

Cheshire East Community Infrastructure Levy Preliminary Draft Charging Schedule Consultation Response Form



The Community Infrastructure Levy, known as CIL, will be a new charge on certain building developments to help pay for infrastructure needed to support new development in Cheshire East.

CIL will help provide funds for the infrastructure required to support the development strategy for Cheshire East, as set out in the emerging Local Plan Strategy.

CIL will make an important contribution towards funding infrastructure in the Borough, it will by no means provide all the necessary funding, so other sources of funding will still be needed, including developer contributions such as S106 agreements.

The Preliminary Draft Charging Schedule sets out the initial proposals for the CIL rates to charge on residential and non-residential development in Cheshire East. We would like to know your views, supported by appropriate and available evidence, on:

- The CIL rates proposed for residential and non residential development in the Preliminary Draft Charging Schedule
- The supporting viability evidence and assumptions to determine the Preliminary Draft Charging Schedule

Submitting Comments

- The consultation period runs for six weeks from 27 February 2017 to **5:00pm on 10 April 2017**. Comments received after this time will not be accepted and will not be considered.

Online:	Via the consultation portal at www.cheshireeast.gov.uk/localplan
Email:	To CIL@cheshireeast.gov.uk
By hand:	At the Council Offices, Westfields, Middlewich Road, Sandbach CW11 1HZ
By post:	Cheshire East Council, Spatial Planning, Westfields C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please note the following:

- All responses will be available for public inspection and will be placed on the Cheshire East website. This will include your name and post town. Anonymous responses will not be accepted.
- Your personal information will be held and used in line with the Data Protection Act 1998. Your personal data will not be sold on to third parties and we will use the data you give solely for the purpose of preparing the Cheshire East Local Plan, CIL or other Spatial Planning Policies.
- Your details will be added to the Local Plan consultation database. If you want to be removed from the database please notify us using the contact details above.

Cheshire East Community Infrastructure Levy Preliminary Draft Charging Schedule Comment Form



Name of consultation document to which this comment relates:

Community Infrastructure Levy
Preliminary Draft Charging Schedule

Please return to:

Cheshire East Council, Spatial Planning, Westfields
C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ or by email to
CIL@cheshireeast.gov.uk

Please return by:

5:00pm, Monday 10 April 2017

This comment form has two parts:

- Part A – Personal Details.
- Part B – Your representation(s). Please fill in a separate sheet for each comment you wish to make.

Comments Form Part A: Personal Details

1. Personal Details*

2. Agent's Details (if applicable)

* If an agent is appointed, please complete only the Title, Name and Organisation in column 1 but complete the full contact details of the agent in column 2.

Title	Ms	
First Name	Liz	
Last Name	Osborn	
Job Title (where relevant)	Town Clerk	
Organisation (where relevant)	Poynton Town Council	
Address Line 1	Civic Hall	
Address Line 2	Off Park Lane	
Address Line 3	Poynton	
Address Line 4	Cheshire	
Postcode	SK12 1RB	
Telephone Number	01625 872238	
Email Address (where relevant)	liz.osborn@poyntontowncouncil.gov.uk	
Your Reference No.		

All parties that have submitted comments on the Preliminary Draft Charging Schedule will be notified using the above contact details (through their agent if appointed) of the following:

- The publication of the CIL Draft Charging Schedule

If you wish to receive these notifications at a different address to that above, please tick this box and attach the details to this form:

Comment Form Part B: Comment

Please use a separate Part B Form for each comment and ensure that one copy of Part A (Personal Details) is securely attached

Name and
Organisation:

Poynton Town Council

Office Use Only:

PID:

RID:

3. Do you agree with the assumptions and methodology used in the Keppie Massie Preliminary Draft Charging Schedule Viability Assessment?

Yes No

Please use the comment box below to explain your answer. If no, please provide 'appropriate and available' evidence to support your view.

Poynton Town Council can only note the viability and methodology proposed to be used as the Town Council (like the Borough Council) has no previous experience of seeking to apply CIL charging to north Cheshire. When CIL was introduced, its primary objective was to make the planning obligations system fairer, faster and more certain and transparent. Recent figures on housing completions, planning applications and CIL receipts would suggest that this has not been achieved, with the main exception of the London Mayoral CIL which has exceeded expectations and appears to be well supported. One fundamental problem in many cases is that development cannot commence until the necessary infrastructure is delivered. It is hoped that this would not be the situation in areas of Cheshire East like Poynton which will have to expect a much higher rate of development than has been normal over recent decades.

4. Do the proposed rates in the Preliminary Draft Charging Schedule strike an appropriate balance between funding infrastructure and any potential effects on the viability of development?

Yes No

Please use the comment box below to explain your answer. If no, please provide 'appropriate and available' evidence to support your view.

