

Community Infrastructure Levy Revised Preliminary Draft Charging Schedule

February 2015

i) Consultation on the Community Infrastructure Levy (CIL)

The South Worcestershire Councils (SWC) have drafted a joint development plan, the South Worcestershire Development Plan (SWDP), and viability and infrastructure evidence underpinning the SWDP, which have also been produced on a joint basis. Notwithstanding this, each of the SWC are CIL charging authorities in their own right and so are required to prepare separate CIL charging schedules.

In September 2013, the SWC approved for consultation an initial Preliminary Draft Charging Schedule (PDCS). That consultation was successfully completed but it coincided with the Stage 1 of the SWDP Examination. After Stage 1 of the SWDP examination, the Inspector concluded that the Objectively Assessed Housing Need for the SWC should be reassessed. The locally determined housing requirement was eventually established by the Inspector's further interim conclusions to the Stage 1 examination at reconvened hearings in March 2014.

In advance of Stage 2 of the Examination, commencing in February 2015, the SWC consulted on main modifications to the SWDP to accommodate the uplift in the housing requirement. In order to reflect the modifications to the SWDP, the SWC agreed to carry out a further consultation on a revised Preliminary Draft Charging Schedule (PDCS) prior to a draft Drafting Charging Schedule and CIL examination either later in 2015 or early 2016.

Therefore SWC are undertaking an additional stage of consultation on the proposed Charging Schedules. This document forms a revised version of the **first stage** of consultation in order to reflect the progression of the SWDP Examination. Outlining the process for developing the Levy for south Worcestershire, it contains the Preliminary Draft Charging Schedules (PDCS) of the SWC. At this preliminary stage, all three schedules have been presented together in one document.

The **second stage** of consultation on Draft Charging Schedules (DCS) will take place once the comments made at this stage have been considered by the SWC and the Charging Schedules amended, as appropriate. At the second stage, each SWC will individually present a Charging Schedule, as required by the Regulations, albeit on a synchronised basis.

After the second stage of consultation, the SWC can make further amendments to the Charging Schedules if necessary (this would require further public consultation) before

appointing an Inspector to undertake a Joint Public Examination into the Charging Schedules. Further details on the proposed timeline can be found later in this document.

ii) Your Views

The purpose of this consultation is to set out the SWC PDCS. It should be read in conjunction with the South Worcestershire Development Plan (SWDP), South Worcestershire Infrastructure Delivery Plan (SWIDP) and the CIL 'Justifying the Levy' background document.

This document is designed to encourage representations by interested parties in order to ensure that the Levy has been set at a reasonable rate and is in conformity with the regulations and statutory guidance. Representations should be based on answering the questionnaire attached to the document.

As this is a revised consultation of the PDCS from September 2013, previous comments have been taken into account, with questions posed in this PDCS acknowledging and building on previously submitted comments. The consultation has been set up to establish whether the revised PDCS reflects the current position with regard to CIL and if any statements require clarification. To read a summary of comments made at the initial September 2013 PDCS consultation stage, please see Appendix D.

The PDCS will be consulted on for a period of six weeks from 09:00 Monday 16 February 2015, ending at 17:00 on Monday 30 March 2015. Any representations made after this date may not be taken into account. Representations can be made by emailing:

contact@swdevelopmentplan.org

or by writing to:

South Worcestershire Development Plan, Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT

Copies of the Revised Preliminary Draft Charging Schedules and all supporting documents are available:

- via the SWDP website at www.swdevelopmentplan.org
- at libraries and civic offices (including Malvern Hills, Worcester City, Wychavon, and Worcestershire County Council).

1 Introduction

1.1 This document is a revised consultation paper on the Community Infrastructure Levy ("the Levy" or CIL) in south Worcestershire. This is the first step in implementing the Levy. The PDCS and the proposed rates are published for consultation under Regulation 15 of the Community Infrastructure Levy Regulations 2010 (as amended).

1.2 The document sets out the following information:

- What the Levy is;
- The Benefits and Reasons for Implementing the Levy;
- Relationship with Planning Obligations;
- Setting the Levy;
- The South Worcestershire Approach;
- Implementing CIL and Paying the Levy;
- Exemptions and Relief;
- The Revised Preliminary Draft Charging Schedule;
- Next Steps.

2 What the Levy is

2.1 The Levy is a new planning charge that came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended).

2.2 The Levy allows local authorities (known as "charging authorities") to raise funds from developers undertaking new developments in their area. The money can be used to fund a wide range of additional infrastructure (separate to S106 planning obligations) that is needed to support development (for example: roads and other transport facilities, flood defences, schools, medical facilities, sports and recreation facilities, open space and green infrastructure).

2.3 The Levy is the Government's preferred mechanism for securing developer contributions towards local and strategic infrastructure improvements identified in the South Worcestershire Infrastructure Delivery Plan (SWIDP – latest 'live' version of the document updated 2 October 2014), which underpins the development strategy set out in the South Worcestershire Development Plan (SWDP).

2.4 The Levy is the main mechanism through which pooled contributions towards infrastructure can be collected by the SWC. As such, the Levy will have a positive economic effect on development across south Worcestershire by providing a valuable

mechanism through which to fund infrastructure to support new development coming forward, as identified in the Development Plan. Contributions from CIL can be pooled with and used to lever investment from other funding sources (for example, the devolved major scheme fund for transport projects) to maximise its efficiency.

2.5 The Levy creates a fairer system for development to contribute to the cost of necessary supporting infrastructure, with all but the smallest building projects potentially able to make a contribution towards additional infrastructure that is needed as a result of their development, and allows for mitigation of the cumulative impacts from development.

2.6 The SWC are proposing to adopt the Levy after the adoption of the SWDP, which is currently under Examination.

Question 1: Should the South Worcestershire Authorities introduce a CIL Charging Schedule?

3 The benefits and reasons for implementing the Levy

3.1 The following outlines the key benefits and reasons as to why CIL is being implemented in South Worcestershire:

- The Levy will help to fund the infrastructure needed to deliver growth set out in the Councils' Development Plan (the South Worcestershire Development Plan);
- The Levy will result in more developments contributing to infrastructure funds than the established s.106 means of securing contributions because it requires contributions from a broader range of developments (including small-scale schemes which currently do not pay much, if anything, by way of s.106);
- The Levy is certain (non-negotiable) and transparent, so developers can factor it into schemes from an early stage;
- The Levy offers greater flexibility on how and when funds are spent than s.106. It is also a reasonably predictable funding stream that allows the councils (and infrastructure providers) to plan more effectively and deliver infrastructure that is required for the community;
- The ability to pool s.106 contributions will be scaled back in April 2015), which will make collecting s.106 for certain types of infrastructure (for example school places) more difficult, particularly as the pooling limitations will be back dated to April 2010 (the date CIL regulations came into force);

- The Levy should not slow the planning application approval process down as much as s.106 negotiations; and
- 15% or 25% of Levy receipts will be passed to Parish and Town Councils, which will have control over how it is spent (a 25% share is dependent on a neighbourhood plan being in place). In unparished areas, the 15% will be held by the SWC and spent in accordance with the wishes of the community. The levy receipts will need to be spent on infrastructure-specific items.

