

Shepway District Council –
Community Infrastructure Levy Examination

via the Programme Officer
Civic Centre
Castle Hill Avenue
Folkestone
Kent CT20 2QY

13 January 2016

PD004-2-4

Mr Steven Arnett
Community Infrastructure Levy Officer
Shepway District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent CT20 2QY



Dear Mr Arnett

**Shepway Community Infrastructure Levy Examination:
Requirements under the Community Infrastructure Levy Regulations
(2010) as Amended**

I refer to your letter of 11 January 2016 [ED04-2 & enclosures 1 – 7] in which you provided a further replacement set of Community Infrastructure Levy (CIL) maps for my consideration (the further replacement maps).

On 12 October 2015 [PD004-2-1], I wrote to the Council, identifying that the submitted CIL maps did not appear to be in full compliance with regulation 12 of the Community Infrastructure Levy Regulations (2010) (as amended) (the CIL Regulations), because some proposed CIL zone boundaries on the maps were not recorded with sufficient precision. The Council agreed to prepare replacement maps. Your letter of 11 January 2016 responded to my letter of 22 December 2015 [PD004-2-3], in which I had asked for further improvements to the precision with which some CIL zone boundaries were shown on the proposed replacement maps, provided to me under cover of your letter of 10 December 2015 [ED04-1 & enclosures 1 – 7]. Those proposed replacement maps had been intended to replace the submitted CIL maps, but I had identified that there were still some remaining respects in which they were not fully compliant with regulation 12.

I have now reviewed the proposed further replacement maps that you submitted with your letter of 11 January 2016. For the avoidance of doubt, I list these as follows, together with their reference numbers on the Examination Library web page:

- Shepway draft CIL CS – Appendix 1A (Lydd) (v2) [ED04-2-1];
- Shepway draft CIL CS – Appendix 1B 1 (Romney Marsh) (v2) [ED04-2-2];
- Shepway draft CIL CS – Appendix 1B 2 (Hawkinge) (v2) [ED04-2-3];
- Shepway draft CIL CS – Appendix 1C (Hythe) (v2) [ED04-2-4];
- Shepway draft CIL CS – Appendix 1D (North Downs) (v2) [ED04-2-5];
- Shepway draft CIL CS – Appendix 2 (Folkestone town inset for residential) (v2)  [ED04-2-6]; and
- Shepway draft CIL CS – Appendix 3 (Folkestone retail and commercial area) (v2)  [ED04-2-7].

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Having undertaken this process, I consider that the proposed further replacement maps do enable the location of zone boundaries to be determined to an appropriate level of precision (equivalent to that found in other adopted CILs). I consider that potential ambiguity about the location of some land within one or another adjacent zone has been removed, to the extent that this is reasonably feasible. It follows that I agree that the formal requirements of CIL regulation 12(2) (c) (i), (ii), (iii) & (iv) can be met by the proposed further replacement maps. I would like to thank you and your colleagues for the work undertaken to address the concerns set out in the October 2015 correspondence.

In reaching this view, I have also considered your clarification that the CIL charging zone boundaries in the Appendix 1 maps were defined with reference to existing parish and town council area boundaries. I have considered your annexed list of the parish and town council areas relevant to each zone. Whilst this clarification provides a useful means of additionally confirming the zone boundary locations, it is nevertheless important that the CIL maps themselves are sufficiently precise to comply with the CIL regulations and can be used as a freestanding reference source, without recourse to additional explanatory material that is not in the CIL Schedule. However, as I have indicated above, I am now satisfied that is the case.

In my first letter raising questions about the submitted CIL maps on 12 October 2015 [PD004-2-1], I provided a provisional view that the replacement of maps in Appendices 1 - 3 need not be a modification for the purposes of the CIL regulations (regulation 21 (3)), as long as any changes that you made to the maps did not modify them in any material particular. Having considered the proposed further replacement maps enclosed with your letter of 11 January 2016, I have assured myself that whilst the zone boundaries are now demarcated to an appropriate level of precision, there have been no material changes from the submitted maps. It follows that I remain of the view that I can consider and make recommendations on the submitted CIL together with the further replacement maps and that no modification process will be required to incorporate the further replacement maps.

I have asked the Programme Officer to publish your letter of 11 January 2016 [ED04-2 & enclosures 1 - 7] together with this letter [PD004-2-4] on the Examination Library web page.

Yours sincerely

Rynd Smith

CIL Examiner

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