

**Shepway District Council**

**Community Infrastructure Levy (CIL)**

**Consultation Statement:**  
**CIL Preliminary Draft Charging Schedule**

(Draft: December 2014)

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## **Purpose of Document**

During 2014/15, Shepway District Council will be taking forward the development of a Community Infrastructure Levy (CIL) scheme for the area, in accordance with the CIL Regulations 2010 (as amended).

The CIL Regulations require a minimum of two rounds of public consultation as part of the process to inform the development of a CIL Charging Schedule – firstly, consultation on a CIL Preliminary Draft Charging Schedule (PDCS) in accordance with Regulation 15 of the CIL Regulations; and secondly, following consideration of representations received on the PDCS, consultation on a draft CIL Charging Schedule, in accordance with Regulation 16 of the CIL Regulations.

The purpose of this document is therefore to outline the process and consider the responses received, for each stage of the CIL consultation. The document will also form part of the evidence base presented in support of the examination in public for Shepway's draft CIL Charging schedule, which follows its consultation.

## **CIL PDCS Consultation**

This edition of the report provides information on the Council's approach to undertaking a public consultation on its CIL PDCS Schedule, which took place from the 18<sup>th</sup> August to the 13<sup>th</sup> October 2014.

The CIL PDCS consultation has been conducted in accordance with the requirements set out by Regulation 15 of the CIL Regulations 2010 (as amended), and associated guidance. Regulation 15 outlines the range of bodies and organisations that Councils need to consult and engage with on a CIL PDCS.

Regulation 15 also requires that a charging authority must take into account any representations made to the Preliminary Draft Charging Schedule before it publishes a draft of the charging schedule for examination.

The aim of the CIL PDCS consultation was to enable a wide audience to respond to the Council's initial proposals on CIL rates across the District, and the supporting evidence base used to inform the proposals. Activities to raise awareness of the consultation included:

- Public notices placed in local newspapers (Kent on Sunday, weekend of 22<sup>nd</sup> August 2014; Folkestone and Hythe Express, 20<sup>th</sup> August 2014; Folkestone Extra, 20<sup>th</sup> August 2014; Kentish Express, 21<sup>st</sup> August 2014) (appendix 2).
- Direct contact via email and letter to a range of statutory and non-statutory bodies; developers, land owners and commercial agents; Registered Providers of affordable housing; neighbouring Local Authorities and the County Council; Parish and Town Councils; business organisations and local businesses (appendices 3 and 5).
- Information on the consultation and how to respond, made available on the Council's public website (appendix 4); and
- Copies of the consultation documents made available for public inspection, at the Council's Civic Centre offices in Folkestone.

In addition to the above formal promotion of the CIL PDCS consultation, advance stakeholder engagement activities included:

- CIL updates at regular engagement forums including Parish and Town Councils' user group meetings; and Planning and Building Control Agents' user group meetings; and
- Contact with developers, commercial agents, landowners, Registered Providers of affordable housing - by independent consultants commissioned to undertake a CIL and Whole Plan Economic Viability Assessment.

## Consultation Questions & Responses

The Council's consultation on the CIL PDCS invited responses on the following key consultation questions:

- 1) Given the CIL and Whole Plan Economic Viability Assessment and the need to fund infrastructure, are the proposed CIL rates set at a reasonable level, to enable developments to achieve viability?
- 2) Given the CIL and Whole Plan economic viability assessment's analysis of value areas, are the proposed CIL zones set realistically, to enable residential developments to achieve viability within each zone?

Comments were also invited on any other points raised by the CIL PDCS and its supporting evidence base, as presented on the Council's CIL webpage.

During the consultation period, the Council received 20 responses on the CIL PDCS, from a number of organisations and stakeholders. Responses were submitted either by letter, via email, or by using the Council's CIL PDCS consultation comments form.

The following table provides a summary of the range of organisations submitting responses.

<b>Type of respondent</b>	<b>Number of respondents</b>
<b>Developers or their agents</b>	<b>5</b>
<b>Public bodies</b>	<b>5</b>
<b>Neighbouring local authorities</b>	<b>2</b>
<b>Parish and Town Councils</b>	<b>3</b>
<b>Business organisations &amp; businesses</b>	<b>1</b>
<b>Members / councillors</b>	<b>1</b>
<b>Utilities</b>	<b>1</b>
<b>Individuals</b>	<b>1</b>
<b>Charitable bodies</b>	<b>1</b>
<b>Total</b>	<b>20</b>

## Consultation Issues and Representations Raised by Respondents

Appendix 1 provides a summary and review of the topics and issues raised by respondents to the CIL PDCS consultation, along with an indication as to whether there are any resulting proposed changes to be reflected in the draft CIL Charging Schedule. This highlights that the Council and its retained Viability Study consultants (Dixon Searle Partnership), will need to consider a number of issues further, as part of the next steps development of a draft CIL Charging Schedule, including the following:

- CIL Regulations and policies: the benefits of introducing an Instalments policy; a payment in kind policy; and an exceptional circumstances relief policy.
- CIL & Whole Plan Economic Viability Assessment: further clarification required on how the study has considered costs associated with retail developments' planning obligations.
- Proposed CIL rates for retail developments: further clarification required on – what's meant by large scale retail developments (e.g. could floorspace thresholds be used to define more clearly?); the benefits of including maps to distinguish 'town centre and non town centre locations' (if considered an appropriate option); and the need to provide a cross reference to Use Class Order (A1 – A5).
- Proposed CIL rates for residential developments: further clarification required on how the viability study's modelling of a sheltered / retirement housing scheme has taken into account related development costs.

