

**Community Infrastructure Levy Regulations 2011 (amended)
Preliminary Draft Charging Schedule Consultation
3 October 2011 – 14 November 2011**

How to respond to this consultation

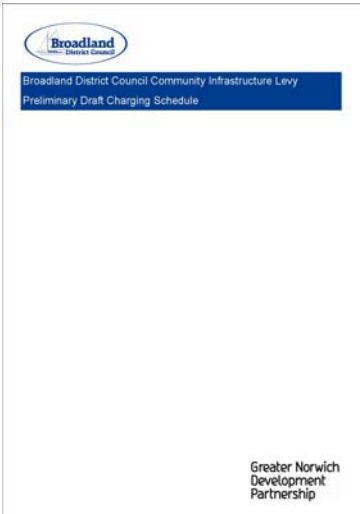
The Community Infrastructure Levy (CIL) is a new levy that local authorities in England and Wales can charge on new developments in their area. The money will be used to support development by funding infrastructure that the council, local community and neighbourhoods want – for example, new or safer road schemes, public transport and walking and cycling schemes, park improvements or a community hall.

The system is very simple. It applies to most new buildings and charges are fixed based on the size, type and location of the new development.

The three councils of Broadland, Norwich and South Norfolk have chosen to work together as the Greater Norwich Development Partnership (GNDP) and adopt a co-ordinated approach to the implementation of CIL. In order to comply with the regulations, three separate Preliminary Draft Charging Schedules have been published for comment. These are almost identical and they share the same evidence base. The only difference in the schedules relates to the geographical charging zones, Norwich is entirely in Zone A and Broadland and South Norfolk include areas in both Zone A and Zone B.

This is the first stage in consultation for setting a CIL for the three districts.

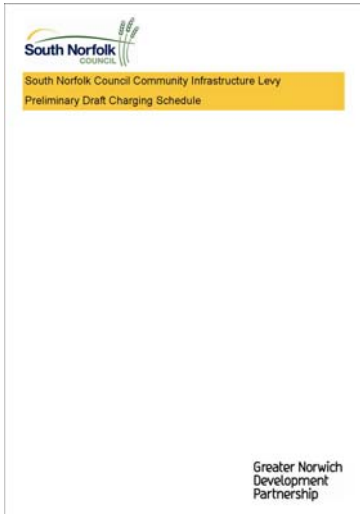
The Broadland District Council Preliminary Draft Charging Schedule looks like this:



The Norwich City Council Preliminary Draft Charging Schedule looks like this:



The South Norfolk Council Preliminary Draft Charging Schedule looks like this:



Getting involved

The consultation documents are:

- Preliminary Draft Charging Schedule for Broadland
- Preliminary Draft Charging Schedule for Norwich
- Preliminary Draft Charging Schedule for South Norfolk

As part of this consultation a number of documents providing supporting evidence have been published:

- The explanatory document 'Community Infrastructure Levy: Background and Context'
- Viability Advice on a CIL/ Tariff for Broadland, Norwich and South Norfolk (GVA, December 2010)
- Charging Zones Schedule Report (GVA, July 2011)
- Topic Paper: Green Infrastructure and Recreational Open Space (GNDP, June 2011)

There is also earlier background information supporting this consultation:

- Joint Core Strategy for Broadland Norwich and South Norfolk adopted March 2011
- Infrastructure Needs and Funding Study (EDAW/ AECOM 2009)
- Local Investment Plan and Programme for Broadland, Norwich and South Norfolk v4 June 2011

All these documents are available on the GNDP website, at www.gndp.org.uk.

The consultation documents and evidence can be viewed at each of the district council offices.

The consultation documents will also be available at libraries, at the Broads Authority offices and at the Norfolk County Council offices at County Hall. Where facilities are available evidence can be accessed via the GNDP website, www.gndp.org.uk.

The Department of Communities and Local Government has produced a helpful guide to the Community Infrastructure Levy that can be found on their website:

<http://www.communities.gov.uk/publications/planningandbuilding/cilsummary>

You can respond to this consultation by email or by post:

The Preliminary Draft Charging Schedules and the supporting evidence are open for six weeks of consultation from **3 October 2011** to **14 November 2011**. Consultation responses must be received by **5pm** on **Monday 14 November 2011** in order to be considered.

A response form is available on the GNDP website at www.gndp.org.uk. If possible, please use this form to assist us in analysing your response and in publishing them correctly.

