

# **WESTMINSTER CITY COUNCIL**

## **STATEMENT OF DECISION**

**SUBJECT: INTERIM GUIDANCE NOTE USE OF PLANNING OBLIGATIONS IN THE PERIOD BETWEEN APRIL 2015 AND INTRODUCTION OF THE WESTMINSTER CIL**

Notice is hereby given that the Cabinet Member for Built Environment, has made the following executive decision on the above mentioned subject for the reasons set out below.

### **Summary of Decision**

1. That the Cabinet Member for Built Environment approved the publication of the Interim Guidance Note attached as Appendix A to the report.

### **Reasons for Decision**

1. The Community Infrastructure Levy Regulations 2010 (as amended) introduce restrictions on the use of section 106 planning obligations to “pool” contributions to fund infrastructure, with the intention that this type of arrangement will over time be replaced by the Community Infrastructure Levy. These restrictions come into force on 6<sup>th</sup> April 2015.
2. There is considerable uncertainty among the development community, amenity groups and other stakeholders of the planning system about the approach the City Council will take to ensuring continued delivery of its policies and about the potential for delay in the taking of planning decisions this may cause. The Interim Guidance Note (Appendix A to the report) is intended to explain the approach that will be taken, to meet these concerns as far as possible. It is being brought forward as a stand-alone note as preparation of a comprehensive supplementary planning document dealing with use of planning obligations and other planning mechanisms has been delayed as a result of recent changes to national planning policy and guidance concerning the Vacant Building Credit (VBC) and a recent High Court decision on use of section 106 agreements to seek contributions for administrative and monitoring purposes. The need for an interim note/statement is now pressing.

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