4 Relationship with Planning Obligations

4.1 Once the Levy is introduced, agreements under s.106 of the Town and Country Planning Act 1990 will be scaled back to fund only those matters directly related to site-specific impacts. To encourage councils to adopt CIL, the Government intend to restrict the use of s.106 agreements from April 2015 so that no more than five s.106 obligations can be pooled towards one project or type of infrastructure (back dated to April 2010, the date CIL regulations came into force). Further information relating to the approach in south Worcestershire to Planning Obligations can be found in the SWC Developer Contributions Supplementary Planning Document, which is being prepared in parallel to this process.

4.2 Site-specific contributions should only be sought where this can be justified with reference to the underpinning evidence on infrastructure planning made publicly available at examination. Contributions must satisfy three tests (in accordance with Regulation 122 of CIL); they must be:

1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Fairly and reasonably related in scale and kind to the development.

4.3 CIL Regulations also prevent developers from being asked to fund infrastructure through both the Levy and planning obligations. This is achieved through the CIL Regulation 123 requirements for charging authorities to set out a list of those projects or types of infrastructure they intend to fund through the Levy. The CIL Regulation 123 list will therefore set out a list of infrastructure projects or types of infrastructure that SWC intend to be, or which may be, wholly or partly funded by CIL.

4.4 Where a generic category (such as 'education' or 'transport') is included on the Regulation 123 list, s.106 should not be used to fund projects in that category unless where stated for specific on-site developments. This is to ensure there is no duplication between the two types of developer contributions.

4.5 To produce the Regulation 123 list, SWC must first identify the infrastructure requirements for south Worcestershire, and must understand how they relate to the pattern of development across the area, based on the SWIDP. This work is contained in a 'live document' and the current position on the relationship between the two collection methods is set out in *Appendix A*. The SWC are continually working with infrastructure providers and site promoters (where appropriate) to identify, for each site (or combination of sites),

whether particular infrastructure (either specific or generic) should be funded by s.106 or by CIL. As at January 2015, some of the strategic sites within the SWDP either already have planning permission or are current planning applications, meaning that the required infrastructure has already been or is in the process of being identified. Where an SWDP strategic site has yet to enter into the formal planning application process, discussions will be held with the applicant as what infrastructure is required and the methods through which it can be paid (ideally at a pre-application stage), subject to viability evidence. The Regulation 123 list is a working assumption and is therefore subject to change later in the process.

Question 2: Do you have any views on the draft Regulation 123 list and the split between s.106 and CIL (Appendix A)?

5 **Setting the Levy**

5.1 The Levy rates will be set through obtaining evidence and in consultation with local communities and developers and will provide much more certainty from the outset on how much money will be expected from new development.

5.2 The Levy is expected to have a positive economic effect on development across south Worcestershire. The rate should be set at a level that balances the requirement for infrastructure to support development against the potential economic impact of imposing the Levy across south Worcestershire. The need for this balance is set out in Regulation 14(1)¹ of the CIL Regulations, which states that the charging authority must "*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 its area*". Additionally, CIL Guidance states that councils should "*show and explain how their proposed Levy rate (or rates) will contribute towards the implementation of their relevant Plan and support the development of their area.*"

5.3 The sections below give a brief overview of the process the SWC have followed so far in setting the Levy rates in the Revised Preliminary Draft Charging Schedule (see *Section 9*). A full explanation of how the SWC have met the requirements of the Regulations and Guidance is set out in a 'Justifying the Levy' Background Document.

Economic Viability

5.4 Charging authorities need to prepare evidence about the Levy's effect on economic viability in order to be able to demonstrate to an independent examiner that their proposed rates strike an appropriate balance. The Levy charge must only be set on the basis of viability and should not be used as a policy tool.

5.5 Charging Schedules may include differential rates but only where they can be justified on the basis of either economic viability of different parts of the area or by economic viability of different types of development. A zero rate can also be charged if viability testing shows that it would be unviable for a particular use or area to pay the Levy.

5.6 In 2012, Worcestershire County Council in liaison with the six district councils, commissioned HDH Planning and Development (HDH) to undertake an independent CIL

¹ Guidance to the CIL Regulations were amended on 24 February 2014 with information also provided in NPPG on 12 June 2014

viability analysis of the county to provide the evidence required to develop Charging Schedules across Worcestershire. This analysis used a recognised valuation methodology to identify the maximum amount of CIL that a range of modelled sites from the development plan could bear whilst still sustaining a sufficient land price to provide the landowner and the developer with a 'competitive return'. This was published in early 2013. In addition, HDH undertook a viability study for the SWC in November 2012. Further viability work was undertaken for SWC in 2013 and this formed the evidence base for the CIL rates consulted upon in September 2013. Additional viability work was undertaken by HDH in September 2014 as a result of the outcome of the SWDP Stage 1 Examination. Further updating by HDH has taken place at the end of 2014 and this forms the evidence base for the revised PDCS. All of the viability reports are available on the SWDP website.

5.7 An important part of the process was engagement with the development industry. Events were held in 2012, as well as during the original first PDCS consultation in autumn 2013 at which local and national developers, land owners, agents, registered providers, etc. commented on the proposed approach to developing the Charging Schedules. An update of this engagement process is scheduled for March 2015 as part of this revised Preliminary Draft Charging Schedule consultation stage.

Funding Infrastructure

5.8 The Planning Act 2008 includes a wide definition of infrastructure that can be funded from the Levy. Such infrastructure includes:

- Education Facilities and Schools;
- Open Spaces and Green Infrastructure;
- Roads and other sustainable transport facilities and schemes;
- Flood Defences; and
- Community and health facilities.

5.9 The Levy is intended to be spent on the provision of *new* infrastructure to support additional growth identified in the development plan, rather than to remedy *existing* infrastructure deficiencies.

5.10 In south Worcestershire, infrastructure requirements resulting from development in the SWDP have been assessed and are set out in the SWDP Infrastructure Delivery Plan (SWIDP). The SWIDP ("live document", latest update 2 October 2014) identifies around an estimated £550m worth of infrastructure required over the lifetime of the plan, with approximately half identified as the funding gap. A breakdown of the indicative funding gap of

the main infrastructure typologies can be found in Table 1 of the accompanying 'Justifying the Levy' background document.

5.11 The CIL will contribute towards implementation of the SWDP and will support development across south Worcestershire. It will allow SWC to collect pooled funding to mitigate the cumulative impact of development and to fund the provision of infrastructure (such as increases in school places and necessary transport schemes) to support the development in the SWDP.

5.12 It is fully recognised that the Levy will not deliver all of the infrastructure required, and the SWC, together with infrastructure providers (including Worcestershire County Council), are working to identify other funding streams needed to facilitate delivery. Please see the SWIDP for further details on this matter.

5.13 Despite working to identify such alternative funding, there is still a substantial funding gap, which demonstrates the need to introduce CIL.

6 The South Worcestershire Approach

1. Set the Levy at cautious level

6.1 Whilst encouraging signs have been identified, the future of the national economy remains uncertain. It seems inevitable that fluctuations in house prices (and the associated build costs) will remain for the immediate future and as such, confidence has not fully returned to the market.

