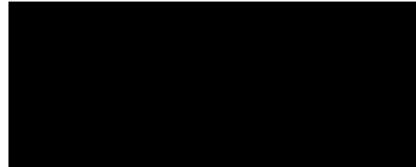


Norwich and Norfolk Transport Action Group



The Greater Norwich Development Partnership
By email

5 March 2012

Dear GNDP,

Community Infrastructure Levy: Regulation 16 Draft Charging Schedules For Broadland, Norwich and South Norfolk

The Charging Schedule has been informed by local evidence regarding infrastructure requirements and the impact of a Levy on the economic viability of development.

The Norwich and Norfolk Transport Action Group considers that the Charging Schedule for Broadland, Norwich and South Norfolk and accompanying Background Document should be withdrawn and re-assessed in the light of Mr Justice Ouseley's decision in the case of *Heard V Broadland, Norwich and South Norfolk*.

The Judgement in relation to the NDR is that it was right "to treat (the NDR) as part of the baseline against which the environmental effects of the growth strategy were assessed". This is because the NDR was developed as part of NATS and the LTP and so was therefore an element of another plan or programme.

From the Government's own 2011 Community Infrastructure Levy Overview document, it is clear that "the money can be used to fund....infrastructure that is needed *as a result* of development".

As stated by Mr Justice Ouseley, there was a plan for the NDR even without the development and growth. In other words, the NDR *has not resulted* from development. It has resulted from Norfolk County Council's own plans (such as the LTP) which form part of the baseline for the JCS. Therefore, it is unreasonable to expect developers to pay for the NDR via the Community Infrastructure Levy when it is not a scheme on which growth is reliant.

Consequently, we contend that the NDR should be deleted from the Infrastructure Framework set out in the Background Document. .

Yours faithfully,
Denise Carlo, Policy Adviser to NNTAG