

Community Infrastructure Levy Draft Charging Schedule Consultation Response Form

DCS23



MALDON DISTRICT
COUNCIL

The Community Infrastructure Levy (CIL) is a mechanism that local authorities can use to raise funds from new development to provide infrastructure. The proposed rates that developers would be required to pay are outlined in the Maldon District Draft Charging Schedule. This is the second consultation on the Maldon District CIL Charging Schedule, as required under Regulation 16 of the CIL Regulations 2010 (as amended).

Comments should be made by completing this questionnaire and returning it to the Council

by email to policy@maldon.gov.uk or

by post to Planning Policy, Maldon District Council, Princes Road, Maldon, Essex CM9 5DL.

All responses must be received by 5pm Wednesday 23 July 2014 (late or anonymous responses may not be considered).

Please Note: All information submitted during the Draft Charging Schedule consultation will be published on the Council's website and submitted to the Secretary of State for Examination-in-Public; by submitting representations on the Maldon District Draft Charging Schedule you confirm that you agree to this.

Personal Details

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Client Details (if applicable)

Title _____ First Name _____ Last Name _____

Organisation (where applicable) BLOOR HOMES EASTERN/HEYBRIDGE SWIFTS FOOTBALL CLUB

Job Title (where applicable) _____

Future Notification / Attendance at Examination-in-Public Hearings

Would you like to be added to the Community Infrastructure Levy **mailing list** to receive updates?

(delete as appropriate and ensure your details have been entered clearly above)

Yes / No

Do you consider it necessary to **attend and give evidence at the Examination in Public**?

Please note that by selecting **no** you are clarifying that you wish to communicate through written representations only.

(delete as appropriate)

Yes / No

Your Views

Maldon District Council would like your views on the Draft Charging Schedule and in particular the following areas:

- The proposed rates set out in the Draft Charging Schedule (Annex A of the consultation document);
- The inclusion of the proposed Draft Discretionary Relief Policy (Annex B of the consultation document); and
- The inclusion of the proposed Draft Instalments Policy (Annex C of the consultation document).

Please provide your comments in the space below; which will expand to fit your comment. Any supplementary sheets or information are welcome, please label them suitably.

The Proposed Rates set out in the Draft Charging Schedule (Annex A)

It is considered that the rates are at a reasonable rate compared with those of neighbouring authorities and suitably informed by the work undertaken for the updated Viability Study, but only to a point, as they do not cover other inevitable costs. Even with these omissions the funding gap is high at £83 million.

For example, land acquisition costs, public sector commissioning and administration fees, other on-costs, and inflation are not included in the Council's cost estimates. Therefore, estimated costs should be regularly monitored and reviewed in order to determine the key priorities for infrastructure provision.

There are doubts about the accuracy of the estimated costs and, if as expected they have been underestimated, then this could render the schemes to be not viable and therefore incapable of delivery. It has clearly been the case that the Council has been concerned about the relative infrastructure costs of Strategic Sites S2(d) and S2(e) that has justified its decision to apply a zero CIL rate by treating them as if they represent exceptional circumstances.

The Heybridge Swifts site – Strategic Site S2(h) – is located in Scraley Road, North Heybridge and for reasons set out below, a zero CIL rate should also be applied to the redevelopment of this site as it represents a special case:

- The redevelopment of the existing football club ground is 'enabling' development to facilitate the relocation of the club to a new site to meet FA requirements. That is, it is self financing and viability is critical to enable relocation;
- Redevelopment of the existing ground is on previously developed land and represents a 'windfall'. It is a relatively small site and is not part of the proposed large scale comprehensive development of the Heybridge Garden Suburb allocation. The latter requires the provision of key major infrastructure to be secured before the suburb can be delivered;
- In contrast to the proposed Heybridge Garden Suburb, the Swifts' site has only a few, relatively minor site specific constraints and infrastructure improvements that are necessary to mitigate its impact generated by approximately 100 dwellings. Such requirements, which are site specific in nature, should be dealt with by appropriate conditions and S106 obligations and not CIL;
- Any requirements over the above those generated directly by the Swift development that relate to the wider area and major proposals would result in the relocation of the Heybridge Swifts FC being unviable and undeliverable.
- The new enhanced facilities planned for the new football club site will provide substantial community benefits to the wider area which can only be delivered via the enabling re-development of the existing ground for housing. This has not been taken into account by the Council in its Infrastructure Delivery Plan and Viability Study.

The Inclusion of the Proposed Draft Discretionary Relief Policy (Annex B)

The Council's proposals offering discretionary charitable relief is supported.

In addition the CIL Regulations also allow that discretionary relief can be made available for 'exceptional circumstances' if the charging authority chooses to make it available in its area and publishes a local policy after its CIL Changing Schedule has been examined and then approved by the Council. It is noted that these policies are separate to the Charging Schedule and are not subject to examination. Nevertheless the Council are urged to introduce such a policy to grant discretionary relief where the eligibility criteria set out in paragraph 2.5.2 of its Consultation Document are fulfilled.

The inclusion of the proposed Draft Instalment Policy (Annex C)

This draft policy is supported.
