

North Somerset Council

**Community
Infrastructure Levy**

**Preliminary draft charging
schedule**

Contents

About this consultation	p3
Overview	p4
Section 1: Introduction: <ul style="list-style-type: none">• Legislative background.• General principles of the Community Infrastructure Levy (CIL).	p5
Section 2: Setting CIL rates: <ul style="list-style-type: none">• How are CIL rates set?• Infrastructure requirements and funding gap.• CIL viability assessment.	p7
Section 3: Proposed CIL rates: <ul style="list-style-type: none">• Setting the CIL rates.• CIL Charging Schedule.• Calculating how much CIL is payable.	p11
Section 4: Paying the CIL: <ul style="list-style-type: none">• What development is liable for CIL?• Is anyone exempt from CIL?• When is CIL paid?	p13
Section 5: Spending the CIL: <ul style="list-style-type: none">• What can CIL be spent on?• Passing CIL funds to other bodies and local communities.• The relationship between CIL and Section 106 agreements.	p16
Section 6: Next steps	p20
Section 7: List of consultation questions	p21

ABOUT THIS CONSULTATION

The purpose of this consultation document is to set out North Somerset Council's Community Infrastructure Levy Preliminary Draft Charging Schedule in accordance with Regulation 15 of the CIL Regulations 2010 (as amended 2011). It also sets out the background to the proposed Charging Schedule, including the methodology and assumptions made, and the evidence base used to inform the proposed draft levy.

This consultation runs from **9th November 2012 to 4th January 2013**.

To respond to the consultation, please register your comments via our website www.n-somerset.gov.uk/CIL

Alternatively, comments can be e-mailed to planning.policy@n-somerset.gov.uk or posted to:

Planning Policy
North Somerset Council
Post Area 15, 1st Floor
Town Hall
Walliscote Grove Road,
Weston-super-Mare, BS23 1UJ

Comments are welcome on any aspect of the Preliminary Draft Charging Schedule. However a number of consultation questions are suggested throughout the document and are listed in full in Section 7.

Please note that comments cannot be treated as confidential and that they will be made available as public documents.

It is not necessary to provide your contact details, however please do so if you wish to be kept informed about the progress of the CIL.

For any queries regarding this consultation, please contact Jenny Ford on (01934) 42 6609 or jenny.ford@n-somerset.gov.uk.

OVERVIEW

What is the CIL?

The Community Infrastructure Levy (CIL) is a new charge which developments will pay to help fund infrastructure needed to support development in the area. The CIL takes the form of a standard charge per m² of additional new floor space and is based on the size, type and area of new development. Proposed rates are set out in Section 3 of this document.

Which developments pay?

Almost all new developments will be eligible for the charge, although that charge might be nil. The main exemptions are developments of less than 100m² (except where it is a new dwelling), affordable housing, and developments by a charity for the delivery of their charitable purposes. Please see Section 4 for further details.

How are the rates set?

CIL regulations require that in setting a CIL, the Council must strike an appropriate balance between:

- 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;*
- b) *the potential effects (taken as a whole) of the imposition of the CIL on the economic viability of development across its area.*

This balance will be assessed through two periods of public consultation (including this one) and an examination by an independent inspector.

When will we need to pay the CIL?

Subject to the consultation and examination processes, North Somerset Council is aiming to adopt the CIL in September 2013 and to implement it from 1 October 2013. Developments granted planning consent after this date will be required to pay the charge.

What will the CIL be spent on?

The Council can spend the CIL on any infrastructure to support development, other than that which is funded through Section 106 agreements.

It is possible that the council may be required to pass a proportion of the CIL direct to local communities.

What about Section 106 agreements?

The CIL will partially replace and supplement the current system of securing developer contributions through Section 106 agreements (see Section 5 for further details). However, Section 106 agreements will continue for site-specific mitigation of development, affordable housing and for specified infrastructure on some large-scale developments.

How do I respond to this consultation?