6.2 Setting the Levy close to the limits of viability could have an adverse impact on development coming forward and as such, the SWC are proposing to take a cautious approach. This will allow the SWC to (subject to site specific viability issues):

- Continue to deal with site-specific issues via s.106 in a complementary manner.
- Continue to deliver affordable housing requirements in line with SWDP policy (also see the SWC Affordable Housing SPD which is being created in parallel).
- Meet policy aspirations on design and environmental standards.
- Engrain the principle of the Levy within the development industry in south Worcestershire.

Question 3: Do you agree that the Levy should be set at a cautious level?

2. Consider different rate(s) on strategic sites

6.3 Charging authorities are permitted to treat major strategic sites as a separate geographical zone, where this can be supported by robust evidence on economic viability.

6.4 In the September 2013 version of the PDCS considered the idea of different Levy rates for strategic sites. Such sites result in substantial infrastructure requirements in their own right which are more likely to be delivered by the developers or via s106. This affects the economic viability of their delivery in a different way to smaller sites. The exact rate will depend on whether it is most appropriate to deliver the infrastructure required as a result of the development via s.106 or through CIL. However, due to the revised CIL timetable and the current status of planning permissions/applications it is becoming increasingly apparent that some of the strategic sites will not be applicable for CIL. This is because planning approval has already, or is likely to (if approved), pre-date CIL adoption (in accordance with the Local Development Scheme timetable) and will instead provide contributions via S106 planning obligations.

6.5 Work has been undertaken by HDH regarding the economic viability of the SWDP strategic development sites across south Worcestershire. This work has identified that none of the SWDP strategic sites can currently justify a separate CIL charging rate on economic viability grounds (excluding those stated 'as for district', see page 18).

6.6 If site-specific rates of CIL are to be set, the SWC and infrastructure providers need to work with developers to provide evidence on the actual costs of delivering the infrastructure, in order to determine whether CIL is the most appropriate method for funding infrastructure delivery on these sites. A clear delivery strategy must also be demonstrated to ensure the difference in rate is justified by reference to the economic viability of development. Landowners and site promoters will be expected to provide sufficient, good quality information at an early stage to allow the planning authority to make an informed judgement.

Question 4: Do you think the SWC should maintain the use of planning obligations as the principal way of funding infrastructure on strategic sites?

OR

Question 5: Do you think the SWC should introduce a site specific rate for SWDP strategic sites where this is supported by evidence on economic viability?

3. Look to revise in conjunction with the SWDP revision in 2019

6.7 Over the next three-four year period, values and costs of development could change significantly and the market could become more certain. It is difficult to predict how these may change and when. It will be important to monitor the market and review the Levy at an appropriate time. As the SWDP is proposed for a review in 2019, this appears to be an appropriate date and timescale in which to also review the CIL if it is adopted and operational from 2016.

Question 6: Should the SWC review CIL in 2019 in conjunction with the proposed SWDP review?

7 Implementing CIL and Paying the Levy

7.1 The Levy rate will be expressed as a £ per m² (gross internal area) charge within the Charging Schedule for each SWC. The Levy will be applied to:

- Most buildings that people normally use;
- Where more than 100 m² of floorspace (net) or a new dwelling is created (even if it is less than 100 m²);
- Residential and non-residential uses;
- The conversion of a building that is no longer in lawful use which results in new dwellings (see Appendix C - definitions).

In some cases, permitted development (development that does not require planning permission) may be large enough to be CIL liable.

7.2 The Levy is non-negotiable and will be payable (to the charging authority) on commencement of development or, for large developments, over an agreed phased period as set out in an instalments policy. It will be important to have governance and operational processes in place prior to the adoption of CIL in order for the collection and spending of CIL monies to be undertaken in a clear, accurate, effective and accountable manner.

Question 7: Should the SWC introduce an instalments policy?

Exemptions and Relief

7.3 Certain types of development may be exempt from paying the Levy. The CIL regulations state that affordable housing and charitable developments (development by a registered charity for charitable purposes), as well as self-build residential properties, must be exempt from paying the levy. Affordable housing will continue to be secured via the S106 route (also see the SWC Affordable Housing SPD). Changes to National Planning Practice Guidance (NPPG) in November 2014 state that contributions for affordable housing should no longer be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000sqm. There are exceptions for designated rural areas where a lower threshold of 5-units or less may be chosen. Contributions could then be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. The impact of this change will be monitored for any implications it may have for S106 and CIL. Please see the NPPG for further information on this matter.

7.4 In addition to mandatory exemptions, the CIL Regulations allow a charging authority to introduce a discretionary relief policy if exceptional circumstances are satisfied.

Question 8a: Should the SWC apply exemptions to any further types of development?

Question 8b: If so, which further types of development should also be exempt?

8 The Revised Preliminary Draft Charging Schedule

8.1 The level of the tariff proposed below by the SWC is based on the viability evidence undertaken for development across south Worcestershire (2014) and is further justified by the needs identified in the SWIDP.

8.2 With the exception of the strategic sites (see the specific sites table below) the rates are proposed as:

Table 1 - Charging Authority Proposed Levy Rate (per m ²)			
Use Type	Malvern Hills	Worcester City	Wychavon
Residential – Main Urban Areas	£0 (Malvern, Upton upon Severn and Tenbury Wells)	£0	£0 (Droitwich, Evesham and Pershore)
Residential – All other Areas	£40	£0	£40
Student Accommodation	£100	£100	£100
Food Retail (Supermarkets)	£100	£100	£100
Retail Warehouses	£100	£100	£100
Shops	£0	£0	£0
Hotels	£0	£0	£0
Industrial and Office	£0	£0	£0
Education, Health, Community and Other Uses	£0	£0	£0

Question 9: Do you agree with the proposed CIL rates for each SWC area and each use?

Table 2 - SWDP strategic sites - Proposed CIL rates

Site	Proposed Rate (£/m ²)
Worcester South Urban Extension	N/A
Worcester West Urban Extension	N/A
Gwillam's Farm	0
Crown Packaging, Worcester	As for district
Kilbury Drive	N/A – Approved
Vine's Lane, Droitwich	As for district
Cheltenham Road, Evesham	As for district
Pershore Urban Extension	0
QinetiQ	0
North East Malvern Urban Extension	0

Question 10: Do you agree with the proposed rates for the SWDP strategic sites?

8.3 The boundaries for each rate follow the administrative district boundaries (or an urban area or site delineation where specified) and can be viewed on the map at Appendix B.