Poynton Town Council can only note the viability and methodology as the Town Council (like the Borough Council) has no previous experience of seeking to apply CIL charging to north Cheshire. Without housing completions, charging authorities such as Cheshire East cannot secure CIL receipts. Given the scale of most local authorities' funding gaps, CIL will only make up a small percentage of the shortfall. Local authorities are therefore reliant on securing alternative funding sources. There is a limited amount of public funding available, making it necessary to prioritise certain projects. Furthermore, the CIL guidance indicates that charging authorities should not borrow against future CIL receipts. It is therefore inherently difficult for charging authorities to secure funding to deliver infrastructure projects ahead of development. It is therefore important for the Town Council to continue to recognise the continuing value of section 106 agreements and other sources of funding for infrastructure as CIL is only one funding source available.

5. What approach should be taken to strategic sites identified in the Local Plan Strategy, when considering the delivery of infrastructure, CIL payments and / or S.106 agreements? Please provide 'appropriate and available' evidence to support your view.

Poynton Town Council fully supports the approach to CIL for the charging on strategic sites especially those on green fields in the Green Belt as being charged at the highest rate of any areas in Cheshire East. The release of the Strategic sites for development in Green Belt areas (including three sites in Poynton totalling 450 new homes) has to meet the test of exceptional circumstances and therefore the highest rate of CIL charging is appropriate to be applied.

6. Do you agree that the Council should introduce an instalments policy to stagger future CIL payments? If so, do you have any suggestions on the approach that the Council should take to such a policy?

Yes No

Please use the comment box below to explain your answer. If no, please provide 'appropriate and available' evidence to support your view.

Poynton Town Council would support the principle of stagger CIL payments if it can bring forward transport and infrastructure improvements in north Cheshire to mitigate the impact of the proposed development of the Cheshire \East Local Plan on the Poynton area.

7. Do you think that the Council should offer relief for any of the following discretionary criteria? Please include 'appropriate and available' evidence to support the view.

- Land and infrastructure in kind
- Relief for exceptional circumstances
- Relief for charitable investment activities
- Any other discretionary relief

Please use the comment box below to explain your answer.

Poynton Town Council would suggest that caution be exercised in respect of any relief, particularly for the higher end charges on the basis that the sites are being removed from the Green Belt to justify exceptional circumstances to create attractive housing areas and therefore any developer should be prepared to pay the appropriate charge.

8. Do you have any views on the content of the Council's initial Draft Regulation 123 list and the proposed balance between CIL and S.106 ?

Please use the comment box below to explain your answer.

Poynton Town Council has to express major disappointment that no CIL funding is to be allocated to the Poynton area based on the regulation 123 listing. It is requested that consideration be given to supporting the preparation of a Town Infrastructure Plan to consider the impact of the proposed development of transport (including public transport at the two railway stations in Poynton) and infrastructure within the town. In terms of the balance between CIL and section 106, the Town Council considers that heavy reliance will still be needed on section 106 and other developer led funding should the three strategic sites proceed.

The Town Council can also express concern at the lack of CIL in some areas as evidenced by the list of exclusions including biodiversity and green infrastructure. With regard to the list of exclusions set out above, para 114 of the NPPF states "Local planning authorities should set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure." It is clear that CIL should be seen as playing an important role in delivering such a strategic approach. The emerging Poynton Neighbourhood Plan will make proposals for enhancing the biodiversity of Poynton based on the work done by the Cheshire Wildlife Trust. In the absence of a CIL approach to enhancing the natural environment, some concern is expressed that the only enhancements to the natural environment within Cheshire East would be ad hoc, and not deliver a strategic approach. As such the proposed charging schedule does not help deliver what the NPPF requires.

9. Do you have any other comments on the Preliminary Draft Charging Schedule?

Please use the comment box below to explain your answer.

The Town Council expresses surprise at some of the charges proposed but lacks the evidence to propose any specific changes up or down the charging rates.

10. Do you have any other comments on the evidence base that supports the Preliminary Draft Charging Schedule?

Please use the comment box below to explain your answer.

The Town Council has noted that it has been argued in respect of CIL charging schedules for proposed strategic sites in some other Boroughs that so called “start up” costs for larger sites (potentially including the three strategic sites for Poynton) incur high initial costs due to basic groundworking, access arrangements and other similar costs. That case has also been deployed to propose a lower rate of CIL for such large sites. The Town Council would wish to confirm that the higher charges proposed for green field/Green Belt areas should apply even for the “start up” work of such sites (which may also include for example show/demonstration houses).

For further assistance in making comments please contact the Spatial Planning Team at CIL@cheshireeast.gov.uk or via telephone on 01270 685893.