This consultation closes on 4th January 2013. Please see p3 for details about how to respond.

SECTION 1: INTRODUCTION

1. Legislative background

a) The Charging Authority

This CIL Preliminary Draft Charging Schedule has been published by North Somerset District Council (known as North Somerset Council). The Council will be both a Charging Authority and a Collecting Authority.

b) Statutory compliance

This Preliminary Draft Charging Schedule is published in accordance with the Community Infrastructure Levy Regulations (2010) and Community Infrastructure Levy (Amendment) Regulations (2011) and statutory guidance. These and other background documents can be downloaded from the Communities and Local Government (CLG) website using the link below:

<http://www.pas.gov.uk/pas/core/page.do?pageld=1243078>

2. General principles of the Community Infrastructure Levy

a) What is the Community Infrastructure Levy (CIL)?

The Community Infrastructure Levy (CIL) is a new charge which developers will be required to pay to help fund infrastructure needed to support development in their area.

The CIL takes the form of a standard charge per m² of additional new floor space and is based on the size, type and area of new development.

b) Why is North Somerset Council introducing a CIL?

North Somerset Council is planning for around 9,000 new homes and 10,000 new jobs across North Somerset from 2012 – 2026. This will create a significant requirement for new and improved infrastructure across the area, ranging from neighbourhood parks and schools through to major transport schemes and flood defences. These requirements are set out in the North Somerset Core Strategy Infrastructure Delivery Plan, available on the Council's website at <http://www.n-somerset.gov.uk/Environment/Planning+policy/Infrastructure+provision.htm>

The Community Infrastructure Levy provides a new mechanism for collecting contributions from developers to help fund this infrastructure, without which development will not be sustainable.

Development contributions towards infrastructure are currently collected through legal agreements known as 'Section 106 agreements'. The CIL Regulations include measures to restrict the use of these agreements, in

particular to prevent local authorities from introducing informal tariff arrangements. This means that the usefulness of Section 106 requirements to respond to the cumulative effects of development is now limited. In particular, after the adoption of a local CIL Charging Schedule or on 6 April 2014 (whichever is the earlier), local authorities will only be able to pool infrastructure contributions from a maximum of five planning applications. This is a key consideration of North Somerset Council in introducing a CIL.

Other advantages of the CIL are that:

- CIL is a standard fixed-charge, so that both the Council and developers will be clear about how much will be paid and can factor this into their development and infrastructure calculations.
- Once CIL rates are set, they are non-negotiable. This should save time and resource for all parties spent negotiating the overall package of development contributions.
- CIL rates take account of the size, type and location of development, providing a fair and transparent mechanism for all developments to help pay for their impact on the area. Under the current Section 106 system, developments of fewer than 10 dwellings do not normally make any contribution to infrastructure costs.
- Payments must be used to 'support development', but are not ring-fenced to specific planning applications. This provides a flexibility in pooling and spending development contributions that is not possible under the revised S106 regime.
- Up to 5% may be used to fund the administration of the CIL.

Consultation question 1: Do you agree that North Somerset Council should introduce a CIL?

Consultation question 2: Are there any alternative mechanisms that should be considered to ensure that developers contribute appropriately towards infrastructure to support development, in particular the cumulative effects of development?

SECTION 2: SETTING CIL RATES

1. How are CIL rates set?

Regulation 14 (I) of the CIL Regulations (2010) state that:

- 14 – (I) *In setting rates (including differential rates), a charging authority must aim to strike what appears to the charging authority to be an appropriate balance between -*
- a. *the desirability of funding from CIL (in whole or 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 the CIL on the economic viability of development across its area.*

To meet these criteria and produce this Preliminary Draft Charging Schedule, North Somerset has referred to two main sources of evidence:

- An analysis of infrastructure requirements, costs and the funding gap, based on North Somerset’s Infrastructure Delivery Plan: to show that there is sufficient deficiency in infrastructure funding to justify the proposed CIL rate.
- A viability assessment of development: to assess what level of CIL could be introduced without putting the overall development of the area at serious risk.

