

Report to	Sustainable development panel 25 July 2012.	Item
Report of	Deputy chief executive (Operations)	4
Subject	Community Infrastructure Levy for Norwich- Submission of documentation and information to the Examiner	

Purpose

To consider the comments on the Regulation 16 Publication of the Draft Charging Schedule from 6 February – 5 March 2012 and to make any comments to Cabinet relating to the recommendations to Council for the submission of the Draft Charging Schedule and supporting documents to the Examiner.

Recommendations

To comment on the recommendations to cabinet so that these can be taken into consideration by the cabinet at its meeting on 25 July 2012

Corporate and service priorities

The report helps to meet the corporate priorities: A prosperous city and decent housing for all.

Financial Implications

Ward/s: All wards

Cabinet member: Councillor Arthur - Leader

Contact officers

Gwyn Jones, city growth and development manager 01603 212364

Background documents

None

Report

Background

1. Working with GNDP, the Council agreed to publish a preliminary draft charging schedule in late 2011 as a first step towards the adoption of a Community Infrastructure Levy for Norwich (excluding the Broads Authority area). The outcome of the consultation exercise was reported to the Council's meeting on 31 January 2012.
2. Having considered the report and its supporting documents, the Council agreed to proceed by publishing a draft charging schedule under Regulation 16 of the Community Infrastructure Levy Regulations (as amended) and inviting representations under Regulation 17.
3. The publication of the draft charging schedule and supporting documentation took place in February and March 2012 and representations under Regulation 17 were invited from 6 February to 5 March 2012.

GNDP Board 19th July 2012.

4. The GNDP Board will be considering a full report attached as Appendix A (with its own appendices 1- 8) at its meeting on 19th July 2012. (Appendices 5 and 7 are omitted from this report as they are the draft charging schedules for Broadland and South Norfolk Councils)
5. Particular points to highlight for Norwich from the Board papers are:
 - a) Of the 35 responses received, key issues (summarised in Appendix 1 of the GNDP Board report) were:
 - ***The charging rates for residential development***- concern that the CIL schedule is not supported by appropriate and robust assumptions and evidence and that the proposed rates could seriously risk the overall development of the Greater Norwich Area (particularly the Inner Area). The officer response highlights that the CIL Viability Report, by GVA, is based on evidence provided by the Land Registry and supplemented by evidence from the local developers
 - ***The charging rates for non-residential uses***- concern that the CIL rate for retail developments below 2,000 sq m is too low in comparison to the rate for larger developments and that this unreasonably favours smaller scale retail developments. The officer response highlights that the higher rate for larger scale convenience goods stores is justified by GVA in their evidence. The threshold of 2000 sq m has been further justified through additional evidence produced as part of the Regulation 16 consultation.
 - ***Infrastructure provision*** -Some respondents expressed concerns about how CIL might be spent. The officer response explains that the expenditure of CIL is not a matter for consideration through the charging schedule process, nor a matter for the examination

b) Following representations a small number of modifications are suggested to the draft charging schedules.

- Flatted development- a minor change to the CIL charging schedule for Norwich so that the £100 per sq m rate of CIL applies to flats of 5 storeys and above. This is based on new evidence commissioned by Norfolk Property Services (NPS) to review the build cost data relating to flats (Appendix 4 of the GNDP Board report).
- Modifications to the Charging Zone maps to make the Broads Authority area clearer
- Some points of clarification of the text in the draft charging schedules

Joint Core Strategy Legal Challenge

6. The GNDP Board report explains that the Partnership has received legal advice and advice from the Planning Inspectorate and is satisfied that it can proceed with submission of CIL as proposed and on the current timetable. To assist the Examiner undertaking the independent examination of the CIL an evidence paper has been produced, attached at Appendix 3 of the GNDP Board report, which demonstrates that the rates of CIL proposed are not dependent of the adoption of the parts of the JCS remitted.

Next Steps

7. The GNDP Board report sets out the procedure and timetable for the next stage of the process in detail. If members agree to proceed, the next step in the process is to publish the Statement of Modifications and supporting evidence and, following this, to submit the Draft Charging Schedules for Broadland, Norwich and South Norfolk and supporting documentation for a joint examination in public by an Independent Examiner under Regulation 22 of the Community Infrastructure Levy Regulations 2010 (as amended). An Examiner will be appointed following Submission.

8. The indicative timetable for the next steps is outlined below:

Councils consider publishing the Statements of Modifications and Submission	
2 August	Broadland District Council
25 July	Norwich City Council
To be confirmed	South Norfolk Council
6 August	Publish Statement of Modifications
10 August	Submission

9. The Planning Inspectorate advises that if the above timetable can be adhered to, the examination of CIL might be able to take place in September 2012. Subject to this it is expected that adoption could be achieved in early December 2012.