For more information contact the GNDP:

tel: 01603 430144
email: cil@gndp.org.uk

When responding to the consultation you can comment on one, two or all three schedules. You can:

- Use one form to comment on the Preliminary Draft Charging Schedule for one district using one response form, or to give the same comment on the Preliminary Draft Charging Schedules for two or all districts or,
- Use more than one form to give different comments for each district's Preliminary Draft Charging Schedule that you are commenting on

Please note that comments cannot be treated as confidential. All responses to this consultation will be made available as public documents. Unfortunately we are only able to acknowledge emailed responses, but all comments will be carefully considered.

Forms and comments can be:

emailed to: cil@gndp.org.uk
posted to: GNDP, PO Box 3466, Norwich, NR7 7NX
hand delivered: to your local district council office:

- Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Norwich NR7 0DU
- Norwich City Council, City Hall, St Peter's Street, Norwich, NR2 1NH
- South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, NR15 2XE

Evidence

Please use this section to give us any comments you have on the evidence:

- The explanatory document 'Community Infrastructure Levy: Background and Context'
- Viability Advice on a CIL/ Tariff for Broadland, Norwich and South Norfolk (GVA, December 2010)
- Charging Zones Schedule Report (GVA, August 2011)
- Topic Paper: Green Infrastructure and Recreational Open Space (GNDP, June 2011)

Question 1: Having considered the evidence do you agree the appropriate balance between the desirability of funding from CIL and impacts on the economic viability have been met?

Yes

No



Please add any comments below

We do not believe that the evidence base is sufficient (missing out for example <http://www.neighbourhood.statistics.gov.uk/dissemination>) and in particular we do not believe the Zone B charging takes these factors into account

- A. the desirability of living in a rural area as reflected in house prices
- B. the fact that most rural developments are small and largely escape the rigours of the Section 106 obligations
- C. the fact that most rural developments are on land which does not pass through developers' hands and so does not have the same level of costs – including borrowing costs – as large urban developments

This is further developed in the answers which follow.

My answer applies to (please tick one or more of the boxes):

Broadland



Norwich

South
Norfolk



All

NOTE In accordance with CIL regulations, the charging rates proposed in the Preliminary Draft Charging Schedules aim to balance the need to fund infrastructure in Greater Norwich with the potential impact on the economic viability of development. Any comments suggesting a variation in the rate of CIL should be justified by viability evidence.

Geographical zones

Please use this section to give us any comments about the boundaries of the geographical charging zones shown in appendix 1 of the Preliminary Draft Charging Schedule

Non-residential development zone boundary

Question 2: It is intended that, for non-residential development, one charging area will apply to the administrative areas of Broadland District Council, Norwich City Council and South Norfolk Council. Do you agree with this approach?

Yes No

Please add any comments below

My answer applies to: (please mark one or more of the boxes):

Broadland Norwich South Norfolk All

Residential development zone boundaries

Question 3: The viability evidence supports two charging zones for residential development, Zone A and Zone B. The Norwich City Council area falls entirely in Zone A. Broadland District Council and South Norfolk Council areas are within Zone A and Zone B. Do you agree with the boundaries for the charging zones?

Yes No

Please add any comments below

The viability evidence has not looked at the comparative house prices in the relevant areas which indicate that many parts of Zone B have house prices higher than in parts of Zone A. They have looked at these sources

"evidence sources such as VOA data, PROMIS, Rightmove, EGi and Focus. The work also focuses on those areas of contention i.e. the geographical areas where a charging zone boundary might fall." But have failed to look at the obvious sources such as <http://www.neighbourhood.statistics.gov.uk/dissemination> which give house prices at neighbourhood level. Thus Bunwell (Zone B) appears to be a desirable place to live with 1.3% 2nd Homes and a detached house price of £212K which compares with Shotesham (Zone A) 1.5% 2nd Homes and £210K detached

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house price, Cringleford (Zone A) 0.9% 2nd Homes and detached price of £245K; Costessey (A) detached house price of £190K; Hethersett (A) detached house price of £213K.

The above evidence would indicate that at least some and probably a lot of the Zone B villages are highly desirable places to build and raising the CIL to at least that of Zone B and perhaps even higher would not prove to be a deterrent to development. This is particularly so as in these areas any developments are likely to be small (under the 5 houses which trigger the 20% affordable housing obligation) and therefore unlikely to create many affordable houses in the villages and saving the 'developers' a lot of money. There are also unlikely to be any other Section 106 obligations imposed and so **there is case for making the CIL higher than in Zone A in these villages (and most certainly in Bunwell) and there is absolutely no case for making it lower than in Zone A.**

My answer applies to: (please mark one or more of the boxes):

Broadland



South
Norfolk



All



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Charging Schedule

Please use this section to comment on the rates of charge as shown in the table on page 2 of the Preliminary Draft Charging Schedule

Residential development – Zone A

Question 4a: It is intended that the rate of charge for residential development in Zone A will be within a range of £135 to £160 per m2.

