A Community Infrastructure Levy for Swindon

Swindon Community Infrastructure Levy Statement of Consultation

(Up to Consultation on the Draft Charging Schedule)

In accordance with: Regulation 15 and 16 of the Community Infrastructure Levy Regulations 2010 (as amended)



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1 Purpose

The purpose of this document is to set out the consultation methods and engagement with local community that has taken place in relation to adoption of a community infrastructure levy 'CIL' for Swindon.

2 Background

In order for CIL to be adopted, it is required by the CIL Regulations 2010 (as amended) 'the CIL Regulations' that the Council holds a minimum of two rounds of public consultation. The first round of consultation to be held is concerned with the Preliminary Draft Charging Schedule 'PDCS' and the second with the Draft Charging Schedule 'DCS'. The Council has also opted to hold stakeholder engagement sessions in order to gauge the opinions of developers, the local community and other organisations with an interest in development in Swindon.

Regulations 15 and 16 of the CIL Regulations specify the consultation bodies that the Council must consult for the PDCS and DCS. The Council has consulted beyond the statutory minimum requirement to ensure that a wider range of consultation bodies were given the opportunity to make representations. These consultation bodies include parish councils, community groups and organisations, representatives from the affordable housing sector, local businesses and the development sector that operates locally.

As the Local Planning Authority for Swindon, the Council is required to publish a Statement of Community Involvement in Planning, the primary purpose of which is to clarify the breadth of consultation that will take place with respect to the preparation of the planning framework that will guide development in the Borough. The adopted Statement of Community Involvement in Planning (2007) is currently in the process of being updated with an expectation that a replacement adopted statement will be in place by April 2013.

The emerging Swindon Statement of Community Involvement in Planning November 2012 (SCI) outlines how the Council intends to achieve continuous community involvement with local and statutory consultees in the preparation of development plan documents. As the adoption of a CIL is embedded within planning legislation, regulations and guidance and its purpose is to support the funding of infrastructure associated with the planned growth set out within the adopted Local Plan it is appropriate to align public consultation for CIL with adopted SCI. As such this SCI, along with statutory consultation requirements of Regulations 15 and 16 of the CIL Regulations, helped form the basis for who has been consulted on CIL and how this was achieved.

3 Consultation: The Draft Charging Schedule

Before submitting the DCS for Examination, the Council, as Charging Authority (CA), is required to publish for consultation the DCS along with the relevant evidence on infrastructure costs, other funding sources and economic viability. The purpose of this round of consultation is to get the opinions of local communities, developers and businesses on the final proposed charging schedule. This is the final stage of consultation before the Examination of the DCS, unless further modifications are required, prior to examination. Any further modifications would be subject to a separate consultation/notification process.

Who, when and how SBC consulted on the Draft Charing Schedule

The consultation period for the DCS will be held from 4th April 2013 to 30th May 2013.

In accordance with the CIL Regulations, all responses must be made in writing and received within the consultation period. The CA is required by CIL Regulations to publish a Statement of The Representations Procedure including the places at which the published documents can be inspected. The representations procedure is required to contain specific information including the fact that any person making representations may request, in writing within the consultation period, the right to be heard by the Examiner.

The methods of consultation used are detailed below;

- (i) Public Notice in the local press (Swindon Advertiser)
 - The publication of a public notice in the Swindon Advertiser on 4th April 2013 initiates the start of the consultation. A copy of the public notice will be retained as proof of publication and submitted to the Examiner as a further supporting document. The public notice for the DCS contains all the relevant statutory requirements with respect to where the DCS is available to be viewed (both electronically and in hard copy) and how representations can be made.

(ii) Letter and e-mail notification

Notification by either letter or e-mail will be sent to the following:

- The statutory consultation bodies as specified in the CIL Regulations at Regulation 15 and 16 (see Appendix 1);
- Each respondent to the PDCS consultation;
- The consultation bodies specified in the SCI; and
- All those other companies, organisations and individuals in the development sector that the Council considered may have an interest in CIL.

All statutory consultation bodies will be sent a copy of the DCS and a Statement of The Representations Procedure by e-mail or paper copy (as appropriate) and those non-statutory consultees notified by e-mail will also receive the same documents. Swindon Borough Council Members Bulletin
 A notification of the PDCS consultation period has been posted in the Swindon Borough Council Members Bulletin in Bulletin 656 on 4th April 2013.