This evidence and the proposals as a whole will be assessed through two periods of public consultation (including this one) and an examination by an independent inspector. The Council must then take a final formal vote on whether or not to adopt and implement the CIL.

2. Infrastructure requirements and funding gap

a) North Somerset’s Infrastructure Delivery Plan (IDP)

Through the preparation and adoption of North Somerset Council’s Core Strategy, a significant level of infrastructure planning has taken place. This is set out in the North Somerset Core Strategy Infrastructure Delivery Plan (IDP) and delivery schedules, which can be viewed on our website at: <http://www.n-somerset.gov.uk/Environment/Planning+policy/Infrastructure+provision.htm>

The Government Guidance on preparing CIL Charging Schedules makes clear that it is not the role of the CIL Independent Examiner to re-examine infrastructure planning evidence which has supported a ‘sound’ Core Strategy or to challenge the soundness of an adopted development plan document.

b) Demonstrating a funding gap

The IDP outlines the infrastructure requirements (along with known costs and funding streams) necessary in order to unlock and support the scale of growth identified in the Core Strategy. The total cost of this infrastructure is currently estimated at £433m.

CIL can only be charged if there is a funding gap for infrastructure to meet the needs of development. The purpose of this document is not to provide a further detailed breakdown of infrastructure costs; however a significant funding gap of £149m can be demonstrated through a high-level analysis of key transport schemes, educational facilities and flood defences. These infrastructure categories represent approximately 50% of the total infrastructure costs and are set out below.

(i) Transport

The growth proposals in the Core Strategy rely on the implementation of a number of Major Transport Schemes and other transport improvements. The table below sets out the schemes and their funding:

Scheme	Total cost	Public funding commitments	Private funding commitments	Residual funding gap
Major Transport Schemes (Weston Package; Ashton Vale Rapid Transit; South Bristol Link).	£108m	£102m (includes DfT grant; JLTP; NSC capital & New Homes Bonus)	£6m	Nil
Junction 21 outbound improvements	£4.6m	£4.6m (NSC capital & New Homes Bonus)	Nil	Nil
Portishead Rail	£39m	£0.7	Nil	£38m
Airfield Bridge Link (road)	£24m	Nil	Nil	£24m
Banwell bypass	£25m	Nil	Nil	£25m
Herluin Way to Locking Road link	£15m	Nil	Nil	£15m
Park & Ride schemes (Weston & Long Ashton)	£3.1m	Nil	Nil	£3.1m
Other highways measures in IDP	£2.4m	£0.4m	Nil	£2m
Other public transport improvements in IDP	£4.8m	£2.8m	Nil	£2m
Other strategic	£1.7m	£0.3m	Nil	£1.4m

Public Rights of Way or other pedestrian / cycle schemes in IDP				
TOTAL	£227.6m	£110.8m	£6m	£110.5m

This table does not include a number of schemes expected to be delivered through Section 106 agreements, for example on-site access routes, Travel Plan measures and off-site works related to specific sites.

(ii) Education

North Somerset's Infrastructure Delivery Plan identifies a need for a total of 1680 new primary school places in Weston-super-Mare, an additional 210 primary school places in Portishead, and new or extended secondary school provision equating to approximately 800 new school places at Weston.

This is anticipated to be provided as follows:

Form of provision	Cost	Potential funding sources	Residual funding gap
Weston Villages – 4 x 420 place primary schools or equivalent	£20m	315 place primary school secured through Weston Airfield S106 agreement: value £3.8m	£16m
Portishead – expansion to existing schools (210 places)	£5m	None known	£5m
Weston-super-Mare – new or extended secondary schools (approx. 800 places)	£20m	Anticipated funding bid for University Technical College proposal: £9m	£11m (if UTC bid successful)
TOTAL	£45m		£32m

It is acknowledged that some of the primary school places at the Weston Villages may be provided through Section 106 agreements rather than the CIL. However, the purpose of this evidence is not to provide absolute assurances as to how North Somerset intends to spend the CIL, but to illustrate that the intended CIL target is justifiable given local infrastructure need and is based on appropriate evidence. Further comments on the division between CIL and Section 106 agreements are provided in section 5.