What do you think the rate should be?

£160

Question 4b: What is your justification for this rate?

The difference between the two rates on a 90Sq M house is just £2,250 and is insignificant in comparison with the yo-yo of house prices amounting to little over 1% of the average detached house price. However it amounts to more than £83 million more for infrastructure which is badly needed.

My answer applies to (please tick one or more of the boxes):

Broadland

Norwich

South
Norfolk

All



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Residential development – Zone B:

Question 5a: It is intended that the rate of charge for residential development in the Zone B will be £75 per m². Do you agree with this approach?

Yes

No



Please add any comments below

Absolutely NO - see the answer to questions above with particular emphasis on the Section 106 obligations and the high value people place on living in a rural Norfolk village.

Question 5b: If you answered no to the above question:

What should the charge be?

At least equal to Zone A

What is your justification for this rate?

Rural villages are highly desirable places to live - **if you have the money** - and most residential development is 'minor infill'; mostly done by the person that already owns the land and as such the costs provided by the consultants have no bearing on the most likely type of development; i.e. the land cost will be at agricultural value or 'part of garden' value and there will be no 20% interest charge on the development costs.

The land owner will make a huge planning gain which at most attracts 18% capital gains tax.

Such developments also escape all the section 106 obligations.

The evidence base should be updated to take into account these facts and if that is brought into the equation it may well be that the evidence points to a higher charge in Zone B than in Zone A.

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My answer applies to (please tick one or more of the boxes):

Broadland



Norwich



South
Norfolk



All



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Residential development – zones A and B

Question 6a: It is intended that the rate of charge for domestic garages (excluding shared-user garages) in Zones A and B will be within a range of £25 to £35 per m2.

What do you think the rate should be?

£35 per sq metre

Question 6b: What is your justification for this rate?

It seems to strike the right balance of 'none at all' which could lead to abuse of the system and a high one which would put off the seeking of planning permission for garages as they can always be applied for later and would attract zero CIL.

For clarity we would like to see 'car ports' added to this

My answer applies to (please tick one or more of the boxes):

Broadland

Norwich

South
Norfolk

All



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Large convenience goods based supermarkets and supermarkets

Question 7a: It is intended that the rate of charge for large convenience goods based supermarkets and superstores of 2,000m² gross or more will be £135 per m². Do you agree with this approach?

Yes No

Please add any comments below

Question 7b: If you answered no to the above question:

What should the charge be?

What is your justification for this rate?

My answer applies to (please tick one or more of the boxes):

Broadland

Norwich

South
Norfolk

All



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Other retail and assembly and leisure developments

Question 8a: It is intended that the rate of charge for all other retail and assembly and leisure developments will be £25 per m2 (including shared user garages). Do you agree with this approach?

Yes No

Please add any comments below

Shared use garages should be charged at exactly the same rate as other garages. Charges for leisure developments needs clarification - for example Bingo halls should be chargeable but gyms and spas need a lower rate.

Question 8b: If you answered no to the above question:

What should the charge be?

Variable

What is your justification for this rate?

See above

My answer applies to (please tick one or more of the boxes):

Broadland Norwich South Norfolk All

NOTE In accordance with CIL regulations, the charging rates proposed in the Preliminary Draft Charging Schedules aim to balance the need to fund infrastructure in Greater Norwich with the potential impact on the economic viability of development. Any comments suggesting a variation in the rate of CIL should be justified by viability evidence.

Community uses

Question 9a: It is intended that the rates of charge for all other Community Uses will be £0 per m2. Do you agree with this approach?

Yes



No



Please add any comments below

Question 9b: If you answered no to the above question:

What should the charge be?

What is your justification for this rate?

My answer applies to (please tick one or more of the boxes):

Broadland

Norwich

South
Norfolk

All



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Other types of development

Question 10a: It is intended that the rates of charge for all other types of development (including shared-user garages) covered by the CIL regulations will be £5 per m2. Do you agree with this approach?

Yes



No



Please add any comments below

The use of the phrase 'Shared-user garages' throughout this document is confusing.

