



South Lakeland
Community Infrastructure Levy

Draft CIL Charging Schedule – Statement
of Compliance

December 2014

1. Background

1.1 This statement has been produced to demonstrate South Lakeland District Council's compliance with the requirements set out in the Planning Act 2008, the CIL Regulations 2010 (as amended) and DCLG guidance (February 2014).

2. Compliance

2.1 South Lakeland District Council considers that:

- a. As the charging authority, it has complied with the Requirements of Section 212(4) of the Planning Act 2008 and the CIL Regulation 2010 (as amended);
- b. That the charging authority has used appropriate available evidence to inform the CIL Draft charging schedule; and,
- c. That any other matters prescribed in the CIL Regulations 2010 (as amended) have been dealt with.

2.2 Legislation relating to the introduction of CIL is set out in Part 11 of the Planning Act (2008) as amended by the Localism Act (2011). The provisions relating to the examination of a CIL Draft Charging Schedule are set out in the following sections. The table below demonstrates that the Council has complied with these provisions.

Planning Act 2008	
Section 211 - Amount	<p>In setting the rates and preparing the Draft Charging Schedule South Lakeland District Council has had regard to the actual and expected costs of infrastructure; the economic viability of development; other actual or expected sources of funding for infrastructure; the actual or expected administrative expenses in connection with CIL and the Statutory Guidance.</p> <p>South Lakeland District Council has consulted with a range of stakeholders in the preparing the Draft Charging Schedule, with formal consultation as follows:</p> <ul style="list-style-type: none">• Preliminary Draft Charging Schedule: 6 March 2014 to 17 April 2014 (6 weeks)• Draft Charging Schedule: 18 September to 30 October 2014.
Section 212 – charging schedule examination	<p>The Council has submitted the CIL Draft Charging Schedule and accompanying evidence to the Planning Inspectorate (PINs) who will provide an independent inspector to examine the Draft CIL Charging Schedule.</p> <p>All persons who have submitted representations to the consultation on the Draft CIL Charging Schedule stating that they would like to be heard by the examiner, will be given this opportunity.</p>

2.3 In relation to Community Infrastructure Levy, the Planning Act (2008) is accompanied by the Community Infrastructure Levy Regulations 2010 (as amended). The regulations that apply to the processes involved in progressing a CIL Draft Charging Schedule to examination are as follows:

- Regulation 12 – Format and content of charging schedules
- Regulation 13 – Differential rates

- Regulation 14 – Setting rates
- Regulation 15 – Consultation on a preliminary draft charging schedule
- Regulation 16 – Publication of a draft charging schedule
- Regulation 17 – Representations relating to a draft charging schedule
- Regulation 18 – Withdrawal of a draft charging schedule
- Regulation 19 – Consideration of representations by examiner;
- Regulation 20 – CIL examination; right to be heard

2.4 The table below demonstrates that the Council has complied with these Regulations:

The Community Infrastructure Levy Regulations 2010 (as amended)	
Reg 12 – Format and content of charging schedules	<p>South Lakeland District Council’s Draft CIL Charging Schedule contains the information required by the Regulation 12 including:</p> <ul style="list-style-type: none"> (a) The name of the Charging Authority; (b) The rates in pounds per square metre at which CIL is to be charged in the authority’s area; and, (c) An explanation of how the chargeable amount will be calculated.
Reg 13 – Differential Rates	<p>This regulation applies to differential rates. South Lakeland District Council propose single rates across the district for supermarkets (£150 sq m) and sheltered/retirement housing (£50 sq m). For residential development the District Council proposes a rate of £50 sq m for the great majority of the district except for:</p> <ul style="list-style-type: none"> • A strategic housing site at Croftlands in south Ulverston (where £20 sq m rate would apply) • Kendal and Ulverston Canal Head Regeneration Areas (£0 sq m for all development types).
Reg 14 – Setting Rates	<p>In setting its levy rates, South Lakeland District Council has complied with Regulation 14 (as amended), which requires that it “strike an appropriate balance” between:</p> <ul style="list-style-type: none"> (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and (b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. <p>This is set out in the following documents:</p> <ul style="list-style-type: none"> • SLDC’s Draft CIL Charging Schedule, as published in August 2014 (ExCIL_D1 and submission version November 2014 (ExCIL_S1) • South Lakeland District Council’s Infrastructure Delivery Plan, as prepared initially in April 2013 (ExCIL_SUP003) as evidence for the examination of the Land Allocations DPD; and as updated in January

