

GREATER LONDON AUTHORITY

REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2222

Title: Independent examiner to undertake the Mayor's Community Infrastructure Levy Examination in Public

Executive Summary:

To help fund Crossrail 2, the Mayor is seeking to increase the rates he is allowed to charge under the CIL Regulations (2010) (as amended). To do so, he must undertake two rounds of public consultation, now completed, and hold an Examination in Public into his proposals. The Examination in Public must be run by a suitably qualified and experienced person, who is paid for by the authority. This ADD seeks funding approval to pay for that independent examiner.

Decision:

That the Assistant Director of Planning approves expenditure of up to £30,000 to pay for the independent examiner to undertake the Mayor's Community Infrastructure Levy Examination in Public.

AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT:

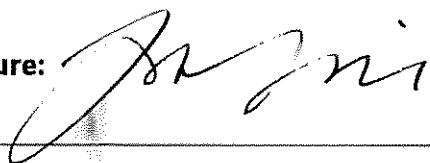
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Juliemma McLoughlin

Position: Assistant Director of Planning

Signature:



Date:

26-3-18

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1 Under the Community Infrastructure Levy 2010 regulations (as amended), the Mayor is entitled to levy charges on development across London to fund the delivery of strategic transport infrastructure. This is the Mayor's Community Infrastructure Levy (MCIL).
- 1.2 The Mayor has been very clear that he wants to amend the current MCIL charging schedule (in place since 2012) to help deliver Crossrail 2 (MCIL to contribute £4.5bn). To do this he must undertake two rounds of public consultation on his preliminary draft charging schedule and his draft charging schedule. He must then submit his proposals to an examination in public (EiP). In line with Government guidance that EiP must be run by an appropriately qualified and experienced examiner who runs the inquiry and then produces a report that either approves/modifies or rejects the Mayor's proposals.
- 1.3 Having completed both rounds of public consultation, the Mayor wishes to appoint an independent examiner to undertake the examination in public. The Mayor has stated on numerous occasions that he would like to introduce his revised charging schedule in April 2019.
- 1.4 The Mayor would like to appoint an examiner from Intelligent Plans and Examinations (IPE), a consultancy that has independent examiners available to undertake examinations in public. IPE have indicated that they have a number of suitably qualified and experienced examiners available to hold this examination.

2. Objectives and expected outcomes

- 2.1 Holding an examination in public is part of the statutory process for amending CIL charges. The examiner will hold the EiP and produce a report that either approves/modifies or rejects the Mayor's proposals. Officers anticipate that the Examiner's report will be acceptable to the Mayor so he can then proceed with adopting the new charges in order to help fund Crossrail2.

3. Equality comments

- 3.1 Appointing an examiner is the necessary next step in updating the Mayor's CIL charging rates. MCIL will make an important contribution to the delivery of Crossrail 2. Crossrail 2 will unlock multiple benefits for current and future Londoners – unlocking opportunities for affordable housing and improved accessibility to employment.

4. Other considerations

a) key risks and issues

- 4.1 The key issue is the need to appoint an independent examiner to hold the EiP. The new charging proposals cannot be introduced until there has been an examination in public.

b) links to Mayoral strategies and priorities

- 4.2 MCIL charges are estimated to contribute £4.5bn to funding Crossrail 2. Crossrail 2 is a key Mayoral priority.

c) impact assessments and consultations.

- 4.3 This is a financial issue that does not require consultation.

5. Financial comments

- 5.1 Assistant Director's approval is sought for expenditure of up to £30,000 to pay for the independent examiner to work on the draft MCIL charging schedule. This will be procured and contract managed by GLA Planning team and is to be fully funded by Transport for London.

6. Planned delivery approach and next steps

Activity	Timeline
Procurement of contract [for externally delivered projects]	April 2018
Announcement [if applicable]	
Delivery Start Date [for project proposals]	May 2018
Main milestones – Holding EiP	September 2018
Main milestones – Issuing report	November 2018
Final evaluation start and finish (self/external) [delete as applicable]:	
Delivery End Date [for project proposals]	December 2018
Project Closure: [for project proposals]	December 2018

Appendices and supporting papers: None

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Note: This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:**Drafting officer:**

Peter Heath has drafted this report in accordance with GLA procedures and confirms that the Finance and –if relevant- Legal teams have commented on this proposal as required, and this decision reflects their comments.

Corporate Investment Board:

The Corporate Investment Board reviewed this proposal on 26 March 2018.

HEAD OF FINANCE AND GOVERNANCE:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

26.03.18