Locations for Draft Charging Schedule Document Inspection

The DCS and relevant evidence is available for public inspection at the following locations.

(i) The Council's principal office

A paper copy of the DCS and relevant evidence is held at Swindon Borough Council's One Stop Shop reception in Wat Tyler House, Beckhampton Street, Swindon, SN1 2JH.

- Swindon Borough Council website
 An electronic copy of the DCS and relevant evidence is available on the Council's website by visiting <u>www.swindon.gov.uk/cil</u>.
- (iii) Local libraries
 A paper copy of the DCS and relevant evidence is held for public inspection on request for a minimum of the consultation period at all 15 libraries in the Borough.

How will consultation representations on the Draft Charging Schedule be managed?

Following the closure of the DCS consultation period, those representations received will be collated, an overview of the comments made generated and where appropriate response of the CA prepared. Both the original representation and the overview will be published on the Council's website and be submitted to the Examiner as additional evidence to accompany all other DCS related documents. A record will be kept of those individuals or organisations that have made a request to be heard by the examiner. The CA will follow all relevant statutory processes in respect of these.

4 Consultation: The Preliminary Draft Charging Schedule

The purpose of the PDCS consultation was to allow local communities, developers and businesses to make representations on the initial proposed charging schedule for a CIL in Swindon. This was first stage of consultation required by the CIL Regulations.

Who, when and how SBC consulted on the Preliminary Draft Charging Schedule

The consultation period for the PDCS was held between 30th July 2012 and 21st September 2012.

The methods of consultation that were used are detailed below;

- Public Notice in the local press (Swindon Advertiser)
 A public notice was placed in the Swindon Advertiser on 30th July 2012 to initiate the start of the PDCS consultation (Appendix 2).
- (ii) *Letter and e-mail notification* Notification by either letter or e-mail was sent to the following:
 - The statutory consultation bodies as specified in the CIL Regulations. Regulation 15 (see Appendix 1);
 - The consultation bodies specified in the SCI; and
 - All those other companies, organisations and individuals in the development sector that the Council considered may have an interest in CIL.

Every organisation and individual notified about the PDCS consultation over and above the statutory consultees received that notification by either standard letter or e-mail (See **Appendix 3 and 4** respectively).

- Swindon Borough Council Members Bulletin
 A notification of the commencement of the CIL PDCS consultation period was published in the Swindon Borough Council Members Bulletin in Bulletin 621 on 26th July 2012.
- (iv) Press release (Swindon Advertiser)
 A press release was sent to the Swindon Advertiser by the Council's Communications Team to coincide with the start of the consultation period.

Locations the Preliminary Draft Charging Schedule was available for Document Inspection

The PDCS and relevant evidence was made available for public inspection at the following locations.

- (i) The Council's principal office
 - A paper copy of the PDCS and relevant evidence is held at Swindon Borough Council's One Stop Shop reception in Wat Tyler House, Beckhampton Street, Swindon, SN1 2JH.

- Swindon Borough Council website
 An electronic copy of the PDCS and relevant evidence is available on the Council's website by visiting www.swindon.gov.uk/cil.
 - Local libraries Paper copies of the PDCS and relevant evidence were held for public inspection on request at all 15 libraries in the Borough during the consultation period.
- (i) Engagement with Parish Councils and community groups in the Borough

Immediately prior to and during the PDCS consultation, officers engaged with Borough Council Members, Parish Councils and community groups throughout the Borough via both formal and informal routes including:

- 18th July 2012: Parish and Town Clarks Forum All Parish Councils (PCs) in the Borough were informed verbally of the commencement date of the CIL PDCS consultation. An offer was made for a planning officer to attend individual PC meetings to discuss CIL on the PCs request.
- **26**th **July 2012: Borough Parish Consultation Meeting** All Parish Councils (PCs) in the Borough were informed verbally of the commencement date of the CIL PDCS consultation. An offer was made for a planning officer to attend individual PC meetings to discuss CIL on the PCs request.
- **31st July 2012: Highworth Town Council** Further to an invite, the CIL Project Manager attended their meeting to discuss CIL.
- 12th September 2012: Wanborough Working Party and Bishopstone Parish Council Further to an invite, the CIL Project Manager attended their meeting to discuss CIL.
- 13th September 2012: Community Planning Forum – The CIL Project Manager attended its meeting to discuss CIL as requested

Results of the Preliminary Draft Charging Schedule Consultation

The Council received 37 responses to the PDCS consultation that included representations made by developers, Parish Councils, local businesses, local residents, affordable housing providers, infrastructure and utilities companies, public services, environmental groups, supermarkets, and care/retirement home providers.

