

Community Infrastructure Levy Draft Charging Schedule Consultation Response Form

DCS34



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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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

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

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.

NHS England: Essex Local Area Team (NHS England) and the NHS Property Services (NHSPS) have instructed Smart Planning to provide comments on the Draft Charging Schedule for the Maldon District Council Community Infrastructure Levy.

The previous response made by the NHS England via the Lawson Planning Partnership on the Preliminary Draft Charging Schedule (7 March 2014) is still valid and relevant to the determinations. Please refer to this prior to reading further.

It is noted that the Infrastructure Delivery Plan and the Regulation 123 list include references to healthcare provision as a general term. It is the understanding that, by inclusion of healthcare in these documents, the ability to provide funding for healthcare in the District can no longer be done through Section 106 Agreements as the CIL Regulations prevent so called 'double dipping.'

To this extent it may be necessary to clarify what is meant by healthcare provision and what specifically the CIL funding will likely be spent on. It has been discussed with Planning Officers that NHS England may, through a planning application consultation, make a request for a specific amount of CIL funding (which, relating back to the previous response cited above, would equate to £3.56 per square metre). However, as the allocation of this funding is at the discretion of the Local Planning Authority (the Charging Authority, LPA), it is understood that no specific allocation or ring-fencing of a CIL proportion can be made for NHS England.

In this respect, due to the critical need for healthcare funding, the CIL charging schedule (insofar as the Reg 123 list) should be amended to either exclude healthcare (thus leaving all funding down to S106 Agreements) or to specify actual projects for which CIL receipts would/may be collected/spent on (leaving the remainder of new facilities to be provided under S106). Such an approach would be acceptable under the Regulations and allow NHS England to continue to deliver its infrastructure programme without depending on the LPA for a discretionary payment.

The previous response in March 2014 cited £3.56 per square metre as the CIL amount necessary to go towards the future infrastructure budget of NHS England in Maldon District. However, this was on the basis of 4,430 homes being provided adding to the population growth. It is noted that strategic sites S2d and S2e are omitted from being charged in this Draft Charging Schedule. This would have an impact on the amount of funding required to invest in NHS facilities and there does not appear sufficient reasoning as to why the most significant developments in the District for a number of years have been made exempt from CIL charging.

Further on this point, the Submission Local Development Plan (LDP) is currently undergoing a review, following an Exploratory Meeting on 3 July 2014. The review is partially but primarily related to the housing targets and housing evidence incorporated into the LDP. On the basis of this review, it is forecast that there will be an increase in the amount of housing development across the District as a whole.

Changes in the delivery targets will have a subsequent effect on the amount of CIL being collected. This will also impact on NHS England investment plan for the delivery of adequate service provision to meet the needs of an augmented population, potentially giving rise to additional demand for floor space. Therefore it would be pragmatic, if not necessary, to withhold the formal adoption of the CIL Charging Schedule until the full amount of housing (and subsequently the full needs/costs of infrastructure provision) have been concluded.