

Chichester District Council

CABINET

3 March 2015

Recommendations from the Development Plan Panel: Community Infrastructure Levy Draft Charging Schedule – Post Consultation

1. Contacts

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2. Recommendation

2.1 Subject to the views of the Development Plan Panel (to be reported orally), that the Council be recommended that:

- (i) The Community Infrastructure Levy Draft Charging Schedule (CIL DCS) together with the draft Regulation 123 list (attached as appendix A) be approved for submission for examination.**
- (ii) The Regulation 19 (1) statement (attached as appendix B) including a summary of issues raised by consultees be approved for the inspector's consideration together with Chichester District Council's responses.**
- (iii) The suggested amendments to the draft Payment by Instalments Policy (contained within Chichester District Council's responses to representations in appendix 1 of appendix B) be approved.**
- (iv) The Head of Planning Services be authorised, following consultation with the Cabinet Member for Housing and Planning, to make typographical and other minor amendments.**
- (v) The Chief Executive be authorised, following consultation with the Leader of the Council, to determine minor matters arising from the CIL DCS examination.**

Background

- 3.1 CIL is a new tariff which will allow funds to be raised from new development in the area covered by the Chichester Local Plan. The funds raised will help to provide a wide range of infrastructure to support development during the Local Plan timeframe. CIL is intended to supplement rather than replace other funding streams and to provide for infrastructure alongside residential and commercial development. Charges are meant to help fund new or upgrade existing infrastructure to support growth. It should not be collected to remedy existing deficiencies.**

- 3.2 Section 106 obligations will continue to be used to secure affordable housing and site specific mitigation measures which are required to make a development acceptable in planning terms.

4 Consultation

- 4.1 On 4 November 2014 the Cabinet approved the CIL DCS for the second (final) public consultation together with the draft Regulation 123 list and draft Payment by Instalments Policy. The DCS included amendments resulting from the Preliminary Draft Charging Schedule (first) public consultation which concluded in April 2014.
- 4.2 The second consultation took place from 21 November 2014 to 5 January 2015 and generated 57 representations from 22 consultees. The representations received are summarised in the Regulation 19 (1) statement attached to this report (appendix B). This also shows the suggested responses and minor modifications, which will be published and submitted for the consideration of the examiner. As the proposed modifications are very minor further consultation is not required.

5 Next Steps

- 5.1 The next step will be to submit the representations and required documentation in accordance with CIL Regulation 19 to the Planning Inspectorate for examination. It is likely that an examination hearing will be required. The examiner may recommend that the CIL charging schedule is found sound at examination, with or without modification, or that Chichester District Council might have to undertake further work and adoption would therefore be delayed. If found sound, it is anticipated the earliest that the CIL could be adopted is July 2015.
- 5.2 The Regulation 19 (1) Statement attached to the report (appendix B) provides a summary of the issues raised, and provides details of how the public consultation was conducted, as required by the CIL Regulations.
- 5.3 The draft Payment by Instalments Policy will not be subject to examination in its own right but will help to demonstrate the ongoing viability of development with the new CIL charge. The suggested amendments result from the previous consultation (these will be circulated subsequent to the despatch of the agenda).

6 Appendices

- 6.1 Appendix A – *Community Infrastructure Levy Draft Charging Schedule*
- 6.2 Appendix B - *Community Infrastructure Levy Draft Charging Schedule Regulation 19 (1) Statement*