

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

How to respond to this consultation

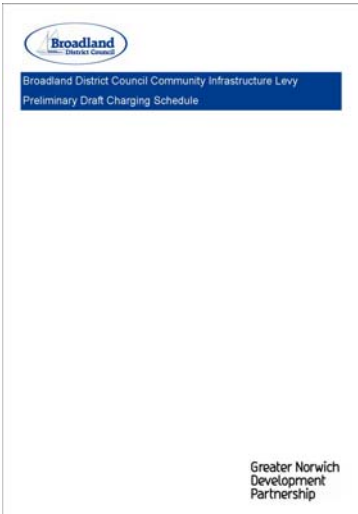
The Community Infrastructure Levy (CIL) is a new levy that local authorities in England and Wales can charge on new developments in their area. The money will be used to support development by funding infrastructure that the council, local community and neighbourhoods want – for example, new or safer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

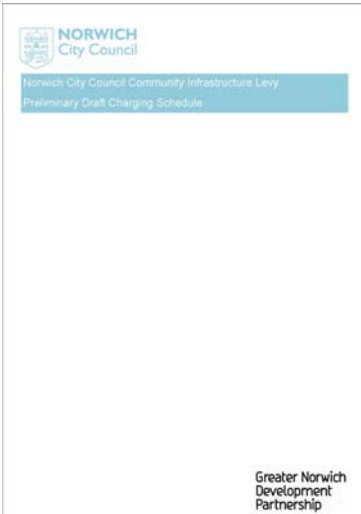
The three councils of Broadland, Norwich and South Norfolk have chosen to work together as the Greater Norwich Development Partnership (GNDP) and adopt a co-ordinated approach to the implementation of CIL. In order to comply with the regulations, three separate Preliminary Draft Charging Schedules have 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.

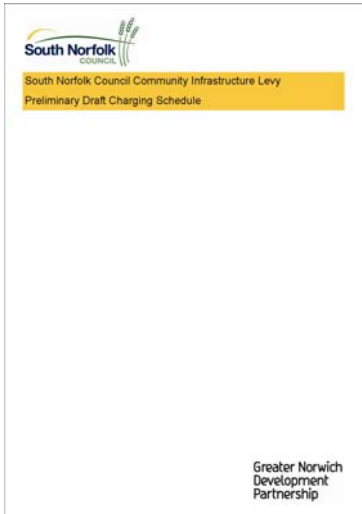
The Broadland District Council Preliminary Draft Charging Schedule looks like this:



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

Contact details:

Your contact details:

Name: Tim Isaac

Organisation: Country Land & Business Association Ltd.

Address: Aspen Grove Farm, Stansfield, Nr Sudbury, Suffolk

Postcode: CO10 8LY

If you have appointed someone to act on your behalf, please enter their contact details here:

Name:

Organisation:

Address:

Postcode:

email address:

Telephone:

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

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

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?

Please see comments below

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

We are concerned that this category covers all residential development with the sole exception of affordable housing. There are a number of situations where new rural dwellings are required to accommodate those employed in agriculture, horticulture and forestry. Such properties are not sold for development gain and are usually restricted by some form of occupancy condition. In such cases, a charge of £135/m² to £160 per m² would simply be an additional cost of construction and is likely to render many such projects unviable. As these properties are crucial to the operation of rural businesses and sustainable rural communities, we ask that they be considered separately, based on a suitable viability assessment, or classified with affordable housing for CIL purposes.

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.

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

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

What should the charge be?

Please see comments below

What is your justification for this rate?

We are concerned that this category covers all residential development with the sole exception of affordable housing. There are a number of situations where new rural dwellings are required to accommodate those employed in agriculture, horticulture and forestry. Such properties are not sold for development gain and are usually restricted by some form of occupancy condition. In such cases, a charge of £75/m² would simply be an additional cost of construction and is likely to render many such projects unviable. As these properties are crucial to the operation of rural businesses and sustainable rural communities, we ask that they be considered separately, based on a suitable viability assessment, or classified with affordable housing for CIL purposes.

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.

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.

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?

Please see comments below

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

We are concerned that this category covers all domestic garages with the sole exception of shared-user garages. There are a number of situations where new rural dwellings are required to accommodate those employed in agriculture, horticulture and forestry. Such properties are not sold for development gain and are usually restricted by some form of occupancy condition. These properties are likely to include a domestic garage. In such cases, a charge of £25/m² to £35/m² would simply be an additional cost of construction. As these properties are crucial to the operation of rural businesses and sustainable rural communities, we ask that they be considered separately, based on a suitable viability assessment.

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.

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.

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

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.

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

We are concerned that this charge could have an adverse impact on the provision of rural shops and services, be it a village store or farm shop. Such businesses are usually relatively small enterprises generating marginal returns, but they do provide essential facilities for rural communities. Without such shops, residents from rural settlements are forced to travel to the nearest market town and usually by private car which puts more pressure on the local infrastructure. By encouraging the provision of rural retail, the impact on infrastructure could actually be reduced. The current level of charge proposed for “all other retail” is likely to make most new rural shops uneconomic. We therefore ask that rural shops be given separate consideration, based on a suitable viability assessment.

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

What should the charge be?

What is your justification for this rate?

Please see comments above.

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.

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

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.

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

We are concerned to note that there is no reference to “agricultural, horticultural and forestry development” in the charging schedule. By not being expressly stated, there is a risk that its inclusion or otherwise will be left open to interpretation.

As the charging schedule stands, "agricultural, horticultural and forestry development", because it is not specifically listed, could fall within the “all other types of development” category and this cannot have been intentional. If it was, then we would fundamentally object. A charge of £5 per sq m would add a disproportionate burden to all “agricultural, horticultural and forestry development”. There is no viability assessment to justify such a charge.

Many buildings required by rural businesses are replacing obsolescent ones with no consequential impact on infrastructure at all. Any increase in the value of the property is directly related to the costs of the new building and there is little or no enhancement in the overall land value. They are generally not buildings into which people normally go.

We propose that "agricultural, horticultural and forestry development" is clearly added to the uses already set at a zero charge to avoid any confusion over the matter. This is the approach already taken by other local authorities, including Newark and Sherwood District Council and therefore would be more consistent.

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

What should the charge be?

Please see comments above

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.

What is your justification for this rate?

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.

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

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

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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

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