(iii) Flood defences

The key Core Strategy requirement in terms of flood defence infrastructure is the Weston Strategic Flood Solution, required for the collective developments at the Weston Villages.

This comprises two main elements: the widening of the River Banwell and the creation of a 'superpond' on and to the south of Weston Airfield.

The estimated costs of the combined schemes are £9.3m, of which approximately £2.8m has been secured through existing Section 106 financial or in-kind contributions. This leaves a residual funding gap of £6.5m.

3. CIL viability assessment

The CIL regulations require that any proposed CIL has to have regard to “*the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.*” This effectively means that CIL rates must not make the majority of Core Strategy development unviable across North Somerset.

As a Charging Authority, the Council may also set different CIL rates to apply to:

- Different zones in which development would be situated;
- Different intended uses of development.

Any such differential rates must be based solely on economic viability evidence and not for other purposes such as planning policy or regeneration objectives.

In order to fulfil these requirements, North Somerset Council commissioned Dixon Searle LLP to undertake viability testing work to show what levels of CIL charge could be introduced without putting the overall development of the area or delivery of the Core Strategy at serious risk. The Dixon Searle CIL Viability Assessment Report accompanies this consultation document and can be viewed on the North Somerset Council website CIL consultation pages (see www.n-somerset.gov.uk/CIL).

The viability assessment is based on well-established development appraisal techniques which involve looking at the impact of potential CIL rates on residual land values across different areas and land uses. The appraisals take account of Core Strategy requirements, including the provision of affordable housing where applicable.

Consultation question 3: do you agree with the methodology and key assumptions used in the viability assessment? If not, what alternative methods / assumptions would you suggest, and why?

Consultation question 4: are there other reasons for which you believe that the conclusions of the viability assessment are incorrect? If so, please give details and explain what you believe the conclusions should be.

SECTION 3: PROPOSED CIL RATES

1. Setting the CIL rates

The Dixon Searle viability assessments have informed North Somerset's proposed CIL rates, so that the rates seek to maximise funding to meet North Somerset's infrastructure needs whilst not putting the development required in the Core Strategy at risk.

The CIL Regulations acknowledge that the rates of CIL may make some development unviable. The key consideration is to ensure that the imposition of CIL does not harm economic viability across the area. It is also important to note that in line with government guidance the CIL rates are not set at the margins of economic viability.

2. CIL Charging Schedule

The proposed CIL rates for North Somerset are set out in the Preliminary Draft Charging Schedule below.

The maps attached in Appendix A form part of this Preliminary Draft Charging Schedule and identify the zones to which the residential CIL charges apply.

NORTH SOMERSET CIL PRELIMINARY DRAFT CHARGING SCHEDULE

Location(s)	Use class	Proposed rate
Zone A: Weston Town Centre and gateway	Residential (C3)	Nil
Zone B: Outer Weston	Residential (C3)	£40 / m ²
Zone C: Rest of District	Residential (C3)	£60 / m ²
All	Retail (A1/A2/A3/A4/A5) – large-scale (more than 280m ² net sales area)	£120 / m ²
All	Retail (A1/A2/A3/A4/A5) – small-scale (less than 280m ² net sales area)	£60 / m ²
All	Purpose-built student accommodation / halls of residence	£40 / m ²
All	Care homes (C2) (residential accommodation and care to people in need of	£40/ m ²

	care)	
All	Commercial (B1/B2/B8)	Nil rate
All	All other qualifying development	Nil rate

Consultation question 5: Do you agree with the proposed CIL rates and geographical charging zones for residential development? If not, what do you think the rates should be and why?

Consultation question 6: Do you agree with the proposed CIL rates for retail development? If not, what do you think the rates should be and why?