- Draft Regulation 123 List: further consideration required on – the scope and focus of the draft R123 list; and its relationship to how s106 agreements will continue to be used.
- Draft Infrastructure Assessment and Delivery Plan: to be updated as per comments / further information received.

### **Next Steps / Consultation on the Draft CIL Charging Schedule**

A further consultation on Shepway's draft CIL Charging Schedule will take place during the early part of 2015. Where appropriate, this next version of the CIL Charging Schedule will reflect comments, issues and representations raised during the consultation of the CIL PDCS, in accordance with Regulation 15 of the CIL Regulations.

The consultation on the draft CIL Charging Schedule will be in line with the approach set out by Regulation 16 of the CIL Regulations. This requires that a Local Authority / Charging Authority, before submitting its draft CIL Charging Schedule for examination in public (EIP) , is required to publish for consultation the draft CIL Charging Schedule along with evidence on infrastructure costs, proposed allocation of CIL income (draft R123 list), funding sources and economic viability.

This will be the final stage of the consultation before the EIP of the draft CIL Charging Schedule. If however the consultation generates the need for further modifications, these would be subject to a separate consultation/ notification process, prior to the EIP.

## **Appendices**

- 1) CIL PDCS - summary of comments and representations
- 2) Copy of Public Notice
- 3) Consultation letter & email
- 4) Council's CIL webpage
- 5) Consultation contact list

**Appendix 1: Shepway's CIL PDCS  
Summary of Consultation Responses & Representations**

Cons. response reference	Comments	By who	SDC Response	Effect on Draft CIL Charging Schedule
	<b><i>CIL Regulations &amp; Policies</i></b>			
001	Clarification required on which developments are CIL exempt, as per CIL regulations.	Kent Channel Chamber of Commerce	Comments noted - further information to accompany draft CIL Charging Schedule consultation.	Note on liable and exempt CIL developments to be included in draft CIL Charging Schedule
004	Clarification required on whether proposed CIL rates will be subject to indexing to inflation	KCC Member for Hythe	Comments noted - further information to accompany draft CIL Charging Schedule consultation.	Note on indexing of CIL rates to be included in draft CIL Charging Schedule
013	Confirmation required in the PDCS text that KCC buildings associated with community services are zero rated (e.g. schools, residential care homes, sheltered care). Confirmation that a zero CIL charge will also be applied to eligible mineral and waste uses is required.	Kent County Council	PDCS proposed CIL rate of £0 on 'all other developments' intended to capture this range of use. Further clarification to accompany draft CIL Charging Schedule consultation.	Note on types of development falling in other developments category to be included in draft CIL Charging Schedule.
006	Encourage the Council to introduce an instalment policy, as managing cash flow during development is often key in determining whether a scheme will be successfully delivered.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	Comments noted – Instalment policy to be recommended to SDC Cabinet.	If approved by SDC Cabinet, Instalments policy to be referenced in draft CIL Charging Schedule.
009	An instalment policy, if implemented, should be on a sliding scale with the largest payment up front.	New Romney Town Council	Comments noted – Instalment policy charging scale to be considered further	As above
006 020	Encourage the Council to adopt an Exceptional Circumstances Relief policy. By doing so, it enables the flexibility to allow desirable, but unprofitable, development schemes to come forward, by exempting them from the CIL charge or reducing it in certain circumstances.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd) Folkestone Town Council	Considered that proposed CIL rates won't have an adverse impact on viability, so an exceptional circumstances relief policy will not be offered at this stage.	No changes proposed
006	CIL Regulations allow contributions to be paid by the provision of infrastructure in certain circumstances. The Council should therefore consider adopting a Payment in Kind policy.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	Comments noted – Payment in Kind policy to be recommended to SDC Cabinet.	If approved by SDC Cabinet, Payments in Kind policy to be referenced in draft CIL Charging Schedule.
009	What will be the mechanism for enforcing CIL Payments?	New Romney Town Council	Comments noted – further information on administration of CIL Payments process available Spring 2015	No changes proposed

