	To update Cabinet on car boot sales	Jan 21			RQ	JCX	
Next Steps in COVID-19 Recovery	Jul 20	To provide an update on work to support the district since last July	Jan 21			JR	JCX	
Civic Regeneration Working Group	Jan 21	Post consideration by Overview & Scrutiny Committee, to update on the discussions of the Working Group	Jan 21	Feb 21		RQ	CS	
Draft 2021/22 Revenue Budget, Capital Programme and Council Tax Proposals	Annual	Post consideration by Overview & Scrutiny Committee, to agree to recommend to Council the 2021/22 Revenue Budget, Capital Programme and Council Tax Proposals	Feb 21			JR	F	

Report Title	Date item agreed for report	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y? Note 1	Cabinet Member (Note 2)	Service (Note 3)	* This item may contain Exempt Information
Draft 2021/22 Capital Strategy, Treasury Management Strategy Statement and Asset Management Plan	Annual	Post consideration by Overview & Scrutiny Committee, to agree to recommend to Council the 2021/22 draft Capital Strategy, the 2021/22 Treasury Management Strategy Statement and Asset Management Plan	Feb 21			JR	F	
Debt Recovery Update Policy	Nov 20	To update Cabinet on the Debt Recovery policy	Feb 21			JR	F	
Housing Re-Procurement	Sep 20	To inform Cabinet of new software to manage the allocations, choice-based lettings, housing options and homelessness aspects of Housing Services	Feb 21	Mar 21		SB	H	
Budget Monitoring	Quarterly	Post consideration by Overview & Scrutiny Committee, to consider a report on Quarterly Budget Monitoring	Mar 21 Jun 21 Sep 21			JR	F	
Service Plans	Annual	Post consideration by Overview & Scrutiny Committee, agree the 2021/22 Service Plans	Apr 21			DN	All	

Report Title	Date item agreed for report	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y? Note 1	Cabinet Member (Note 2)	Service (Note 3)	* This item may contain Exempt Information
Outside Bodies	Annual	Post consideration by Overview & Scrutiny of the effectiveness of the Council's involvement with outside bodies	Jun 21			DN	JCX	
Food and Health and Safety Service Plan	Annual	Recommend to Council that the annual Food Safety Plan be adopted	Jul 21			SK	P	
Revenue and Capital Outturn 2020/2021	Annual	Post consideration by Overview & Scrutiny Committee, to consider the Annual report on outturn	Aug 21			JR	F	
Treasury Management 2020/2021 (Annual Report)	Annual	Post consideration by Overview & Scrutiny Committee, to consider the Annual report on Treasury Management Activities 2020/21	Aug 21			JR	F	
Harlington Roof Repairs	Jul 20	Post consideration by Cabinet in August for updates to future works	Sep 20	TBC		RQ	CS	

Report Title	Date item agreed for report	Outline/Reason for Report/Comments	Original Due Date	Revised Due Date	Key Decision Y? Note 1	Cabinet Member (Note 2)	Service (Note 3)	* This item may contain Exempt Information
Treasury Management 2021/22 (Half Year Report)	Annual	Post consideration by Overview & Scrutiny Committee, to consider a Half Year review report on Treasury Management Strategy 2020/21	Dec 21			JR	F	
Budget and Medium Term Financial Strategy	Annual	To give an early consideration of the emerging budget for 2021/22 and the MTFS	Dec 21			JR	F	

**Note 1**

A "key decision" means an executive decision which, is likely to -

- a) result in Council incurring expenditure or the making of savings which amount to £30,000 or 25% (whichever is the larger) of the budget for the service or function to which the decision relates; or
- b) be significant in terms of its effects on communities living or working in an area comprising two or more wards within the area of the district of Hart.

**Note 2****Cabinet Members**

DN	Leader	SA	Digital	RQ	Commercialisation (Cn)	SB	Community (Cy)
SK	Regulatory	AO	Environment	JR	Finance and Corporate Services	GC	Place

**Note 3****Service:**

JCX	Joint Chief Executive	CS	Corporate Services	P	Place Services
CSF	Community Safety	PP	Planning Policy	TS	Environmental & Technical Services

F  
SLS

Finance  
Shared Legal  
Services

H  
MO    Community Services  
Monitoring Officer

**Note 4**

\* **This item may contain Exempt Information** - Regulation 5 of the Local Authority (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