Do you mean 'all other developments including the part devoted to 'Shared - User Garages' ?

Does this include multi storey car parks?

Question 10b: If you answered no to the above question:

What should the charge be?

What is your justification for this rate?

My answer applies to (please tick one or more of the boxes):

Broadland

Norwich

South
Norfolk

All



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There are other issues we would like your views on, though these are not part of the Preliminary Draft Charging Schedules.

Discretionary relief

The approach to discretionary relief can be found on page 3 of the Preliminary Draft Charging Schedule and in section 12 of the 'Community Infrastructure Levy: Background and Context'.

Question 11 Do you agree with the approach to Discretionary Relief?

Yes No

Please add any comments below

My answer applies to (please mark one or more of the boxes):

Broadland Norwich South Norfolk All

Staging of payments

The approach to the staging of payments can be found in page 3 of the Preliminary Draft Charging Schedule and in section 11 and appendix 4 of the document 'Community Infrastructure Levy: Background and Context'.

Question 12: Do you have any comments about the draft policy

Yes No

Please add any comments below

My answer applies to: (please mark one or more of the boxes):

Broadland Norwich South Norfolk All

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Payment in kind

Within the GNDP area, where land is required within a development to provide built infrastructure to support that development (such as a school) it will be expected that land transfer will be at no cost to the local authorities and will not be accepted as a CIL payment in kind. Where the facility is needed to serve more than one development, any land transfer over and above that needed for the specific development would be regarded as payment in kind of CIL. The approach to payment in kind can be found on page 3 of the Preliminary draft charging schedule and in section 12 of the document 'Community Infrastructure Levy: Background and Context'.

Question 13: Do you agree with the approach to payment in kind?

Yes  No

Please add any comments below

My answer applies to: (please mark one or more of the boxes):

Broadland Norwich South Norfolk All 

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Neighbourhoods and CIL

The Government proposes that neighbourhoods where development takes place will receive a 'meaningful proportion' of CIL revenue to spend on infrastructure projects locally. The local community will be able to decide how this money should be spent as long as it is used for infrastructure.

The government is currently consulting on this proposal which can be found its website at www.dclg.gov.uk.

The consultation suggests that in Broadland and South Norfolk districts the Parish and Town Councils will take on this responsibility. In Norwich, where there are no Parish or Town councils, an approach appropriate to the area will need to be developed.

Question 14a: Subject to any updated Regulations it is proposed that 5% of the net CIL receipts be passed to local communities (e.g. the Parish Council or Town Council in the two rural districts) who express an interest in receiving it. Do you agree with this approach?

Yes No

Please add any comments below

However, the 5% should be 5% of the GROSS receipts in the interests of clarity and simplicity - and fairness. The default should be for parish and town councils to 'opt in'.

If not clearly state in big bold figures that Parish and Town Councils only get 4.75% and not 5%

My answer applies to: (please mark one or more of the boxes):

Broadland Norwich South Norfolk All

Question 14b: Do you have any views about how the CIL which will be made available for the local community in Norwich, where there are no Parish or Town Councils, should be administered?

Please add any comments below

We believe that Norwich should be parished and the residents thereof benefit from the duties and obligations that apply to parishes - that would be true localism.

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Other comments

Question 15: Do you have any other comments on the Preliminary Draft Charging Schedule(s) or the Community Infrastructure Levy?

Yes No

Please add any comments below

We think the team has done a good job in putting up these rates for public consultation and appreciate the thought which has gone into their compilation. However, we would like to see the special needs of the rural areas and hope that what we have said above will be very seriously considered and acted upon - at the very least in Bunwell itself and hopefully across the whole area.

My answer applies to: (please mark one or more of the boxes):

Broadland Norwich South Norfolk All

For paper copies of this form please email cil@gndp.org.uk or telephone 01603 430144

Please return the form to:

Email: cil@gndp.org.uk

Post: Greater Norwich Development Partnership
PO Box 3466
Norwich
NR7 0NX

OFFICE USE ONLY:

Date received:

Representation no:

Forms can also be delivered by hand to:

to your local district council office or to the County Council:

- Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Norwich NR7 0DU
- Norwich City Council, City Hall, St Peter's Street, Norwich, NR2 1NH
- South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, NR15 2XE

ALL FORMS MUST BE RECEIVED BY 5PM ON MONDAY 14 NOVEMBER 2011

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For more information or if you require this document in another format or language, please contact the GNDP:

email: cil@gndp.org.uk
tel: 01603 430144