

## South Worcestershire Councils – CIL Draft Charging Schedule Consultation Regulation 19(4)

### Statement of Modifications (Schedule 1)

Proposed modifications as a result of consultation responses received between 1<sup>st</sup> April and 16<sup>th</sup> May 2016

Proposed Modification Reference	Representation Reference	Location in CIL Draft Charging Schedule Report	Proposed Modification	Reason for Change
PM 1	Ref 007 Question 2 (a)	Table 3: Appendix 'A' - Regulation 123 List (page 23)	Amend the 'Education Facilities' row by deleting the word ' <u>public</u> ' to read ' <u>...existing state education facilities</u> '.	To provide clarity in relation to the types of schools that are applicable for funding through S106/CIL.
PM 2	Ref 007 Question 2 (c)	Table 3: Appendix 'A' - Regulation 123 List (page 23)	Deletion of the words ' <u>or operation</u> ' then add the word ' <u>or</u> ' between 'improvement, replacement' for all rows of the Regulation 123 list.	The term 'operation' is not considered to be CIL compliant.
	Ref 011 Question 2			
PM 3	Ref 011 Question 2	Appendix 'A' - Regulation 123 List Accompaniment Table – Education Facilities 'Specific Requirements' Row (page 25)	Delete ' <u>1 X 1FE Primary School</u> ' from Malvern North East Urban Extension (SWDP 56). Also delete ' <u>On site or</u> ' from 'Infrastructure Location' Row to read ' <u>Schools directly related to site.</u> '	The provision of a new school is no longer required. Demand can be catered for off site through expansion of existing facilities.
	Ref 023 Question 2			
PM 4	Ref 013 Question 2 (d)	Appendix 'A' - Regulation 123 List Accompaniment Table – Education Facilities	Deletion of the words ' <u>all qualifying sites</u> ' from the education facilities 'Development Site' row relating to 'Specific	Correction of an error; 'all qualifying sites' only refers to infrastructure that is proposed to be delivered

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		'Development Site' Row (page 26)	Requirements' 'Other cumulative impacts of development on nursery provision, school age provision and special education facilities.'	through S106 agreements.
PM 5	Ref 013 Question 6	Appendix 'D' - Glossary (page 36)	<p><b>Proposed Change:</b> Include an example definition of 'Emergency Services Infrastructure' within Appendix 'D' - glossary.</p> <p><i><u>"Emergency Services Infrastructure</u></i></p> <p><i><u>The following list provides examples of emergency services Infrastructure:</u></i></p> <ul style="list-style-type: none"> <li>• <i><u>Equipping and set-up costs for officers</u></i> <ul style="list-style-type: none"> <li>• <i><u>Vehicles</u></i></li> <li>• <i><u>Premises</u></i></li> </ul> </li> <li>• <i><u>Automatic Number Plate Recognition (ANPR) Cameras</u></i></li> <li>• <i><u>Fire and Rescue Infrastructure e.g. hydrants</u></i></li> </ul>	To provide additional information in relation to this infrastructure type.

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			<ul style="list-style-type: none"> <li>• <u>Ambulance service infrastructure.</u></li> </ul>	
PM 6	Ref 016 Question 1	Chapter 8, paragraph 8.2 Table 1 (page 20).	Re-word the 'Use Type' title of the final row to <u>"All Other Uses (including education, health and community uses)".</u>	To provide clarity in terms of what is being charged CIL.
PM 7	Ref 017 Discretionary Relief	Chapter 6 paragraph 6.6 (page 17)	Delete paragraph 6.6 and replace with: <u>"Where site-specific rates of CIL are recommended, where the standard district-wide rate is considered to be too high in terms of economic viability considerations, developers will need to work in collaboration with the SWC and infrastructure delivery partners to provide evidence of exceptional circumstances as per NPPG paragraph 129. A clear delivery strategy must also be demonstrated to ensure any difference in rate is justified by reference to the economic viability of the</u>	To provide greater clarity in relation to exemptions.
	Ref 025 Question 6			

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	Ref 026 Question 6		<i>development. Landowners and site promoters will be expected to provide sufficient, good quality information to allow the charging authority to make an informed judgement."</i>	
PM 8	Ref 024 Point of clarification	Chapter 6 paragraph 6.4 (page 17)	Delete final sentence ' <i>Only applications submitted after the adoption of CIL can be required to pay the levy.</i> '	To comply with CIL Regulations.
PM 9	Ref 027 Question 1 and Question 4 (b)	Chapter 8 paragraph 8.2 Table 1 (page 20)	Accept that there have been inconsistencies in terms of the extent of the land take up assessed in the viability assessments with regard to SWDP 53 – Qinetiq.	To acknowledge the assessment errors and inconsistencies in the 2016 viability study.
	Ref 027 Question 2 and Question 4 (a)		Change the proposed CIL rate on SWDP 53 Qinetiq back to ' <i>£0m<sup>2</sup></i> ', as per the findings of the Preliminary Draft Charging Schedule viability assessment (2014).	
PM 10	Ref 027 Question 6	Appendix 'D' – Glossary (page 37)	Include a definition of "Industrial and Office" uses, including the relevant Use	To provide clarity regarding this type of use and the relationship with the

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			<p>Classes, within the DCS glossary.</p> <p><b><u>“Industrial and Office</u></b></p> <p><i><u>Development defined as B1, B2 and B8 uses as per the Town and Country Planning (Use Classes) Order 1987 (as amended).”</u></i></p>	<p>CIL charging schedule.</p>