**EXECUTIVE DECISIONS**

04/12/20	Cllr Oliver	Event Parking Concessions	



**OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME – Dec 2020**

<b>Issue and Description of Topic</b>	<b>Current Position Objective</b>	<b>Original Due Date</b>	<b>Revised Due Date</b>	<b>Resources Required</b>	<b>Contact</b>	<b>*This item may contain Exempt Information</b>
<b>Confidentiality Policy</b>	To provide members information on confidentiality.	Dec 20		Report	Joint Chief Executive	
<b>Climate Change Working Group</b>	To provide an interface between the Climate Change Working Group and the Overview & Scrutiny Committee for updates.	Dec 20		Oral	Portfolio Holder	
<b>COVID-19 Pandemic Update</b>	To provide an update on Hart's response and actions post Government review.	Dec 20		Oral	Joint Chief Executive	
<b>Business Grants Scheme</b>	To update on the progression of the Business Grant funding scheme.	Dec 20		Report	Head of Corporate Services	
<b>Financial Position Statement</b>	To update the Overview & Scrutiny Committee on the financial status.	Dec 20		Report	Head of Corporate Services	
<b>Community Safety Transition</b>	To update on the progression of the transition and return of the Community Safety Team.	Jan 21		Report	Head of Community Services	

<b>Overview of Member Training</b>	To discuss training required for Members and outstanding subjects and courses already attended.	Jan 21		Report	Joint Chief Executive	
<b>Civic Regeneration Working Group</b>	To update on the Civic Regeneration Working Group.	Jan 21		Report	Portfolio Holder for Commercialisation and Commercialisation Manager	
<b>Car Parking Charges</b>	The Portfolio Holder for Technical Services to be invited to update Committee on progress to agree with parish and town councils any localisation of car park charges	Jan 21		Update	Portfolio Holder	
<b>Capital Strategy, Treasury Management Strategy Statement and Asset Management Plan</b>	To comment on the annual report setting out the future Capital Strategy, Treasury Management Strategy Statement and Asset Management Plan, prior to consideration by Cabinet.	Annual	Jan 21	Report	Head of Corporate	
<b>Draft Budget</b>	To make comments on the draft 2021/22 Budget prior to consideration by Cabinet.	Annual	Jan 21	Report	Head of Corporate	
<b>Quarterly Budget Monitoring</b>	Quarterly update on budget position.	Feb 21 Jun 21 Oct 21		Report	Head of Corporate Services	

<b>Performance Monitoring</b>	Quarterly Highlights report.	Mar 21 Jul 21 Nov 21		Report	Performance & Innovation Officer	
<b>Corporate Risk Register</b>	Half-yearly update on corporate risk profile.	Mar 21 Sep 21		Report	Audit Manager	
<b>Service Plans</b>	To make recommendations to draft 2021/22 Service Plans prior to consideration by Cabinet.	Annual	Mar 21	Report	Joint Chief Executive	
<b>Flooding</b>	Update from twice yearly meeting of multi-agencies.	Mar 21		Minutes of meeting only	Head of Environment & Technical	
<b>Chairman's Annual Review of the Work of the Committee.</b>	To consider the Chairman's draft report to Annual Council on a review of the work carried out in the past year by Overview and Scrutiny Committee.	Annual	April 21	Report	Chairman of Overview & Scrutiny Committee.	
<b>Waste Management Contract</b>	To seek Committee's input if material changes to the contract are brought forward for decision.	TBC			Portfolio Holder	
<b>Treasury Management 2020/21</b>	To consider a Half Year review report on Treasury Management Strategy 2020/21 prior to consideration by Cabinet.	Nov 20		Report	Head of Corporate Services	
<b>Medium Term Financial Strategy</b>	Annual report setting out the Council's Medium-Term Financial Strategy position, prior to consideration by Cabinet.	Oct 20	Nov 20	Report	Head of Corporate Services	

<b>Heads of Service Attendance</b>	Once a quarter the respective Heads of Service (in rotation) each be invited to attend Committee to update on performance, targets, and delivery against Service Plans. Dec - Head of Place Jan – Head of Corporate Feb – Head of Environment & Technical Mar – Head of Place Apr – Head of Community Jun – Head of Corporate Jul – Head of Environment & Technical Aug – Head of Place Sep – Head of Corporate Oct – Head of Environment & Technical				Heads of Service	
------------------------------------	---	--	--	--	------------------	--