

Community Infrastructure Levy (CIL) Consultation

This is your opportunity to give your views on Bath and North East Somerset Council's CIL Draft Charging Schedule and the associated Draft Updated Planning Obligations Supplementary Planning Document.

A public consultation is taking place between 24th July and 5pm on 18th September 2014.



How can I find out more?

The draft charging schedule/ proposed CIL rates, and supporting documents, and Draft Planning Obligations SPD, can be viewed at the following locations:

- online at www.bathnes.gov.uk/cil
- at the Council's One Stop Shops (Bath, Keynsham and Midsomer Norton) and all Council Libraries including mobile libraries during normal opening hours.

How to Comment?

Representations are invited to the Draft Charging Schedule, and Draft Planning Obligations SPD, during the consultation period starting 24 July and ending at 5pm 18 September 2014. There are forms available to respond.

We welcome your comments via the following means:

- By email: CIL@bathnes.gov.uk
- By post: Planning Policy, Bath and North East Somerset Council, PO Box 5006, Bath BA1 1JG

What is the Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support the development of the area.

Different rates of CIL are identified for different types of development, depending on the viability of each type of development. The revenue generated from CIL will be used to fund infrastructure that will support and address impacts of development in the district.

CIL will operate with a scaled back system of Section 106 Agreements for site related issues. A draft Updated Planning Obligations Supplementary Planning Document is also subject to consultation during the same period.

What development will be liable to pay CIL?

CIL is applied as a charge on each square metre of floor space in new buildings, where subject to a charge in the Charging Schedule, with a minimum threshold of 100 square metres, or a single dwelling. It also applies to the conversion of a building that is no longer in lawful use.

Some types of development are exempt from CIL. For example "self-builders"- people building their own home or extension—are exempt from CIL provided certain criteria are met. Social housing and developments for charitable purposes are eligible for certain reliefs.

How will CIL relate to planning obligations / s106 agreements ?

Following the adoption of a Charging Schedule, CIL will replace Planning Obligations S.106 Agreements as the primary tool to pool contributions towards delivering community infrastructure. S.106 will still be required for affordable housing. To avoid overlap with CIL, S.106 will only be able to be requested for on-site specific infrastructure (eg open space and facilities) and off-site infrastructure (eg highway access works and local works) necessary to ensure a development is acceptable in planning terms. The Draft Planning Obligations SPD explains the circumstances where S.106 will still be required.

What are the Draft Charging Schedule rates proposed for Bath and North East Somerset Council?

The proposed charging schedule is shown in the box to the right. The Schedule includes plans indicating the boundaries for the Locations. The "Strategic sites / urban extension" are as defined within the Core Strategy (Policies B3A, B3C, KE3A, KE4 and RA5).

The proposed CIL rates were set based on the evidence including feedback from the consultation on the Preliminary Draft Charging Schedule and an updated economic viability assessment undertaken by BNP Paribas for the Council in 2014. The residential CIL rates for the strategic allocations take into account the Core Strategy policies for these sites which indicate specific infrastructure requirements.

Draft Charging Schedule Development Type	Location	CIL charge £/m ²
RESIDENTIAL (Class C3) Including Specialised, Extra Care and Retired Accommodation	District wide	£100
	Strategic Sites / urban extension	£50
HOTEL (Class C1)	In Bath	£100
	Rest of District	£ Nil
RETAIL (Class A1/A2/A3/A4/A5) In-centre / High Street Retail	Bath City Centre	£150
	Other centres	£ Nil
SUPERMARKETS, SUPERSTORES AND RETAIL WAREHOUSE (over 280sq m sales area)	District wide	£150
OFFICES (Class B1)	District wide	£ Nil
INDUSTRIAL AND WAREHOUSING	District wide	£Nil
STUDENT ACCOMMODATION (purpose built accommodation for students).	On Campus with submarket rents to be set in section 106 agreement	£ Nil
	Off Campus	£200
ANY OTHER DEVELOPMENT	District wide	£ Nil

How will CIL be spent?

The money raised through CIL must be spent on infrastructure needed to support the development of the B&NES area. The Council must specify the projects/types it intends to spend CIL receipts on, in what is known as a 'Regulation 123 List'. See box below.

How will local communities be benefit from this?

The Government regulations require that the Council pass a proportion of the CIL funds to the neighbourhoods in which the development takes place. The neighbourhood proportion of CIL can be spent on a wider range of items than for the district wide infrastructure list.

In areas with a Neighbourhood Plan in place; or permission was granted by a Neighbourhood Development Order, the Council must pass **25%** of the CIL funds from developments within those areas to the relevant local council area (Town and Parish Councils). Where there is no Neighbourhood Plan this amount is **15%**, **subject to a cap of £100 per household** in the local council area, per year.

Communities without a Parish Council, such as Bath, will still benefit from the neighbourhood proportion of CIL funds (15% capped or 25% uncapped). In these areas the Council will retain the CIL receipts and engage with the local communities at the neighbourhood level to agree how best to spend the funds.

Draft District wide Infrastructure List (Regulation 123 List)

The Council has identified a draft list of infrastructure required suitable for CIL funding as follows

- Strategic Transport Infrastructure including cycling and walking infrastructure, and public transport (excluding development specific mitigation works on, or directly related to, a development site)
- Green infrastructure to deliver the requirements set out in the Green Infrastructure Strategy (excluding on site provisions)
- The Early Years provision sets out in the Childcare Sufficiency Assessment
- School Schemes set out in the Schools Organisation Plan (Except primary schools and places required by strategic site proposals)
- Social Infrastructure, including social and community facilities, sports, recreational, play infrastructure and Youth provision, and cultural facilities (excluding on site provision)
- Strategic Energy Infrastructure (excluding on site provision)
- Health and Well-being Infrastructure
- Strategic Waste Facilities