

**Community Infrastructure Levy
Statement of Compliance**

Stevenage Borough Council

July 2019

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1. Introduction

- 1.1. This statement has been produced to demonstrate that Stevenage Borough Council has complied with the drafting and procedural requirements set out in the Planning Act 2008 (as amended), the Community Infrastructure Levy Regulations 2010 (as amended) and the Localism Act 2011 (as amended).
- 1.2. The statement summarises compliance with each of the regulations requirements, at various stages throughout the development of the Draft Charging Schedule and its subsequent submission to the examiner.

2. Declaration

- 2.1. In accordance with Section 212(4) of the Planning Act 2008 (as amended), Stevenage Borough Council (SBC) hereby declares that, as the charging authority:
 - It has complied with the requirements of Part 11 of the Planning Act 2008 (as amended) and the CIL Regulations (as amended);
 - It has used appropriate available evidence to inform the Draft Charging Schedule; and
 - Any other matters prescribed by CIL Regulations 2010 (as amended) have been dealt with.

3. Compliance with the Planning Act 2008 (as amended)

Section 211 - Amount

- 3.1. The council has issued a draft charging schedule setting out proposed levy rates for the Borough.
- 3.2. When setting the proposed CIL rates and preparing the Draft Charging Schedule (DCS), SBC has had regard to the actual and expected costs of infrastructure; the economic viability of development; other actual and expected sources of funding for infrastructure; and the requirements of the CIL Regulations.
- 3.3. An appropriate evidence base has been used to inform the DCS. This includes a detailed assessment of infrastructure needs to support the Local Plan in the form of an Infrastructure Delivery Plan (IDP) and a Whole Plan Viability Study (and subsequent updates), which assesses the economic viability of development with the proposed CIL rates.
- 3.4. Consultation has been undertaken with a range of stakeholders in preparing the DCS. The Preliminary Draft Charging Schedule (PDCS) was consulted upon for a six week period between 12 September and 24 October 2018. The DCS consultation was held four weeks between 18 April and 17 May 2019.

Section 212 – Charging schedule: examination

- 3.5. The council has appointed an independent examiner, Mr Philip Staddon BSc, Dip, MBA, MRTPI, to examine the DCS. Mr Staddon has appropriate qualifications and experience and is entirely independent of the charging authority.
- 3.6. The drafting requirements set out in Section 211 of the Planning Act 2008 (as amended) have been complied with, as demonstrated by this statement.
- 3.7. All persons who have made representations on the DCS have been given the opportunity to request to be heard by the examiner.

4. Compliance with the CIL Regulations 2010 (as amended)

Regulation 12 – Format and content of charging schedules

- 4.1. The council's DCS contains the information required by Regulation 12 including the name of the charging authority, the rates in pounds per square metre at which CIL is to be charged and OS maps that clearly identify the location and boundaries of the different charging zones.
- 4.2. After examination and adoption, the Charging Schedule will indicate the date of approval, the date on which it will take effect, and will contain a statement to demonstrate that it has been issued, approved and published in accordance with these Regulations and Part 11 of the Planning Act 2008.

Regulation 13 – Differential rates

- 4.3. The council proposes to set differential rates based on viability evidence for residential development located in different zones, as well as differential rates (including some nil rates) by reference to different intended uses of development. These are clearly set out within the schedule of levy rates in the DCS, along with detailed maps to show charging zones.

Regulation 14 – Setting rates

- 4.4. The DCS has been informed by a robust and comprehensive evidence base.
- 4.5. The IDP and a Funding Gap Technical Paper demonstrate there is a large funding gap to justify the implementation of a CIL.
- 4.6. The Whole Plan Viability Study, and its subsequent updates, considers the potential effects of charging CIL on the economic viability of development across the Borough and ensures an appropriate balance is struck between the desirability of funding infrastructure and the potential effects of the levy on development viability.

Regulation 15 – Consultation on a Preliminary Draft Charging Schedule

- 4.7. The council consulted on its PDCS for a six week period between 12 September and 24 October 2018. The consultation was carried out in accordance with Regulation 15. Copies of the PDCS were sent to those consultation bodies specified along with an invitation to make representations on the PDCs. To publicise the consultation to residents and businesses within the Borough (and others), details of the consultation were sent to all organisations and individuals on the planning policy consultation database, information was made available on the council's website and in hard copy format at inspection points around the town, and links to the consultation were published on social media.
- 4.8. A summary of the representations received is available as an examination document. Representations were taken into account when preparing the DCS.

Regulation 16 – Publication of a Draft Charging Schedule

- 4.9. The council consulted on its DCS for a four week period between 18 April and 17 May 2019. This consultation was carried out in accordance with Regulation 16.
- 4.10. A statement of the representations procedure was produced, which set out the period within which representations must be made, the name and address to send representations to, the fact that representation must be made in writing or by email, that persons making representations may request the right to be heard by the examiner and that representations may be accompanied by a request to be notified of submission, the examiners' recommendations and reasons and approval of the charging schedule.
- 4.11. This statement was made available, alongside the DCS, Reg 123 List, and all supporting documents and evidence, for inspection at the council's office and the two public libraries within the town. These documents were also published on the council's website, along with a statement of the fact that the documents are available for inspection at those places mentioned above. The DCS and statement of representations procedure were sent to each of the consultation bodies and a public notice was placed in the local newspaper (The Comet) setting out the representations procedure and the inspection locations.

Regulation 17 – Representations relating to a Draft Charging Schedule

- 4.12. The DCS consultation ran for a period of four weeks.
- 4.13. A summary of the representations received is available within the statement of consultation examination document, which complies with Regulation 19(1)(b).

Regulation 19 – Submission of documents and information to the examiner

4.14. The council will submit to the examiner the following documents in both paper and electronic form:

- The Draft Charging Schedule
- A statement setting out details of representations and a summary of the main issues raised in accordance with Regulation 17
- Copies of all of the representations made
- Copies of the relevant evidence studies and documents

4.15. These documents will also be made available on the council's website and in the inspection locations used for the Regulation 17 consultation, and a notice of submission will be sent to those persons who requested to be notified.

Regulation 21 – CIL examination: right to be heard

4.16. The time and place at which the examination is to be held and the name of the examiner will be published on the council's website. Notification of these details will also be sent to anyone who made representations in accordance with Regulation 17 and those who made a request to be heard.