

Community Infrastructure Levy for Broadland, Norwich and South Norfolk

Paper setting out how Broadland District Council, Norwich City Council and South Norfolk Council have complied with the relevant legislation and regulations

Summary

Broadland District Council, Norwich City Council and South Norfolk Council (working together as the Greater Norwich Development Partnership) have prepared the Draft Charging Schedules in accordance with the Planning Act 2008, the Community Infrastructure Regulations 2010 (as amended). This paper summarises how Broadland District Council, Norwich City Council and South Norfolk Council have complied with the relevant statutory stages.

Part 11 of the Planning Act 2008 – Community Infrastructure Levy

Section 211 In setting the rates and preparing the Draft Charging Schedules the Partnership has had regard to the actual and expected costs of infrastructure; the economic viability of development; other actual or expected administrative expenses in connection with the CIL and the statutory guidance.

The Partnership has consulted a range of stakeholders in preparing the Draft Charging Schedules and undertook two public consultations.

- Preliminary Draft Charging Schedule consultation

3 October – 14 November 2011

A report of this consultation can be found here

http://www.gndp.org.uk/downloads/Reg15_ReportOfConsultation_v2.pdf

- Draft Charging Schedule Publication

6 February – 5 March 2012

A report of this consultation can be found here

<http://www.gndp.org.uk/downloads/CIL-7-Statement-of-Representations-Received-following-publication-of-the-DCS-for-Broadland-Norwich-and-South-Norfolk.pdf>

Section 212 The Partnership has asked the Planning Inspectorate (PINS) to appoint an Independent Examiner.

Section 212 The following evidence and background documents have informed the Draft Charging Schedules. All of these documents are available on the GNDP website, www.gndp.org.uk.

Evidence

Reference Title

Submission Documents

SD 1	Broadland District Council Community Infrastructure Levy Draft Charging Schedule
SD 2	Statement of Modifications to the Community Infrastructure Levy Draft Charging Schedule for Broadland District Council
SD 3	Norwich City Council Community Infrastructure Levy Draft Charging Schedule
SD 4	Statement of Modifications to the Community Infrastructure Levy Draft Charging Schedule for Norwich City Council
SD 5	South Norfolk Council Community Infrastructure Levy Draft Charging Schedule
SD 6	Statement of Modifications to the Community Infrastructure Levy Draft Charging Schedule for South Norfolk Council
SD 7	Statement of Representations Received Following Publication of the Draft Charging Schedules for Broadland, Norwich and South Norfolk
SD 8	Copies of all representations made in accordance with Regulation 17
SD 9	Paper setting out how Broadland District Council, Norwich City Council and South Norfolk Council have complied with the relevant legislation and regulations
SD 10	Community Infrastructure Levy: Background and Context (Updated for Submission)

Evidence

EV 1.1	Viability Advice on CIL/ Tariff for Broadland, Norwich and South Norfolk (GVA, December 2010)
EV 1.2	CIL Viability Advice Addendum on Final Report (GVA, June 2011)
EV 2	CIL Charging Zones Study Main Report (GVA, August 2011)
EV 3	Green Infrastructure and Recreational Open Space Topic Paper
EV 4	CIL Viability Advice: The Impact of Garages on the Sale of New Build (Mott Macdonald, September 2011)
EV 5.1	Supplementary viability evidence relating to flats in Norwich City
EV 5.2	Supplementary evidence on the build costs of flats in Norwich City
EV 6	Supplementary evidence on Residential Viability

- EV 7 Supplementary evidence on the viability of large scale convenience goods based retail development
- EV 8.1.1 Preliminary Draft Charging Schedule for Broadland
- EV 8.1.2 Preliminary Draft Charging Schedule for Norwich
- EV 8.1.3 Preliminary Draft Charging Schedule for South Norfolk
- EV 8.2 Community Infrastructure Levy: Background and Context v1
- EV 8.3 Regulation 15 Preliminary Draft Charging Schedule - Report of Consultation
- EV 8.4 Regulation 15 Preliminary Draft Charging Schedule – Consultation responses
- EV 8.5 Regulation 15 Preliminary Draft Charging Schedule - Audit of responses and Officer Comments
- EV 9 Community Infrastructure Levy: Background and Context v2 (Updated for Regulation 16 Publication, February 2012)
- EV 10 Report of responses received in accordance with Regulation 17, with officer comments on the issues raised
- EV 11 Infrastructure requirement in advance of an adopted Core Strategy in the Broadland Part of the Norwich Policy Area

Background documentation

- BG 1.1 Joint Core Strategy for Broadland, Norwich and South Norfolk: Adopted March 2011, updated April 2012 to show remitted parts following Legal Challenge.
- BG 1.2 Joint Core Strategy Proposed Submission Publication document
- BG 1.3 Mr Justice Ouseley Approved Judgment 24 February 2012
- BG 1.4 Heard vs. Broadland DC and Others: High Court Order and Schedule
- BG 1.5 Mr Justice Ouseley’s Note Accompanying the Order
- BG 2.1 Local Investment Plan and Programme (LIPP) v4.1 (December 2011)
- BG 2.2 LIPP Schedule of factual updates (July 2012)
- BG 3 Housing Market Assessment Update (Greater Norwich Housing Partnership, Sept 2011)
- BG 4 CIL advice note for applicants
- BG 5 CIL Developer Focus Group Meetings
- BG 6 CIL Developer Forum 10 May 2011
- BG 7 Planning Officers Society CIL and Infrastructure Planning