8.4 Definitions are available in Appendix C.

9 Next Steps

9.1 The timetable towards the adoption of CIL Charging Schedules in south Worcestershire is set out below. Please note that the timetable may run slightly later than as previously set out in the latest Local Development Scheme (September 2014) depending on the progress of the SWDP Examination. This timetable will be subject to regular monitoring and review:

Stage	Date
Preliminary Draft Charging Schedule	February 2015
Draft Charging Schedule	Summer 2015
Submission of Draft Charging Schedule	Autumn 2015
Examination	Winter 2015 into 2016
Adoption	Spring 2016

9.2 A full timeline is available at Appendix D.

Appendix A

Indicative Split between CIL (Reg 123) and Planning Obligations (s.106)

Planning Obligations (s.106)	CIL (Regulation 123 List)
<u>Transport:</u> Individual development proposals will be expected to contribute proportionately toward the costs of delivering transport infrastructure projects and services needed to mitigate the cumulative impacts of the plan. Without this mitigation, the impacts of each individual development on the network will be considered to be severe. • Appropriate Highway infrastructure projects both local and strategic required to access the transport network and mitigate against the forecast cumulative impact of development. This excludes site specific access requirements which would be delivered under s278. • Provision of Infrastructure projects to enable local public transport services to efficiently access & serve SWDP development sites, in order to serve key trip attractors and generators (local and strategic). • Pedestrian and cycle infrastructure required to facilitate walk and cycle movements to key trip attractors and generators. s.106 contributions do not negate the requirement for developments to comply with LTP3 Development Control (Transport) policies, and the policy requirements outlined in the SWDP, this includes the provision of a fully funded and managed Travel Plan. Identified Transport SWIDP Total: £226.3 million (including Worcester Transport Strategy and Strategic Road Network)	<u>Transport:</u> Transportation infrastructure for walking, cycling, public transport and highways apart from those items listed in the s.106 section, including: <u>Worcester</u> • Further required enhancements to A4440 SLR (except for the dualling between Ketch and Whittington required to deliver the Worcester urban extensions and other pre-2020 wider SWDP growth) • Further required improvements to Key Transport Corridors' infrastructure in Worcester (except that required to deliver the Worcester urban extensions and other pre-2020 wider SWDP growth) • Further required improvements to sustainable transport infrastructure in Worcester (except that required to deliver the Worcester urban extensions and other pre-2020 wider SWDP growth) • Further required improvements to Worcester railway Stations (except those required to Shrub Hill and Foregate Street stations prior to 2020) • Further improvements to highway junctions in Worcester (except that required to deliver the Worcester urban extensions and other pre-2020 wider SWDP growth) <u>For Droitwich Spa, Evesham, Malvern and Pershore</u> • SWIDP A38 & Local Highways measures except those included in the s.106 list • SWIDP Sustainable modes measures, except those includes in the s.106 list <u>Inter-Urban</u> • SWIDP inter-urban highways measures except those included in the s.106 list

Appendix A

Planning Obligation (s.106)	CIL (Regulation 123 List)
Education: • 2FE Primary school at <u>Worcester South</u> (estimated cost £6m) • Expansion of Secondary places for <u>Worcester South</u> (current contribution from site estimated at £4.5m) • 2FE Primary school at <u>Worcester West</u> (estimated cost £6m) • Expansion of Secondary places for <u>Worcester West</u> (current contribution from site estimated at £4m) • 1FE Primary expansion or new build to support development of <u>North East Malvern</u> (current contribution from site estimated at £2m) • 1FE Primary expansion to support development of three large sites in Evesham (to include SWDP 12/1 – c.£800k, SWDP 12/2 – c.£800k and SWDP 11/1 – c. £150k). • 1FE Primary expansion to support development of <u>Pershore North</u> (current contribution from site estimated at £1.5m) • Contribution from Crown Packaging site to support commissioning of additional primary and secondary places in schools in Worcester (estimated contribution £1m).	Education: Contributions for upgrades to existing schools (except from those sites listed under s.106 column) to address shortfalls in capacity
Green Infrastructure: Site specific green infrastructure and small areas of open space or on-site play provision	Green Infrastructure: Strategic network improvements, including parks and open spaces, protected sites, local green network, Investment Priority Areas, etc.
Flood Mitigation: Local flood defences / mitigation required as a result of a site specific SFRA	Flood Mitigation: Strategic flood defences / mitigation required to support development across the area
Community Facilities: Facilities required to be delivered onsite strategic sites as part of multi-purpose community facilities (as per the CAP approach) <u>All Sites</u> Provision of land necessary for the community provision to be provided	Community Facilities: Area-wide facilities such as libraries, art centres, health centres, community centres, etc.

Emergency Services:

Development and associated population growth increases demand upon all three emergency services (police, fire & rescue and the ambulance service). In brief, this takes the form of an increase in the number of incidents requiring an emergency response, impact upon response times and the requirement for permanent delivery of day-to-day services. Individual development proposals will therefore be expected to contribute to ensure an acceptable level of cover commensurate with the growth proposed.

Worcester South (13/00656/OUT) – Police

On-site premises - £345,451

Recruitment and equipping of officers and staff - £119,264

Police vehicles - £91,930

Automatic Number Plate Recognition Cameras - £50,781

Worcester West (13/01049/OUT) – Police

On-site premises - £311,177

Recruitment and equipping of officers and staff - £38,867

Police vehicles - £41,230

Automatic Number Plate Recognition Cameras - £20,189

North East Malvern – Police

Contributions towards the following infrastructures:

- Premises
- Recruitment and equipping of officers and staff
- Police vehicles
- Automatic Number Plate Recognition Cameras

QinetiQ, Malvern Technology Centre - Police

Contributions towards the following infrastructures:

- Premises
- Recruitment and equipping of officers and staff
- Police vehicles
- Automatic Number Plate Recognition Cameras

Emergency Services:

Strategic provision of police, fire & rescue and ambulance service infrastructure to support development growth.

