

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

How to respond to this consultation

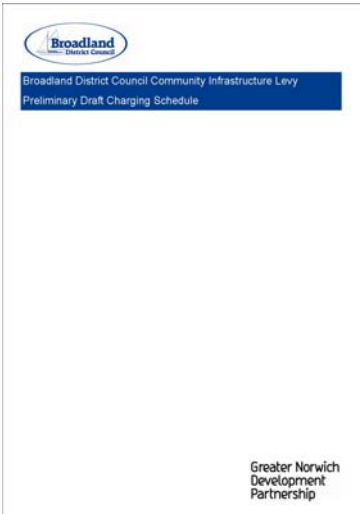
The Community Infrastructure Levy (CIL) is a new levy that local authorities in England and Wales can charge on new developments in their area. The money will be used to support development by funding infrastructure that the council, local community and neighbourhoods want – for example, new or safer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

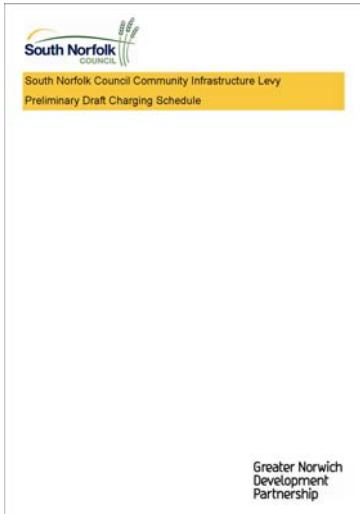
The Broadland District Council Preliminary Draft Charging Schedule looks like this:



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 feel it would have been useful to have included the current iteration of the LIPP as part of the consultation material. Frequent mention is made of the LIPP as a critical document, and reference made to the three priorities – but for the non-expert reader, I don't think there is reference to where they can find and read the document.

Our only comment comes in relation to section 3 of the CIL background document, where you list sources of evidence. The EDAW / AECOM work is obviously included as the overarching evidence source. We felt that this section would benefit by a sentence or two on how the communities have been involved in putting together the recommendations for local infrastructure needs. You might have used Parish Plans, for example. But the sources for very local needs are not mentioned at all. I think a sense of how communities were involved in either the initial drafting or will be involved in "refreshing" of the data relevant to local needs should be included.

Communities will quite clearly be invited to determine specific spend in the future – the question at this point relates to how the overall 5% of total infrastructure for local offsetting (if our guesstimate of what the 5% represents, is correct) has been arrived at.

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

Please add any comments below

No Comment – the BCP is not a body with the expert knowledge to question this recommendation.

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

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

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

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?

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

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

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

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

Question 5b: 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

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?

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

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

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

Please add any comments below

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

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

Please add any comments below

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

Question 8b: 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

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

We do agree this approach. Third sector partners have commented that the effects of the recession in terms of percentage cuts to budgets may hit community and third sector groups harder than the public sector. The needs of communities are likely to grow during recession and we applaud a consistent approach to promoting and supporting community resources.

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



Please add any comments below

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

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

Please add any comments below

We agree the process. We would wish to see a minimum commitment to an annual review. We would also wish to see a commitment to a transparent review and decision making process, publicly available.

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

No Comment – the BCP is not a body with the expert knowledge to question this recommendation

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

Partners have commented that any CIL in-kind offer (which is intended to benefit local communities) should be tested on whether it will meet the needs of the local community, and follow active consultation with the community. It was noted that land transfers have occasionally led to community spaces being sited at inappropriate locations within (or on the edge of) a community.

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



Please add any comments below

It is not clear how Broadland District Council has arrived at the figure of 5% of funds to devolve back to communities for decision making. If a particular calculation or principle was used to set the figure, it would be helpful for the community and 3rd sector partners to understand what this is. Our assumption is that the 5% is what the total community infrastructure listing (the priority 3 table) is costed at – but we feel it would be beneficial to clarify this within the CIL documentation.

The aim behind the proposal to return a “meaningful proportion” of funds from development to neighbourhoods is to:

- a) help change local attitudes towards development by ensuring demands on the local infrastructure are met and the local community itself will benefit, and
- b) allow neighbourhoods to have a meaningful control over funds, either funding local discrete provision, for example, or by contributing to larger projects funded by the district or county council.

The funding should be sufficiently large to make it easy to engage the whole community: initially in the debate about how funds should be spent, but presumably leading to a far wider conversation within the community on how they wish to see their community looking in five or ten years or twenty years time and therefore what development might be appropriate, and how the planning process can support this. The larger the sum of money, the more likely the Council is to get “whole population” engagement in a longer term and sustained community interest in and debate about development.