Cabinet recommendations

10. The recommendations to Cabinet on 25 July 2012 are:

(1) To note the following material:

- (a) the report 'Statement of Representations Received Following Publication of the Draft Charging Schedules for Broadland, Norwich and South Norfolk (Appendix 1 of the GNDP Board report);
- (b) the Statement of Modifications for the Community Infrastructure Levy Draft Charging Schedule for Norwich City Council (Appendix 2 of the GNDP Board report);
- (c) the evidence paper Infrastructure requirement in advance of an adopted Core Strategy in the Broadland Part of the Norwich Policy Area (Appendix 3 of the GNDP Board report);
- (d) the supplementary evidence on the Build Costs of Flats in Norwich City (Appendix 4 of the GNDP Board report);
- (e) the Community Infrastructure Levy Draft Charging Schedule for Norwich (Appendix 6 of the GNDP Board report);
- (f) the copies of all representations made in accordance with Regulation 17 (available at the meeting and in Members' Rooms and on the GNDP website www.gndp.org.uk/our-work/cil);
- (g) the Statement of Compliance (Appendix 8 of the GNDP Board report);

(2) Recommend to Council that it:

- (a) agrees a minor change to the CIL charging schedule for Norwich so that the £100 per sq m rate of CIL applies to flats of 5 storeys and above and publish the evidence supporting this change;
- (b) publishes the Statements of Modifications and evidence in accordance with Regulation 19 of the Community Infrastructure Levy Regulations 2010 (as amended) and submit these (and necessary submission documents as set out in paragraph 4.1 of the GNDP Board report) for examination by an independent examiner;
- (c) continues to work together towards the indicative timetable set out in paragraphs 7-9 of this report (Paragraph 4.6 of the GNDP Board report);
- (d) agrees that any minor changes to any of the documents to ensure consistency and clarity be delegated to the Deputy chief executive (operations) following discussion with the relevant portfolio holder.

Integrated impact assessment



NORWICH
City Council

The IIA should assess **the impact of the recommendation** being made by the report

Detailed guidance to help with completing the assessment can be found [here](#). Delete this row after completion

Report author to complete

Committee:	Sustainable development panel
Committee date:	25 th July 2012
Head of service:	Andy Watt
Report subject:	Community Infrastructure Levy for Norwich- Submission of documentation and information to the Examiner
Date assessed:	12.07.2012
Description:	To consider the comments on the Draft Charging Schedules for Broadland, Norwich and South Norfolk from 6 February – 5 March 2012 and to make any comments to Cabinet relating to the recommendations for the submission of the Draft Charging Schedules and supporting documents to the Examiner.

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	CIL will generate income for the Council to pay for infrastructure through developer contributions
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CIL income will assist the economic development of the city.
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>S17 crime and disorder act 1998</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health and well being	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CIL income may be used for health related infrastructure, green infrastructure, transportation improvements etc.

	Impact			
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advancing equality of opportunity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CIL income will help to ensure all infrastructure required for growth is provided
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Natural and built environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	as above
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	as above
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Risk management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Recommendations from impact assessment

Positive

The introduction of the CIL charging schedule will ensure that necessary infrastructure to serve growth is provided through developer contributions.

Negative

No impact

Issues

Report to	Cabinet 25 th July 2012.	Item
Report of	Deputy chief executive (Operations)	5
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Purpose

To consider the comments on the Regulation 16 Publication of the Draft Charging Schedule from 6 February – 5 March 2012 and to recommend to Council submission of the Draft Charging Schedule and supporting documents to the Examiner.

Recommendations

(1) To note the following material:-

- (a) The report 'Statement of Representations Received Following Publication of the Draft Charging Schedules for Broadland, Norwich and South Norfolk (Appendix 1 of the GNDP Board report)
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- (g) The Statement of Compliance (Appendix 8 of the GNDP Board report)

(2) Recommend Council to:-

- (a) Agree a minor change to the CIL charging schedule for Norwich so that the £100 per sq m rate of CIL applies to flats of 5 storeys and above and publish the evidence supporting this change.
- (b) Publish the Statements of Modifications and evidence in accordance with Regulation 19 of the Community Infrastructure Levy Regulations 2010 (as amended) and submit these (and necessary submission documents as set out in paragraph 4.1 of the GNDP Board report) for examination by an independent examiner.
- (c) Continue to work together towards the indicative timetable set out in paragraphs 7-9 of this report (Paragraph 4.6 of the GNDP Board report).

- (d) Agree that any minor changes to any of the documents to ensure consistency and clarity be delegated to the Deputy chief executive (operations) following discussion with the relevant portfolio holder.

Corporate and service priorities

The report helps to meet the corporate priorities: A prosperous city and decent housing for all.

Financial Implications

Ward/s: All wards

Cabinet member: Councillor Arthur - Leader

Contact officers

Gwyn Jones

01603 212364

Background documents

None

Report

Background

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Issues