Cons. response reference	Comments	By who	SDC Response	Effect on Draft CIL Charging Schedule
	<b><i>CIL &amp; Whole Plan Economic Viability Assessment</i></b>			
006	A fairer CIL solution would be to adopt a flat rate levy based on the total cost of deliverable infrastructure, divided by the total expected development floorspace (across all development types). This could be combined with an Exceptional Circumstances Relief Policy.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	CIL Viability Study evidence & analysis, underlines that a variable scheme of CIL charges and zones is more suited to Shepway's property development markets.	No changes proposed
006	The Viability Study does not acknowledge that the economics of conversion schemes are very different to those of new build schemes. It is difficult to see how the Council can assess whether the imposition of CIL will put the majority of these schemes at risk without having considered its impact on their viability, particularly in the context of regeneration initiatives.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	Viability study consultants have provided further clarification, which shows that these factors have been taken into account in their modelling.	No changes proposed
004	The proposed CIL rates within the tiered system seem far too slanted in favour of developers, particularly in the lower rated zones, and for the strategic development sites. The starting point should be a district wide high CIL rate, with it up to developers to prove the case with regard to viability (in the context of a viability waiver being available).	KCC Member for Hythe	CIL & Whole Plan Economic Viability Study evidence & analysis, underlines that a variable scheme of CIL charges and zones is more suited to Shepway's property development markets.	No changes proposed
006	The Viability Study underestimates the true cost of planning obligations associated with retail developments. This means that the study has artificially inflated the residual land values used for the financial viability models, which in turn has inflated the amount of CIL proposed for these uses.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	Viability study consultants have provided further clarification, which shows that these factors have been taken into account in their modelling.	No changes proposed



Cons. response reference	Comments	By who	SDC Response	Effect on Draft CIL Charging Schedule
	<b><i>Retail - CIL Proposals</i></b>			
005 006 013 018a 018b	<p>The PDCS does not currently define clearly enough what is meant by 'large scale and smaller' scale retail development. A floorspace threshold figure would therefore be helpful in this regard.</p> <p>A distinction should also be made to take account of different retail business models.</p>	Savills (on behalf of Ellandi) Thomas Eggar LLP (on Behalf of Asda Stores Ltd) Planning Potential Ltd (on behalf of ALDI Stores Ltd) Kent County Council	<p>Comments noted – retail zones and floorspace threshold to be recommended to SDC Cabinet.</p> <p>CIL Regulations indicate that CIL cannot be differentiated so as to take account of different retail business models.</p>	If approved by SDC Cabinet, retail zones and floorspace thresholds to form part of draft CIL Charging Schedule
005	The PDCS does not currently employ the use of zones in differentiating between Town Centre & Non Town Centre CIL rates for retail development. To address this it is considered that the PDCS would benefit from the inclusion of a map to distinguish between in- and out-of-centre developments if this geographical differentiation is to be used.	Savills (on behalf of Ellandi)	As above	As above
005	Whilst it is understood that convenience and comparison retail fall within the A1 Use Class category, the addition of text to define those use classes which fall under the category of ' <i>all other retail development</i> ', would be helpful.	Savills (on behalf of Ellandi)	Comment noted – further clarification to be provided in draft CIL Charging Schedule.	Cross reference to UCO to be provided
006	The proposed retail CIL rates would discourage larger retail developments and would not ensure that the relevant retail and employment aims of the local plan are met.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	The viability study evidence & analysis, indicates that the proposed CIL rates for large scale retail development won't inhibit commercial viability.	No proposed changes
006	If the retail charges set out in the PDCS are used, all other forms of business and commercial development will receive a significant subsidy at the expense of retail schemes. This will create a market distortion and an investment disincentive in the retail sector of the local economy.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	The viability Study's analysis highlights applying a CIL charge to non retail commercial developments, significantly undermines their viability, thereby preventing any future related job generating schemes from coming forward.	No proposed changes

006	There will be State Aid issues arising out of the setting of differential rates for different types of commercial entity (e.g. convenience retail) within the same use class.	Thomas Eggar LLP (on Behalf of Asda Stores Ltd)	The issue of State Aid is complex, and tends to relate more to markets served by a recipient business. In the context of convenience retail, larger scale developments tend to serve a different market segment to other parts of the A1 to A5 UCO.	No proposed changes.
001	Zero rated retail and commercial developments should have a small charge applied.	Kent Channel Chamber of Commerce	The proposed CIL rates have been derived from the viability study. This highlights that zero rated commercial and retail developments would be unviable if CIL charges were to apply.	No proposed changes
004	The proposal to exempt any retail developments other than large ones is too sweeping - the assumption needs to be towards the highest CIL rate for all developments, with the onus on the developer to then prove the viability case.	KCC Member for Hythe	The proposed CIL rates have been derived from the viability study. This highlights that zero rated commercial and retail developments would be unviable if CIL charges were to apply.	No proposed changes