(iii)

Those consulted were able to submit their comments electronically or in writing by letter or representation form. Some of the key issues arising from the PDCS consultation were;

- The Levy on supermarket retail is too high.
- The 850 dwelling threshold above which S106 would be used is too high or that the threshold approach is not appropriate.
- The Levy for hotel use is not appropriate.
- Traditional retail should not be charged a CIL rate.
- Leisure use should not be charged a CIL rate.
- CIL viability testing should reflect the affordable housing targets as set out in the draft Local Plan.

The responses to the PDCS consultation have been published on the Council's website to inform the DCS consultation. A PDCS representations overview document has been prepared and published which includes a précis of the representations made and Swindon Borough Council's (as Charging Authority) response. All of these can be viewed electronically at www.swindon.gov.uk/cil.

5 Stakeholder Engagement

Prior to embarking upon the preparation of a Preliminary Draft Charing Schedule, the Council invited Members, and representatives of the development sector to a CIL Workshop run by GVA, the consultants are employed by the Council to produce the viability assessment to inform the Council's approach to rate setting.

30th September 2011: CIL & Affordable Housing Viability Assumptions Workshop

In invitation was sent to 75 representatives of the development sector representing the fields of house builders, surveyors, planning consultants, promoters of commercial premises, land agents, and the affordable housing sector, and in addition and the Lead Member for Planning and Chair of SBC Planning Committee.

The workshop was underpinned by a presentation by officers of the Council and GVA that set the scene to CIL, and the approach of GVA to setting assumptions to be used to determine viability of different types of development in Swindon. There was discussion on the types of development that it might be appropriate to test, the place of affordable housing and the relationship with the future of s106 planning obligations.

GVA offered any person attending the opportunity to make direct contact by telephone, email to discuss any matter that they may arise subsequent to the event.

The key messages of the Workshop were circulated to all those who both attended and were invited.

There was a request for a separate workshop specifically to discuss development issues related to the urban expansion sites that underpin the delivery of the emerging Local Plan.

19th October 2011: Strategic Sites Developers and House builders Workshop

Persons known to present companies, organisations, land owners, land agents and volume house builders that had an interest in Swindon's New communities at the time the meeting took place were invited to attend the workshop. It should be noted that this did not include the site at Kingsdown as it was not a strategic allocation at the time. The 12 original invitations sent to representatives of the development sector, were circulated a little more widely by those invited. The workshop was attended by 6 individuals representing 3 of the 4 strategic sites (*that formed strategic allocations in the Swindon Borough Core Strategy and Development Management Policies 2026: Revised Proposed Submission Document March 2011*).

The workshop was underpinned by a presentation by SBC officers containing key messages about CIL, the link to the emerging Local Plan, and the place of the Infrastructure Delivery Plan and s106 planning obligations. This informed discuss around the following key matters:

- General Principles of CIL
- Infrastructure Delivery Plan (Implementation and Monitoring Plan as SBC originally named it)
- Initial site set up costs
- Land Costs
- Development Ratios
- Availability of finance,
- Dwelling sizes and mix
- Development timeframes
- Sales values
- The developers preferred approach to infrastructure delivery

Those who were unable to attend were provided an opportunity to speak directly to SBC's appointed consultants GVA relating to the matters discussed at the Workshop.

The output of the meeting was shared with GVA to inform the setting of assumptions to input into the viability of the residential testing scenarios agreed by the Council.