We do have concerns.

Firstly, if the funding allocated to an individual community is small (maybe too small to deliver a local infrastructure project in full or too insignificant for the public to feel that they have a genuine stake in larger development decision making around them)

it may be hard to engage the whole community in allocating the funds. Detailed guidance is lacking at this point, but if our assumptions are correct:

- a) that the use of funds is strictly regulated by the CIL and
- b) that the options for local spend are specified through the LIPP, and therefore “framed” by the district council,

then we believe the local authority can afford to be generous in the amount is “devolves” to the local communities for allocation.

In terms of very local community infrastructure we appreciate that a community may choose something other than the suggested community infrastructure listed in the LIPP – and the local debate will need to take account of the limited funding, and that they can’t return for more money later to get what’s listed in the LIPP (unless presumably they also take additional development).

Secondly, we think it is wrong to assume that our local communities will only have an interest in the very local spend, and no interest in what priority one and two infrastructure items come forward first (school versus road versus GP surgery for example).

Broadland District Council’s own experience with participatory budgeting has shown that our communities are actually able to see the wider picture and that they have been generous in allocating funds to the most needy community projects, rather than to those projects which might support their own best interests. What we have seen whole communities deliver on a tiny economic scale, we should confidently expect them to deliver on a larger scale.

So if communities could (as a whole) have influence and a communal voice at the table over 25%, 50% or even 100% of the CIL, they would certainly be keen to know precisely what the LIPP was, to understand the evidence behind the large scale infrastructure projects, learn how other projects are selected for inclusion, to know how the LIPP will be refreshed, how funding decision over the priorities are arrived at, and to be involved in the decision making process.

So this second concern is that the opening recommendation for 5% suggests the Council is not interested in using the collective expertise of our communities to address wider infrastructure issues.

Thirdly, the recommendation is to devolve funding decisions to town and parish councils “who express an interest in receiving it”. We would like to see within the CIL documentation comment on how the Council (or GNDP collectively) will liaise directly with communities whose parish or town council don’t feel able to lead on this debate and decision making process. We would like to see some minimum criteria for community involvement in such processes. On average parish plans involved 67% of the community in their development, and we would not wish to see community involvement in key infrastructure funding involving very much less than 50% say of the local community.

Do the Council genuinely want this level of understanding and community involvement in infrastructure delivery? There are most certainly costs involved in involving the community and providing them with access to the decision making

process. But if a mechanism is required to provide genuine engagement for those residents with no parish or town council, or with a council feeling it does not have the resources to lead on this debate, we could use this infrastructure to support enhanced engagement across the whole area, as required.

Finally, we note the 5% suggested for devolved decision making by the community is the same amount as the charging authority can spend on administration of the CIL itself. The requirement is to devolve a “meaningful proportion” of the total CIL amount. Whilst 5% might provide significant local sums of money, we question whether it actually represents a “meaningful proportion” of the total CIL income. We also suggest the sum allocated to communities must be seen to be meaningful – and it will not take cynical residents long to spot the link to the Council’s own admin costs – the PR implications will not be lost! We therefore suggest the Council consider allocating a higher amount to their communities.

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

If the Councils collectively decided to allocate a sum higher than 5% to community influence and decision making, then it would make sense to consider a collective involvement strategy which covered the three districts. Where parish and town councils exist they can provide a conduit for their members participation, but it should be possible to create a mechanism whereby any community member could engage directly with the debate. There is a rise in interest in the perishing of urban areas which may have potential to address this issue – and also be consistent with supporting a wider localism agenda.

Apart from acknowledging costs, we have no structure or process to offer at this point in time.

Do please note related comments within section 14a.

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 would ask that CIL guidance be provided, in a plain English format, which provided community members with a clear and transparent account of how the CIL is to be operated. Points to be clearly stated would include:

- a) how the LIPP is developed, how it is reviewed, how communities might influence the inclusion of local infrastructure projects (the third priority type projects), etc.
- b) clear guidance on funding decision making (allocation of funding, selection amongst equal priorities, etc)
- c) who the decision makers are in each case

A general comment on prioritisation. Prioritisation needs to take into account the necessity to deliver sustainable development not simply growth. The effect on community cohesion, diversity, current and future services all need to be factors.

We appreciate the point about prioritising on at what stage the infrastructure is needed – but communities may lack confidence that this meant 100% of infrastructure would be delivered over the period. Experience of s106 is by the time we get to priority 3 items, the money has gone.

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