Cons. response reference	Comments	By who	SDC Response	Effect on Draft CIL Charging Schedule
	<b><i>Residential - CIL Proposals</i></b>			
013	There's a need to keep under review residential sales values build costs and land transaction values, to ensure changing market conditions do not significantly contradict the assumptions within the CIL and Whole Plan Viability study, and the PDCS's proposed CIL rates.	Kent County Council	Comments noted – the adopted CIL Charging Schedule will be reviewed on a regular basis, so as to track changing market conditions.	No proposed changes
014	Pending key site development proposals should not be prejudiced by adopting a CIL Charging Schedule, before current Local Plan and Pre-Application consultations have been concluded.	RPS (on behalf of the GSE Group)	The CIL Regulations and guidance allow a Local Authority to determine when it's most appropriate to develop and adopt a CIL Charging Schedule.	No proposed changes
001 015	Zero rated residential areas should have a small rate set.	Sellindge Parish Council Kent Channel Chamber of Commerce	Proposed CIL rates have been derived from the viability study. This shows residential developments in £0 zones, would be unviable if charged CIL.	No proposed changes
016a 016b 016c	The Viability Study appraisal for sheltered housing, underplays a number of viability assumptions that are specific to sheltered / retirement housing schemes. This could potentially underestimate their costs so that it has disproportionately positive effect on the residual land value of schemes, and therefore the proposed CIL rates for sheltered / retirement housing.	The Planning Bureau Ltd (on behalf of McCarthy & Stone Retirement Lifestyles Ltd)	Viability study consultants have provided further clarification, which shows that these factors have been taken into account in their modelling.  CIL Regulations currently indicate that CIL cannot be differentiated so as to take account of different residential business models.	No proposed changes
003	Developments in locations close to the AONB, where sensitive areas could be impacted by increased access and use of rural infrastructure such as PRowS, should be subject to a higher CIL rates.	Kent Downs AONB	The proposed CIL rates have been derived from the viability study, which indicates the CIL rates that are most appropriate for different residential zones across the district. CIL Regulations state that rates should be set with regard to evidence, rather than policy considerations.	No proposed changes

Cons. response reference	Comments	By who	SDC Response	Effect on Draft CIL Charging Schedule
	<b>Draft R123 List</b>			
005 006 008 011 013 019	<p>Absence of a Draft Regulation 123 list, highlighted by respondents.</p> <p>The intention to provide a draft R123 list as part of the draft CIL Charging Schedule consultation, noted by some respondents.</p> <p>Some respondents expressed an interest in being involved in discussions on the development of the draft R123 list.</p>	<p>Savills (on behalf of Ellandi) Thomas Eggar LLP (on Behalf of Asda Stores Ltd) Environment Agency Kent Police Kent County Council Dover District Council</p>	<p>Comments noted – a draft R123 list will accompany the draft CIL Charging Schedule consultation.</p>	<p>Draft R123 to accompany consultation on draft CIL Charging Schedule.</p>
003	<p>It would be expected that the use of CIL generated from developments raised from within the AONB or its setting, should be related to conserving and enhancing the AONB. S106 agreements must also remain an option to fulfil this need.</p>	<p>Kent Downs AONB</p>	<p>An indicated use of pooled CIL income will be provided by the draft R123 list. S106 agreements will also remain part of the planning process, particularly for significant development proposals requiring site specific mitigation measures to be addressed.</p>	<p>No proposed changes</p>
003 005 006 009 010 012	<p>Need to provide clarification on the continued use of s106 agreements, and their relationship with the CIL system and R123 list.</p>	<p>New Romney Town Council Southern Water Kent Wildlife Trust Kent Downs AONB Thomas Eggar LLP (on Behalf of Asda Stores Ltd) Savills (on behalf of Ellandi)</p>	<p>Comments noted – further clarification to be provided during spring 2015.</p> <p>Draft R123 list will also accompany draft CIL Charging Schedule Consultation.</p>	<p>No proposed changes</p>

Cons. response reference	Comments	By who	SDC Response	Effect on Draft CIL Charging Schedule
	<b>Draft Infrastructure Assessment &amp; Infrastructure Delivery Plan</b>			
010 013	Draft Infrastructure Assessment and Delivery Plan (IADP) to be updated to reflect detailed information provided by respondents.	Kent County Council Southern Water	Comments noted – IADP to be updated.	No proposed changes
013	The District Council will need to identify other funding sources to address the infrastructure funding gap (identified by the draft IADP) - a gap funding strategy should therefore be considered and developed.	Kent County Council	Comments noted – Core Strategy Local Plan draft infrastructure assessment and draft IADP to form basis of a gap funding strategy, particularly for key infrastructure projects.	No proposed changes