Consultation question 7: Do you agree with the proposed CIL rates for student accommodation? If not, what do you think the rates should be and why?

Consultation question 8: Do you agree with the proposed CIL rates for care homes? If not, what do you think the rates should be and why?

Consultation question 9: Do you agree with the proposed CIL rates for commercial development? If not, what do you think the rates should be and why?

Consultation question 10: Do you agree with the proposed CIL rates for all other qualifying development? If not, what do you think the rates should be and why?

Consultation question 11: Do you believe there are any alternative or further sub-divisions of development zones or uses that should be considered for separate rates? Please provide details and rationale.

3. Calculating how much CIL is payable

The Council will calculate the amount of CIL payable by a development (the 'chargeable amount') in accordance with Regulation 40 of the CIL Regulations 2010 (amended 2011). The method involves multiplying the net area and the CIL charge and factoring in an index figure. The index figure allows for inflation, as the charge is based on the CIL rate at the time of planning permission, but payment occurs at commencement. The index used in the calculation is the national 'All-in Tender Price Index' published by the Building Cost Information Service of Royal Institution of Chartered Surveyors¹.

The CIL Regulations specify that where the overall chargeable amount on a scheme is less than £50, it is deemed to be zero.

¹ In the event that the All-in Tender Price Index ceases to be published, the index referred to is the retail price index. The figure for a given year is the figure for November of the preceding year.

SECTION 4: PAYING THE CIL

1. What development is liable for CIL?

Almost all new development will be liable to pay CIL.

The following developments will be liable for CIL:

- Development including extensions to existing buildings that result in 100m² or more of new build floorspace.
- Development of less than 100m² of new build floorspace that results in the creation of one or more dwellings.
- The conversion of a building that is no longer in lawful use (please see below for the definition of lawful use).

CIL is only chargeable on net new floorspace. Where a development includes the extension or demolition of a building in lawful use, the level of CIL payable will be calculated based on the net increase in floorspace (please see below for the definition of lawful use). This means that the existing floorspace contained in the building to be extended or demolished will be deducted from the total floorspace of the new development when calculating how much CIL is to be paid.

The definition of lawful use is contained in Regulation 40(10) of the 2010 CIL regulations (amended 2011) which states the following:

“For the purposes of this regulation a building is in use if a part of that building has been in use for a continuous period of at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development”.

2. Is anyone exempt from CIL?

The CIL regulations offer mandatory exemptions and discretionary relief from CIL for certain types of development.

These exemptions are subject to detailed government regulations and restrictions. Please refer to the national guidance available at <http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructure/relief> for further information. This guidance is particularly important in relation to relief for affordable housing, charitable developments and exceptional circumstances.

Developments exempt or given relief from CIL may remain subject to Section 106 contributions, provided that those contributions are not used for the same infrastructure as CIL contributions from other developments.

a) **Mandatory exemptions from CIL:**

The CIL regulations offer mandatory exemptions from CIL for the following types of development:

- Development of less than 100m² provided that it does not result in the creation of a new dwelling.
- The conversion of any building previously used as a dwelling house to two or more dwellings.
- The conversion of, or works to, a building in lawful use that affects only the interior of the building (please see paragraph above for the definition of lawful use).
- Those parts of a development which are to be used as affordable housing (note that this exemption is strictly defined and regulated: please refer to the government guidance detailed above).
- Development by registered charities for the delivery of their charitable purposes (see also section (b) below on discretionary relief offered to charities).
- Structures or buildings that people do not usually go into, or go into only intermittently for maintenance (e.g. sports pitches, sub-stations or wind turbines).

b) **Discretionary relief from CIL**

The CIL regulations allow charging authorities to permit discretionary relief from CIL in two cases: (i) discretionary charitable relief; (ii) exceptional circumstances, where a developer argues that the CIL is not affordable.