Advice Note October 2011

BG 8	Preliminary Draft Charging Schedule - Notice of Consultation
BG 9	CIL Front Runners - PINS Frontloading Visit
BG 10	Update letters to consultees pre-publication

The Community Infrastructure Regulations 2012 (as amended)

Regulation 12 The Draft Charging Schedules contain the information required by the Regulations.

Regulation 13 The differential levy rates are compliant with Regulation 13, which enables charging authorities to set differential rates (including nil rates) by location and type of development

Regulation 14 In setting rates, the Draft Charging Schedules comply with Regulation 14 (1), striking an appropriate balance between the desirability of funding from CIL and the potential effects, across the area, of the impact of CIL.

Regulation 15 Preliminary Draft Charging Schedules were agreed by Councils
Broadland District Council
Norwich City Council
South Norfolk Council

In accordance with Regulation Preliminary Draft Charging Schedule consultation took place between 3 October – 14 November 2011

The Partnership was keen to receive as many comments as possible and promoted the consultation by:

- Sending the consultation materials to all neighbouring authorities and Parish and Town Councils in the three district area. Further copies were also sent to the Department for Communities and Local Government.
- A new webpage on the GNDP website, www.gndp.org.uk, which included download copies of the consultation material and the evidence base.
- Adverts in the EDP and Evening News on 3 October and 31 October
- Adverts in the Beccles & Bungay Journal, Diss Mercury, Great Yarmouth Mercury, Lowestoft Journal, North Norfolk News, Norwich Advertiser, Wymondham and Attleborough Mercury on 30 September and 28 October
- Over 4000 letters and e-mails to organisations, businesses; housing providers and individuals on the three districts Local Development Framework consultation database. Correspondence included a link to the website and a contact

telephone number.

- The documents were also made available at libraries and council offices in the area.

A report of this consultation can be found here

http://www.gndp.org.uk/downloads/Reg15_ReportOfConsultation_v2.pdf

A total of 79 responses were received to the consultation. Copies of all representations are available on the GNDP website www.gndp.org.uk. These helped to inform the preparation of the Draft Charging Schedule and with reported to Councils at their meetings below:

- Broadland District Council: 5 January, 2012
- Norwich City Council: 31 January 2012
- South Norfolk Council: 23 January 2012

Regulation
16

Draft Charging Schedules were published together with a statement of representations procedure and guidance notes and a comment form; a public notice giving availability of documents, relevant evidence and the document 'Community Infrastructure Levy: Background and Context' on the GNDP website www.gndp.org.uk 6 February – 5 March 2012.

The Partnership was keen to receive as many comments as possible and promoted consultation by:

- Sending the publication materials to all neighbouring authorities and Parish and Town Councils and local community groups in the three district council areas. Further copies were also sent to the Department for Communities and Local Government.
- A new webpage on the GNDP website, www.gndp.org.uk, which included download copies of the consultation material and the evidence base as well as further background documents. The page was linked from the website homepage and also from the District and County council webpages.
- Public notices in the EDP and Evening News on 6 February and reminder adverts on 20 February.
- Public notices in the Beccles & Bungay Journal, Diss Mercury, Great Yarmouth Mercury, Lowestoft Journal, North Norfolk News, Norwich Advertiser, Wymondham and Attleborough Mercury on 3 February and reminder adverts on 17 February.
- Over 4000 letters and e-mails to organisations, businesses; housing providers and individuals on the three district councils' Local Development Framework consultation database. Correspondence included a link to the website and a contact telephone number.

A total of 35 responses were received. A list of respondents can be found in the table below. Copies of all representations are available

on the GNDP website, www.gndp.org.uk.

A report of this consultation can be found here
<http://www.gndp.org.uk/downloads/CIL-7-Statement-of-Representations-Received-following-publication-of-the-DCS-for-Broadland-Norwich-and-South-Norfolk.pdf>

Regulation 17 The period for representations to be made on the Draft Charging Schedule was 6 February – 5 March 2012

Regulation 19 In accordance with the Regulations the Partnership will submit the following to the independent Examiner:

- The draft charging schedules
- A summary of the main issues raised by the representations
- Copies of the representations
- Any modifications
- Copies of the relevant evidence.

Copies of the above documents will be made available at the district council offices and all libraries in the area. They will also be made available on the GNDP websites www.gndp.org.uk and linked to from the district council websites. A statement of the fact the documents are available for inspection and details of where they can be inspected will be published.

Modifications to the Draft Charging Schedules will be published on the GNDP website www.gndp.org.uk and consultation bodies will be notified, before submission of the Draft Charging Schedules to the Examiner as required by the regulations.