

# Community Infrastructure Levy: Preliminary draft charging schedule

January 2015



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# Guildford borough preliminary draft charging schedule

1. We have prepared and published this preliminary draft charging schedule (PDCS) for consultation in accordance with Part 11 of the Planning Act 2008 and the Community Infrastructure levy Regulations 2010 (as amended).
2. This PDCS sets out our initial rates for the CIL for Guildford borough. These are expressed as pounds per square metre. For the purposes of the Community Infrastructure Levy (CIL), Guildford Borough Council is the Charging Authority and Collection Authority for the borough of Guildford.

## Consultation

3. This CIL preliminary draft changing schedule is be subject to a six-week consultation between Monday 19 January and Sunday 1 March 2015 (inclusive). We would appreciate receiving your comments on our website at [www.getinvolved.guildford.gov.uk](http://www.getinvolved.guildford.gov.uk), or alternatively by email to [planningpolicy@guildford.gov.uk](mailto:planningpolicy@guildford.gov.uk)
4. As part of the consultation, we also include our draft Infrastructure List (sometimes known as a draft regulation 123 list) to support our draft Local plan 2014. This includes proposals of how we will scale back our use of planning obligations following adoption of our CIL.

## Evidence – Viability, infrastructure needs and funding gap

5. In setting our initial CIL rates, we have considered the potential impact on the economic viability of development across the borough. We have taken into account the viability of the whole plan and in particular, the impact of the draft Local Plan 2014's affordable housing policy.
6. Evidence of development viability, affordable housing policy and CIL rates is set out in the [\*\*Guildford Borough Council Local Plan and Affordable Housing Viability Study 2014.\*\*](#)
7. As we progress the new Local Plan, we may need to amend the draft affordable housing policy to be consistent with new government policy on affordable housing provision on small sites. We may need to revise our initial CIL rates based on the next draft plan. We would then hold a second preliminary draft charging schedule consultation.
8. The infrastructure needed to support the draft Local Plan is set out in part in the Infrastructure Schedule at Appendix B of the [\*\*draft Local Plan 2014.\*\*](#) Work is ongoing to identify and cost infrastructure to support the development planned for the borough, and we will continue to update the Infrastructure Schedule as we identify and cost the infrastructure projects needed to support the draft plan.
9. As far as we can at the present time, we have identified the available infrastructure funding and the infrastructure that we will need the CIL to fund. Should the CIL rates and planned development in the next draft plan indicate that our initial CIL rates would generate in excess of the infrastructure funding gap (plus 5 per cent for our administrative costs), we

will adjust the initial rates downwards to account for this.

## Calculating the chargeable amount

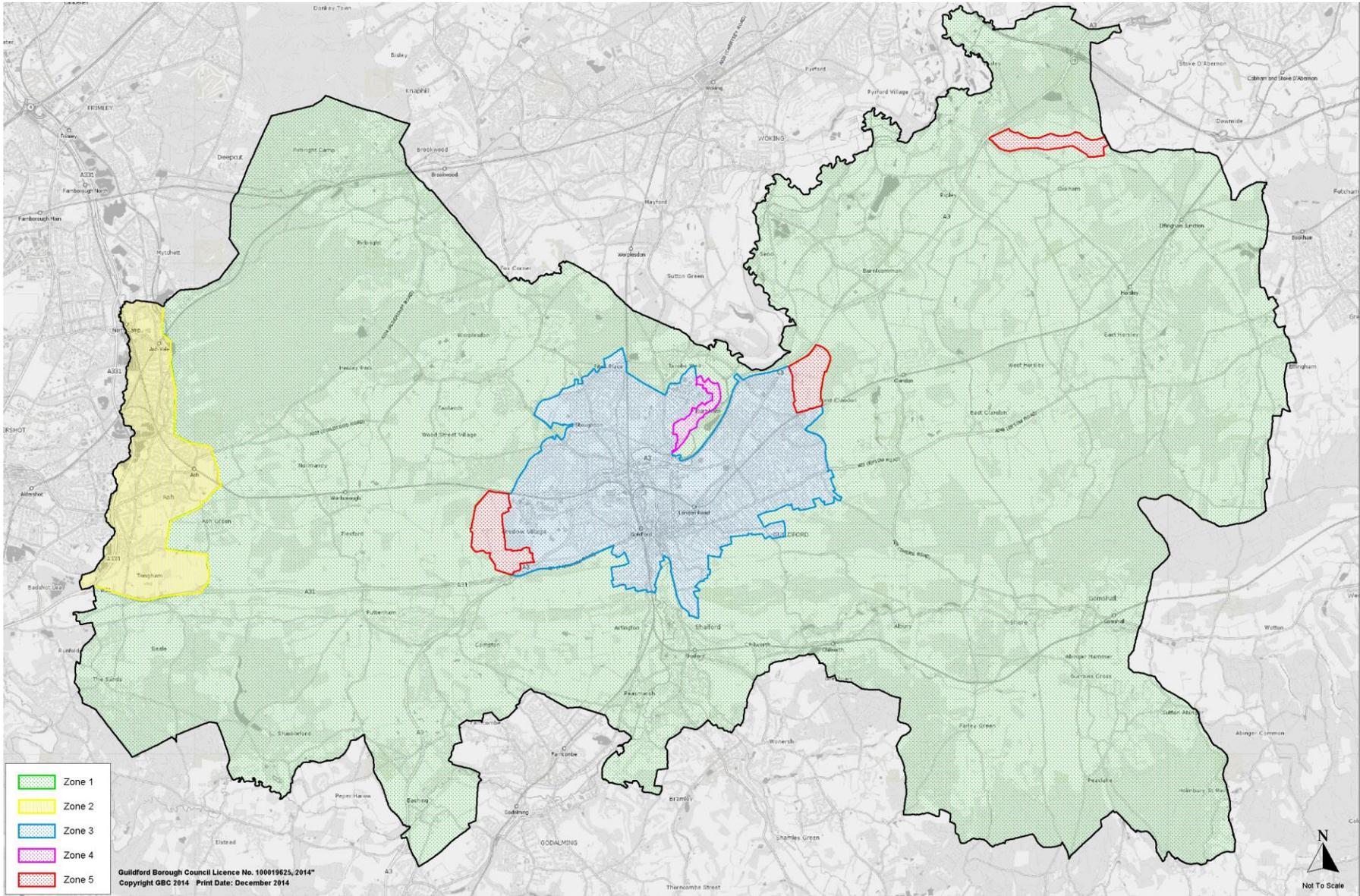
10. We will calculate the amount of CIL to be paid for each development (known as the chargeable amount) in accordance with Regulation 40 of the CIL Regulations 2010 as amended. Where the chargeable amount is less than £50 it will be deemed to be zero, and no payment will be due.
11. CIL payment is generally due within 60 days of commencement of development. We may choose to adopt an instalments policy to reflect financing, and phasing of larger developments, and to assist in maintaining viability of developments. We would set out our proposals at the draft charging stage.