	<p>2014 (ExCIL_P2) as evidence for the Preliminary Draft Charging Schedule; and as updated in August 2014 (ExCIL_S5) as evidence in support of the CIL Draft Charging Schedule.</p> <ul style="list-style-type: none"> • South Lakeland District Council's CIL Viability Study, as prepared initially in March 2013 (ExCIL_SUP004/ExCIL_SUP005) as evidence for the examination of the Land Allocations DPD and which formed the basis for the South Lakeland CIL Viability Study, January 2014, (ExCIL_P3) prepared in support of the CIL Preliminary Draft Charging Schedule, and as updated in July 2014 (ExCIL_S5) as evidence for the CIL Draft Charging Schedule. • Other evidence base documents submitted as part of the examination. <p>These documents are available to view and download from the Council's website since 3 December 2015.</p>
<p>Reg 15 – Consultation on a Preliminary Draft Charging Schedule</p>	<p>South Lakeland District Council issued a CIL Preliminary Draft Charging Schedule (PDCS) for consultation between 6 March and 17 April 2014 (6 weeks), as approved by the Council's Cabinet on 12 February 2014 – see minute CEX/140 below.</p> <p>http://democracy.southlakeland.gov.uk/ieListDocuments.aspx?CId=121&MId=3379&Ver=4</p> <p>The Council complied with Regulation 15 of the CIL Regulations in terms of the requirements for consultation on the PDCS. Regulation 15 sets out that a charging authority must send a copy of the PDCS to each of the consultation bodies, and invite them to make representations on it. In addition, the Council has invited representations on the PDCS from persons who are residents or carry on business in the district, including voluntary bodies and bodies that represent the interest of persons carrying on business in the district.</p> <p>How the District Council consulted on the Preliminary Draft Charging Schedule is set out in the Preliminary Draft Charging Schedule Consultation Statement (August 2014). The following methods of consultation were used:</p> <ul style="list-style-type: none"> • Public notice in the Westmorland Gazette and North West Evening Mail (ExCIL_P4); • Letter/email notification to the consultation bodies and other consultees; • Information about the consultation, including documents and how to respond, on the Council's website. (ExCIL_P4). <p>The locations of where the PDCS and associated documents were made available for inspection were:</p> <ul style="list-style-type: none"> • Council Offices - South Lakeland House, Kendal and Ulverston Town Hall • Libraries at Arnside, Grange over Sands, Kendal, Kirkby Lonsdale,

	<p style="text-align: center;">Milnthorpe and Ulverston</p> <p>The Council published all the responses received on its website at and published a Preliminary Draft Charging Schedule Consultation Statement (ExCIL_D3) that provided a summary of all representations and main issues raised, together with a proposed response, which was approved by the District Council's Cabinet on 27 August 2014, when it also approved the publication of the CIL Draft Charging Schedule – see minute CEX/49 below. http://democracy.southlakeland.gov.uk/ieListDocuments.aspx?CId=121&MId=3552&Ver=4</p>
<p>Reg 16 – Publication of a draft charging schedule & Reg 17 – Representations relating to a charging schedule</p>	<p>The CIL Draft Charging Schedule (ExCIL_D1) and accompanying documents were published on the Council website on 18 September 2014. Related documents published were the Regulation 16 Statement of Representations Procedure (ExCIL_D2), the CIL Viability Study Update July 2015 (ExCIL_S4), the Draft Infrastructure Delivery Plan Update August 2014 (ExCIL_S5), a response form and a statement of the fact that hardcopies of the Draft Charging Schedule and other accompanying documents were available for inspection at Council offices and local libraries (ExCIL_D2).</p> <p>A copy of the draft charging schedule and a statement of the representations procedure were sent to the consultation bodies.</p> <p>A local advertisement which set out the Regulation 16 Statement of Representations Procedure and a statement of the fact that hard copies of the Draft Charging Schedule, statement of representations and relevant evidence were available for inspection at Council offices and local libraries was published in the Westmorland Gazette and North West Evening Mail. (ExCIL_D2).</p> <p>The period for representations on the Draft Charging Schedule was 18 September 2014 to 30 October 2014 (6 weeks).</p> <p>A summary of the representations, the main issues raised and an officer response is set out in the Regulation 19 (1)(b) Statement of Representations (ExCIL_S2).</p>
<p>Reg 18 – Withdrawal of a draft charging schedule</p>	<p>The Council has not withdrawn its Draft Charging Schedule therefore this regulation does not apply.</p>
<p>Reg 19 –</p>	<p>South Lakeland District Council submitted the following documents, in both</p>

<p>Submission of documents and information to the examiner</p>	<p>paper and electronic form, to the Planning Inspectorate on 3 December 2014:</p> <ul style="list-style-type: none"> • CIL Draft Charging Schedule - Submission Version (with accompanying statement of supporting evidence, implementation and draft Reg 123 List) (ExCIL_S1); • Regulation 19(1)(b) Statement of Representations (ExCIL_S2); • Copies of representations made under Regulation 16 and 17 (ExCIL_S3); and • Copies of the relevant evidence including in particular: <ul style="list-style-type: none"> ○ CIL Viability Study Update (ExCIL_S4) ○ Draft Infrastructure Delivery Plan Update (ExCIL_S5). <p>Copies of the Draft Charging Schedule, supporting documents (see Submission Documents List, ExCIL_S8) and a statement of the fact that the documents were available for inspection and where they could be inspected, (ExCIL_S6) were made available on the Council's website on 3 December 2014 and by 5 December 2014 also at :</p> <ul style="list-style-type: none"> • South Lakeland House, Kendal and Ulverston Town • Libraries at Arnside, Grange over Sands, Kendal, Kirkby Lonsdale, Milnthorpe and Ulverston <p>All persons who submitted representations to the CIL Draft Charging Schedule were notified of its submission on 4 December 2013.</p>
<p>Reg 21 – CIL Examination: right to be heard</p>	<p>The Council received 6 requests (including one supporting representation from Cumbria County Council)) to be heard by the Examiner within the period for making representations to the Draft CIL Charging Schedule.</p> <p>The Council has appointed a Programme Officer, who will support the Planning Inspector in their work during the examinations. The programme Officer can be contacted at</p> <ul style="list-style-type: none"> • cilprogrammeofficer@southlakeland.gov.uk • mobile 07917 658263 • telephone 01539 793382 • South Lakeland House, Lowther Street, Kendal, Cumbria LA9 4DL <p>The Council will publish the time and place of the CIL examination and the name of the Examiner on its website and notify all persons who made representations in accordance with Regulation 17.</p> <p>An advert will be placed in the Westmorland Gazette and North West Evening Mail, stating the time and place of the CIL examination and the name of the examiner.</p> <p>This statement will be updated to include additional information on compliance</p>

	with Regulations 21.
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