Police

Custody facilities expansion (4 additional cells) - £212,000

Fire & Rescue

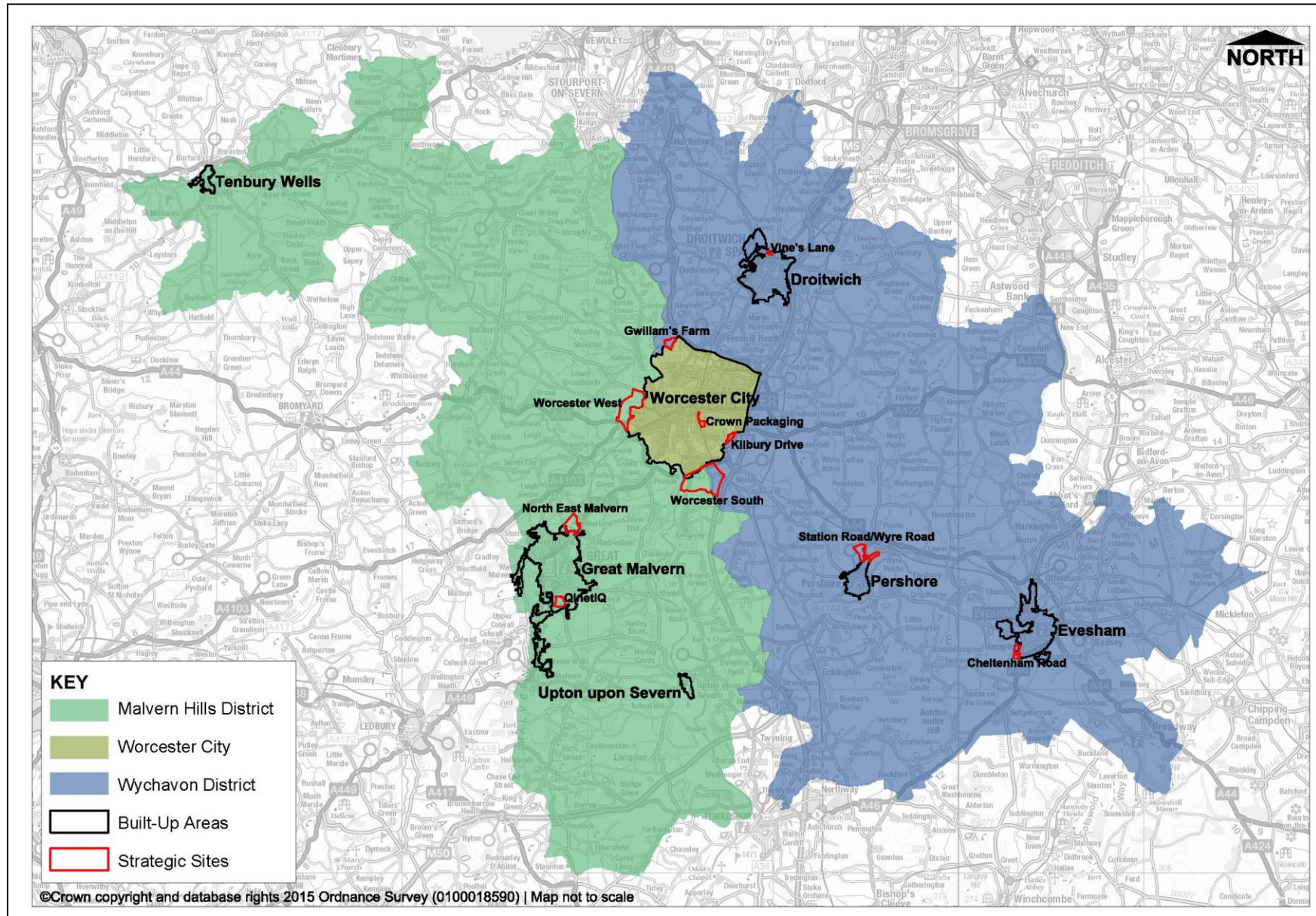
Contributions towards fire stations and associated facilities and requirements and all matters associated with the delivery of fire & rescue services.

Appendix A

Planning Obligations (s.106)	CIL (Regulation 123 List)
<u>Sport and recreation:</u> On-site provision of playing fields and “pavilion” style ancillary buildings. <u>Worcester West (assume pre CIL)</u> - Land provided by to enable development of a 3G Synthetic Turf Pitch (build via CIL) - Provision onsite for: - Multi-Use Games Area - Community Centre / Pavilion 6 senior football pitches - Contribution to improve cricket provision at Rushwick (£200k) <u>North East Malvern (assume pre CIL)</u> - Provision onsite for: - Multi-Use Games Area - Community Centre / Pavilion 1 cricket pitch <u>QinetiQ, Malvern</u> - Provision onsite for: - Multi-Use Games Area <u>Cheltenham Road, Evesham (assume pre CIL)</u> - Provision onsite for: - Multi-Use Games Area - Contribution towards South Wychavon Sports Hub (£500k) (This may need to be wholly on R123 list depending on when CIL comes into force & timing of any application which is not expected until late in plan period) <u>North Pershore</u> - Provision onsite for: - Multi-Use Games Area - Onsite playing pitches <u>Worcester South (assume pre CIL)</u> - Provision onsite for: 4 outdoor tennis courts - Multi-Use Games Area 7 football pitches - Cricket Pitches 4 Court Indoor Sports Hall <u>All Sites</u> - Provision of land necessary for the sports and recreation provision to be provided	<u>Sport and recreation:</u> Strategic provision of built leisure and off-site provision of sports facilities To include: - Worcester Swimming Pool and Leisure Centre (funding gap £2.7m) - Full size 3G Synthetic Turf Pitch at Worcester West (Funding gap £800k) - Outdoor Athletics Facility: Malvern, Pershore, Evesham (Funding gap £750k) 4 court sports hall expansion: Pershore & Droitwich (Funding gap c. £1.2m) - Contribution towards offsite provision of football pitches (excluding those listed under s.106) (Funding gap 150k) - Multi-Use Games Area; Droitwich (Funding gap 150k)

Appendix B

Map showing district boundaries (administrative charging areas), the built up urban areas and those strategic sites that have undergone viability assessment



Appendix C

Definitions:

Residential

Includes buildings classed as 'dwellinghouses' within class C3 within the Town and Country Planning (Use Classes) Order 1987 (as amended).

Affordable Housing

Has the same meaning as defined in the National Planning Policy Framework

"Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable). Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as "low cost market" housing, may not be considered as affordable housing for planning purposes."

Appendix C

Food Retail (Supermarkets)

These buildings provide a wide range of convenience goods, often along with some element of comparison and non-food goods floor space as part of an overall mix of the unit. Most customers use supermarkets for their main weekly shop.

Retail Warehouses

Retail warehousing includes all non-food retail units without restriction to size, specialising in the sale of household goods (for example: carpets, furniture, electrical goods), DIY items and other ranges of goods. Generally their construction shows a much greater visual similarity to warehousing than to that of standard shop units. Retail warehouses usually occupy a single floor, the majority of which is devoted to sales, with some ancillary storage and office use.

They may be sited singly or grouped together, most frequently in fringe or out of town locations and cater mainly for car borne customers.

Education, health, community and other uses

This includes buildings that are often provided by the public sector, not for profit and charitable sectors and include the following classes within the Town and Country Planning (Use Classes) Order 1987 (as amended): residential institutions (C2, C2a), non-residential institutions (D1) and assembly and leisure uses (D2).

Gross internal floor space

Includes everything within the external walls of the buildings, including lifts, stairwell and internal circulation areas, but not the thickness of the external walls themselves or any external balconies. The total sum will be calculated as the cumulative sum of the floor space of each floor (storey).

Lawful Use

The definition of lawful use is contained in Regulation 40(11) of The Community Infrastructure Levy (Amendment) Regulations 2014, which states the following: *“in-use building means a building which contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development”*.