6 Sharing an Understanding of CIL

At the time of the enactment of the Community Infrastructure Levy Regulations in April 2010 'The CIL Regulations', SBC was operating a standard charge (first adopted in 2006) to secure financial contributions towards facilities and services from development in Swindon. The adopted standard charge and its methodology, that continues to inform negotiations on infrastructure mitigation packages, is set out in the Developer Contributions, Development Control Guidance (Note 2010 Update) DCDCGN 2010. The existence of the DCDCGN 2010 locally provided justification as why it would be appropriate for Swindon to consider implementing a Community Infrastructure Levy 'CIL' for its area. CIL income, once adopted, could act as a partial replacement funding stream to that which, after 6 April 2014, it could be unlawful for the Council to secure by means of planning obligation due to pooling restrictions associated with the use of planning obligations, imposed by the CIL Regulation 123.

On the 19th April 2011, The Council's Planning Committee endorsed the commencement of a project to adopt a CIL for Swindon. The operation of CIL is completely different to the operation of the Council's locally adopted DCDCGN 2010 Guidance. For this reason, Members and Officers recognised the benefit of disseminating information on CIL, including its method of adoption and basic principles about its application and how it would be charged to its Members, the Local Community via Parish and Town Council's and a Community Planning Forum as well as to the Local Businesses involved in the varying aspects of the development sector.

SBC Publications

The Council published some limited information about CIL on its website on the page where information on the DCDCGN 2010 can be found. This was considered to be the best location to share information on CIL with any company, organisation or person that has an interest in the policies that SBC operate associated with developing in Swindon. This has been removed following the creation of a CIL webpage containing more detailed information on CIL.

Meetings and Forums in Swindon

Planning Officers have regularly attended the following local meetings to information share about CIL since April 2011

- a) The Borough Parish Consultation Meeting
- b) The Parish & Town Clerks Forum
- c) The Community Planning Forum (now disbanded)
- d) The Development Delivery Panel
- e) Swindon Affordable Housing Partnership Meetings

Training – The Community Infrastructure Levy

Specific training events to share the message and impact of operating a CIL locally have been arranged for both officers whose roles and responsibilities are likely to be affected by the adoption of CIL and also for Borough Members and Parish and Town Councillors.

23rd July 2012: Planning Training on CIL

All Borough Members, Parish Councils, Heads of Service, and Service Area planning department contacts were invited to a CIL Presentation and training event.

The event was attended 29 officers and members. A presentation was used to inform a question and answer session and wider debate on the principles of CIL, operation of CIL and how it would operate in Swindon as a replacement to the use of locally adopted S106 Guidance for most development.

List of statutory consultation bodies for Swindon Borough Council in accordance with the CIL Regulations, Regulation 15

Swindon Borough Council Parish Councils

Bishopstone and Hinton Parva Parish Council Blunsdon St Andrew Parish Council Castle Eaton Parish Council Chiseldon Parish Council Covingham Parish Council Hannington Parish Council Haydon Wick Parish Council Highworth Town Council Inglesham (Parish Meeting) Liddington Parish Council South Marston Parish Council Stanton Fitzwarren Parish Council Stratton St. Margaret Parish Council Wanborough Parish Council Wroughton Parish Council

Wiltshire Association of Local Councils - Swindon Area Committee

Adjoining District, County and Unitary Councils

Wiltshire Council Vale of White Horse District Council Oxfordshire County Council Cotswold District Council Gloucestershire County Council

All responsible regional authorities now abolished.

Preliminary Draft Charging Schedule Public Notice in Swindon Advertiser 30th July 2012



Preliminary Draft Charging Schedule Standard letter July 2012



Service Delivery	Planning Swindon Borough Council Wat Tyler House 4 th Floor Beckhampton Street Swindon SN1 2JH
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Please ask for:	Sarah Screen / Tomasz Wysocki
Direct Dial No:	01793 466397 / 466396
Email:	cil@swindon.gov.uk
Website:	www.swindon.gov.uk
Our Ref: Date:	CIL PDCS Consultation

Dear

Re: Swindon Borough Council Community Infrastructure Levy Public Consultation: Preliminary Draft Charging Schedule Monday 30th July 2012 to 4.30pm Friday 21st September 2012

The Community Infrastructure Levy 'CIL' is a new charge which authorities in England and Wales can levy on new development in their area. CIL is the government's preferred method and approach for development to pay towards the infrastructure required to deliver growth and regeneration in an area. Examples of infrastructure include transport facilities, utilities, waste management, health, education and community facilities.