Shepway CIL PDCS Consultation Respondents	SDC reference
Kent Channel Chamber of Commerce	CIL PDCS-001
Marine Management Organisation	CIL PDCS-002
Kent Downs AONB	CIL PDCS-003
KCC Member	CIL PDCS-004
Savills (on behalf of Ellandi LLP)	CIL PDCS-005
Thomas Eggar (on behalf of Asda)	CIL PDCS-006
Natural England	CIL PDCS-007
Environment Agency	CIL PDCS-008
New Romney Town Council	CIL PDCS-009
Southern Water	CIL PDCS-010
Kent Police	CIL PDCS-011
KWT	CIL PDCS-012
KCC	CIL PDCS-013
RPS (on behalf of GSE group)	CIL PDCS-014
Sellindge Parish Council	CIL PDCS-015
The Planning Bureau (on behalf of McCarthy & Stone)	CIL PDCS-016a CIL PDCS-016b CIL PDCS-016c
Other resident (not residing in Kent)	CIL PDCS-017
Planning Potential Ltd (on behalf of Aldi Stores Ltd)	CIL PDCS-018
Dover District Council	CIL PDCS-019
Folkestone Town Council	CIL PDCS-020

## **Appendix 2: CIL PDCS Public Notice Placed in Local Press**

### **NOTICE OF PUBLICATION OF THE SHEPWAY DISTRICT COUNCIL COMMUNITY INFRASTRUCTURE LEVY PRELIMINARY DRAFT CHARGING SCHEDULE**

#### **PLANNING ACT 2008 (PART 11) / LOCALISM ACT 2011 (PART 6) COMMUNITY INFRASTRUCTURE REGULATIONS 2010 (AS AMENDED) REGULATION 15**

The Community Infrastructure Levy (CIL) is a charge that partly replaces section 106 planning obligations. CIL will apply to certain new developments in an area, with income used to part fund infrastructure. CIL Regulations and guidance require CIL rates to be set at a level that maintains development viability.

As part of the formal process, Shepway District Council has produced a CIL Preliminary Draft Charging Schedule (PDCS), which is issued for consultation. The CIL PDCS sets out proposed CIL rates, which are considered to be set at an appropriate level to secure both infrastructure funding contributions and development viability in the District.

In accordance with Regulation 15 of the CIL Regulations 2010 (as amended), comments and representations are invited on the CIL PDCS, and its associated evidence base documents, during the consultation period from 18th August 2014 to 13th October 2014 at 5pm.

The CIL PDCS, a consultation comments response form, and supporting documents on viability and infrastructure, are available for inspection online or at the Civic Centre, as follows:

- Online via the District Council's website: <http://www.shepway.gov.uk/content/view/201786/206/>
- At Shepway District Council's Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY (from 8.30am to 5pm on Mondays, Tuesdays, Thursdays and Fridays; and from 9.30am to 5pm on Wednesdays).

Comments and representations can be made and submitted as follows:

- By email, by downloading and completing the consultation comments response form, with this to be sent to – [planning.policy@shepway.gov.uk](mailto:planning.policy@shepway.gov.uk)
- By post, by downloading and completing a hard copy of the consultation comments response form; or by obtaining a hard copy of the form from the Civic Centre – with this to be sent to the above address.

In accordance with the CIL Regulations 2010 (as amended), comments and representations received on the CIL PDCS will be taken into consideration in preparing a subsequent Draft CIL Charging Schedule. Following an additional period of consultation on the second draft, the charging schedule will be subject to an examination in public.

For further information, please contact the Council's Planning Policy team at tel. 01303 853364 / or by email: [planning.policy@shepway.gov.uk](mailto:planning.policy@shepway.gov.uk)

**Folkestone**

Hythe & Romney Marsh

Shepway District Council



[www.shepway.gov.uk](http://www.shepway.gov.uk)

## **Appendix 3: CIL PDCS Consultation Letter & Email**

Your Ref:  
Our Ref: SDC/CIL PDCS/Aug14  
Direct Dial: 01303 853364  
Fax:  
E-Mail: [planning.policy@shepway.gov.uk](mailto:planning.policy@shepway.gov.uk)  
Date:

**Folkestone**  
Hythe & Romney Marsh  
Shepway District Council



**18<sup>th</sup> August 2014**

**To:**

Dear

**Shepway District Council Community Infrastructure Levy  
Public Consultation: Preliminary Draft Charging Schedule  
Monday 18<sup>th</sup> August to 5pm Monday 13<sup>th</sup> October 2014**

I am writing to inform you that on Monday 18<sup>th</sup> August 2014, Shepway District Council will commence its public consultation on a Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (PDCS). The consultation period lasts for an 8 week period, until 5pm on Monday 13<sup>th</sup> October 2014, and this represents the first formal stage in the development and introduction of CIL in the district.

The Council is inviting comments and representations from residents, businesses, parish and town councils, neighbouring local authorities, the County Council, developers and the development industry, and any organisation or person that may have an interest in CIL and the proposals set out by the CIL PDCS.

You may be aware that CIL is a new charge that local authorities can levy on new developments in their area. It has been introduced by Government as their preferred approach for developers to provide funding contributions toward the infrastructure required to support developments in an area. A scaled back system of section 106 planning obligations will however continue to remain in operation once CIL comes into effect.

A copy of the CIL PDCS is enclosed for your attention, along with a consultation comments response form.

