

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

How to respond to this consultation

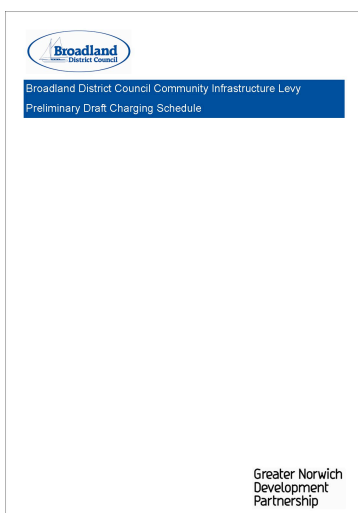
The Community Infrastructure Levy (CIL) is a new levy that local authorities in England and Wales can charge on new developments in their area. The money will be used to support development by funding infrastructure that the council, local community and neighbourhoods want – for example, new or safer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

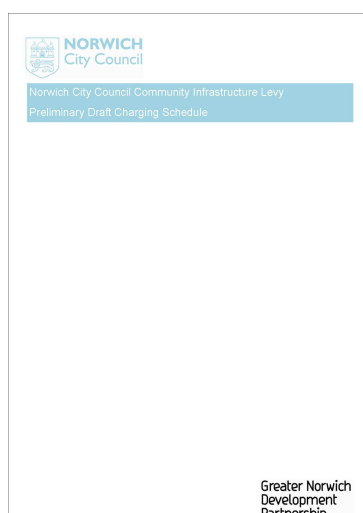
The three councils of Broadland, Norwich and South Norfolk have chosen to work together as the Greater Norwich Development Partnership (GNDP) and adopt a co-ordinated approach to the implementation of CIL. In order to comply with the regulations, three separate Preliminary Draft Charging Schedules have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

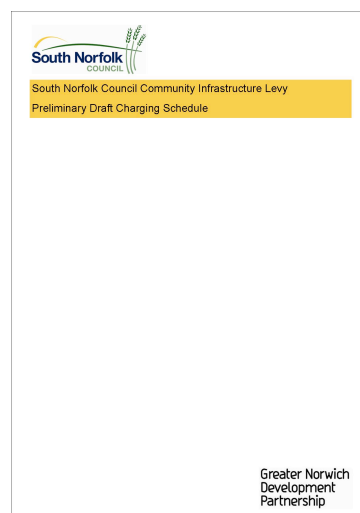
The Broadland District Council Preliminary Draft Charging Schedule looks like this:



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

We do not agree that the balance has been met.

Creating this 'innovative' new tax in order to fund infrastructure has a number of major flaws. Importantly, the amount and disbursement of the proceeds is not subject to adequate safeguards and is at odds with the objectives of Localism.

The Joint Core Strategy, on which you rely and, which originally stated in unequivocal terms that the infrastructure requirements could not be funded, was changed post-EiP. The role of the Government Quango, the Homes and Communities Agency shows that this is still reflective of the continuing top-down pressure exerted centrally by unelected bodies.

The DJD report which is quoted as viability evidence did not actually produce that conclusion. SNUB identified this in their final submission to the Planning Enquiry. Yet despite further deterioration of the housing situation, this is ignored. (see Para 7.10)

There are items on the infrastructure list which are not the responsibility of Councils and these considerably exceed the amount stated by these documents. These proposals depend on a number of unsubstantiated assumptions and create an incremental charge on those items which the Government has traditionally funded but now chooses to devolve to a local level. It has not however created a system whereby this can be safely achieved. By admission it is impossible to forecast the availability of Government funds. This raises credibility issues for the whole process.

Unlike S106 agreements this process extends the scope of developer contributions but at the same time removes the link to the project itself.

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

Broadland Norwich South Norfolk All

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

This question seems at odds with the narrative in the supporting papers. Viability is reported highly variable and dependent on location and demand. The charge is already low but why also for areas of good location and high demand.

Variations in this level could be used to influence development. If car use is an issue then out of town shopping malls which promote car use could be discouraged.

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

The viability has already been queried by the response to Question 1. These boundaries seem somewhat arbitrary with some locations clearly being disadvantaged. Whilst the rationale used in Section 6 appears a perfectly reasonable extension of the market rate basis, questions remain. The A Zone extends well beyond the Areas of Major Growth.

The only offset seems to be that the City centre and A11 corridor which have high market values will be paying a lower rate than they should.

Broadland South Norfolk All

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?

There is too much uncertainty to say

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

It must be higher than the figure quoted because there is already provision for the rate to be increased(Para 7.15)

So there is already an inherent defect in the proposals since these rates were set at a level which covered the shortfall in public funding. By this argument it would appear that this is not a finite process and that the Government could seek to divest itself of all the obligations that it can foist onto local communities.

Such an open ended commitment should surely be resisted by the local representatives.

The higher the rate the greater the disincentive to development.

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

Broadland

Norwich

South
Norfolk

All



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?

What is your justification for this rate?

1. See the comments to the previous question.
2. The rate discrepancy between these two zones is unsustainable

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

Broadland Norwich South Norfolk All

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?

Zero

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

There is no justification for assessing garages separately from the rest of a residential unit except as a means to raise more money. Once this principle is accepted what will stop the Councils raising money on the energy efficiency, the size of the garden or anything else that takes their fancy.

It will also encourage on street parking, or is that just seen as another way to raise money.

This is a deplorable suggestion..

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

Broadland Norwich South Norfolk All

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

The infrastructure requirements created by the building of these stores extends widely beyond their immediate confines. They also make poor neighbours with extended hours and car park lighting.

It would not be unreasonable to make a charge which reflects the damage they do to those who live in their proximity. It would enable the infrastructure to be created around them which would alleviate that damage

To invite an alternative suggestion is disingenuous, you are all well versed in producing environmental assessments and establishing the value of such nebulous concepts. It would probably be near double that value because present construction does not adequately meet the environmental needs of their environs.

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

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



It seems curious that these three items are linked in this way. The inclusion of small retail is understandable but this assumes every supermarket or store of less than 2000m². Many of these emporia demonstrate characteristics similar to superstores and this level of charge seems very low.

There must also be a case for exempting some community assembly developments.

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

What should the charge be?

What is your justification for this rate?

See Question 7

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

Broadland

Norwich

South
Norfolk

All



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



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

It is not clear what other types of development is envisaged. It is therefore impossible to comment

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



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

There is one reservation and that arises out of the suggestion that CIL can be used for the provision of affordable houses.

It does not seem reasonable to expect private builders or private buyers who have already paid a premium for their property to be also paying for the construction of affordable houses.

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

There seems to be a greater latitude for non residential sites than for residential. Why is that?

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

Broadland Norwich South Norfolk All

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

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

This is an oddly worded question. Is this a pot from which local councils can bid to fund infrastructure projects? If so who decides who gets what?

Worse, is there any hope that the District Councils working through this GNDP Board will be no more accountable than they have been up to date.

See errata below: Reference our submission made today at 1633. Question 14a - Delete the word "no" in the final line. Thank you

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

From: snub@me.com
Sent: 14 November 2011 16:55
To: Community Infrastructure Levy
Subject: Corrigenda

Reference our submission made today at 1633

Question 14a

Delete the word "no" in the final line

Thank you

Other comments

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

Yes No

This document makes a number of very good proposals to fund infrastructure. The basic premise is regrettably flawed and we would express great concern that normal processes of government are being modified without providing adequate monitoring or safeguards against potential problems.

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

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