Discretionary charitable relief

Charitable developments are subject to a mandatory relief from the CIL, where a development is for the direct delivery of their charitable purposes. The option for discretionary charitable relief relates to developments which are an investment, from which the profits are applied for charitable purposes.

In order to maximise the certainty of funding to support infrastructure provision and to minimise administrative burdens, North Somerset Council is not intending to permit discretionary charitable relief.

Consultation question 12: Which developments in North Somerset do you think would potentially benefit from discretionary charitable relief if offered?

Consultation question 13: Do you agree with North Somerset Council's intention not to allow discretionary charitable relief?

Discretionary exceptional circumstances relief

Exceptional circumstances relief, whereby a developer argues that the CIL is not affordable, can only be permitted in the following circumstances:

- The Council has published a formal policy decision allowing developments to apply for relief.
- A S106 agreement has been signed which incorporates a greater burden of S106 contributions than CIL contributions.
- The development can demonstrate a lack of viability and has not already received charitable relief or social housing exemptions.
- The site commences development within 12 months of relief being granted.
- Compliance with State Aid regulations. In practice this equates to a maximum discount of around 200,000 Euros per individual company across a rolling three-year period.

In the event that the above scenario applies, an independent person will be appointed to determine whether the evidence permits an exemption. The Council cannot itself determine whether an exemption is valid or in any other way vary or discount the rates for specific schemes.

In order to maximise the certainty of funding to support infrastructure provision and to minimise administrative burdens, North Somerset Council is not intending to allow exceptional circumstances relief.

Consultation question 14: Which developments in North Somerset do you think would potentially benefit from exceptional circumstances relief if offered?

Consultation question 15: Do you agree with North Somerset Council's intention not to allow exceptional circumstances relief?

3. When is CIL paid?

CIL payments must be paid within 60 days of the commencement of development, other than where the charging authority publishes a policy allowing for payment in instalments.

Where outline planning permissions are permitted to be implemented in phases, charges will be triggered for each set of reserved matters applications, e.g. these are treated as if they were new separate applications. Such phases would be liable for the rates that are current at that point in time and any policy for the phasing of payments would apply separately to each reserved matters phase.

It is expected that the majority of development in North Somerset is expected to come forward on large sites phased in the manner set out above. For this reason and to keep administrative payments to a minimum it is recommended that North Somerset does not allow additional phasing of payments.

Consultation question 16: do you agree with North Somerset's proposal not to allow additional phasing of payments?

SECTION 5: SPENDING THE CIL

1. What can CIL be spent on?

CIL receipts can be used to help fund infrastructure needed to support development across North Somerset. The term 'infrastructure' is defined broadly by Section 216 of the Planning Act 2008. Although this is not intended to be exhaustive, it includes: road and other transport facilities; flood defences, schools and other educational facilities; health and medical facilities; sporting and recreational facilities; and open space.

Unlike Section 106 Planning Obligations, CIL receipts are not tied to particular sites or infrastructure projects. Instead, CIL monies will be pooled into one fund which can be used for any infrastructure needed to support development across North Somerset.

The governance and prioritisation of future CIL expenditure will be the responsibility of North Somerset Council and will be based on North Somerset's [Core Strategy Infrastructure Delivery Plan](#) (available on the council's website). However in practice this prioritisation and delivery will need to be undertaken in partnership with other infrastructure providers including the Highways Agency, Environment Agency, the National Health Service, emergency services, etc.

In addition to new infrastructure, CIL receipts can be used to expand and enhance existing infrastructure or for the ongoing maintenance or operational costs of providing infrastructure, where these costs are related to the additional demands arising from development.

The upfront and continuing costs of preparing and administering a CIL can be drawn from CIL receipts, subject to maximum limits set by government (currently 5%).

2. Passing CIL funds to other bodies and local communities

CIL funds can be passed to other organisations both inside of and external to North Somerset, provided that the money is to be spent on infrastructure to support the development of the area and subject to regulations on issues such as procurement and State Aid. For example, the Council could pass money to the Environment Agency to spend on flood defences or to the Highways Agency for road improvements.