An on-line version of the CIL PDCS and the consultation comments response form, along with further information, including a CIL and Whole Plan Economic Viability Study, and a Core Strategy Local Plan infrastructure assessment, can be viewed via the following web site address: <http://www.shepway.gov.uk/content/view/201786/206/>

The Consultation document and supporting information can also be viewed at the:  
**Shepway District Council Civic Centre, Castle Hill Avenue, Folkestone CT20 2QY.**

Comments and representations on the CIL PDCS and related matters should be made using the enclosed consultation comments response form. This can be sent as an email attachment, or by post using the following addresses:

Shepway District Council  
Civic Centre, Castle Hill Avenue, Folkestone, Kent, CT20 2QY  
Telephone: (Switchboard) 01303 853000  
E-mail: [sdci@shepway.gov.uk](mailto:sdci@shepway.gov.uk)  
DX 4912 Folkestone

[www.shepway.gov.uk](http://www.shepway.gov.uk)

**By email:**

[Planning.policy@shepway.gov.uk](mailto:Planning.policy@shepway.gov.uk)

(Please enter CIL PDCS in the title bar of your email)

**By post:**

CIL PDCS Consultation  
Shepway District Council  
Planning and Building Control  
Planning Policy  
Civic Centre, Castle Hill Avenue  
Folkestone, Kent  
CT20 2QY

Should you have any queries on the consultation, please use the contact details given at the top of this letter.

The Council greatly appreciates your consideration of the consultation document, and welcomes your views on the CIL PDCS.

Yours faithfully

Chris Lewis  
Head of Planning



Email text

**From:** Arnett, Stephen  
**Sent:** 18 August 2014 17:26  
**To:**  
**Subject:** Shepway CIL PDCS consultation

Dear

**Shepway District Council Community Infrastructure Levy (CIL)  
Public Consultation: Preliminary Draft Charging Schedule (PDCS)  
Monday 18<sup>th</sup> August, to 5pm Monday 13<sup>th</sup> October 2014**

I am writing to inform you that on Monday 18<sup>th</sup> August 2014, Shepway District Council will commence its public consultation on a Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (PDCS). Please therefore accept this email as notification of the commencement of the public consultation of this document.

The consultation period lasts for an 8 week period until 5pm on Monday 13<sup>th</sup> October 2014. The Council would greatly appreciate receiving your views on the CIL PDCS, which represents the first formal stage in the development and introduction of CIL in the district.

The Council is inviting comments and representations from residents, businesses, parish and town councils, neighbouring local authorities, the County Council, developers and the development industry, and any organisation or person that may have an interest in CIL and the proposals set out by the CIL PDCS.

The attached letter provides further information on how to respond to the consultation. Please also find attached the CIL PDCS document and a consultation comments response form. These and supporting documents, including a CIL and Whole Plan Economic Viability Study, and a Core Strategy Local Plan Infrastructure Assessment, can also be viewed via the Council's website at:  
<http://www.shepway.gov.uk/content/view/201786/206/>

The Consultation document and supporting information can also be viewed at the: **Shepway District Council Civic Centre, Castle Hill Avenue, Folkestone CT20 2QY.**

If you wish to make comments in response to the CIL PDCS consultation, please submit these by email using the attached consultation comments response form, with these to be returned to:  
[planning.policy@shepway.gov.uk](mailto:planning.policy@shepway.gov.uk).

If you prefer to send in a hard copy response form, please send this to the above address, with 'CIL PDCS Consultation' written on the envelope.

Thank you for considering the CIL PDCS consultation. The Council welcomes your views on and looks forward to receiving your response.

Kind regards

Stephen Arnett  
Community Infrastructure Levy Officer  
Planning Policy Team  
Shepway District Council  
Tel: 01303 853364

The Civic Centre  
Castle Hill Avenue  
Folkestone  
Kent CT20 2QY  
[www.shepway.gov.uk](http://www.shepway.gov.uk)

## **Appendix 4: CIL PDCS consultation webpage (on [www.shepway.gov.uk](http://www.shepway.gov.uk))**

<http://www.shepway.gov.uk/content/view/201786/206/>

### **CONSULTATION ON COMMUNITY INFRASTRUCTURE LEVY (CIL) PRELIMINARY DRAFT CHARGING SCHEDULE (PDCS)**

#### **Community Infrastructure Levy**

The purpose of the Community Infrastructure Levy (CIL) is to raise funds to help pay for the infrastructure that's required to support development.

The scope of CIL is governed by CIL regulations initially introduced in 2010 and further amended in 2011, 2012, 2013 and 2014. All Local Authorities wishing to introduce CIL have to pay due regard to these regulations. The initial stage in the process is preparation of a CIL Preliminary Draft Charging Schedule (PDCS), for consultation.

On adoption by a Local Authority, CIL is payable by liable developments as defined by a CIL Charging Schedule. CIL will also replace most section 106 contributions for wider infrastructure needs, apart from those related to site specific mitigation measures and affordable housing.

