

CIL Charging Schedule Review

Submission of documents and information to the examiner

Community Infrastructure Levy Regulations 2010 - Regulations 19(1)(b)

Representations Relating to Draft Charging Schedule

Havant Borough Council consulted on its CIL Draft Charging Schedule between 1 February and 18 March 2019. Three representations were received in accordance with Regulation 17.

The main issues raised are summarised below. The full representations are also being submitted.

Regulation 17 Representations – Main Issues Raised	
Issue	Council's response
Persimmon Homes are concerned that the viability assessment has not properly assessed the implication of the revisions to the Reg 123 List which will result in education contributions being secured as part of S106 contributions. Hampshire County Council's Guide to Developer Contributions to Children's Services indicates a significantly higher contribution to education provision than the Viability Assessment assumes.	Whether developer contributions are required depends very much on the location and the timing of a site coming forwards and is not expected to affect all or many sites. Therefore, education contributions have not specifically been included as a consistently applicable scenario in the typologies testing in the viability study. The Council acknowledges the need to review any implications for schemes and their viability on a specific case by case basis.
Sport England is pleased to note that Sports development will be exempt from paying CIL.	Noted.
Sport England would welcome clarification on the mechanism (CIL or S106) for ensuring that new development contributes to meeting its sport and recreation needs.	While the 2019 amendments to the CIL regulations removed the requirement for authorities to publish a CIL Regulation 123 List, the Council have included an Indicative CIL Infrastructure List. Sport and recreation needs are not included and are therefore expected to be funded through S106. Policies E9 and E11 of the Submission Local Plan set out the Council's expectations with regard to open space and sports in new development. Neighbourhood Portion CIL is also often used to provide or improve such facilities.
Bourne Leisure endorses the Viability Assessment's conclusion that hotel uses show insufficient viability to support CIL	Noted.

charging and therefore agree with the associated “nil charge” rate.	
Bourne Leisure comments that there is no specific definition of “residential” within the Draft Charging Schedule. The category only excludes extra care housing. This could introduce ambiguity when it comes to applying the CIL charge in the future. The Council should make it clear that the proposed “residential” CIL rate does not apply to purpose-built rental or static caravan holiday units within holiday parks or holiday resorts	The Council has amended the Draft Charging Schedule to clarify the ‘residential’ rate.