The Preliminary Draft Charging Schedule 'PDCS' contains proposals for the introduction of a Community Infrastructure Charging Schedule for Swindon and sets out the proposed levy rates for different developments. CIL will largely replace the current use of tariff charges through the Section 106 pooled developer contributions that are currently secured by Planning Obligations. The use of section 106 obligations will remain with restrictions on its use.

For an 8 week period commencing on 30th July 2012 the Council is inviting representations from local residents, the business community and others on the preliminary proposals known as the "Preliminary Draft Charging Schedule" (PDCS) for a Community Infrastructure Levy (copy enclosed). The PDCS (accompanied by evidence base background papers) sets out the proposed levy that will be charged by the Council on new development to support the funding of strategic and local infrastructure requirements. The attached Schedule is also accompanied by a comprehensive consultation document that contains information on amongst other

matters the background to CIL, why the Council is choosing to implement it, and the approach to rate setting it has chosen to pursue and why, and future implementation. It also contains detailed information on how to make representations to the public consultation exercise.

During the consultation period the PDCS Charging Schedule, Consultation Document and its accompanying evidence base may be viewed at the Council's website at <u>www.swindon.gov.uk/CIL</u> and inspected at the Borough Council's offices Wat Tyler House, Beckhampton Street Swindon SN1 2JH and at libraries within the Borough. Additionally copies may be purchased from the Borough Council. Representations may be made to any aspect of the PDCS during its 8 week consultation period.

Representations should be submitted using the enclosed CIL PDCS Representations Form and received by <u>4.30pm on Friday 21st September 2012</u>. Further copies of this form can be downloaded from the Council's website at <u>www.swindon.gov.uk/CIL</u> or obtained in a word format using the contact details at the top of the letter.

Should you have any queries please do not hesitate to contact the CIL Project Team through Sarah Screen or Tomasz Wysocki either on the above extension, or by e-mail to <u>cil@swindon.gov.uk</u>.

Yours faithfully

RevBen

Richard Bell Head of Planning Service Delivery

Encl. 1. CIL Preliminary Draft Charging Schedule for Swindon (excluding accompanying Consultation Document)
2. PDCS Representation Form

Preliminary Draft Charging Schedule Standard e-mail July 2012



Dear Sir/Madam

<u>Swindon Borough Council Community Infrastructure Levy</u> Public Consultation: Preliminary Draft Charging Schedule, Monday 30th July 2012 to 4.30pm Friday 21st September 2012.

Please accept this email as formal notification of the commencement of the first stage of public consultation by Swindon Borough Council for the adoption of a Community Infrastructure Levy for its area.

For an 8 week period commencing on 30th July 2012 the Council is inviting representations from local residents, Parish and Community Councils, the development sector, the business community and any person or organisation that may have an interest in CIL on its proposals set out in what is known as the "Preliminary Draft Charging Schedule" (PDCS).

To assist you with understanding the purpose of the consultation, what is being consulted upon, and the supporting evidence that the Council has to inform its approach to setting a CIL, please find attached the following documents:

- 1. A Cover letter containing an explanation of the process.
- 2. The Preliminary Draft Charging Schedule Consultation Document (which contains the Preliminary Draft Charging Schedule).
- 3. PDCS Schedule.

In addition a representation form is also attached to assist anyone wanting to respond to the consultation.

- 4. A word version of the CIL PDCS Representations Form.
- 5. Library Opening Hours.

Paper copies of all the documents, including the evidence base documents are available for public viewing at Swindon Borough Council's Civic Campus in Wat Tyler House reception between 9am and 4.30pm Monday to Friday, and also at all Swindon Libraries during the normal opening hours.

The documents can also be viewed electronically via the Council's website at <u>www.swindon.gov.uk/CIL</u>.

In the event that you wish to submit representations these should be made in writing to CIL Project Team - Planning, Swindon Borough Council, Wat Tyler House West, Beckhampton Street Swindon SN1 2JH, or by email to <u>cil@swindon.gov.uk</u>. Telephone enquiries 01793 466396 or 01793 466397.

To be taken into account representations must be received no later than <u>4.30pm on Friday 21st September 2012.</u>

Yours faithfully

Miss Screen On behalf of the SBC CIL Project Management Team