## Initial CIL rates

12. With reference to Map 1, we propose the rates set out in Table 1 below as our initial CIL rates for the borough.

Use	Area / Zone (see map below)	Recommended CIL rate / m2
<b>Residential (C3)</b>	Guildford town (excluding strategic sites) Zone 3	£500
	Ash and Tongham (excluding strategic location of growth) Zone 2	£100
	Rural areas and villages Zone 1	£300
	Slyfield Zone 4	£150
	Strategic sites	£400
<b>Purpose-built student Accommodation (C3/C2 and sui generis)</b>	All locations	£75
<b>Assisted living/extra care housing</b>	All locations	£100
<b>Retail</b>	All locations	£200
<b>All other forms of liable floorspace</b>	All locations	£0

**Table 1 : Guildford's initial CIL rates**



**Map 1 : Guildford initial CIL rate zones**

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## What will we use CIL receipts to fund?

13. We must use CIL receipts to provide infrastructure to support development in the area. We cannot use the funds to remedy pre-existing infrastructure deficiencies unless new development worsens those deficiencies. We can use the levy to increase the capacity of existing infrastructure, or to repair failing existing infrastructure, if it is necessary to support development. CIL guidance tells us as a charging authority to “think strategically in their use of the levy to ensure that key infrastructure priorities are delivered.”
14. A draft infrastructure list accompanies this preliminary draft charging schedule for information. We can only spend our CIL receipts on infrastructure projects and types specified in our infrastructure list, also known as a regulation 123 list. This list does not commit us to fund this infrastructure using the CIL, however, we cannot use planning to fund any of the infrastructure included in the draft 123 list.
15. Both this preliminary draft charging schedule and the draft Local Plan (Policy 17) state that we will prioritise our CIL spending to provide Suitable Available Natural Green Space (SANG) as mitigation for potential harm to the European-designated Special Protection Area. We will formalise this spending priority in the new Local Plan, in a revision to the [Guildford Planning Contributions Supplementary Planning Document 2011](#), and in the 123 list, in order to comply with our responsibilities under Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC).
16. Other than SPA mitigation, it will be for us, as the charging authority for the borough, to decide what our infrastructure funding priorities are. We will establish governance arrangements to introduce a formalised method of prioritising infrastructure funding to produce a prioritised list.
17. As required by law, we will pass on a neighbourhood portion of our CIL receipts to each parish council. This will be at least 15 per cent, up to a maximum of £100 per existing council tax dwelling per year, of the CIL originating in that parish. In parishes with a Neighbourhood Plan in place (following a successful referendum), the neighbourhood proportion increases to 25 per cent, and has no annual limit.
18. This neighbourhood portion must be spent on supporting the development of the area, rather than on the more restrictive “infrastructure”. In areas with no parish council, we will work with ward councillors and existing groups and neighbourhood forums to prioritise the neighbourhood CIL spending for that area.
19. CIL legislation allows us to recoup up to 5 per cent a year of all our CIL receipts to help with funding the set-up costs incurred in introducing the CIL, and with ongoing administration. Slightly different arrangements apply over the first three years to assist with contributing to CIL set up costs.
20. We will spend the remainder of our CIL receipts in accordance with our prioritised list.
21. Site specific infrastructure and for affordable housing can continue to be secured by S106 planning obligations. Affordable housing is specifically excluded from the CIL regulations definition of infrastructure. Mitigation not classed as infrastructure for the purposes of CIL,

such as Strategic Access Management and Maintenance (SAMM) cannot be funded by CIL and will continue to be secured by planning obligations.

## Next Steps

22. At the end of the six week consultation, we will consider all comments received on the preliminary draft charging schedule. We will take these into account, along with any updated evidence to draw up our draft charging schedule. We will then consult on the draft charging schedule.
  23. We will consider all comments received on the draft charging schedule before submitting the draft charging schedule and supporting documents for scrutiny by an independent examination.
  24. Our CIL is dependent upon the planned development in the borough, and the cost of infrastructure to support it. We cannot introduce a CIL in the borough before our new Local Plan has been examined. Dates for preparing the new Local Plan and the CIL are available on our website [www.guildford.gov.uk/lds](http://www.guildford.gov.uk/lds). We will update this when further details are available.
  25. If an independent examiner finds the charging schedule to be acceptable, the Council will adopt it in order to support development in the borough. We would then revise Guildford Planning Contributions Supplementary Planning Document 2011, which sets out our approach to developer contributions, to confirm how we will scale back use of planning obligations.
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