Appendix D

Summary of responses from the first Preliminary Draft Charging Schedule Consultation (September 2013)

ID	Respondent Name	Summary of Response
1	Frank Lee D'ismay (resident)	Supports idea, but wants higher charges, particularly for Worcester's residential charge.
2	John Armstrong (resident)	Agrees with the proposed levels.
3	Andrew Hastie (resident/self build)	No mention of exemption of self builds for CIL in the SWDP. Self builds should be exempt from CIL
4	John Pugh (resident)	CIL should be used so that developers meet the cost or a large proportion of the cost of road infrastructure before development takes place. Otherwise, CIL taxes would get lost in the overall budget allocations and we would not see the benefits.
5	Roy Pendleton (Court Property Developers Ltd/Jupiter Rain Water Systems)	We feel the CIL should either exclude smaller developments OR there should be a lower rate for smaller developments.
6	Tony Hyde (Chairman, Thomas Vale Construction Group)	1. Low cost affordable housing, social housing should be zero rated and not classed as housing. 2. Retirement should be in health and zero rated. 3. Consideration should be given in respect of reduced or zero rate for Live Work accommodation.
7	T Taylor (resident)	Funding for road infrastructure should be in place and road works completed before development occupation.
8	Tony Hyde (Chairman, Thomas Vale Construction Group)	1) Housing Associations and Section 106 housing should be exempt. 2) 'One off' plots and in particular self build should be exempt. The current proposed structure doesn't strike a balance and 'one size fits all' should not be applied. Focus must be to ensure major developments which require infrastructure are making a proper investment proportionate to the level of development profits they are making.
9	Dr Thomas Bloch	The levy is not earmarked to benefit directly the community affected by developments. Within a district there are bound to be differentials in terms of desirability and therefore profit to be made, which are not reflected in the Levy when charging by the square meter. If each locality, village or town had a differential rate of charge, this could be used as a tool to encourage development where the greatest public and community gain could be obtained, rather than where developers want to build because they can maximise their profit, instead of providing housing where it is actually needed. This whole CIL idea strikes me as flawed and ill thought out.

10	Droitwich Spa Town Council	PDCS was considered by the Town Council's Planning committee on 14th October 2013. The email provides responses to the questions set out in the questionnaire, including a suggested change for the rates for Wychavon, including £60 rates for both student accommodation and hotels, and a new £60 rate for shops. It is also suggested that Planning Use Class categories should be utilised as part of the table also.
11	Simon Williamson	Concern that there is considerable opportunity for levies taken in respect of new housing development here in Broadway to be spent on infrastructure in other places, with no benefit to Broadway itself. It would be appropriate that if CILs are raised on development in Broadway, then those levies should be used to enhance the Broadway community, such as retaining the local fire station and not syphoned off elsewhere
12	Donna Commock (Lidl UK)	Lidl have a similar turnover to stores such as Tesco Express and Sainsbury's Local. However, Lidl stores are generally much larger by sqm than said Tescos and Sainsbury's stores and therefore will have to contribute more to CIL. It is argued that it is not considered viable for them to pay the same rate as supermarkets who generally have footprints of circa 2000 sqm plus and significantly higher turnovers. It is urged that this is taken into consideration when deciding upon the charging rates.
13	Natural England	It is advised the council gives careful consideration to how it intends to meet para 114 of the NPPF, and the role of the CIL in this. NE are therefore supportive of the inclusion of green infrastructure and open space provision in the Preliminary Draft Charging Schedule. They are also content with division of green infrastructure between Planning Obligation (106) for site specific schemes and CIL (Regulation 123 List) for strategic network improvements.
14	Graham Love FRICS	The use of S.106 payments are crucial to local communities directly affected by developments, and they should be properly and robustly negotiated by people experienced in development, and the benefits should flow predominantly to the village or town affected, as originally intended by the rules.
15	Andrew Morgan (WMP & HWFRS)	In response to the questionnaire: 1) Agree that S W authorities should introduce a CIL charging schedule 2) Welcome and support the inclusion of the Emergency Services within the draft Reg. 123 list. However, concerns are raised that the projects identified under Appendix A of the PDCS are purely capital infrastructure requirements. 3) CIL in S W should be charged at differential rates according to the following: • Use class of development concerned • District in which it is situated • Specific location in which it is situated. 4) WMP &HWFRS concur that the SW Councils should maintain the use of planning obligations as the principal way of funding infrastructure on strategic sites. 5) Question whether the necessary work can in fact be undertaken and a site specific rate implemented in the time envisaged

		6) No comment 7) No comment 8) Unclear as to whether this includes the emergency services? If not, then recommend that current exemptions for affordable housing and charitable developments are extended to the emergency services via a discretionary relief policy. (9) See response 3 above (10) See responses above
16	Peacock and Smith (representing WM Morrison)	Strongly object to the proposed CIL rate of £100/sq m for food retail (supermarkets) development across the 3 authorities. Concerned that this will have an adverse impact on the overall viability of future (large) convenience retail development in SW. Rates disproportionately higher than other LPAs
17	Canal and River Trust	Need to be more specific on which projects relating to the canals are to be secured by s106 planning obligation and which by CIL to enable them to comment on this question (Q2 of questionnaire).
18	Warndon Parish Council	• Broadly support Councils' approach to setting the tariff. Exemption of affordable housing from the levy is strongly supported as this will assist in maintaining viability in residential developments. • It will be essential for the councils to apply CIL and s106 contributions in a manner which avoids duplication and increased development costs which would result in there being no incentive for landowners to release land to the market. • If CIL is set too high, it will put further pressure on already weakened property market and stifle future development. • What is the relevance of 10% price change in Q6? • To allow for accurate fund management, it may be beneficial to development industry to have more certainty over the payment timeframe. Therefore it may be appropriate for introduction of instalments policy • Agree with proposed CIL rates for each council area, although it is unclear whether residential extensions are exempt from CIL or fall within the charging schedule.
19	Eckington Parish Council	• CIL charging schedule needs to be run by elected representatives • Split between s106 and CIL seems reasonable but funding needs to remain available for smaller community projects as well. • Should set a date to review CIL and stick to that. • CIL should be set at a cautious level but there should be a transparent schedule for the review. • SW Councils should introduce a site specific rate for strategic sites, but assessment criteria must be clear and consistent • SW authorities should introduce an instalments policy, but only for large developments (definition required) • SW authorities should introduce a discretionary relief policy but only with prior definitions of exceptional circumstances
20	Longdon, Queenhill and Holdfast Parish Council	• The Levy penalises many smaller scale developments most suited to rural developments. • SWC should delay introduction of CIL charging schedule for as long as

		practicable. • CIL process too open to cost escalations and other funding shortfalls. May also prove vulnerable to manipulation by developer – need ‘bedding in’ period to demonstrate viability. • Site specific regime should allow the setting of an appropriate value to ensure the best outcome for the community, or a case by case basis. All the info related to the choice of levy must be made available to the general public. • Developer should be required to take out fully pre-paid insurance against late or non-payment of instalments, and this should be verified before agreement of instalment payment. • If conditions for the discretionary relief policy cease to be met during the fixed time, the levy will become payable. • Large shopping centres should be treated as for food and retail warehouses for CIL rate. • High rate proposed for student accommodation is tantamount to discrimination.
21	Cotswolds AONB	Draws attention to West Berkshire District Council PDCS, which is proposing a higher level of CIL for residential properties in the North Wessex Downs AONB. A West Berkshire Council CIL study concluded that higher rate of CIL could be justified in AONB because of 'higher values' and limited levels of growth. Suggests SW could use a similar approach.
22	Theatre Trust	Support a nil rate at para.9.2 for Education, health, community and other uses. D1, D2 and some sui generis uses (e.g. theatres) often do not generate sufficient income streams to cover their costs. These facilities are very unlikely to be built by the private sector and consequently require some form of subsidy to operate.
23	Worcestershire Wildlife Trust	CIL should provide funding for Green Infrastructure. Strongly endorse the inclusion of GI on draft Reg 123 list. Final split between s106 & CIL, and the priorities for CIL-funded strategic GI should be informed by continuing work on GI strategy and individual site GI 'concept statements' for strategic sites. Advocate maintaining the existing planning obligations regime. There may however be instances where pooled contributions from CIL could be used to augment site-based (and therefore s106 funded) GI Infrastructure associated with strategic sites.
24	Mr Michael Ruddell	Does not agree with proposed CIL rate of zero for shops and for industrial and office developments. The 15% to 25% amount of the CIL levy passed to the local community by way of the Parish Councils is not a meaningful proportion, and should be much higher.
25	West Midlands HARP Consortium (Tetlow King Planning)	• Unable to support CIL rates and seek further viability assessment to overcome clients concerns. • Councils' should consider rates they finally decide upon in the draft CS in the context of April 2013 statutory guidance for CIL, para. 29, stating that LAs should take account of policies in the development plan when setting their CS, in particular affordable housing targets • Also should think about consideration of independent examiner that Charging Schedule should not 'threaten the delivery of relevant plan'

