

In parallel with the South Worcestershire Development Plan (SWDP), the South Worcestershire Councils (Worcester City, Malvern Hills and Wychavon District Councils) are synchronising the process of preparing a Community Infrastructure Levy (CIL). Following consultation on the Preliminary Draft Charging Schedule (PDCS) in February/March 2015, work to update CIL has been carried out and each authority now intends to submit a **Draft Charging Schedule (DCS)** in 2016 for Examination. The updated timetable changes are reflective of the latest Local Development Scheme timetable, which came into force on 1 October 2015.

The South Worcestershire Councils are therefore now inviting representations on the DCS, prior to submission.

Please submit your representation by using this form and answering the questions below. If you need to continue on separate sheet, please remember to state which question you are responding to.

Question 1: Do the South Worcestershire Council's Draft Charging Schedules strike an appropriate balance between the desirability of funding infrastructure from the Levy and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across the area?

| | |
|------------|--|
| Yes | |
| No | |

Comment:

No comment

Question 2: Does the Regulation 123 list clearly and effectively set out the types of infrastructure that the South Worcestershire Councils intends will be, or may be, wholly or partly funded by CIL (or S106 agreements)?

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| Yes | |
| No | |

Comment:

Yes but see comments to Q6 below

Question 3: Do you agree with the proposed CIL rates for each of the South Worcestershire Councils?

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|------------|--|
| Yes | |
| No | |

Comment:

No comment

Question 4: Do you agree with the proposed CIL rates for the specific strategic site areas?

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|------------|--|
| Yes | |
| No | |

Comment:

No comment

Question 5: Do you have any views on the proposed Instalments policy?

Comment:

No comment

Question 6: Do you have any further comments to make? If so, please make your comments below, as clearly and concisely as possible. If you are referring to any particular text in the CIL DCS, please state the relevant paragraph number.

Comment:

The Canal & River Trust own and maintain the Worcester & Birmingham and Droitwich canals within the South Worcestershire Area as well as act as Navigation Authority for the River Severn. These waterways represent examples of multi- functional Green infrastructure as well as proving important linkages for walking and cycling.

The Canal & River Trust (the Trust) note that the Regulation 123 list mentions several areas which could be used to describe the functions of the waterways and associated towpaths.

Transport- The provision, expansion, improvement, replacement or operation of cycling and pedestrian and other transport facilities.

Open space / Green infrastructure- The provision, expansion improvement or operation of new or existing strategic Green or blue infrastructure

Sport & recreation – the provision, expansion improvement or operation of new or existing sport and recreation facilities both formal and informal.

The Canal & River Trust question whether the Councils would consider towpath or waterway facilities or improvements to be covered by the Regulation 123 list as there have been issues elsewhere in the country with variations in approach. Often the Trust request S106 contributions to provide mitigation for the effects of additional usage created by new development alongside or in close proximity to waterways. We note that the Regulation 123 list at appendix A makes it clear that on or off site, site specific infrastructure will still be funded from S106. We would hope that this would include any local improvements require to part of a county wide or linear route such as canal or river. We note that the Environment Agency want flood defence mechanism etc to be considered to be CIL but even where they may be a desire to create or improve long distance GI facilities such as a towpath or riverside path we would prefer that such matters are left to be dealt with under S106 rather than CIL.

As an example, where a development in close proximity might create additional recreational usage by cyclists and walkers in the vicinity of the site we might request funding to upgrade the towpath to improve the surface for the benefit of all users. This may fall under the generic term improvement of new or cycling and pedestrian facilities or under improvements to new or existing green or blue infrastructure mentioned in the Regulation 123 list and therefore the Authority could take the view that this is matter to be funded through CIL rather than S106. Where this has happened elsewhere the towpath improvement, although recognised as necessary or desirable has usually not been provided due to the need to fund other infrastructure first such as new schools or major road improvements.

If the Councils can confirm that any future requests will be considered suitable for consideration as S106 then the Trust has no further comments to make. If however the Councils feel that such a request would fall within the CIL regime then we would wish to meet to discuss the issue further and may be obliged to object to the draft

charging document.

Comments received will be acknowledged and registered and will then be carefully considered in preparing the final documents to go forward for Examination, prior to eventual adoption and implementation by the South Worcestershire Councils.

Signature

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Date

13/05/16

Responses to this consultation should be sent to the e-mail contact address and/or postal address shown at the top of this form. Please ensure all responses are marked for the attention of the South Worcestershire Development Plan Team.

Representations must be received by 5:00pm on 16 May 2016. Any representations made after that date and time will be considered “Not Duly Made” and will not be taken into account.

Thank you for completing the form.