The Planning Act (2008), which introduced CIL, gives a wide definition of the types of infrastructure that it can help to fund, including – transport, education, flood defences, community facilities, parks, green spaces and play spaces.

Further information on CIL is available from the Government's Department of Communities and Local Government, via their website as follows:

[Communities and Local Government website](#)

#### **Consultation on CIL Preliminary Draft Charging Schedule**

Shepway District Council approved a CIL Preliminary Draft Charging Schedule (PDCS) for consultation, at its Cabinet meeting of 30th July 2014.

Members of the public, local communities, Parish and Town Councils, businesses and interested organisations, are now invited to review Shepway's CIL PDCS and submit their comments and representations by 5pm Monday, 13th October 2014.

#### **Key Documents**


CIL Regulations and guidance requires a Local Authority to produce a viability study as a means to identify appropriate CIL rates.

Shepway District Council commissioned an independent CIL and Whole Plan Economic Viability study during the spring of 2014, to review evidence, model and test CIL rates for residential and non-residential developments across the District.

CIL Regulations and guidance also require a Local Authority to produce an infrastructure assessment and delivery plan, which identifies infrastructure needs, projects, indicative costs, funding sources and gaps.

A review of the Shepway Core Strategy Local Plan's (CSLP) infrastructure needs assessment was therefore undertaken during the spring of 2014, and a related draft infrastructure delivery plan has been produced.

The CIL PDCS can be downloaded as a PDF document, and the consultation comments response form can be downloaded as a word document, as follows:

CIL PDCS  [Shepway CIL PDCS \(final draft Aug14\)](#)

CIL PDCS consultation comments response form [CIL PDCS comments form \(Aug14\)\(1\)](#)

The CIL and Whole Plan Economic Viability Study, and the CSLP Infrastructure Needs Assessment can be downloaded as PDF documents, as follows:

CIL & Whole Plan Economic Viability Study [Shepway CIL&WPVS \(July14\)](#) [Shepway CIL&WPVS appends \(July14\)](#)

CSLP Infrastructure Needs Assessment & draft Infrastructure Delivery Plan [SDC Infrastructure Assessment \(July14\)](#)

#### How to Send Comments and Representations on the CIL PDCS

Please submit your comments and representations on the CIL PDCS via one of the following means:

- By email attaching the consultation comments response form
- By downloading the consultation comments response form and sending by post

Please email the consultation comments response form to:

[planning.policy@shepway.gov.uk](mailto:planning.policy@shepway.gov.uk)

Or send by post to:

1. CIL PDCS Consultation
2. Shepway District Council

Planning and Building Control  
Planning Policy  
Civic Centre, Castle Hill Avenue  
Folkestone, Kent  
CT20 2QY

Please note the consultation runs from Monday 18th August to 5pm Monday 13th October 2014.

#### Next Steps and CIL Timescales

After the close of the consultation, the Council will consider all comments and representations received. In accordance with CIL Regulations, a further draft CIL Charging Schedule will then be produced and issued for consultation during January 2015. Following a review of comments and representations received, the Council will aim to submit a final draft CIL Charging Schedule to the Secretary of State for Communities and Local Government during the spring of 2015, with this to be followed by an Examination in Public. The aim is for the Council to be in a position to consider the adoption of a CIL Charging Schedule during the summer of 2015.

#### Further Information

For further information, please contact the Council's Planning Policy team on tel.no: 01303 853364; or via email at: [planning.policy@shepway.gov.uk](mailto:planning.policy@shepway.gov.uk)

Created : Thu, 12 Jun 2014

Updated : Mon, 18 Aug 2014

<b><u>Annex 5: CIL PDCS Consultation Contact List</u></b>	
	Action with Communities in Rural Kent
	A Scott Ltd
	Acrise Parish Council
	Affinity Water Ltd
	Airport Operators Association
	Akehurst Homes
	Alliance Environment & Planning Ltd
	Anthony Hicks & Co
	Applied Renewable Energy Ltd
	Arena Racing Company Ltd
	Asda Stores
	Ashford Borough Council
	Association of Local Councils
	Barton Willmore
	Better Places
	Big Jigs Toys
	Bishop Consultancy Limited
	Blackstone Homes
	Bluewater Caravan Park
	BNP Paribas Real Estate
	Bouveie Place
	Bovis Homes
	Brenzett Parish Council
	Brian Uden Ltd
	British Asian Association
	British Energy Plc
	British Geological Survey
	Brookland Parish Council
	<a href="#">Browns, Hawkinge</a>
	BT Open Reach
	Bucket and Spade
	Burmarsh parish Council
	Buzzlines
	<a href="#">C R Child &amp; Partners, Hythe</a>
	Cabterbury City Council
	Camland Developments
	Canterbury Christ Church University

