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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?**

|            |   |
|------------|---|
| <b>Yes</b> |   |
| <b>No</b>  | ✓ |

**Comment**

Not possible to comment on whole Malvern Hills District. See attached letter paras 1 – 3.

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

|            |   |
|------------|---|
| <b>Yes</b> |   |
| <b>No</b>  | ✓ |

**Comment:**

1. The language is sometimes unclear. It is unfortunate that in a country which calls private schools 'public schools', the phrase 'public education' should be used. This phrase should be changed so as to encompass all types of education in a rapidly changing educational environment, including academies, free schools and faith schools as well as LEA schools. In Malvern particularly, which has been and remains an important centre for private education (ie public schools), there seems no reason to discriminate against this type of educational provision.
2. There is no reference to drainage and sewerage which have been, and remain, significant issues. There is little evidence in the documentation of advice or comment from Severn Trent.
3. Each category should clearly include the preservation of provision at present levels (is this what "operation" means?). It seems ludicrous, given known and anticipated development in Malvern that (for example) the health authorities should be considering reducing the amount of bed provision at Malvern Community Hospital – a reduction in provision which may be mirrored in many other areas as public expenditure reductions take effect.
4. Do "health facilities" or "community facilities" encompass private nursing homes and care homes? Malvern's demographic is such that any increased development can be expected both immediately and in the future to produce strain and shortages in this significant area. This important issue should be clearly dealt with.

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

|            |   |
|------------|---|
| <b>Yes</b> |   |
| <b>No</b>  | ✓ |

**Comment:** See attached letter

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

|            |   |
|------------|---|
| <b>Yes</b> |   |
| <b>No</b>  | ✓ |

**Comment:** See attached letter para 5 - 13

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

Comment: No

**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: See attached letter

**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

Date

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.

# Malvern Town Council

## Comments:-

1. Malvern Town Council would like to reiterate the comments it made in the previous consultation on 27<sup>th</sup> March 2015.
2. Malvern Town Council does not support the Draft Charging Schedule in its current form and believes it strikes an inappropriate balance with regard to the £0 charge for residential development in Urban areas.
3. The Town Council has been asked to comment on the Malvern Hills District Council Charging Schedule and have neither the resources nor professional experience to comment on other areas. To this end, the Town Council can only comment on the area affected by the Neighbourhood Plan area and immediate surrounding Parishes.
4. There is a concern that the language used in the Draft Charging Schedule is somewhat confusing and possibly misleading – the use of Malvern, Great Malvern and the Malvern Hills as descriptions to what amounts to the same area of land to name but one.
5. Malvern serves as a centre for neighbouring villages that will themselves be developed over the coming years and without the CIL levy being charged the viability of the town to provide large community projects to support the town and its surrounding areas will be lacking.
6. Regulation 14(1) of the CIL Regulations (as amended) states that a charging authority must strike an appropriate balance between the desirability of funding infrastructure and the potential effects the levy may have on developments across the area. Given the amount of development set to take place in Malvern Town Council's Neighbourhood Plan area and its immediate neighbouring Parish at Newland, is a £0 CIL levy appropriate considering the extra burden that will be placed on the local community services and infrastructure?
7. Section 106 money may go some way to alleviating those burdens, however the fact that it is site specific causes great concern, particularly when it may be the case, that when new pitches and play areas are installed at NE Malvern, funded by section 106 monies, the parish council has no form of income to maintain them.
8. Section 106 monies have had limitations placed on them in recent years to encourage councils to adopt the CIL but it would appear the South Worcestershire Council are somewhat reluctant to follow this advice by proposing a £0 CIL for development in Urban areas.
9. The NPPG for CIL states that where there is a Neighbourhood plan in place, 25% of the levy can be spent on a wide range of things to support the development of the area; this includes the refurbishment and renewal of Community infrastructure, unlike Section 106 which is site specific and limited in its range. Malvern Town Council would like to point

out that if CIL is charged, MHDC will retain 75% of the levy that will allow it to support and achieve some projects of its own over the coming years.

10. With this information in hand, Malvern Town Council undertook the implementation of the Neighbourhood Plan. A massive project in itself, due to the fact Malvern is the 4th largest parish council in the UK, and a considerable use of council resources. Malvern Town Council took the view that although a long and arduous task was ahead of them, the need of a Plan was of great importance to the Town and the surrounding parishes, in order to look at the public needs and the long term development of infrastructure to meet those needs.
11. The Council at the time knew that the Neighbourhood Plan had to be within the National Planning Policy Framework and also had to align with the emerging SWDP – but the rewards would be there once the Neighbourhood Plan was adopted, in the form of the CIL. The task is being undertaken under this premise and the simple fact that CIL was going to be available to meet localised needs in the community.
12. The Town Council finds it incredible that Malvern Hills District Council believes it is viable to not levy residential development in urban areas but instead to impose a £0 CIL levy and broker a deal with developers over Section 206 monies.
13. The Localism Act was set up 2011, and included in it was the General Power of Competence which enabled parish councils to truly deliver community infrastructure on a very local level, to meet the needs of small and large communities, and to aid the funding of these projects with monies taken directly from projects that affect areas, even though they may not be in the immediate vicinity. The CIL levy was designed to aid with this funding, and to take pressure away from District and County authorities so that parishes could become decentralised and develop their own identity according to the local population.
14. Therefore Malvern Town Council believes that MHDC has turned its back on both its residents and the spirit in which CIL was designed.