

**A Community Infrastructure Levy
For Swindon**

**Swindon
Community Infrastructure Levy
Regulation 19 (1)(b)
Statement**

**By
Swindon Borough Council**

July 2013

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1. Purpose

The purpose of this Statement is to provide the necessary information to meet the submission requirements in respect of Regulation 19 (1) (b) of the Community Infrastructure Levy Regulations 2010 (as amended).

Regulation 19 (1) (b) requires Swindon Borough Council 'The Council', upon submission of its Charging Schedule to Examination, to submit a statement setting out either;

- a) If representations were made in accordance with Regulation 17, the number of representations made and a summary of the main issues raised by those representations, or
- b) That no such representations were made.

Regulation 17 relates to representations made to the Draft Charing Schedule 'DCS'.

2. Swindon Borough Council Regulation 19(1) (b) Position

The Council consulted on its Community Infrastructure Levy (CIL) Draft Charging Schedule for a period of 8 weeks between the 4th April 2013 and 30th May 2013.

Status of Representations

In accordance with regulation 17 of the CIL Regulations 2010 (as amended) The Council received a total of 23 representations to its DCS, all of which were received within the consultation timeframe. The Council received no late representations after the consultation period expired. The respondents are set out in a table at the end of this document.

Summary of the Main Issues raised in the Representations

The Council has submitted a DCS Representations Overview Document (July 2013) that provides a précis of all of the representations received to the DCS consultation and a Council response to each matter. In addition to this it has also published two Clarification Statements to accompany the Overview Document, one produced by SBC and one by its viability consultations GVA both dated July 2013.

Contained within the 23 representations were a number of the issues raised by only a single respondent. In a number of circumstances, representations contained polarised views in respect of a specific matter e.g. one representation that supports and approach to rate setting another that does not.

Setting the difficulty of polarised views aside, the representations received can be summarised by breaking them down into subject area, those areas being;

- Principle of approach to Rate setting
- Residential Rate
- Retail Rate
- Other Uses and CIL Rates

- Funding and Infrastructure Delivery
- Discretionary Relief
- Instalment policy

Principle of Approach to Rate Setting

The specific points raised about the principle of approach to rate setting are;

1. Whether SBCs approach to rate setting where £0 rates are proposed is CIL Regulation compliant as it is not appropriate to set £0 rates where the scale of development will exceed 100 sq.m.
2. Whether the Council's proposed approach to the future use of S106 planning obligations in respect of strategic sites is CIL Regulation 122 and 123 compliant.
3. Whether the Council has achieved a balance between the desirability of funding the cost of infrastructure required to support development from CIL and the potential effects on the economic viability of development.
4. The evidence behind the rates is not clear

Residential Rates

The key themes arising out of residential rate setting are:

- Whether the proposed Zone 2 Residential rate of £55 per sq.m strikes an appropriate balance with future policy requirements, specifically in respect of the delivery of affordable housing against an emerging policy requirement of a target of 30% on site (subject to viability);
- Whether the Council's proposed residential rate for Zone 1 'Swindon's New Communities' at £0 per sq.m is underpinned by sufficient evidence in respect of the use of planning obligations;
- Whether the Council's proposed residential rate for Zone 1 'Swindon's New Communities' at £0 per sq.m is acceptable given the scale of impact that this type of large scale development will have on infrastructure in the Borough;
- Retirement Housing should be separately viability tested to take into account the additional costs associated with its provision, to set a differentiated rate of CIL to standard residential C3 accommodation.
- Boundaries of the 'Strategic sites' should be flexible to reflect proposed submissions to be made to the Local Plan EiP and the Charging Schedule once adopted must reflect any amendments to LP boundary as a result of the EiP.

Retail Rates

The key themes arising from representations made to the Residential Rates are:

- The retail rate for Zone 2 'Rest of Borough (excluding Town Centre) is too high
- The Retail Zone 1 boundary should be extended to include Victoria Road and Swindon Old Town at £0 per sq.m rate
- The Retail Zone 1 boundary should be extended to include Local Centres at £0 per sq.m rate
- Retail Zone 1 should be extended to include the New Communities allocations as all retail development these should be £0 rated in line with the approach for residential development to allow the requirements to be managed by means of s106 planning obligations
- The proposed £0 rate for Retail Zone 1 – Town Centre is not acceptable as without paying CIL it won't make any contribution to mitigating its impact on the infrastructure that it requires which will be significant.
- The Council should viability test District and Local Centres to inform retail rate setting.

Other Uses and CIL Rates

- Other uses not just those listed in the DCS should pay CIL e.g. hotels and leisure
- Any type of use that places a burden on infrastructure should be required to make an appropriate contribution to infrastructure delivery.
- Impact of CIL on Heritage Assets should be considered
- Listed Buildings should be £0 rated.

Funding and Infrastructure Provision

- How will the Council close the funding gap?
- CIL income should be spent on infrastructure to support the Eastern Villages New Communities allocation.

Discretionary Relief

- SBC should consider making Discretionary Relief available in its area for Charities and exceptional circumstances.

Instalment Policy

- The proposed instalment policy will help to make sites more viable.
- The Draft Instalment policy does not go far enough to help improve viability and payment timescales should be extended and also linked to occupations not timescale from commencement

The Respondents to the Draft Charging Schedule are set out below:

Rep No.	Respondent	On Behalf of
1	Mr Terry King	Old Town Group
2	Colliers (Anthony Aitkin)	Mactaggart and Mickel
3	Savills (David Wilson)	Thames Water
4	Natural England (Charles Routh)	
5	Stephen Ashworth (Dentons)	
6	English Heritage (Rohan Torkildsen)	
7	CPRE (Mrs Anne Henshaw)	
8	Thomas Eggar	Asda Stores Ltd
9	Savills (David Wilson)	House Builder Consortium Group
10	Wroughton Parish Council	
11	Tetlow King (Felicity Tozer)	South West Housing Association Registered Providers Planning Consortium
12	Gladman Developments (Nicole Penfold)	
13	WYG	Sainsbury's
14	Vale of White Horse District Council	
15	Deloitte	Universities Superannuation Scheme Ltd
16	Deloitte	Science Museum Group
17	Peter Brett	Ainscough Strategic Land
18	Haydon Wick Parish Council	
19	Environment Agency	
20	Influence	
21	David Lock Associates (Nick Freer)	Hallam Land Management, Hannick Homes and Taylor Wimpey
22	The Planning Bureau	McCarthy and Stone & Churchills
23	Swindon Chamber of Commerce	