CDSP Ltd
CGMS
Champion Ltd
<a href="#">Champion &amp; Co, Hythe</a>
Charlier Construction
Cheney Thorpe & Morrison
Church and Dwight
Clagues
Clive Tidmarsh, Design Architecture & Planning
Cognitive Media
Colin Bett Ltd
Copy Link/FITA
Country Land and Business Association
Courtley Consultants Ltd
CPRE - Protect Kent
Creative Foundation
Crown Estate
CSDP
Cycle Shepway
CYMA Architects
Damian Collins MP
Defence Infrastructure & Land Management Services
Deloitte
Department of Transport
DHA Planning
Discover Folkestone, Hythe and Romney Marsh
Dover District Council
Drivers Jonas Deloitte
DTZ Development Consulting
Dymchurch Parish Council
East Kent Housing
East Sussex County Council
EDF Energy
Elham Parich Council
Elmsted Parish Council
English Heritage
Environment Agency
Eurotunnel
Federation of Small Businesses
Fell Reynolds

FHDHCA
Fields in Trust
Folkestone Harbour Company
Folkestone Town Centre Management
Folkestone Town Council
Folkestone, Hythe and District Association of Surveyors, Valuers, Auctioneers and Estate
Geoconservation Kent
Geoff Love Ltd
George Denny Ltd
Gladman Group
Godden Allen Lawn
GOPAK
Gregory Gray Associates
Guy Hollaway Architects
GVA
Hallam Land Management Limited
Hawkinge Town Council
Highways Agency
Hobbs Parker
Holiday Extras
Home Builders Federation
Homes & Communities Agency
Humberts Leisure
Hume Planning Consultancy
HV Wooding
Hythe Care Homes
Hythe Chamber of Commerce & Tourism
Hythe Town Council
Iceni Projects
Ivychurch Parish Council
Jacksons Fencing
Jenner Homes
John Floydd & Co
John Macmillian Associates
John Verkaik Ltd
Jones Lang LaSalle Limited
KCC Shepway members (all)
Keith Barker Ltd
Kent Channel Chamber of Commerce
Kent County Council

Kent Developers Group
Kent Downs AONB
Kent Fire & Rescue Service
Kent Nature Partnership
Kent Planning Ltd
Kent Police
Kent Wildlife Trust
Kentish Homes Ltd
Kingston Homes
Lcl surveyors
Lee Evans & Co
Leisure Republic
Lydd Airport
Lydd Town Council
Lyminge Parish Council
Lympne Parish Council
Magnox
Maidstone Studios
Marine Management Organisation
Marsh Forward Development Trust
McCarthy & Stone
Milbrooke Printers
Moat Housing Group
Monks Horton Parish Council
Mono Consultants Ltd
Morrisons Supermarkets
Mouchel Estates
Murston Construction Ltd
Natural England
Network Rail
New Romney Town Council
Newchurch Parish Council
Newington Parish Council
NHS Property Services
Nick Highton Ltd
Nigel Seymour Ltd
Old Romney Parish Council
Open Spaces Society
Orbit Housing Association
Paddlesworth Parish Council

Paul Noad Associates
Paul Roberts Associates
Pentland Homes
Persommon Homes
Peter Spiller Ltd
Petham
Phides Estates
Port Lympne Wild Animal Park
Postling Parish Council
PRP Architects
Quinn Estates
Realia
<a href="#">Reeds Rains, Folkestone</a>
Richard Daniels & Co
Roger Joyce Associates
Romney Marsh Potato Company
Romney Resource Centre
Romney, Hythe & Dymchurch Railway
Rother District Council
RPC Land and New Homes
RSPB
SAGA Group Ltd
Sainsburys
Saltwood Parish Council
Sanctuary Housing Association
Sandgate Parish Council
Sandgate Society
Savills
Scott Wilson
Screen South
Sellindge Parish Council
Servo Connectors
Shepway District Council members (all)
Shepway Environment and Community Network
Sleeping Giant Media
Smith Woolley & Perry
<a href="#">Smiths Gore, Maidstone</a>
Snargate Parish Council
South East LEP
Southeastern Railways



Southern Water
Sport England
St Mary in the Marsh Parish Council
Stagecoach
Stanford Parish Council
Stelling Minnis Parish Council
Stowting Parish Council
<a href="#">Strutt &amp; Parker, Canterbury</a>
Stuart Ingleston Ltd
Sustrans
Swingfield Parish Council
Taskmasters UK
Taylor Wimpey
Terry Dowding Ltd
Tescos
TG Designer Homes
Thanet District Council
The London Planning Practice
The Planning Inspectorate
The Woodland Trust
The Workshop
Tim Campbell Associates
Tim Parrett Ltd
Tom Quaye Ltd
Town & Country Housing Association
Triflex
Waitrose Ltd
Walker Construction
Walker Construction
Ward Homes
Wealden Homes
West Design Products
Wheelchair Users Group
<a href="#">YOUR MOVE, Hythe</a>