In 2011, the Government consulted on a proposed requirement that local authorities should pass a 'meaningful proportion' of CIL receipts direct to the local communities in which development takes place. The consultation document can be viewed at:

<http://www.communities.gov.uk/publications/planningandbuilding/cilreformconsultation>

At the time of writing the results of this consultation have not been made public and the expected proportion and procedures in relation to the community proportion are therefore unclear. North Somerset Council will respond and consider whether to update its CIL proposals as and when new government guidance is published.

3. The relationship between CIL and Section 106 agreements

The CIL system will result in the scaling back in the use of Section 106 agreements, but will not replace them entirely.

Section 106 agreements (and Section 37 / 278 agreements and planning conditions) will still be used by the Council in three main ways, to secure:

- Site specific mitigation, e.g. local improvements / infrastructure necessary to enable the grant of planning permission. For example, access roads, on-site open space, heritage protection and some off-site requirements directly related to individual developments.
- Affordable housing: under the current regulations, the CIL cannot be used to fund affordable housing, which will therefore be secured through Section 106 agreements.
- Development-specific infrastructure on large-scale major development sites: large sites often necessitate the provision of their own development-specific infrastructure, such as primary schools, which may be dealt with more effectively through a Section 106 agreement. This will primarily relate to the Weston Villages sites.

The following provides an indicative split of the possible division between CIL and Section 106 funded infrastructure. Please note that the list is not necessarily comprehensive, that the order of the infrastructure does not have any wider significance, for example, in terms of prioritisation, and that inclusion in this list does not guarantee future funding.

Category	CIL	Section 106
Transport	<p>Off-site highways and other transport schemes with a strategic benefit to development, e.g.</p> <ul style="list-style-type: none"> • Junction 21 outbound improvements / J21 bypass. • Portishead Rail. • Bristol Metro. • Airfield Bridge Link. • Herluin Way to Locking Road link. • Banwell bypass. • Improvements to 	<ul style="list-style-type: none"> • Site-specific access routes, including at the Weston Villages. • Sustainable transport measures, including Travel Plan measures and site-related public transport improvements. • New or improved Public Rights of Way or other pedestrian / cycle schemes on or

Category	CIL	Section 106
	<p>existing public transport facilities, e.g. railway station improvements.</p> <ul style="list-style-type: none"> • Park & Ride schemes. • New or improved strategic Public Rights of Way or other pedestrian / cycle schemes, e.g. Strawberry Line, coastal paths, Festival Way. 	<p>linked to a specific development proposal, including at the Weston Villages.</p>
Education	<ul style="list-style-type: none"> • Secondary school provision. • New primary schools, except at the Weston Villages. • Extensions to existing primary schools. 	<ul style="list-style-type: none"> • New primary schools at the Weston Villages. • Pre-school provision.
Flood defences	<ul style="list-style-type: none"> • Weston Strategic Flood Solution – later phases. • Other flood defence schemes. 	<ul style="list-style-type: none"> • Weston Strategic Flood Solution – initial phases.
Community facilities (built)	<ul style="list-style-type: none"> • Local centre multi-purpose community facility / facilities at Parklands Village, including health centre, library, emergency services, childcare, sports hall. • Improvements to existing community and sports facilities. • New or improved libraries. 	<ul style="list-style-type: none"> • Community halls / meeting spaces on large development sites.
Community facilities (outdoor)	<ul style="list-style-type: none"> • Improvements to existing outdoor facilities or new facilities in existing communities, including strategic green infrastructure, play parks, sports pitches / grounds and public realm. • New or existing synthetic sports pitches. 	<ul style="list-style-type: none"> • Site-specific public realm. • Parks & open spaces on new developments, e.g. neighbourhood parks, MUGAs, sports pitches.
Environment & heritage	<ul style="list-style-type: none"> • Existing or improved ecological or biodiversity schemes of strategic 	<ul style="list-style-type: none"> • Local site-related habitat / nature / heritage

Category	CIL	Section 106
	significance. <ul style="list-style-type: none"> • Existing or improved heritage schemes of strategic significance. 	requirements.
Other	<ul style="list-style-type: none"> • Community engagement fund. • Economic development fund. 	<ul style="list-style-type: none"> • Affordable housing. • Commuted sums associated with the above facilities.

