

Community Infrastructure Levy

Timeline and History

Contents

1. Introduction to the Community Infrastructure Levy (CIL)
2. Timetable and Milestones
3. Preparation of the CIL Charging Schedule
4. Consultation on the CIL Preliminary Draft Charging Schedule (April to June 2012)
5. Consultation on CIL Draft Charging Schedule and Planning Obligations (July to September 2014):
6. Examination of the CIL
7. Adoption of the Community Infrastructure Levy

1. Introduction to the Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a tariff system that allows local authorities to raise funds from developers to contribute to the costs of providing some of the infrastructure needed for new development. CIL replaces Planning Obligations or Section 106 contributions for many forms of infrastructure, although Section 106 agreements will still be used for site-specific mitigation measures and for affordable housing provision.

Rates of CIL are set out for all qualifying development in a document known as a 'CIL Charging Schedule'. The following documents give further information on the CIL:

- [Guide to the CIL and the Consultation \(Leaflet\)](#)
- [CIL Questions and Answers](#)

2 Timetable and Milestones

The main stages in the preparation of the document are set out below.

Key Stage	Date
Consultation on the Preliminary Draft Charging Schedule	April to June 2012
Preparation of the Draft Charging Schedule alongside the Core Strategy hearings and the Placemaking Plan	Up to July 2014
Public Consultation on Draft Charging Schedule	July to September 2014
The Draft Charging Schedule submitted to the Secretary of State.	October 2014
Draft Charging Schedule examined in public by an independent inspector.	December 2014
The final version of the document adopted by the council	April 2015

3. Preparation of the CIL Charging Schedule

The following information was been produced to help guide the preparation of the CIL Charging Schedule:

- [CIL Questions and Answers](#)
- [B&NES CIL Infrastructure Funding Gap Evidence Paper \(July 2014\)](#)
- [Draft B&NES Infrastructure Delivery Plan](#)
- [B&NES Equalities Impact Assessment Report](#)
- [SEA/SA Screening Report](#)
- [Regulation 15\(7\) Consultation Statement](#)
- [BNP Paribas Viability Assessment \(May 2014\)](#)

- [Appendix 1 Residential appraisal results Part 1](#)
- [Appendix 1 Residential appraisal results Part 2](#)
- [Appendix 2 Commercial appraisal results](#)
- [Appendix 3 Sub-market areas](#)
- [Appendix 4 Strategic sites testing](#)
- [Appendix 5 Extra Care Appraisals](#)
 - [Part 1: Retirement Housing - 30% Affordable Housing](#)
 - [Part 2: Retirement Housing - 40% Affordable Housing](#)

4. Consultation on the Preliminary Draft Charging Schedule

The [CIL Preliminary Draft Charging Schedule](#) was consulted on between April to June 2012 in accordance with Regulation 15 of the CIL Regulations 2010 (as amended). The following documents were subject to consultation:

- [CIL Viability Study Report](#)
- [Appendix 1: Residential Appraisal Results](#)
- [Appendix 2: Residential Appraisal Results Filtered](#)
- [Appendix 3: Commercial Appraisals](#)
- [Appendix 4: Stakeholder Workshop Notes](#)

The comments made during the consultation on Preliminary Draft Charging Schedule are available below:

- [Consultation Comments](#)
- [Comments submitted by Savills on behalf of the House Builder Consortium Group](#): these could not be included within the format of the other comments and are therefore linked separately.

5. Consultation on CIL Draft Charging Schedule and Statement of Modifications

Following the approval of the [Council's Cabinet on 16th July 2014](#) (the report is available via [this link - see Item 15](#)), the Council published B&NES CIL Draft Charging Schedule (and supporting documentation as set out below) for a public consultation that took place between 24th July and 18th September 2014.

The consultation was done in accordance with Regulation 16 & 17 of the Community Infrastructure Levy (CIL) Regulations 2010. The Consultation on the Draft CIL & S106 Guide Supplementary Planning Document (SPD) was also done in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012

The following comments and representations were received during the consultation; each is available to download via the respective links.