		including affordable housing. • Response also discusses; setting the levy at a cautious level, instalments policy, exemptions and CIL relief, older people's housing, affordable housing tenure split, additional profit, previous affordable housing completions and CIL testing range.
26	Worcester Regulatory Services	Air Quality & Contaminated Land considerations are perhaps best addressed through conditions applied to applications or where site-specific contributions are more appropriate through s106 agreements. Most Air Quality mitigation are upgrades to existing infrastructure, rather than new infrastructure. Would be interested in exploring the issue of CIL being used on new infrastructure rather than upgrades. It would be useful if you could advise of any supporting government guidance produced in this regard. No consideration where improvements in air quality may be the key criteria for a transportation or GI such as effects on Air Quality Management Areas or areas likely to be declared as such as a result of combined development. Agrees with Q 4 and 6 of the questionnaire.
27	Sport England	Welcome a nil rate for leisure related development in relation to sports facilities. Specific section on sports and recreation facilities within the IDP and references to recreation facilities within Appendix A of the PDCS are welcomed. Would welcome the opportunity to work with the councils to ensure that Sport and Recreation is appropriately and robustly represented throughout the development of the charging schedule and also in the eventual collation and spend of CIL monies
28	English Heritage	EH urge the Council to consider how the CIL can be used to support the conservation and enhancement of the historic environment as part of a positive heritage strategy, and also reserve the right to offer CIL relief for particular cases which affect heritage assets in order to avoid unintended harm to the historic environment through the application of CIL. English Heritage would strongly advise that your conservation staff are involved throughout the preparation and implementation of the Charging Schedule as they are often best placed to advise on local historic environment issues.
29	Worcestershire County Council	We support the CIL as it currently stands, and look forward to continued working with South Worcestershire Councils as the CIL progresses to adoption. In particular, we look forward to the development of a mechanism through contributions can be shared between the district and the county councils. It is worth noting, once again, that comments in this response are officer-only.
30	Hallam Land Management (David Lock)	• Indicative split between s106 and CIL needs further development • List of potentially CIL funded infrastructure should be narrowed • S106 list needs to be founded on a better evidence base • CIL rates need to be kept under review, however 10% increase in house prices in not an appropriate trigger • Imperative that instalments policy should be put in place • An appropriate CIL rate is put in place. It is unclear to Hallam whether

		the viability work supports the proposed rates at this stage.
31	Gleeson Strategic Land (RPS)	• Ability of authorities to actually deliver the infrastructure needed • Evidence base has not been developed sufficiently to give clarity on relationship between CIL and s106 • Reg 123 and s106 – further assessment and clarification needed on transport, education, community facilities, sport and recreation • Strongly advocates a cautious level for CIL. Draft rate is not , however, cautious as currently proposed • Need separate assessment through s106 for the strategic sites to make them viable given the additional burden of the current proposed CIL rates • Affordable Housing - WVS indicates that if affordable housing requirement is 40%, then CIL rate should only be £9 - this would indicate that either the affordable housing requirement is too high, or the CIL rate is. Or both. • RPS will support a suitable approach to an instalments policy • Commends a CIL approach which will facilitate development and avoids setting CIL rate too high to require discretionary relief • Considers proposed rates for housing are too high.
32	The Brockhill Estate (Bidwells)	Response covers: • Viability study makes assumptions that are not properly justified and fails to provide background evidence. The estimations of affordable housing contributions would improve the accuracy of the viability study. • Relationship with S106 agreements - it is not clear whether the figure of £1000/m² accurately reflects the funding that will be provided through section 106 agreements. • Agrees that charging schedule should be revised (where the housing market changes by more than 10% or every three years.) • Agree with the introduction of instalments policy • Important that discretionary relief is used by the charging authority
33	Highways Agency	Welcome clarification in section 4 that SWDC need to first identify infrastructure requirements of the area and understand how this relates to the pattern of development envisaged. To do this, close working with infrastructure providers is necessary to understand whether each site should be subject to CIL/s106. Note that improvements to highways junctions and to key transport corridors may be included in future Reg 123 list. Welcome recognition in section 5 that levy will not deliver all infrastructure required. There may be a need for a bespoke approach to setting the rate for strategic sites. CIL rates need to be kept under review, once adopted. The Highways Agency is keen to ensure that it is fully involved in further discussions as the CIL charging scheme develops.
34	Newland Parish Council	Completed response form Q2. SWDP allows CIL payments by instalments phased over the development. Concerned that payments will therefore be made after essential infrastructure and not before. Would like assurances written in joint CIL proposal that no work may start on development schemes until essential infrastructure has actually been

		paid for and physically provided. The 'commercial viability' test and the blanket average charging mechanism provides for too high profit margin on proposed developments in some parts of the area. Concerned that existing and previously agreed s106 obligations are not being enforced at present in some cases by SWDP authorities. Q3. CIL payment should not be site specific. There should not be an instalment option. Payment should be made in full at the commencement of the development as required by CIL charging legislation. Upfront payment in full to cover the works deemed necessary by Worcester LTP3 and SWDP should be levied and collected from landowners.
35	Malvern Hills AONB Partnership	• Q2 raises issues regarding transport, (keen to see further walking and cycling encouraged, as well as seeing local transport designed for leisure and tourism purposes) Green Infrastructure (including reference to WGIS) and flood mitigation (include a commitment to the creation of SUDS and their maintenance either under S106 or CIL) in the CIL preliminary draft charging schedule and the Reg 123 list. • Q4 – would be happy for s106 to be retained for funding GI in relation to strategic sites. If developments are to be located within the AONB boundary, then they would expect specific provision to be made within the s106 agreement to mitigate any landscape or visual impacts or to provide compensation for any losses.
36	St Modwen Developments (Planning Prospects)	• Not convinced that it is appropriate, sound or supported by appropriate evidence • Concerns about the levy rate (it is essential that the Levy rate is set at an appropriate level such to ensure the desirability of funding infrastructure from the levy does not threaten the economic viability of development, particularly for strategic sites. It is also essential that sufficient flexibility is provided in the way that CIL is partnered with traditional S106 requirements to ensure the specific circumstances of each site can be addressed.) • Concerns about the evidence of economic viability (the HDH CIL Viability analysis does not fully justify the Levy rates and is inconsistent which the approach required in the CIL guidance) • Setting differential charging rates (there is significantly greater scope for defining more differential charging rates by geographical area than set out within the draft Charging Schedule to date.)
37	Savills	Response covers the following issues: • Setting the levy at a cautious level • Consider different rate on strategic sites • Looking to revise in 3 years - suggests that where CIL is failing to deliver the necessary infrastructure funds or sites are deemed not to be coming forward because the CIL rate has been set too high, then a review earlier than 2019 may be necessary. • HDH Viability Study - the response analyses the issues tested within this document, including benchmark land values, affordable housing, housing typologies, densities, development coverage, unit mix/property sizes, residential build costs, abnormal costs.

