

# How Swindon Borough Council Adopted its CIL Charging Schedule (6<sup>th</sup> April 2015)

The Community Infrastructure Levy (also known as the CIL or 'the Levy') is the Government's chosen approach to set a tariff on development. CIL will allow the Council as Local Planning Authority (also known as CIL Charging Authority 'CA') to raise funds from new development in its area. CIL receipts will contribute towards funding improvement to infrastructure (facilities and services) that are required to support the development and growth planned for Swindon to 2026.

The adopted CIL will operate alongside the much restricted use of section 106 planning obligations the use of which became scaled back on 6<sup>th</sup> April 2015 to manage site specific mitigation only e.g. affordable housing, open space.

## The Adoption of CIL

There are several key stages in the adoption of a CIL that the Council has completed:

1. Publication/Consultation on Preliminary Draft Charging Schedule
2. Publication/Consultation on Draft Charging Schedule
3. Examination of the Draft Charging Schedule
4. Adoption of the Charging Schedule and Implementation of CIL charging

A comprehensive timetable of the adoption programme for the CIL Charging Schedule (6<sup>th</sup> April 2015) can be viewed below.

- [CIL Programme Timetable](#) (155Kb)

## Swindon CIL Examination

The Council submitted its CIL Draft Charging Schedule for Examination on 10th July 2013. The Examination took place by Public Hearing on 4<sup>th</sup> November 2014. The Examination report was received on 5<sup>th</sup> February 2015 a copy of which can be found on the [www.swindon.gov.uk/cil](http://www.swindon.gov.uk/cil) page.

Information on the stages completed prior to submission of the Draft Charging Schedule for examination is set out below.

## Draft Charging Schedule (DCS)

Prior to submitting a Draft Charging Schedule for Examination a Charging Authority is required to consult on its content and publish the relevant evidence that supports the approach that has been taken to inform the rate setting.

The Council consulted on its Draft Charging Schedule between 4th April 2013 and 30 May 2013. The Council received 23 representations to this consultation and copies of these representations and accompanying correspondence formed part of the examination supporting evidence (Document ED2-12-1 to ED2-12-23).

The information published alongside the Draft Charging Schedule complied with regulatory requirements at the time the DCS Consultation took place and this is set out in ED is set out in the [Draft Charging Schedule Consultation Document](#) (161Kb)

## Preliminary Draft Charging Schedule (PDCS)

The Council completed the first key stage of adopting a CIL for Swindon in September 2012. On 11th July 2012, Cabinet authorised public consultation on the PDCS.

The Consultation took place over 8 weeks between 30th July 2012 and 21st September 2012.

The Council received 37 representations to its PDCS. Those PDCS Representations are published along with a CIL PDCS 2012 Representations Overview that contains a précis of the comments made and the Council's response to such (ED2-18). The representations received informed the Council's approach to rate setting in its DCS and all the representations along with the Overview form relevant evidence to the DCS consultation and subsequent Examination. The PDCS Representations were examination documents ED2-19-01 to ED 2-19-37

The documents published at the time of the consultation are set out in the [Preliminary Draft Charging Schedule Consultation Document](#) (144Kb)

# The Local Development Framework for Swindon and CIL

In order to adopt a CIL for its area a Local Planning Authority must have an up-to-date Development Plan and be able to demonstrate that a funding gap exists between the anticipated costs of the infrastructure required to support the development of its area as set out under that Plan, and potential available funding sources to deliver it. The assessment of infrastructure funding is set out in the Swindon Infrastructure Funding Gap Analysis 2013 that form part of the relevant evidence to support the DCS and adoption of a CIL for Swindon (ED 2-24).

The Council's anticipated infrastructure needs are set out its Infrastructure Delivery Plan, a living document that underpins the policies of the emerging Local Plan. Both the Infrastructure Delivery Plan and the emerging Local Plan form part of the relevant evidence for the DCS. After the submission of the DCS to Examination, a more up-to-date version of the IDP was published to that referenced at the DCS consultation stage. The Local Plan was also subject to drafting modifications and amendments as a consequence of the Local Plan Examination that took place in April and May 2014.

The Local Plan was adopted on 26<sup>th</sup> March 2015. The adopted version can be found on the Planning Policy pages.

The Infrastructure Delivery Plan will continue be reviewed and updated periodically through to 2026 as items of infrastructure contained within it are delivered, costs of delivery alter, mechanisms for delivery alter, and items are added or deleted from the list.