



# **LB Tower Hamlets Community Infrastructure Levy (CIL) Proposed Charging Schedule**

## **Strategic Environmental Assessment Screening**

**November 2012**



## 1. Background and Context

- 1.1 The Community Infrastructure Levy (CIL) is a new tariff system that enables local authorities to make a charge on most forms of new development to fund infrastructure. The revenue raised can then be used to fund a wide range of local and strategic infrastructure that is required as a result of new development such as transport schemes, open spaces, schools and community facilities.
- 1.2 This statement outlines the Council's consideration whether the proposed CIL Charging Schedule should be subject to a Strategic Environmental Assessment (SEA).

## 2. SEA Determination

- 2.1 Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004) specific types of plans and programmes that are likely to have significant environmental effects that set the framework for the future development consent of projects must be subject to an environmental assessment.
- 2.2 The process for determining whether or not an SEA is required is called screening. In order to screen, it is necessary to determine if a plan may have significant environmental impacts.
- 2.3 However, under Article 3(8) of the SEA Directive certain types of plans and programmes are not subject to the requirements for SEA including financial or budget plans and programmes.
- 2.4 The proposed Charging Schedule has been defined as a financial document and in accordance with Article 3(8) is exempt from the requirement to undertake SEA.
- 2.5 The consideration that the proposed Charging Schedule is a financial document has been confirmed by central government when determining whether the development of a Charging Schedule should be subject to sustainability appraisal. Paragraph 19 of the CLG statutory guidance document 'Charge setting and charging schedule procedures' states that "Charging Schedules will be short financial documents so will not require a Sustainability Appraisal".
- 2.6 While the CIL will be used raise money from new developments towards infrastructure that will contribute to sustainable development, it is not a plan or a programme in itself but a financial tool. It does not or cannot set policy guidance or interventions to deal with environmental issues.
- 2.7 It is therefore considered that a screening of significant environmental effects of the proposed Charging Schedule is not necessary.