



Community Infrastructure Levy

**A response by Civic Voice to DCLG's proposals and draft regulations
December 2011**

1. The new Community Infrastructure Levy has an important role to play in negotiating development and land use change for the widest possible public benefit. As the national charity for the civic movement, Civic Voice welcomes this opportunity to shape the final proposals. We work with a network of hundreds of local civic societies to make the places where everyone lives more attractive, enjoyable and distinctive and to promote civic pride. Given their role it is no surprise that civic volunteers are the most numerous participants in the planning system and these views are informed by their practical experience and local outlook.
2. We welcome the added clarity and transparency which the Community Infrastructure Levy will provide over s106 obligations in a majority of cases. We remain uncertain, however, about the overall geographical impact of the Community Infrastructure Levy given that its role will be limited in significant areas of regeneration, especially those with negative land values.
3. Our comments address a number of the Questions raised in the consultation paper and focus on one aspect of the new Community Infrastructure levy – the commitment to ensure that a “meaningful proportion” should be for communities to determine its use. The approach is relatively clear for those areas with town or parish councils but remains confused elsewhere.
4. We believe the same duty to pass on a meaningful proportion should apply in all cases, whether or not there is a parish or town council for the area (Question 1). It would be perverse for local communities in areas without town or parish councils not to benefit from the new Levy simply because of a particular history in the development of local government. It would also exclude the majority of the population and most large urban areas from this key benefit.
5. We are concerned that in areas not covered by town or parish councils that local authorities may not adequately implement the duty to pass on a meaningful proportion of the Levy to the community. We believe this should be a statutory requirement and be provided for in statutory guidance (Question 2).
6. We propose an approach which:
 - Specifies a minimum percentage to be passed on to the community, to be agreed locally following public engagement and external scrutiny

- ☛ Draws on best practice in participatory budgeting to require local authorities to “engage” with their communities and not just “consult” on options
- ☛ Is guided by neighbourhood plan priorities where these have been adopted, with a presumption that the neighbourhood forum responsible for the plan decides on the best use of the funds available and the breakdown of priorities is published.

7. We support the need for reports on the use of funds by town and parish councils to be made publicly available. We suggest this is provided on the local authority’s website where a town or parish council does not have one (Questions 5 and 6).

8. We are also keen to ensure a wide definition of “infrastructure” so communities can spend the funds on the priorities they have identified for their area and not be unduly restricted. This should include use of the Levy for revenue funding to manage assets and to strengthen participation and community engagement. We are keen that the flexibility extended to town and parish council expenditure also applies to communities without a town or parish council. To this end we encourage an approach which gives maximum flexibility for use of the Levy to support implementation of neighbourhood plan priorities where there is no town or parish council, working through the established neighbourhood forum (Question 7).