Bath and North East Somerset Council: the Community Infrastructure Levy (CIL) Timeline and History

#	Respondent	Representation
0050	Saltford Parish Council	DCS15: Comment
0093	Highways Agency	DCS07: Comment
0095	The Coal Authority	DCS03: Comment
0102	Federation of Bath Residents Associations (FOBRA)	DCS22: Comment
0148	Initiative in B&NES and Bath Chamber of Commerce	DCS12: Comment
0151	Dunkerton Parish Council	DCS10: Comment
0154	The Canal & River Trust	DCS14: Comment
0163	The Theatres Trust	DCS06: Comment
0166	Sainsbury's Supermarkets Ltd (Agent 18 WYG)	DCS25: Comment
0245	Environment Agency	DCS28: Comment
0247	Ms A Tyrrell	DCS13: Comment
0257	Valley Parishes Alliance	DCS17: Comment
0274	Sport England	DCS11: Comment
0276	Hignett Family Trust (Agent 151 Macan)	DCS32: Comment
0279	English Heritage	DCS35: Comment
0281	Natural England	DCS23: Comment
0300	Curo Enterprise Ltd (Agent 177 - Barton Willmore)	DCS09: Comment
0301	South West HARP Consortium (Agent 43 Tetlow King Planning)	DCS24: Form and Comment
0304	University of Bath (Agent 135 Define)	DCS26: Comment
0837	Mr D Redgewell, South West Transport Network & Rail Future	DCS34: Comment DCS34 Part 2: Request to attend hearing and further representations.
1338	Midsomer Norton Town Council	DCS29: Comment
2562	Unite Group (Agent 127 CGMS)	DCS33: Comment , with Appendix 1 and Appendix 2
3088	House Builder Consortium (Agent 132 Savills)	DCS30: Form and Comment , with

#	Respondent	Representation
		Appendix 2 and Appendix 4
4474	Ediston Real Estate (Agent 39 GVA)	DCS18: Form and Comment
4794	The Abbey Residents Association (TARA)	DCS05: Comment
4816	Square Bay (Bath) Ltd (Agent 165 Pegasus Planning)	DCS16: Form and Comment
4932	Mr R. Williams	DCS01: Comment
6324	IM Properties (Agent 39 GVA)	DCS27: Comment
6337	NHS England	DCS02: Comment
6338	Watkins Jones Group	DCS04: Comment
6339	Asda Stores Ltd (Agent 203: Thomas Eggar LLP)	DCS08: Comment
6342	McCarthy and Stone Retirement Lifestyles Ltd (Agent 204 The Planning Bureau)	DCS19: Comment DCS19 Part 2: <ul style="list-style-type: none"> • Request to attend the Examination Hearings • Letter • Letter Attachment 1 (Basingstoke) • Letter Attachment 2 (Chippenham) • Letter Attachment 3 (Chipping Sodbury) • Letter Attachment 4 (Taunton) • Letter Attachment 5 (Cardiff Area)
6343	Whitbread PLC (Agent 205 Rocke Associates)	DCS20: Form and Comment
6344	Macmullen Associates (Agent 205 Rocke Associates)	DCS21: Form and Comment
6346	Mactaggart and Mickel (Agent 205 Rock Associates)	DCS31: Form and Comment

A Statement of Modifications was available for comment between 10th October and 11th November 2014. The document contains a single modification– providing a map relating to the Draft Charging Schedule- and constitutes a minor change. This change has been incorporated into the Revised Draft Charging Schedule. During the consultation period the following comment was received:

- Respondent 6324, IM Properties: [DSC01 Comment](#)

4. The Examination of the CIL

The Examination of the CIL Draft Charging Schedule took place from on 8th January 2015 in the Brunswick Room within the Guildhall (High Street, Bath, BA1 5AW).

