

1. Do you feel that the proposed rates are suitably informed by the viability evidence provided in the Local Plan and Community Infrastructure Levy Viability Study (August 2013) and Viability Study Post Consultation Update (November 2013) produced by HDH Planning & Development?

Yes

No

Click here to enter text.

**2. Do you believe the evidence on viability is correct?
If not, please set out alternative evidence to support your view.**

Yes

No

Click here to enter text.

3. Do you think the rates proposed strike an appropriate balance between helping to fund infrastructure through CIL and the potential effects of imposing CIL on the viability of development needed to deliver the aspirations of the Local Development Plan?

Yes

No

Click here to enter text.

4. Do you think the Council should introduce an instalments policy?

Yes

No

Click here to enter text.

5. Do you think the Council should include discretionary relief from CIL for charitable investment or 'exceptional circumstances' as outlined in section 2.5 of the CIL Preliminary Draft Charging Schedule consultation document?	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>

[Click here to enter text.](#)

6. Do you have any other comments on the Preliminary Draft Charging Schedule or supporting evidence?	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>

[Click here to enter text.](#)

Comments are made on the following matters:

What development will be liable for CIL?

Section 2.3 of the document is objected to because of the lack of clarity and detail about what development will be liable for paying the CIL. The reference to "most buildings that people normally use are liable to pay the levy" is vague and open to misinterpretation as this could be argued to apply to all buildings and therefore the scope of CIL could be significant although this would not appear to be the intention in practice. The document is confusing because the charging schedule in the annex on page 12 sets out the charging rates for different types of development and provides clarity on the types of development that will be liable. The annex sets out that development other than the types listed will not be charged but section 2.3 implies that most buildings that people use which would include types falling within "All other development" would be liable. For example, community sports buildings (such as leisure centres, pavilions etc) would be interpreted as not being liable to pay CIL if the charging rates are applied but if sections 2.3 and 2.4 of the document are applied it could be interpreted that CIL would be liable as they are not explicitly included or excluded and they are buildings that people use. It is also unclear what the respective status of sections 2.3/2.4 and the charging rates are when seeking to apply the schedule.

To address these concerns and provide sufficient clarity for the effective implementation of the CIL, section 2.3 needs to explicitly confirm what types of development will be liable to pay CIL and

these need to be consistent with the types of development listed in the charging rates schedule. Justification for the types of development that will be liable should be provided as well.

While it would appear from the charging rates that it is intended that sports facilities would be excluded from being liable it is advocated that in order to promote investment in sport and ensure sport related development is viable, the draft charging schedule needs to confirm that sport and recreation building/uses should not be liable to pay CIL.

Infrastructure Delivery Plan

The inclusion of sports facility provision in the IDP based on the needs identified in the Green Infrastructure Strategy is welcomed. The reference to such facilities in the Regulation 123 schedule is also supported as the use of CIL towards sports facilities (other than those provided on the Strategic sites that will be secured through planning obligations) is justified. However, as the gaps in provision identified in table 10 of the IDP are significant and the extent of sports facility provision required to address all of the gaps is unlikely to realistically be funded by CIL and other available funding sources combined the Council should seek to prioritise deliverable sports facility projects within the IDP and the Regulation 123 list. Without this there is uncertainty about whether any of the identified gaps will be addressed in practice if CIL funding is secured. Furthermore, regardless of CIL, the Council should be seeking to prioritise projects in order to make the best use of other sources of funding and to address the priorities identified in the Green Infrastructure Strategy. The next review of the Regulation 123 list that supports CIL should therefore include the sports facility projects that have been prioritised for delivery