A number of schemes could fall into either the CIL or Section 106 categories, potentially dependent on when developments come forward. This includes for example the Weston Villages Strategic Flood Solution. This list is not intended as definitive and views are welcomed on the best split between CIL and Section 106.

Consultation question 17: Do you agree that this table sets out an appropriate split between CIL and Section 106 funded infrastructure? Are there any changes you would propose?

SECTION 6: NEXT STEPS

Following this consultation, the Council will consider the responses received and any other evidence that emerges and use these to inform the charging schedule it intends to implement.

Once the Council considers that the Draft Charging Schedule is ready for independent examination, it will be published for a four-week consultation period together with the relevant supporting evidence and the responses received to this consultation.

During the four-week period, representations may be made and any person making a representation has the right to be heard at the CIL examination. It is anticipated that the four-week consultation period will take place in early 2013, prior to an independent examination in the Spring / Summer of 2013.

The provisional timetable for the introduction of a CIL is as follows:

- Nov / Dec 2012: consultation on Preliminary Draft Charging Schedule.
- Winter / Spring 2013: consultation on and submission of Draft Charging Schedule.
- Summer 2013: Examination & Inspector's report.
- Earliest date of adoption by Full Council: 1 September 2013 (tbc).
- Earliest date of implementation: 1 October 2013 (tbc).

SECTION 7: LIST OF CONSULTATION QUESTIONS

1. Do you agree that North Somerset Council should introduce a CIL?
2. Are there any alternative mechanisms that should be considered to ensure that developers contribute appropriately towards infrastructure to support development, in particular the cumulative effects of development?
3. Do you agree with the methodology and key assumptions used in the viability assessment? If not, what alternative methods / assumptions would you suggest, and why?
4. Are there any other reasons for which you believe that the conclusions of the viability assessment are incorrect? If so, please give details and explain what you believe the conclusions should be.
5. Do you agree with the proposed CIL rates and geographical charging zones for residential development? If not, what do you think the rates should be and why?
6. Do you agree with the proposed CIL rates for retail development? If not, what do you think the rates should be and why?
7. Do you agree with the proposed CIL rates for student accommodation? If not, what do you think the rates should be and why?
8. Do you agree with the proposed CIL rates for care homes? If not, what do you think the rates should be and why?
9. Do you agree with the proposed CIL rates for commercial development? If not, what do you think the rates should be and why?
10. Do you agree with the proposed CIL rates for all other qualifying development? If not, what do you think the rates should be and why?
11. Do you believe there are any alternative or further sub-divisions of development zones or uses that should be considered for separate rates? Please provide details and rationale.
12. Which developments in North Somerset do you think would potentially benefit from discretionary charitable relief if offered?
13. Do you agree with North Somerset Council's intention not to allow discretionary charitable relief?
14. Which developments in North Somerset do you think would potentially benefit from exceptional circumstances relief if offered?

15. Do you agree with North Somerset Council's intention not to allow exceptional circumstances relief?
16. Do you agree with North Somerset's proposal not to allow additional phasing of payments?
17. Do you agree that the table on [p19 - 20] sets out an appropriate split between CIL and Section 106 funded infrastructure? Are there any changes you would propose?

This publication is available in large print,
Braille or audio formats on request.

Help is also available for people who require
Council information in languages other than English.

Please contact 01934 426 609



For further information please contact

Planning Policy Team
North Somerset Council, Town Hall.
Walliscote Grove Road, Weston-super-Mare, Somerset,
BS23 1UJ

Email: planning.policy@n-somerset.gov.uk

Tel: 01934 426 609