38	CLA Midlands	• Clarification required on how agricultural, forestry and horticultural development will be treated under the Draft Charging Schedule. CLA's view that CIL should not be applied to these industries. • Concerns about CIL charges for food retail in context of farm shops. • Want clarification on farm diversification falling under leisure and therefore exempt from a CIL charge. • Concerns about charge on rural market housing • SWC must consider accumulation of all charges levied on developments. • Disagrees with charging rate of 60m² for residential. Unfair for rural area development to compensate for large scale green field urban extension. • Concerns about review date of CIL Charging Schedule (Given the concerns on the impact on rural development, the CLA would recommend that there is a facility to review this charge within a year.) • Council should be more flexible in their approach for payment of CIL • Concerns about no allowance for housing needs for rural businesses such as agriculture, forestry and other essential rural workers.
39	Worcestershire LEP	• The relationship between CIL and s106 in current financial climate • That all LPAs should establish charging consistency to avoid high charges acting as a deterrent, and instead positively attract investment from elsewhere • The need to achieve a careful balance between imposing CIL and maintaining the signs of growth • The question of will there be mechanisms for ring fencing funds allocated for specific projects • The issue of implementation of education and highways infrastructure, when the levy is collected by LAs but the control of infrastructure cost is with County • The relationship between CIL and brownfield sites. • Seeks clarity regarding what will and will not be covered by CIL. • WLEP welcome the fact that proposals do not intend to levy a charge on employment development land apart from retail.
40	Barratt Homes and North Tewkesbury Land Consortium (RPS)	• Q2 – CIL rate must be reduced significantly to avoid double charging for infrastructure (relationship with s106) • Q3 – strongly advocates a cautious level, but the draft rate is not cautious as currently proposed (affordable housing). • Relationship between s106 and CIL for strategic sites • Issue of Affordable housing (the CIL rate has not factored in all the policy requirements of the SWDP, with a specific reference being to affordable housing.) • Recommend a phasing policy • Proposed rates for housing are too high
41	Sainsbury's Supermarkets (Turley Associates)	Unclear in PDCS as to different distinct uses between types of retail categories. Accordingly, the proposed CIL charging schedule regime is currently not properly justified and falls outside the scope of the regulations.

42	Specthley Estate	Consider that the proposed CIL rates are too high and will act as a deterrent to private sector investment in S Worcestershire. Would be appropriate to reconsider the proposed levies so there is a more even spread across the different land uses. The PDCS places a greater level of burden on commercial land uses. Request charging rates are reduced and rebalanced to ensure they accord with the requirements of NPPF and overall Economic Strategy.
43	Richard Hathway (CIL Augmentics)	Clarification on how and when the 'transport' fees chargeable via s106 will be charged would be helpful. CIL rates and s106 rates for self-builds should be clarified. Perhaps the use of differential rates could be considered in the SWDP area. Aiming for the 'maximum bearable' CIL rate does not sound very friendly or fair, so a 'cautious' rate should be preferred. Current small developments are currently S106 free ... will CIL adversely impact smaller developments and thus give advantage to the big developers?
44	Festival Housing, Worcester Community Housing, Rooftop Housing Group and The Community Housing Group. (RCA Regeneration)	• Viability work which underlies the proposed charging schedule is flawed given what are some fundamentally incorrect assumptions. • Appraisals provided demonstrate that whatever charging schedule is derived it will impact negatively upon the level of affordable housing proposed within the SWDP • Relationship between the charging schedule, reg. 123 list and the local s106 requirements is unclear and presents a serious risk to both development and the level of affordable housing proposed to be delivered through the SWDP.
45	Gladman Developments (GL Hearn)	Response covers: • Benchmark land values • Affordable housing • Residential land values • Other development costs assumptions • Case study appraisal assumptions, density and mix Conclusion - would recommend that the residential appraisal summaries are revisited to take into account the issues raised above and made available as soon as possible so that all interested parties can fully consider the revised methodology that has been applied. At present we must conclude that the proposed CIL levy is set too high. The consequence of too high a CIL levy would be to adversely affect housing delivery rates throughout the South Worcestershire Council areas. Response also claims that the Councils have failed procedurally in the consultation process, having initially omitted to include access to some of the relevant supporting documents previously produced by HDH Planning and Development on the CIL section of the SWDP web site.
46	Environment Agency	• Given the interrelation between the two documents (SWIDP and CIL charging schedule), and the fact the SWIDP requires some updates we cannot confirm our views on the proposed charges at this stage. • Welcome GI and flood risk infrastructure have been included • Note that contributions on Flood Warning Service have not been specifically mentioned and feel this is an omission. • Consultation seeks views on a number of areas that EA would not have

		a role to comment on. • Advise that the approach of setting CIL at a cautious level seems appropriate given the changing economic situation. • There may be merit in setting different levels of CIL for strategic allocations where evidence supports this. The updated SWIDP needs to inform this process.
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Appendix E

SWC Proposed Timeline for SWC CIL as per LDS (2014-2017)

2013							2014							2015							2016													
J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
C1	C2	C3	C3	C3	C3	C4	C1	C1	C1	C1	C1	C1	C1	C1	C1	C2	C3	C4	C5	C6	C7	C8	C9	C9	C9	C9	C9	C9	C9	C10	C11	C12		

Notes: CIL PDCS Consultation will occur at the same time as Stage 2a of the SWDP Examination.

Key

- C1. Preparatory work including compiling evidence base
- C2. Preparation of Preliminary Draft Charging Schedule and draft Regulation 123 List
- C3. Public Consultation (Regulation 13 for SPDs), (Regulation 18 for DPDs)
- C4. Consideration of representations
- C5. Preparation of Draft Charging Schedule and final Regulation 123 List
- C6. Consultation on DCS and Regulation 123 List (Regulation 16)
- C7. Consideration of representations
- C8. Submission of DCS (Regulation 19)
- C9. CIL Examination
- C10. Receipt of CIL Examiner's recommendations (Regulation 23)
- C11. Approval and publication (Regulation 25)
- C12. Final preparatory work prior to the Charging Schedule taking effect 01/04/16 (Regulation 28)

Regulation references relate to The Community Infrastructure Levy Regulations 2010 (as amended)