Mr Philip Staddon BSc, Dip, MBA, MRTPI was appointed to independently examine the CIL Draft Charging Schedule.

The examination process is administered by a Programme Officer, who is independent of the Council. The Programme Officer appointed for the examination of the CIL was Mr Chris Banks.

The following documents were submitted as part of the Examination of the CIL Draft Charging Schedule:

- [CIL Examination Core Document list](#)
- SUB/1: [CIL Revised Draft Charging Schedule](#), submitted in October 2014
- SUB/2: [CIL Draft Infrastructure List / Regulation 123 list](#), submitted in October 2014
- SUB/3: [Regulation 19\(1\)\(b\) Statement – Report of Draft CIL Charging Schedule Representations including summary of Representations](#), submitted in October 2014
- SUB/4: Regulation 19(1)(c) copy of representations made on the Draft CIL Charging Schedule (see section 4 above), submitted in October 2014
- SUB/5: [Statement of Modifications](#), submitted in October 2014
- SUB/6: [Statement of Submission](#), submitted in October 2014
- SUB/7: [Statement of Compliance](#), submitted in October 2014

Examination Agenda and other documents

The [Examiner's note \(ED-1\)](#) and [Examiner's Agenda \(EC-2\)](#) provide further details on the Examination

The following further information was issued during and for the Examination Hearing:

- [CIL Examination Core Document list](#)
- [Representations and comments made to the Draft Charging Schedule and Statement of Modifications](#)
- [B&NES/1: Council Note to the Examiner setting out Post Submission Changes to the submitted Revised Draft Charging Schedule, and providing further evidence relating to Housing Projections](#). Related documents includes:
 - [PSD/1 A Post Submission Revised Draft Charging Schedule](#);

- [PSD/2 Statement of Common Ground between B&NES Council /The Planning Bureau on behalf of McCarthy and Stone Retirement Lifestyles Ltd in relation to the Extra Care Accommodation; and](#)
- [PSD/3 Addendum to the Viability Assessment in relation to Student Accommodation.](#)
- [B&NES/2 Council Note to the Examiner concerning representations to the Draft Planning Obligations Supplementary Planning Document in relation to the Small Sites Affordable Housing Commuted Sum Formula](#)
 - [The representations referred to can be downloaded via this link \(Note this is a large 23MB file\).](#)

A document was also submitted after the Examination Hearing:

- [16th January 2015: Statement of Common Ground between Bath & North East Somerset Council and Agents \(Savills\) on behalf of Crest Nicholson \(Bath Western\) Ltd](#)

The [Examiner's final report](#) into the Bath and North East Somerset Council Draft Charging Schedule was received on 30th January 2015. The examiner recommended approval of the CIL Charging Schedule, with modifications. A report to the Full Council Meeting set out the changes made as a result of the Examiner's Recommendations. The [Report to the Full Council is available via this link](#).

7. Approval of the Community Infrastructure Levy

The documents associated with the approval of the Community Infrastructure Levy are as follows:

- [Cabinet Agenda and Draft Minutes 11th February 2015](#)
- [Full Council Meeting Agenda and Draft Minutes, 17th February 2015 \(see item 126\)](#)
- [B&NES CIL Charging Schedule](#)
- [Examiner's final report, 30th January 2015](#)

The Charging Schedule was approved by Full Council on 17th February 2015 and came into effect on 6th April 2015. The final [CIL charging schedule document is available via this link](#).

Following its implementation, CIL replaces the Planning Obligations or Section 106 contributions for many forms of infrastructure, although Section 106 agreements will still be used for site-specific mitigation measures and for affordable housing provision.

Bath and North East Somerset Council approved a revised Planning Obligations Supplementary Planning Document (SPD) at [Cabinet on the 11th February 2015](#). The Documents and Links associated with the preparation and approval of the Planning Obligations SPD can be found on the [Planning Obligations Supplementary Planning Document web page](#).